



ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. lxxix.

An Act to enlarge the Term and Powers of Four Acts of His late and present Majesty, for repairing several Roads leading to, through, and from the Town of *Monmouth*; and for making Two Pieces of Road to communicate therewith. [1st June 1818.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King George the Second, intituled *An Act for repairing and widening the several Roads therein mentioned leading to, through, and from the Town of Monmouth*: And whereas another Act was passed in the Seventeenth Year of His present Majesty, intituled *An Act to enlarge the Term and Powers of an Act passed in the Twenty-eighth Year of the Reign of King George the Second, for repairing and widening the several Roads therein mentioned, leading to, through, and from the Town of Monmouth*: And whereas another Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act to enlarge the Term and Powers of Two Acts of the Twenty-eighth Year of King George the Second, and the Seventeenth of His present Majesty, for repairing and amending the several Roads therein mentioned, leading to, through, and from the Town of Monmouth*: And whereas an Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of Three Acts of His late and present Majesty, for repairing several Roads therein mentioned,* [Local.] 28 G. 2. c. 31.
17 G. 3. c. 96.
33 G. 3. c. 169.
50 G. 3. c. 97.
leading

Former Acts
continued.

leading to, through, and from the Town of Monmouth, and for making a new Piece of Road to communicate therewith: And whereas it would be a great Benefit and Convenience to the Neighbourhood and the Public, if a new Road was made to branch from the present Turnpike Road leading from *Monmouth* to the *Four Ashes*, at a House called *The New Inn*, in the Parish of *Cromcarvan*, into the present Turnpike Road leading from *Monmouth* to *Tregare*, at or near *Dingestow* Church, in the Parish of *Dingestow*; and also another new Road was made to branch from the first-mentioned Road upon *Dingestow* Farm, in the said parish of *Dingestow*, into the said Turnpike Road from *Monmouth* to the *Four Ashes*, at or near *Croft y Lloy*, in the Parish of *Cromcarvan*, in the said county: And whereas the Trustees, acting in the Execution of the said Acts, have borrowed several considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain unpaid: And whereas the said Pieces of new Road cannot be made, and the said Roads effectually kept in Repair, nor can the Principal Monies already borrowed, and which may hereafter be borrowed upon the Credit of the said Tolls and Interest thereof be paid, unless the said Acts be continued for a further Term, and the Powers thereof altered and enlarged; may it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (save and except such as are altered, varied, or repealed,) shall be and remain in full Force and Effect, and together with this present Act shall be put in Execution for and during the Term hereinafter mentioned, for the Purpose of amending, widening, improving, and keeping in Repair the Roads included in the said recited Acts, and also the Roads hereinbefore described, as fully and effectually in all Respects, and to all Intents and Purposes as if the said Acts, and the Powers and Provisions therein respectively contained and now in Force, were expressly repeated and re-enacted in the Body of this present Act; but subject nevertheless to the Alterations, Variations, and Amendments herein contained, and which shall commence and take Effect upon the passing of this Act; and that this Act and the Term and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing, or which shall or may hereafter be borrowed and become due on the Credit of the said recited Acts and of this present Act, or any of them, and all Interest due and to become due for the same respectively.

Additional
Trustees may
be elected.

II. And be it further enacted, That it shall be lawful for the Trustees appointed, or elected, for executing the said Acts, and this Act, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons not exceeding Ten in the Whole, to be Trustees for the Purposes of this Act, in addition to the Trustees appointed or elected by virtue of the said Acts, and this Act; and such Trustees so elected, and being duly qualified shall be and are hereby invested with the same Powers and Authority for executing the said recited Acts and this Act, as if they had been thereby or hereby nominated and appointed.

III. And,

III. And, inasmuch as it is desirable that other Parts of the said Road should be varied and altered, be it further enacted, That it shall be lawful for the said Trustees, by and with the Consent of Two of His Majesty's Justices of the Peace in and for the said County of *Monmouth*, to discontinue the Repairs of so much of the said Roads as shall be varied and altered, and the said Trustees are hereby discharged from the Care and Management thereof accordingly.

Trustees discharged from Care of Roads varied.

IV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees, for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Effoign, Protection, or Wager at Law, or more than One Imparlanse shall be allowed.

Clerk restrained from acting as Treasurer, and vice versa.

V. And be it further enacted, That the said Trustees shall and they are hereby required, from Time to Time, to cause to be entered in a Book to be kept by the Clerk to the said Trustees, true and regular Accounts of all Sums of Money received and expended by them in the Execution of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book shall, at all reasonable Times, be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby or by the said recited Acts granted, without any Fee or Reward; and the said Trustees and Creditors shall and may take any Copies or Extracts from such Book, without paying any Thing for the same, and in case such Clerk shall refuse to permit or shall not permit such Trustees or Creditors, or any of them, to inspect the same, or take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Ten Pounds.

Book of Accounts to be kept.

