ANNO SEXTO

GEORGII IV. REGIS.

Cap. cxlviii.

An Act for making and maintaining a Turnpike Road from the Town of *Denbigh* in the County of *Denbigh* to *Pentre Voelas* in the said County, and from thence to *Fynnon Eidda* in the County of *Carnarvon*. [10th *June* 1825.]

WHEREAS the making and maintaining a new Turnpike Road from the present Turnpike Road called *The Saint Asaph Turnpike*, in or near the Town of *Denbigh* in the said County of *Denbigh*, to the present Turnpike Road called *The London and Holyhead Road*, through *Shrewsbury*, at or near the Village or Place called *Pentre Voelas*, in the Township or Parish of *Tir Abbot*, otherwise called *Voelas*, in the Parish of *Llanyfydd* in the County of *Denbigh*; and from the said last-mentioned Turnpike Road at or near a certain Place called *Ffrith newydd Berhiddion*, in the Parish of *Llanrwst*, to a certain Place called *Ffynnon Eidda* in the County of *Carnarvon*; which said new intended Turnpike Road will pass from, in, through, or into the several Townships called the Upper, Middle, and Lower Townships, in the Parish of *Denbigh* in the said County of *Denbigh*; the Townships of *Twysog* and *Uwchcaeren* in the Parish of *Henllan* in the County of *Denbigh*; the Townships of *Tir yr Abbot*, *Trecernioge* and *Treganol* in the said Parish of *Llanyfydd*; the Township of *Garthgarmon* in the Parish of *Llanrwst* in the County of *Denbigh*; the Townships of *Penissa*, *Rhancanolplwyf*, *Rhanglascwm*, and *Penucharplwyf* in the Parish of *Penmachno* in the said County of *Carnarvon*, or from, in, through, and into all or some of the said Townships and Parishes,

or some Part or Parts of the same, will be of great Convenience and Advantage to the Proprietors and Occupiers of adjoining Estates, and other Inhabitants of the Towns and Villages in the Neighbourhood, and to the Public at large; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third
3 G. 4. c. 126. 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: And whereas another Act was passed in
4 G. 4. c. 95. the Fourth Year of the Reign of His present Majesty, 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: And whereas another Act was passed in the Fifth Year of the Reign of His present Ma-
5 G. 4. c. 69. jesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for making or repairing, and maintaining Turnpike Roads*: 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

Appointment of Trustees.

this present Parliament assembled, and by the Authority of the same, That all His Majesty's Justices of the Peace acting for the said Counties of *Denbigh* and *Carnarvon* for the Time being respectively, together with the Right Honourable Lord *Newborough*, the Honourable *Frederick West*, Sir *Watkin Williams Wynn* Baronet, M.P. Sir *Thomas Mostyn* Baronet, Sir *Edward Pryce Lloyd* Baronet, *James Blair*, the Reverend *John Brown*, *William John Banks*, *Thomas Myddleton Biddulph*, *Robert Myddleton Biddulph*, *Edward Edwards*, *John Powell Foulkes*, *Jocelyn Foulkes*, *Henry Foulkes*, *William Foulkes*, *Edward Foulks*, *Edward Grainger*, *Edward Grainger* the younger, *Robert Grainger*, *Walter Joseph Grainger*, *Francis Grainger*, *Charles Grainger*, *John Wynn Griffith*, *George Griffith*, *Richard Augustus Griffith*, the Reverend *Frederick Griffith*, *William Griffith*, *Edward Griffith*, *John Heaton*, *John Richard Heaton*, *Edward Hugh Heaton*, *Price Jones*, *Edward Mostyn Lloyd*, *Thomas Price Lloyd*, *Hugh Lloyd*, *Edward Lloyd*, *Edward Lloyd* the younger, *David Lloyd*, *John Maddocks*, *Evan Owen*, *Rice Price*, *Robert Parry*, *John Price*, *David Price*, the Reverend *Price*, *Richard Roberts*, the Reverend *William Anwyl Roberts*, *Thomas Roberts*, *John Lloyd Salusbury*, *Thomas Twiston*, *John Twiston*, *Watkin Williams Wynn*, the Reverend *Morris Wynn* D. D. *Charles Wynn*, *Griffith Wynn*, *William Wynn*, *Frederick Richard West*, *Richard Lloyd Williams*, *Thomas Wilmot*, the Reverend *John Nanney Wynn*, *John Williams*, *John Williams* of *Coedaccas*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making and maintaining the said Road, and for otherwise putting this Act in Execution; and the said Road shall be called *The Denbigh, Pentre Voelas*, and *Penmachno Roads*.

