



ANNO DECIMO

GEORGIIV. REGIS.

Cap. cxxxiv.

An Act for improving and maintaining the Road from *Milford* through *Stainton* to *Merlin's Bridge*, and from thence to *Cartlet Bridge*, in the County of *Pembroke*. [19th June 1829.]

WHEREAS an Act was passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing the Road from Milford to Stainton and to Merlin's Bridge, and from thence to Cartlet Bridge, and to the Top of Merlin's Hill, in the County of Pembroke*: And whereas the Branch Road by the said Act authorized to be made from *Merlin's Bridge* to *Cartlet Bridge* has not yet been executed, and it is expedient that Power should be granted to make and complete the same: And whereas considerable Sums of Money have been borrowed on the Credit of the Tolls granted by the said Act and by the therein-recited Act of the Thirty-first Year of the Reign of His said late Majesty, and are still due and cannot be repaid, nor can the said Road be properly maintained in repair, unless the Term and Powers of the said herein-before recited Act of the Forty-eighth Year of the Reign of His said late Majesty are enlarged, some additional Powers are granted, and the Tolls are increased: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the Act last herein-before recited were repealed, and other Powers and Provisions were granted and made in lieu thereof:

[Local.] 38 F thereof:

48G.3.c.147.

5 G. 4. c. 69. thereof : And whereas an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads* : And whereas the several beneficial Purposes herein-before mentioned cannot be effected without the Aid and Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fourth *Monday* next after the passing of this Act the said recited Act of the Forty-eighth Year of the Reign of His said late Majesty King *George* the Third, shall be and the same is hereby declared to be repealed.

Recited Act of 48 G. 3. repealed.

Defining the Objects and Powers of this Act.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, improving, repairing, and maintaining in repair the present Road from *Milford*, through *Stainton*, to the Junction of the *Milford* and *Huberston* Roads at or near to *Merlin's Bridge*, and of making, repairing, and maintaining the intended new Branch Road from *Merlin's Bridge* to *Cartlet Bridge*, all in the County of *Pembroke*.

Powers, &c. of 5 G. 4. c. 69. extended to this Act.

III. And be it further enacted, That the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and all and every the Powers and Provisions therein contained, shall (except so far as they are repealed, varied, or altered,) be as valid and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in this Act.

Officers appointed under former Act to continue.

IV. Provided always, and be it further enacted, That the Treasurer, if appointed consistently with the Provisions and Directions of the various Acts passed for regulating Turnpike Roads in *England*, and every other Officer employed in the Execution of the said former Act hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall be removed therefrom by the Trustees for executing this Act, and shall have the like Powers and Authorities for the Purposes of this Act, and shall be liable to the like Penalties and Conditions, Rules and Regulations, as if they had been appointed under this Act.

Trustees appointed.

V. And be it further enacted, That the Honourable *Robert Fulke Greville*, the Honourable Sir *Charles Greville*, the Honourable *Edward Henry Edwardes*, Sir *Richard Bulkeley Phillipps Philipps* Baronet, Sir *Henry Mathias* Knight, the Honourable *George Pryse Campbell*, *John Allen*, *Robert Innes Ackland*, *Peregrine Bowen*, *George Roch* the younger, *William Roch* Clerk, *John Henry Philipps*, *George Robinson*, *Amos Crymes* Clerk, *John Pringle*, *William Dobbins*, *Charles Nuttal*, *Henry Palmer*, *Daniel Heneage Finch Hatton* Clerk, *Isaac Jones* Clerk, *John Jones* Clerk, *Thomas Brystoche* Clerk, *Joseph Bicknell*, *Thomas Dumayne*, *James Higgon*, *John Allen*, *John Allen Lloyd Philipps*, *Philip Powell*, *Thomas Davies*, *Jacob Jones*, *James*

*James, William Philipps, Paynter, Edward Chäppel, Bowen
Robertson, Scourfield, Lewis Child, Barham, Henry
Leach,* and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be and they hereby are appointed Trustees for carrying into execution this Act,

VI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized from Time to Time, at any of their Meetings to be holden in pursuance of this Act, (of which Meeting and of the Purposes thereof at least Fourteen Days previous Notice shall be given in manner by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, directed with respect to Meetings for the Appointment of Trustees on Vacancies,) to elect and appoint any Number of Persons, being duly qualified as aforesaid, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected and appointed, as well as all Trustees to be from Time to Time elected and appointed in pursuance of and according to the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty, in the Place of Trustees dying, resigning, or otherwise becoming incompetent or disqualified to act, and being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named herein.

Power to
appoint addi-
tional Trus-
tees.