VI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Eleven or more of them, or such Person or Persons as they, or any Eleven or more of them, shall appoint, to erect and set up, or cause to be erected and set up, such Gate or Gates, Turnpike or Turnpikes, upon or across the said Roads, any or either of them, or any Road or Lane leading into the same; and also Second or other Gate or Gates, Turnpike or Turnpikes, at the Distance of Four Miles from the Turnpike Gate at *Monmouth* upon the said Roads leading from *Monmouth* to *Trelleck*, *Ragland*, *Tregare*, *Landilo*, and *Newcastle*, and upon the other Roads within the Distance of Four Miles from the Turnpike Gate at *Monmouth* as the said Trustees may think fit; and also a Toll-House or Toll-Houses, with suitable Outbuildings thereto; and also

Trustees may erect Second Turnpike Gates at any Place beyond Four Miles apart on either Road.

also to take in and inclose from the said Roads a Garden-Spot or Garden-Spots, not exceeding in Quantity One-eighth of an Acre of Land to such Toll-Houses respectively, suitable and convenient for the same; and also to pull down and remove the same, or any of them, as they the said Trustees, or any Eleven or more of them, shall judge proper.

For discontinuing the present Tolls and granting new ones.

VII. And whereas the Tolls granted by the said recited Acts will be insufficient for amending and keeping the said Roads in good Repair; and also for making the Pieces of New Road hereby authorized to be made; be it therefore further enacted, That from and after such Day as the said Trustees at any Meeting at which not fewer Persons in Number than Eleven, and concurring in such Resolution, shall there act and appoint the Tolls payable under and by virtue of the said recited Acts, shall cease and determine and be no longer paid; and that in lieu thereof the following Tolls shall or may be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle, Coach, Waggon, Cart, or other Carriage whatsoever, be permitted to pass through any Turnpike or Toll-Gate, Side-Bar or Side-Gate, erected or to be erected by virtue of the said recited Acts, or this Act, upon or across the said Roads, or upon or across any Lane or Way leading into the same; (that is to say,)

Lower Rate of Tolls for Carriages, with cylindrical Wheels.

For every Waggon, Wain, Cart, or other Carriage, laden with or going for Lime for Manure, having the Soles or Bottoms of the Fellies of the Wheels thereof cylindrical (that is to say), of the same Diameter the Inside next the Carriage as on the Outside, so that when such Wheel shall be rolling on a flat or level Surface, the whole Breadth thereof shall bear equally on such flat or level Surface, and provided that the opposite Ends of the Axletrees of such Waggon, Cart, or other Carriage, so far as the same shall be inserted in the respective Naves of the Wheels thereof shall be horizontal, and in the Continuance of one straight Line without forming any Angle with each other, and so that in each Pair of Wheels belonging to such Carriage, the lower Parts when resting on the Ground shall be at the same Distance from each other as the upper Parts of such Pair of Wheels, and drawn by Four or more Horses or other Beasts, the Sum of One Shilling and Three-pence.

And drawn by Three Horses or other Beasts, the Sum of Eleven-pence.

And drawn by Two Horses or other Beasts, the Sum of Seven-pence.

And drawn by One Horse or other Beast, the Sum of Three-pence.

For every Bull, Ox, or Bullock, drawing any Waggon, Wain, or other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) and having the Wheels cylindrical as before described, under the Breadth of Six Inches, the Sum of Three-pence.

For every Horse, Mule, Ass, or other Beast of Draught, (except Bulls, Oxen, and Bullocks,) drawing any Waggon, Wain, Cart, or other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) and having the Wheels cylindrical as before described, and the Bottoms of the Fellies of the Wheels under the Breadth of Six Inches, the Sum of Sixpence.

For every Bull, Ox, or Bullock, drawing any Waggon, Wain, Cart, or other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) having the Wheels cylindrical as before described, and the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Three-pence.

For

For every Horse, Mule, Ass, or other Beast of Draught, (except Bulls, Oxen, and Bullocks,) drawing any Waggon, Wain, Cart, or any other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) having the Wheels cylindrical as before described, and the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Five-pence.

For every Waggon, Wain, Cart, or other Carriage, laden with or going for Lime for Manure, drawn by Four or more Horses, or other Beasts, and not having the Wheels cylindrical, as before described, nor the Nails counterfunk within the Strake, the Sum of One Shilling and Sixpence.

Higher Rate
of Tolls for
Carriages not
having cylin-
drical Wheels.

And drawn by Three Horses, or other Beasts, the Sum of One Shilling and One Penny.

And drawn by Two Horses or other Beasts, the Sum of Nine-pence.

And drawn by One Horse or other Beast, the Sum of Five-pence.

For every Bull, Ox, or Bullock, drawing any Waggon, Wain, Cart, or other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) not having the Wheels cylindrical as before described, and not having the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Four-pence.

For every Horse, Mule, Ass, or other Beast of Draught, (except Bulls, Oxen, and Bullocks,) drawing any Waggon, Wain, Cart, or any other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) not having the Wheels cylindrical as before described, and not having the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Eight-pence.

For every Bull, Ox, or Bullock, drawing any Waggon, Wain, Cart, or any other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) not having the Wheels cylindrical, but having the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Three-pence.