Powers of recited Acts 3, 4, & 5 G. 4. extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, and Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Acts of the Fourth and Fifth Years of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied,

varied, altered, or otherwise provided for by this Act); and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), shall respectively be as good, valid, and effectual for carrying the several and respective Purposes of this Act into Execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

Power to appoint additional Trustees.

III. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified as directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Four in the Whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been therein named.

Meetings of Trustees.

IV. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at *Denbigh* in the said County of *Denbigh*, or at some convenient Place on the Line or in the Neighbourhood of the said Road, on the Third *Thursday* after the passing of this Act, or as soon after as conveniently may be, and the said Trustees shall and may then, and from Time to Time after, adjourn to and meet at such Times and at such Place or Places on the said Line, or in the Neighbourhood of the said Road, as they shall think proper.

The Clerk or any Person in his Employ not to act as Treasurer, and vice versâ.

V. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks, or Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any other Place or Office of Profit

or

or Trust under the said Trustees, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same; to be recovered, with full Costs of Suit, 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 Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Power to erect Toll Gates, Side Gates, Weighing Machines, &c.

VI. And be it further enacted, That it shall be lawful for the said Trustees to erect, set up, or build, or cause to be erected, set up, or built upon, in, or across the Road by this Act directed or authorized to be made and maintained, or any Part thereof, or upon the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate or Weighing Machine; and to take in and inclose on the Sides of the said Road suitable Garden Spots for such Toll House or Toll Houses, not exceeding One-eighth of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, or alter or discontinue the same, or any Part of them, as they the said Trustees shall think proper, and direct and appoint.

For dividing the Road into Two Districts.

VII. And whereas it is desirable that the Road hereby intended to be made should be divided into the Two Districts following; (that is to say), the First District, that Part of the Road from the present Turnpike Road called *The Saint Asaph Turnpike*, in or near the Town of *Denbigh*, to the present Turnpike Road called *The London and Holyhead Road*, through *Shrewsbury* at or near *Pentre Voelas* in the Township or Parish of *Tir Abbot*, otherwise *Voelas*, in the Parish of *Llanyfydd* in the County of *Denbigh*; and the Second District to be from the aforesaid Turnpike Road at or near *Ffrith newydd Berhiddion* in the Parish of *Llanrwst* to *Ffynnon Eidda* in the County of *Carnarvon*; be it therefore enacted, That it shall be lawful for every Subscriber to name the District of Road to the making of which he wishes the Money by him subscribed to be applied, and the Trustees or their Treasurer shall enter the same in a Book to be kept for that Purpose; and it shall not be lawful for the said Trustees to lay out or expend all or any Part of the Money so subscribed on the other District of Road, or the Tolls or Rates arising from such other District.

Power to take Tolls.

VIII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned, on each District of Road, at the several and respective Toll Gates or Turnpikes, or Toll Houses, or Side Gates, or Side Bars, or Chains, which shall be erected or placed by virtue of this Act in, upon, across, or on the Side or Sides of the said Road, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say),

For

Tolls to be taken.

For every Horse or Mule drawing any Coach, Chariot, Phaeton, Calash, Curricle, Vis-a-vis, Chaise, Diligence, Caravan, Hearse, or Litter, the Sum of One Shilling and Sixpence:

For every Horse, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of One Shilling and Four-pence:

For every Horse or Mule, laden or unladen, and not drawing, the Sum of Three-pence:

For each Ass drawing any Kind of Carriage, the Sum of Sixpence:

For each Ass not drawing, the Sum of One Penny:

For every Drove of Oxen or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Sheep, Lambs, or Hogs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number: And,

That in case of Oxen drawing any Carriage, Two Oxen shall be considered and paid for as One Horse.

Which said several respective Sums of Money or Tolls shall be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle whatsoever shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate, or Side Bar or Chain, which shall be erected or placed by virtue of this Act in, upon, or across each District of the said Road, or any Part thereof, or in, upon, or across any Lane or Way leading into the same; and which said respective Tolls shall be and are hereby invested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Exemption from Toll.

IX. Provided always, and be it further enacted, That no Toll shall be demanded or taken by virtue of the said recited Acts, or either of them, or by virtue of this Act, at any Toll Gate, Toll House, Toll Bar, Side Bar, or Chain erected or placed by virtue of this Act, of or from any Person or Persons, for any Horse or Horses, or other Beast or Cattle, or for any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day any Turf or Peat cut, dug up, or raised by any such Person or Persons having a Right to cut, dig up, or raise the same upon the several inclosed Lands, or the Commons and Waste Lands near to or adjoining the said Road, for his, her, or their own *bonâ fide* Use and Consumption as Fuel only, and not where the same is intended to be used for any other Purpose, or has been sold or disposed of, or is going to be sold or disposed of.

Toll to be paid but Once a Day.