3 G. 4. c. 126.

VII. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *Nelson Hotel* in the Town of *Milford* in the County of *Pembroke*, or at some other convenient House in the Town of *Milford*, on the Fourth *Monday* next after the passing of this Act, or as soon afterwards as conveniently may be, and shall and may then and from Time to Time adjourn to and meet at such Times and Places within the said Town of *Milford*, or in the Neighbourhood of the said Road, as the said Trustees or the major Part of them present at such respective Meetings shall think proper and appoint.

First Meet-
ing of Trus-
tees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees to make and maintain the Branch Road by this Act authorized to be made from *Merlin's Bridge* to *Cartlet Bridge* of such Width as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Embankments, Bridges, Arches, Culverts; Ditches, Drains, and Fences on the Line of the said Road as they shall think expedient; and for the Purposes aforesaid to take and use any Lands, Tenements, or Hereditaments, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same or for the Damage they may sustain by the Execution of the Powers of this Act; and it shall also be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon any Lands, Tenements, or Hereditaments upon, in, over, or through which such Road, Footpaths, Causeways,

Branch Road
may be made.

ways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences, or any of them, are intended to be made or pass, and also upon, in, over, or through any adjoining Lands, and to stake out the same in such Manner as the said Trustees shall think expedient, without being deemed Trespassers, and without being subject to any Penalty or Punishment for entering or continuing upon such Lands, Tenements, or Hereditaments for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used for the Purposes aforesaid, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Plans and Books of Reference deposited with the Clerks of the Peace to be open to Inspection, and Road to be made according thereto.

IX. And whereas by the said recited Act of the Forty-eighth Year of the Reign of King *George* the Third, hereby repealed, it is recited that a Map or Plan describing the Line of the said Branch Road from *Merlin's Bridge* to *Cartlet Bridge* thereby authorized to be made, together with a Book of Reference thereto, had been deposited at the Office of the Clerk of the Peace for the County of *Pembroke*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect the same, and to take Copies thereof and Extracts therefrom, paying to such Clerk 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; and the said Map or Plan and Book of Reference, or any or either of them, or any Copy thereof respectively, or of any Part thereof respectively, certified by the Clerk of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law; and the said Trustees in making such Branch Road shall not deviate from the Line described in the said Map or Plan, without the Consent in Writing of the Person or Persons or Party or Parties upon, in, over, or through whose Lands, Tenements, or Hereditaments any such Deviation shall be made.

Houses, &c. not to be injured without Consent.

X. Provided always, and be it further enacted, That the Powers and Authorities by this Act given for making the said Branch Road shall not authorize the said Trustees to pull down or take or use any Dwelling House or other Building, or to take or use any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owners or Proprietors thereof or other Persons interested therein first had and obtained, except such as are delineated or described in the said Map or Plan or Book of Reference so deposited as aforesaid.

Errors in Map or Book of Reference not to prevent Execution of Act.

XI. Provided also, and be it further enacted, That it shall be lawful for the said Trustees to make the said Branch Road from *Merlin's Bridge* to *Cartlet Bridge* upon, in, over, or through any Lands, Tenements, or Hereditaments upon, in, over, or through which the same is delineated on the said Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the
Situation

Situation thereof respectively, or the Names of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in such Map or Plan or in the said Books of Reference, if it shall appear to any Two or more Justices of the Peace for the said County, in case of Dispute about the same, and be certified by Writing under their Hands, that such Omission, Misstatement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

XII. Provided also, and be it further enacted, That if the said Trustees shall not, within the Space of Five Years next after the passing of this Act, agree for or cause to be valued and purchase the Lands, Tenements, and Hereditaments which by the said former Act hereby repealed were authorized to be taken for the Purpose of making the said Branch Road from *Merlin's Bridge* to *Cartlet Bridge*, and for building the new Bridge over the River *Clydy*, then and from thenceforth the Powers by this Act or by any other Act or Acts granted in relation to the Purchase of Lands, Tenements, or Hereditaments for the Purposes of Turnpike Roads, shall, so far as relates to the said Branch Road, cease and be utterly void; any thing in this Act or in any such Act or Acts as aforesaid contained to the contrary thereof notwithstanding.

Limiting
Period for
purchasing
Property.

XIII. And be it further enacted, That it shall be lawful for the said Trustees to continue all or any of the Toll Gates or Toll Bars and Toll Houses now standing and being upon or across the said Road, or upon the Sides thereof, and also to erect or build in lieu thereof or in addition thereto, upon or across the said Road and Branch, or any Part thereof, or upon the Sides thereof or of any Part thereof, when and where and as they shall judge necessary, any Toll Gates or Toll Bars and Weighing Machines and Toll Houses, with Outhouses and Conveniences thereto, and to take in and enclose suitable Garden Spots for the same, not exceeding One Eighth Part of a Statute Acre, as they shall think necessary, and from Time to Time to alter or take down and rebuild or to discontinue and remove the same or any of them, as they the said Trustees shall think proper.