For every Horse, Mule, Ass, or other Beast of Draught, (except Bulls, Oxen, and Bullocks,) drawing any Waggon, Wain, Cart, or other Carriage of Burthen, (except Lime for Manure, Timber, Poles, or Hoops,) not having the Wheels cylindrical as before described, but having the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Sixpence.

For every Horse, Mule, Ass, or other Beast of Draught, drawing any Waggon, Wain, Cart, or other Carriage, laden with any Kind or Sort of Timber, whether converted or unconverted, exceeding in the Whole Ten Square Feet Measure, or any Poles or Hoops, Lime-stone or other Stone, Bricks, Tiles, and Paving, or any Materials for Building, and having the Wheels cylindrical as before described, and the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, from the First Day of *April* to the First Day of *October* both inclusive, in every Year, the Sum of Sixpence.

And from the First Day of *October* to the First Day of *April* in every such Year, the Sum of One Shilling and Two-pence.

And having the Wheels cylindrical as before described, and the Bottoms of the Fellies of the Wheels being under the Breadth of Six Inches, from the First Day of *April* to the First Day of *October* both inclusive in every Year, the Sum of Nine-pence.

And from the First Day of *October* to the First Day of *April* in every such Year, the Sum of One Shilling and Sixpence.

[Local.]

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For

For every Horse, Mule, Afs, or other Beast of Draught, drawing any Waggon, Wain, Cart, or any other Carriage, laden with any Kind of Timber, whether converted or unconverted, exceeding in the Whole Ten Square Feet Measure, or any Poles or Hoops, Lime-stone or other Stone, Brick, Tile, and Paving, or any Materials for Building, and not having the Wheels cylindrical, and the Bottoms of the Fellies of the Wheels being Six Inches in Breadth, from the First Day of *April* to the First Day of *October* both inclusive, in every Year, the Sum of Ten-pence.

And from the First Day of *October* to the First Day of *April* in every such Year, the Sum of One Shilling and Eight-pence.

And not having the Wheels cylindrical as before described, and the Bottoms of the Fellies of the Wheels being under the Breadth of Six Inches from the First Day of *April* to the First Day of *October* both inclusive, in every Year, the Sum of One Shilling.

And from the First Day of *October* to the First Day of *April* in every such Year, the Sum of Two Shillings.

For every Coach, (except Stage Coaches,) Berlin, Landau, Chariot, Calash, Chair, Caravan, Hearse, or Litter, drawn by One Horse or other Beast of Draught, the Sum of Eight-pence.

And drawn by Two Horses or other Beasts of Draught, the Sum of One Shilling and Two-pence.

And drawn by more than Two Horses or other Beasts of Draught, the Sum of Five-pence for each Horse or other Beast.

For every Stage Coach drawn by Two or more Horses or Beasts of Draught, the Sum of Eight-pence for each Horse or Beast.

For every Drove of Oxen or Neat Cattle, the Sum of Two Shillings and Sixpence *per* Score, and in that Proportion for any less Number.

For every Drove of Calves, Pigs, Sheep, or Lambs, the Sum of One Shilling and Three-pence *per* Score, and in that Proportion for any less Number.

For every Horse, Mule, or Afs, carrying Stone or Pit Coal, the Sum of One Penny.

For every Horse, Mule, or Afs, laden or unladen, and not drawing, or not carrying Stone or Pit Coal, the Sum of Three Halfpence.

Toll on Carriages with wide Wheels.

VIII. And be it further enacted, That double the Tolls hereinbefore enacted shall be paid for every Horse or Beast used in drawing any Carriage, the Wheels of which shall be so far apart, that such Carriage cannot be weighed at the Weighing Machines, such Weighing Machines not being less than Ten Feet in Length and Seven Feet in Breadth, unless such Carriage be loaded only with a single Piece of Timber; and also for every Horse or Beast used in drawing any Carriage, from and after the Expiration of Eighteen Months next after the passing of this Act, the Nails of the Tire or Tires of any Wheel of which Carriage shall rise or project One-eighth Part of an Inch above the Surface of such Tire or Tires, and not being properly countersunk therein.

For every Horse or Mule, drawing any Waggon called a Stage Waggon, carrying Goods for Hire, having the Wheels exceeding Six Inches and being cylindrical, the Sum of Sixpence.

For every Horse or Mule, drawing any such Waggon, with the Wheels of the Breadth of Six Inches and upwards, not being cylindrical, from the First Day of *April* to the First Day of *October* both inclusive, the

the Sum of Ten-pence; and from the First Day of *October* to the First Day of *April* in every Year, the Sum of One Shilling and Three-pence.

Which said respective Tolls or Duties shall be and are hereby declared to be vested in the said Trustees, and that it shall and may be lawful for the said Trustees to demand and take, or cause to be demanded and taken, the said Tolls at the respective Gates erected or to be erected upon, or across, or near the said Roads; and they the said Trustees, or such Person or Persons as they shall authorize and appoint for that Purpose, shall have such and the same Powers, Authorities, and Remedies for collecting, demanding, recovering, levying, leasing, assigning, and compounding for the Tolls and Duties hereby granted or made payable, as are in and by the said recited Acts, or either of them, given and expressed with respect to the Tolls thereby granted or made payable; and that the said Tolls and Duties hereby granted and made payable shall be applied and disposed of to and for such Uses, Intents, and Purposes, as are in the said recited Acts and this Act directed and appointed in that Behalf.