Toll Houses
to be con-
tinued, &c.

XIV. And be it further enacted, That the said Trustees shall and they are hereby required to continue or to erect, upon each and every Branch of Road comprised in this Act, a Toll Gate or Toll Gates or Toll Bar or Toll Bars, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions of this Act and of the various Acts passed for regulating Turnpike Roads in *England*: Provided also, that no Money arising from any of the Tolls hereby authorized to be taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Toll Bar continued or erected under the Authority of this Act: Provided also, that no more of the Monies arising by virtue of this Act shall be laid

Trustees to
erect Toll
Gates on
each Branch,
and to take
Tolls thereat.

out or expended upon any of the said Branch Roads than shall be actually raised or received upon or in respect of such respective Branch Roads; any thing in this Act or the said recited Acts contained to the contrary thereof in anywise notwithstanding.

Tolls.

XV. And be it further enacted, That the Tolls to be taken by virtue of this Act shall not exceed the following; (that is to say,)

For every Horse, Beast, or Cattle drawing any Coach, Stage Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Litter, Break, Chaise, Curricule, Gig, or other such like Carriage, the Sum of Sixpence:

For every Horse, Beast, or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, the Sum of Threepence:

For every Horse, Beast, or Cattle, laden or unladen, and not drawing, the Sum of One Penny:

For every Score of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Eight-pence, and so in proportion for any less Number:

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Ten-pence, and so in proportion for any less Number:

For every Person on Foot passing over the intended new Bridge over the River *Clydy*, the Sum of One Halfpenny.

No Toll to be paid for re-passing on same Day.

XVI. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle shall at any Time during the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night,) upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or drawing Post Chaises or other such like Carriages,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates and Toll Bars (if any) as the Ticket for such Payment shall free.

Exemption in respect of Carriages laden with Manure, &c.

XVII. Provided always, and be it further enacted, That no Person shall be liable to the Payment of any of the Tolls by this Act granted for or in respect of any Horse, Beast, or Cattle drawing any Waggon, Cart, or other Carriage laden with any Materials for making or repairing any Highway, or for building, rebuilding, or repairing any Bridge, or with any Dung, Soil, Compost, or Manure for improving Lands, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes, or other agricultural Produce.

Stage Coaches, &c. to pay every

XVIII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts,

Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, carrying Passengers, or Goods for Hire or Reward, for every Time of passing or repassing along the said Roads. Time of passing.

XIX. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle let out to Hire, and drawing any Post Chaise or other Carriage, for every Time of passing along the said Roads, whenever a new Hiring thereof shall take place. Post Chaises on every fresh Hiring.

XX. And be it further enacted, That all Carts or other such Carriages passing along the said Roads, drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Roads, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, or other Carriages drawn by Two or more Horses, shall be applicable to Carts passing on the said Roads drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof. One Horse Carts may be weighed.

XXI. Provided always, and be it further enacted, That no more than One full Toll (except as herein-before provided to the contrary) shall be taken for or in respect of the same Horses, Beasts, or Cattle, or Carriages, in any One Day, for passing and repassing Once through all the several Toll Gates or Toll Bars upon the said Road from *Milford* to the Junction of the *Milford* and *Huberston* Turnpike Roads near *Merlin's Bridge*, nor more than One full Toll upon the said new Branch Road from *Merlin's Bridge* to *Cartlet Bridge*; nor shall Toll be paid more than Once in the same Day for passing or repassing on Foot any Number of Times through any Toll Gate or Toll Bar which may be erected upon the said intended Bridge over the River *Clydy* by virtue of this Act. Limiting the Number of Tolls.

XXII. And for better securing the Payment of the Tolls by Foot Passengers at the Gate or Gates, Turnpike or Turnpikes, erected upon the said Bridge, be it further enacted, That if any Person or Persons on Foot, subject to the Payment of the Tolls by this Act granted, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect such Tolls, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to stop and prevent the Passage of the Person or Persons so neglecting or refusing to pay such Toll, and to take him, her, or them before any of His Majesty's Justices of the Peace for the said County, who is hereby empowered and required immediately to inquire into the said Offence, and, on the Offence being proved to the Satisfaction of such Justice, to impose on the Party offending a Fine not exceeding Five Pounds, over and above the Toll Penalty on Foot Passengers refusing to pay Toll.

Toll for passing over the said Bridge, to be paid in the Presence of the said Justice to the Person or Persons collecting the said Tolls, and; on Nonpayment thereof, to commit such Person or Persons to the Common Gaol or House of Correction of the said County, there to remain for any Time not exceeding One Calendar Month, unless the said Penalty and Toll shall be sooner paid and satisfied.