IX. And be it further enacted, That the said Tolls and One-half more shall be paid for all Kinds of Cattle and Carriages passing through any of the said Turnpikes upon a *Sunday*; and that every Horse, Mule, Ass, or other Beast, preceding or following any Waggon, Wain, Cart, or other Carriage, having, wearing, or carrying Geers or Harness, or the Geers or Harness of which shall be upon such Waggon, Wain, Cart, or other Carriage, shall be deemed and taken and shall pay the like and the same Tolls as if such Horse, Mule, Ass, or other Beast of Draught, was actually drawing such Carriage.

Increased
Tolls on
Sundays.

X. And be it enacted, That an Iron Gauge shall be kept at each of the Turnpike Gates to be erected upon, or across, or near the said Roads, to ascertain the Shape of the said cylindrical Wheels.

Gauge to be
kept for mea-
suring
Wheels.

XI. And be it further enacted, That all Waggons, Carts, and other Carriages, having the Wheels of the Widths and Descriptions, and the Axletrees fixed as mentioned and set forth in and by an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases shall be allowed an Abatement of One-fourth Part of the Tolls hereby granted.*

Abatement
of One-fourth
Toll in cer-
tain Cases.

XII. Provided always, and it is hereby further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, and they are hereby empowered, if they shall think proper, to lessen the said Tolls, or any of them, as they shall think proper and sufficient to keep the said Roads in good Repair; and also, if they shall think proper, again to raise the said Tolls, or any of them, to any Sum or Sums of Money, not exceeding the Tolls hereby granted, which they shall think proper, and so from Time to Time to lessen or raise the said Tolls, when and as often as to the said Trustees, or any Nine or more of them, shall seem fit.

Tolls may be
reduced.

XIII. Provided always, and be it further enacted, That no Person who shall have paid the Tolls by this Act granted, or any of them, at any

Tolls to be
paid once a
Day at one

Gate, and
twice only at
all.

any Toll-Gate upon the said Roads, shall be liable to pay a Second Toll at any other Toll-Gate upon the same Branch of Road coming into *Monmouth* Town, or going therefrom upon One Branch of Road only, it being intended that One Toll only shall be paid for passing upon One Branch of Road going into or going from *Monmouth* Town, and the Second Toll on going through the said Town upon another Branch of Road, unless with the same Horse or other Beast, in which Case the passing through *Monmouth* Town with the same Horse or other Beast shall be considered as passing One Gate only, for or in respect of the same Horse or Horses, Beast, Cattle, or Carriages, in any One Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the succeeding Night, such Person producing a Note or Ticket denoting such Payment, and which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Receipt of the Toll, and that no more than Two Tolls in the Whole shall be demanded or taken of or from any Person or Persons, for or in respect of the same Horse or Horses, Beasts, Cattle, or Carriages for passing or re-passing through all the Toll-Gates upon the said Roads in any One Day, to be computed as aforesaid, such Person or Persons producing Notes or Tickets denoting such Payments, and naming and specifying the Turnpikes freed thereby, and which Notes or Tickets the respective Collectors of the Tolls are required to deliver *gratis* on the Payment of the Toll; and that One Toll only, as aforesaid, shall be paid for Carriages of any Kind going through the Town of *Monmouth* for Lime or Coal at the Wharf near the said Town.

One Toll
only going
through
Monmouth
for Lime or
Coal at the
Wharf.

Tolls to be
paid but once
a Day at the
same Gate.

XIV. Provided always, and be it further enacted, That no Person or Persons, who shall have paid the Toll or Duty for passing through any of the Turnpikes or Toll-Gates, shall be liable to pay any Toll or Duty for re-passing through the same Turnpikes or Toll-Gates, or any of them, with the same Horses, Cattle, Beasts, and Carriages, the same Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the succeeding Night, such Persons producing a Ticket denoting the Payment of such Toll, which Ticket the Collectors of the Tolls are hereby required to give *gratis* upon the Payment of such Toll, and on such Ticket shall be named and specified the Gates freed by such Payments.

Toll-Col-
lectors to put
up their
Names.

XV. And be it further enacted, That all and every Toll-Collector, appointed either by the said Trustees, or any Five or more of them, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll-Gate erected by virtue of the said Acts, or this Act, shall, and he is hereby required to place his Christian and Surname painted on a Board in legible Characters in the front, or on some other conspicuous Part of the Toll-House or Toll-Gate, immediately upon his coming on Duty, each of the Letters of such Name or Names, to be at least Two Inches in Length, and of a Breadth in Proportion, and painted in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of the said

said Acts, and this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls, or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll, such Ticket having specified thereon the several Gates freed by such Payment, or shall make use of any scurrilous or blasphemous Language to any Trustee, Treasurer, Clerk, Surveyor, or other Officer, or to any Person or Persons travelling upon the said Roads, or shall, without sufficient Cause, detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, and such Penalty shall be recovered and applied as other Penalties are by the said first recited Act directed to be recovered and applied.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Eleven or more of them, from Time to Time, or at any Time or Times hereafter, to borrow and take up at Interest such Sum or Sums of Money not exceeding the Sum of Eight thousand Pounds, over and above the Sum of Four thousand Pounds, authorized to be borrowed by the last recited Act, as they shall think fit, upon the Credit of the Tolls arising by virtue of this Act, or any Part or Parts thereof, over and above and in addition to the Sum and Sums of Money already borrowed, and by Writing under their Hands and Seals to assign over the said Tolls, or any Part or Parts thereof, and the Turnpike-Gates and Toll-Houses for collecting the same (the Charges of such Mortgages or Assignments to be paid out of the said Tolls) to any Person or Persons during the Continuance of the Term granted by this Act, as a Security or Securities for the Repayment of the several Sums which shall be borrowed, with the Interest thereof, in the Manner and according to the Forms, Rules, and Directions contained in the said last recited Act.

Power to borrow Money on Mortgage.

XVII. And be it further enacted, That the Tolls and Money arising by virtue of this Act shall be applied and disposed of by the Trustees in Manner following, (that is to say,) in Payment of the Costs, Charges, and Expences of obtaining and passing this Act, and in making, repairing, and amending the Roads mentioned in the said recited Acts and this Act, and in defraying the Expences from Time to Time attending the Execution of the said recited Acts and this Act, and in paying and keeping down the Interest of the Monies already borrowed and hereafter to be borrowed on the Credit of the said Tolls, and afterwards in paying off and discharging such principal Monies.

Directing the Application of Tolls and Money borrowed to be laid out on the Roads.

XVIII. And whereas an Act was passed in the last Session of Parliament, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain*, in Manner therein mentioned:

Additional Tolls only payable on Roads where Money is expended.

[Local.]

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And

And whereas the Trustees for executing the said first recited Act, and this Act, may borrow Money of the Commissioners for executing the said Act of the last Session of Parliament, for making and repairing the Roads in the said recited Acts, and this Act mentioned; and it is just and reasonable that the additional Tolls which may be imposed by virtue of the said Act of the last Session of Parliament, should only be payable on such of the said Roads comprized in the said recited Acts, and this Act, for which such Money shall be so borrowed; be it therefore enacted, That it shall not be lawful for the said Trustees to demand or take, or cause to be demanded or taken any Part of the additional Tolls authorized to be imposed by virtue of the said Act of the last Session of Parliament, on any other Parts of the said Roads than those whereon the said Money so borrowed shall be expended, save and except the Road leading from *Trothy Bridge* to *Ragland*, and the said Two Branches of new Road hereby authorized to be made and repaired, and also the present Road leading from *Monmouth* to *Tregare*.

Surveyors may make Causeways, Footpaths, and Gates on Paths in the Fields.

XIX. And be it further enacted, That it shall and may be lawful to and for the Surveyor and Surveyors, by Order of the said Trustees, or any Five or more of them, to make or cause to be made any Causeways, Footways, and Drains, in and upon the said Roads, and also Ditches and Drains, in and upon the said Roads, and also Ditches and Drains through any Grounds lying contiguous thereto, (not being a Garden, Orchard, Yard, Park, Paddock, or planted Walk, or Avenue to any House, or Nursery for Trees); and to make Arches upon the said Roads, making such reasonable Satisfaction to the Owners and Occupiers of such Grounds respectively through which any such Drains shall be made, or on which such Arches shall be erected, for the Damage which such Owners or Occupiers respectively shall or may sustain thereby, as shall be adjudged reasonable by the said Trustees, or any Five or more of them; and in case of any Difference concerning the same between such Owners or Occupiers and the said Trustees, that then it shall and may be lawful to and for any Two or more Justices of the Peace for the said Town or County of *Monmouth*, to settle and adjudge and determine what Recompence shall be made to the Owners or Occupiers for the Damage they shall have sustained as aforesaid.

Road to be made Thirty-three Feet wide, and Ditches within the Fields where practicable.

XX. And be it further enacted, That the said Roads by the said Acts and this Act directed to be repaired, shall be made of the Width of Thirty-three Feet within the Fences in all Cases where the same shall be conveniently practicable, and all Ditches and Water-courses shall be made within the Fences of the Fields adjoining the said Roads where the same can conveniently be done, and the said Trustees, or any Five or more of them, are hereby empowered to purchase Lands for the Purposes aforesaid, in such and the like Manner, and under the like Restrictions, as they are authorized by the said recited Acts or this Act, to purchase Lands for making or widening the said Roads.

Penalty on damaging Footways or causing Nuisances or Obstructions on the Road.