In case any Person shall pay the Expence of erecting and maintaining Cartlet Bridge, the Tolls to cease.

XXIII. And be it further enacted, That in case any Body or Bodies Corporate, or any Person or Persons, shall at any Time hereafter be disposed to give to the Public and to the Town of *Haverfordwest* an Exemption from Toll at the intended new Bridge over the River *Clydy* near *Cartlet Bridge*, and shall actually tender and pay to the said Trustees any Sum or Sums of Money, not less in Amount than the Expence which shall have been incurred in erecting the said Bridge and making the Avenues thereunto, and in the making and completing the said new Line of Road from *Merlin's Bridge* to *Cartlet Bridge*, and shall engage to keep the said new Bridge and the Avenue and Road to *Cartlet Bridge* in repair, which Sum or Sums the said Trustees are hereby authorized and required to accept, and apply towards liquidating the Debt under this Act, and after Two Months Notice thereof having been given by the said Trustees, the Tolls payable by virtue of this Act at the said intended new Bridge shall cease and determine.

Trustees empowered to mortgage Tolls.

XXIV. And be it further enacted, That the said Trustees, or any Five or more of them, shall at any Time or Times, and they are hereby required, by any Writing or Writings under their Hands and Seals, to mortgage and assign over the said Tolls hereby empowered to be taken as a Security for the Repayment of the Arrears of Interest which has already accrued due and been left unpaid up to the Twenty-fifth Day of *December* last on the Principal Monies heretofore borrowed on the Credit of the said Act of the Forty-eighth Year of the Reign of His said late Majesty and the Act therein recited, for any Term during the Continuance of this Act, to the Person or Persons respectively entitled to the Principal Monies bearing such Interest, and their respective Executors, Administrators, and Assigns, with lawful Interest for the same, to commence from the Twenty-fifth Day of *June* One thousand eight hundred and twenty-nine, and in such Manner as such Person or Persons may require; and that such Interest when so secured and made Principal as aforesaid, as well as the Principal Money now due and owing, shall have Priority over any Money hereafter to be borrowed or advanced for any Purposes of this Act, except the Charges and Expences of the Renewal thereof, and that the Charges and Expences of such new Mortgages or Assignment shall be paid out of the said Tolls so hereby granted as aforesaid.

Application of Money.

XXV. And be it further enacted, That the Monies already received or to be received by virtue of the said former Act hereby repealed and the Act therein recited, and also all Monies which shall

shall be received under this Act, shall be applied by the said Trustees in manner following; that is to say, in the first place in paying and discharging all Costs, Charges, and Expences which shall have been incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Monies which shall have been advanced by any Person for the Payment thereof, or of any Part thereof, from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid by the said Trustees; and in the next place in defraying the Expence of amending, improving, repairing, and maintaining the said Road, and also the Branch Road, after the same shall have been made, and of otherwise executing the several Purposes of this Act; and afterwards in paying and discharging any Interest which has already accrued due or which may from Time to Time be owing on the Credit of the said former Act hereby repealed or of the Act therein recited, or which may at any Time hereafter become due on the Credit of this Act; and lastly in reducing and discharging any Principal Sum or Sums of Money which may have been borrowed and secured under or upon the Credit of the said former Acts, and also any Principal Sum or Sums of Money which may hereafter be borrowed and secured under or upon the Credit of this Act.

. XXVI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of the said former Act hereby repealed, or of this Act, shall be laid out in paving or repairing any Street, Road, or Highway within any Town through which the said Roads or either of them pass; any thing herein contained to the contrary notwithstanding.

No Part of the Money to be laid out in repairing the Streets.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter, lessen, or take away, or otherwise affect, any Privileges, Benefit, or Jurisdiction granted by an Act of Parliament passed in the Thirtieth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to enable Sir William Hamilton, Knight of the Most Honourable Order of the Bath, his Heirs and Assigns, to make and provide Quays, Docks, Piers, and other Erections, and to establish a Market, with proper Roads and Avenues thereto respectively, within the Manor or Lordship of Hubberston and Pill in the County of Pembroke, or in any Manner belonging to the late Sir William Hamilton, Knight of the Most Honourable Order of the Bath, and Lord of the Manor and Liberties of Hubberston and Pill, his Heirs and Assigns, (except only the Power to the Trustees to repair the Road from Milford to Stainton).*

Saving the Rights of Sir Wm. Hamilton and his Heirs.
30 G. 3. c. 55.

XXVIII. And be it further enacted, That this Act shall commence on the Fourth *Monday* next after the passing hereof, and shall continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which may then next follow.

Term of Act.

[*Local.*]

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XXIX. And

Public Act.

XXIX. 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.

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