XXI. And be it further enacted, That the said Trustees may cause Footpaths, not exceeding Four Feet in Breadth, to be made along the Sides of the said Roads in such Places as can admit of the same; and shall cause all Signs, Sign-Posts, Sign-Irons, Pent-houses, Show-boards, Spouts, and Gutters, projecting into the said Foot-paths, and all Posts, Rails, and

and other Obstructions thereon, to be taken down and removed; and if any Person or Persons shall ride upon any Footway adjoining the said Roads, or shall lead or drive any Horse, Ass, Cattle, Sheep, or Swine, or any Carriage on such Footway, or shall cause any Damage to be done thereto; or shall put or turn any Horse, Ass, Sheep, Swine, Beast, or Cattle of any Kind, into or upon the said Roads or the Sides thereof; or if any Horse, Ass, Sheep, Swine, Beast, or Cattle, shall be found loose or trespassing on the said Roads; or if any Person shall leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, Plough, or other Instrument of Husbandry, in or upon the said Roads, or the Sides thereof, either with or without any Horse or Beast of Draught, harnessed or yoked thereto, without some reasonable Cause to be allowed by the Justice of the Peace before whom the Person so offending shall be summoned or conveyed, in order to his or her Conviction, (save and except with regard to such Waggon, Wain, Cart, or Carriage during such reasonable Time as the same shall be loading or unloading, and standing as near to the Side of the said Roads as conveniently may be,) every Person so offending, or the Owner of such Cattle so found trespassing, shall forfeit and pay a Sum not exceeding Forty Shillings.

XXII. And be it further enacted, That it shall be lawful for the said respective Surveyor and Surveyors, and such Person or Persons as they shall appoint from Time to Time, without giving any previous Notice, to remove all such Earth, Trees, Roots of Trees, and other Things, as shall suddenly fall or be blown down from any Hedge, Bank, or Land, into or upon any Part of the said respective Roads, by this Act authorized to be repaired, so as to narrow or obstruct the Passage along the same, and to carry and place the same on any Waste Ground near thereto, so as the same be no Annoyance to Travellers; and such respective Surveyor or Surveyors shall forthwith give Notice thereof to the Owners or Occupiers of the Lands from whence such Earth, Trees, Roots, or other Things shall so slide or fall, or be blown down as aforesaid, and the Charges of carrying away the same, (to be settled by any Two Justices of the Peace for the said County of *Monmouth*,) shall be reimbursed and paid to such Surveyor or Surveyors, by such Owners or Occupiers, and be recovered in such Manner as the Penalties and Forfeitures for Offences against this Act are hereby directed to be recovered.

Surveyors empowered to remove sudden Obstructions without Notice.

XXIII. And be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors of the said Roads, or such Person or Persons as he or they shall appoint, to dig, gather, and carry away any Gravel, Furze, Heath, Sand, Flints, Stones, or other Materials, out of any Common, River, or Brook, or out of or from any Waste or Common, situate in any Parish, Township, or Place in which any Part of the said Roads lie, or in any adjoining Parish, Township, or Place proper and convenient for repairing and amending the Roads aforesaid, without paying any Thing for the same, such Surveyor or Surveyors or other Persons levelling or causing to be levelled all such Holes and Pits where any Materials as aforesaid shall be digged, gathered, or taken, and from whence the same shall be carried away, or making a safe and sufficient Fence round all such Holes or Pits; and where a sufficient Quantity of Materials cannot be had from such Rivers, Brooks, or Common, for repairing

Getting Materials.

repairing and amending the said Roads, it shall and may be lawful for such Surveyor or Surveyors, or other Persons as aforesaid, by Order of any Justice or Justices of the Peace for the County in which such Materials are to be gotten; to be made upon the Application of the said Trustees, or any Five or more of them, to dig and gather such Materials in and carry the same out of and from the Lands and Grounds of any Person or Persons (not being a Ground whereon any House stands, or a Garden, Orchard, Yard, or Park, Paddock, planted Walk or Avenue to any House, or a Piece or Parcel or Ground set apart or used as a Nursery for Trees,) where such Materials are or may be found, and from Time to Time to carry away the same, or so much thereof as the Surveyor or Surveyors shall judge necessary for repairing and amending the said Roads, making or tendering such Satisfaction for the Damage done to the Owners and Occupiers respectively of the Lands or Grounds where and from whence the same shall be digged, gathered, or carried away, or over which the same shall be carried, as also for the Damage done to the Owners and Occupiers of any private Lands or Grounds over which such Materials gotten in any River, Brook, or Waste Ground, shall be carried or conveyed as the said Trustees or any Five or more of them shall judge reasonable; and in case of Difference concerning the same between such Owners or Occupiers, and the said Trustees touching such Damages as aforesaid, then Two Justices of the Peace acting in and for the said County, shall and may adjudge, assess, and determine the same.

Notice to be given of taking Materials.

XXIV. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor or other Person or Persons, acting under the Authority of the said Acts and this Act, to dig, cut, gather, get, take, or carry away, any Materials proper for repairing such Roads, out of or from any inclosed Land or Ground, until Notice in Writing signed by the Surveyor, shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Occupier, to appear before any One or more Justice or Justices of the Peace, acting in and for the said County, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier or Agent shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, such Justice or Justices shall, if they think proper, authorize such Surveyor or other Persons to dig, gather, take, and carry away such Materials at such Time or Times, as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or Agent, such Justice or Justices may, (upon Proof on Oath of the Service of such Notice, and which Oath they, or any of them, are hereby empowered to administer,) make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes, as if such Owner or Occupier, or his Agent, had attended.

No Cottages to be erected nor Trees planted within a certain Distance.

XXV. And be it further enacted, That no Person or Persons whatsoever shall in future erect or build, or cause to be erected or built, upon any Waste or Common, or in any Common Meadow or Common Field, or on any open Land on the Side of the said Road, any House, Cottage, or other Building whatever, nor shall make any Inclosure on any Waste or Common, nor plant, or cause to be planted, any Tree or Trees whatever
within

within the Distance of Thirty Feet from the Centre of any of the Roads to be repaired or made under the Directions of this Act, under the Penalty of Forty Shillings for each Offence, to be recovered and applied in like Manner as other Penalties under this Act are directed to be recovered and applied; and in case any Person (notwithstanding the Payment of such Penalty or Forfeiture) shall presume to erect any Building, make any Inclosure, plant or cause to be planted any Tree or Trees within such Distance as aforesaid, it shall and may be lawful to and for the said Trustees to cause the same to be taken down, thrown open, or cut down and removed, and the Expence of taking down, throwing open, cutting down, or removing the same, shall be borne, paid, and discharged, by the Person or Persons who shall be guilty of any or either of the Offences aforesaid.

XXVI. And be it further enacted, That no Gate of any Park, Paddock, or Field, shall be made to open towards the said Roads, or shall be suffered to continue so to open, unless the Hanging-Posts thereof shall be Thirty Feet at least from the Centre of the Road; and the Occupier or Occupiers of every Park, Paddock, or Field, the Gate whereof shall open towards the said Roads, shall, within Fourteen Days after Notice from the Surveyor or Surveyors of the said Roads, cause such Gate to be altered in such a Manner as that no Part of the Gate when open shall project over any Part of the said Roads; and in Default thereof the said Surveyor or Surveyors is and are hereby authorized to cause such Gate to be taken down, and afterwards fixed up in the Manner hereinbefore directed; and the Person or Persons making Default shall, upon Complaint made to any Justice of the Peace for the County in which such Road shall lie, and on Conviction thereof, on the Oath of One credible Witness, pay to such Surveyor or Surveyors such Sum as the said Justice shall direct for defraying the Expence of such Alteration, and shall also forfeit and pay any Sum not exceeding Forty Shillings for his or their Default therein.

Gates to
open inwards.

XXVII. And be it further enacted, That it shall and may be lawful for the Trustees for the Time being acting under or carrying into Execution the said recited Acts and this Act, or any Nine or more of them, at such Time or Times as they shall think proper, to make, complete, and maintain, or cause to be made, completed, and maintained, the new Branches of Road hereinbefore described, through, over, and upon such Place or Places within the Distance hereinafter mentioned as they the said Trustees, or any Nine or more of them, shall think proper or deem expedient, and shall for that Purpose order and direct; and it shall be lawful for the said Trustees, or any Nine or more of them, and their Workmen, Agents, Officers, and Servants, and they are hereby empowered to go, enter into, and pass in, upon, over, under, or through, the Lands, Grounds, and other Places of or belonging to any Person or Persons, Bodies Politic, Corporate, or Collegiate, and to set out and ascertain such Parts thereof as they the said Trustees, or any Nine or more of them, shall think necessary or proper for making and completing such Roads, and to construct, do, and perform, all Matters and Things which shall be deemed necessary and convenient for the making and completing such Roads, doing as little Damage as may be in the Execution of the Powers hereby granted, and making full Satisfaction in Manner hereinafter mentioned, to the Owners

Power to
make new
Road.

[Local.]

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and

and Proprietors of and all Persons interested in any Lands or other Hereditaments which shall be taken or used by or on the Behalf of the said Trustees, or which shall be prejudiced or damaged in the surveying, planning, setting out, amending, repairing, or using such Roads or otherwise in the Execution of this Act: Provided always, that nothing in this Act contained shall authorize or empower the said Trustees, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Pieces of Road, any House, Bridge, or other Building, or any Land or Ground set apart or used as and for a Yard, Park, Pleasure Ground, or Garden, Orchard, Paddock, Nursery for Trees, Planted Walk, or Avenue to a House, without the Consent in Writing of the Owner or Owners thereof.

For restraining the Trustees from deviating beyond a certain Distance of the Line described in the Plan, &c.

XXVIII. And whereas a Map or Plan describing the Line of the said new Pieces of Road, and the Lands through which the same are to be carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands have been deposited at the Office of the Clerk of the Peace for the said County of *Monmouth*; be it therefore enacted, That the said Map or Plan, and Book of Reference, shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may, at any seasonable Times, have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan, and Book of Reference; and that the said Trustees, in making the said new Pieces of Road, shall not deviate more than One hundred Yards of Three Feet each, from the Line described in the said Map or Plan, without the Consent and Approbation, in Writing, of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Trustees may make Roads through Grounds, although Owners' Names are omitted in the Book of Reference by Mistake.

XXIX. Provided also, and be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, to make the said new Pieces of Road into, through, across, or over the several Lands or Grounds of any Person or Persons, who is or are or may be Owner or Owners of Land over which the same is set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Monmouth*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Power to divert the Road and the Corporations to sell.

XXX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to make and repair, and from Time to Time to widen, divert, shorten, vary, turn, and alter the Course or Path of any Part or Parts of the said Roads, and every Variation may be made of any Width not exceeding Sixty Feet, through any Waste Grounds, Commons, or uncultivated Lands, without making Satisfaction for the same, and also through any Private Lands, Grounds, or Hereditaments, not exceeding Thirty-three Feet, exclusive of the Ditches and Fences on each Side thereof, first making Satisfaction to the Owners

Owners and Occupiers thereof and Persons interested therein, for the Damages they may sustain thereby, in the Manner described in the said recited Acts.

XXXI. Provided always, and be it enacted, That it shall not be lawful for the said Trustees, in widening, turning, shortening, varying, or altering the Course or Path of the said Roads, or any Part thereof, to deviate more than One hundred Yards from the present Line or Course thereof, or to take, use, injure, or damage, any House, Bridge, or other Building, or any Land or Ground, set apart or used, as or for any Yard, Park, Pleasure-Ground, or Garden, Paddock, Nursery for Trees, planted Walk, or Avenue to a House, without the Consent in Writing of the Owner or Owners thereof, save and except only to such Extent or Distance over and above One hundred Yards, and to such House, Bridge, Building, Yard, Park, Pleasure-Ground, or Garden, Paddock, Nursery for Trees, planted Walk, or Avenue to a House, as are particularly mentioned and described in the Schedule hereinafter mentioned, and added to this Act.

Not to deviate more than One hundred Yards.

XXXII. And whereas, by the said recited Act of the Thirty-third Year of the Reign of His present Majesty, it is enacted, that it shall be lawful for the said Trustees, or any Five or more of them, to take down a Dwelling-House, Smith-Shop, Garden, and Premises belonging to, and then in the Occupation of *Margaret Morgan*, adjoining to the Church-Yard in *Monmouth*, and now of *William Kidson*, and also the Whole or Part of a Dwelling-House, called the *Falcon*, situate at the Corner of the *Back Lane*, in the Town of *Monmouth*, then in the Possession of *Charles Linsdale*, and now of *Benjamin Green*, provided they shall have previously agreed for the Purchase of the same, with the Owners thereof respectively, (but not otherwise,) and to lay the Whole or Part of the Ground, whereon the same severally stand, into the said Roads; and it is expedient, that the said Trustees should have full Power and Authority, to take down and remove so much of the said Houses as they may think necessary, as well of the Houses and Buildings after mentioned; be it therefore further enacted, that it shall and may be lawful for the said Trustees, or any Five or more of them, to take down the Whole of the said Dwelling-House, Buildings, and Premises in the Possession of the said *William Kidson*, and also so much of the said Messuage in the Possession of the said *Benjamin Green*, and also so much of the Messuages on the South Side of *Monnow Bridge*, in the said Town, in the Possession of *Yeates, William Williams, and Thomas Watkins*, as the said Trustees may think necessary for widening and rendering the said Roads convenient, and to lay the Ground whereon the same severally stand into the said Roads, and to make Satisfaction for the same in the Manner mentioned in other Cases, for Lands taken to widen and improve the said Roads in the said recited Acts.

Power to take down certain Houses.

XXXIII. And whereas, by the said Act made in the Twenty-eighth Year of the Reign of His late Majesty King *George the Second*, it is enacted, that the Trustees for executing the said Act might administer Oaths in certain Cases; and whereas it is expedient that the said Provisions should be repealed, be it therefore enacted, That the Power and Authority given to the said Trustees by the said Act to administer Oaths, shall be and the same is hereby repealed.

Repealing Power to administer Oaths.

XXXIV. And

Commence-
ment and
Continuance
of the Act.

XXXIV. And be it further enacted, That the Term granted by the said recited Acts shall on the passing of this Act cease and determine, and the said recited Acts (subject to the Alterations, Variations, and Additions hereinbefore contained) and this Act shall from thenceforth commence, continue, and be in Force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Public Act.

XXXV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

The SCHEDULE to which this Act refers.

Names of Owners.	Names of Occupiers.	Description of Property.
Miss Mary Williams - - - -	Thomas James - -	House.
William Kidson - - - -	Himself - - - -	House.
Thomas Watkins - - - -	William Williams	House.
Mrs. Elizabeth Evans - - - -	William Yeates -	House.
Mr. Thomas Showell - - - -	Thomas Dowding	Garden.
Same - - - -	Joseph Panting -	Garden.
Same - - - -	John Hill - - - -	Garden.
The Corporation of Monmouth	Thomas Watkins -	Orchard.
Same - - - -	Thomas Baker -	Orchard.
Mrs. Frances Bellamy - - - -	John Hill - - - -	Garden.
Reverend Powell Edwards - - - -	James Jenkins - -	Garden.
Francis Young - - - -	Himself - - - -	Barn and Yard.
His Grace the Duke of Beaufort	John Evans - - - -	Land.
Samuel Bosanquet - - - -	Mrs. Elizabeth Davis	Land.

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