X. Provided always, and be it further enacted, That if the Toll hereby authorized to be taken shall have been paid for the passing of any Horse or Beast through any one of such Toll Gates, Turnpikes, or Side Gates, such Horse, Beast, or Cattle shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates, if any, on the same District of Road, as the Ticket for such Payment shall free, at any Time or Times during the same Day, (to be computed as aforesaid); any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls to be applied to each District separately.

XI. And be it further enacted, That the said Trustees shall keep separate and distinct Accounts of the Tolls or Rates collected on the said First and Second District of Roads respectively; and the said Tolls or Rates collected on each District shall not be applied towards keeping in repair the Road in the other District, or in paying any Principal and Interest Money lent or due on the other District, but only in paying the Principal and Interest lent on or due from the District on which it shall be respectively advanced.

No more than One full Toll to be paid on each District of Road.

XII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors, to demand or take for or in respect of the same Horse, Beast, or Cattle, for passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, or Side Gates along the whole Line of the said Road, more than One full Toll on the said First District, nor more than One full Toll on the said Second District.

Stage Coaches to pay every Time of passing.

XIII. Provided also, and be it further enacted, That the said Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Road.

Horses drawing Post Chaises to be subject again to Toll on every new Hiring.

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

Persons driving the same Horse with a different Carriage to pay Toll again.

XV. Provided always, and be it further enacted, That if any Horse or other Beast shall have passed through any of the said Gates or Turnpikes, drawing any Waggon, Cart, or other such Carriage, of what Nature or Description soever, and shall return during the same Day, (such Day to be computed as aforesaid,) not drawing the same but any other Waggon, Cart, or other such Carriage, then and in every such Case the same Toll may be demanded and taken for every Horse or Beast drawing such other Waggon, Cart, or other such Carriage, as if such Horse or other Beast had not passed through any of the said Gates or Turnpikes on that Day; any thing herein contained to the contrary thereof notwithstanding.

Trustees may divide the Tolls, first giving Notice of the Meeting for that Purpose.

XVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, if they shall think proper, notwithstanding any thing herein contained to the contrary thereof, to order the said Tolls to be divided in equal Parts in each District, so that One Half of the said Tolls may respectively be paid and payable at one Toll Gate, Turnpike, Side Bar, or Chain, and the other Half at another Toll Gate, Turnpike, Side Bar, or Chain, so that in every Instance any Person going through Two Toll Gates or Turnpikes, or Two Side Bars or Chains, or One Toll Gate or Turnpike, and One Side Bar or Chain, shall pay the full and entire Toll at such Two Places as shall from Time to Time be ordered by the said Trustees, or by any Three or more

more of them; and provided that Notice in Writing of the Time and Place of Meeting for making such Order shall be given by the Clerk to the said Trustees, or by any Three or more of the said Trustees, to be affixed on every Turnpike which by virtue of this Act shall be then continued or erected on the said Road, at least Fourteen Days previous to such Meeting, and also inserted in some public Newspaper or Newspapers usually circulated in the Neighbourhood of the said Roads, at least Fourteen Days previous to such Meeting.

Subscribers to pay their Subscriptions.

XVII. And be it further enacted, That the several and respective Persons who have subscribed for or agreed to advance any Money for and towards the making or maintaining the said Road, shall and they are hereby required to pay the Sum or Sums of Money so subscribed within such Time and Times, and in such Parts and Proportions, as is expressed in the Writing subscribed by them, or as the said Trustees shall order and direct; and the same shall be demanded by and paid to such Person or Persons as the said Trustees shall by any Writing under their Hands authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall be lawful for the said Trustees to sue for the same in the Name of any such Trustees, or of their Clerk, and to recover the same, together with full Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed; and all such Monies shall be vested in the said Trustees, and applied as herein-after mentioned.

Trustees may contract for the Purchase of Lands, &c.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any Lands, Buildings, Tenements, Hereditaments, or Premises to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by means thereof, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage as aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever, who are or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House, and any other Building, and to treat, contract, and agree with the Trustees for executing

cuting this Act, for the valuable Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid; and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them, given or left in Writing at the Dwelling House or Houses, or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall for the Space of Fourteen Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, Satisfaction, or Damages to be inquired into and ascertained by a Jury, in manner prescribed by the said recited Act passed in the Third Year of the Reign of His present Majesty, in cases where any Damages, Value, or Recompence for Premises thereby authorized to be taken and used for widening, diverting, altering, and improving any Turnpike Road, are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of the said Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses.

Application of Compensation Money if amounting to 200*l.*

XIX. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes of the said Road, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the

the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment and Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest, and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, or settled. 1 G. 4. c. 35.

Application where the Compensation is less than 200*l.* and exceeds 20*l.*

XX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Road, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing

ing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled; such Nomination to be approved by Two or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, and the Monies so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank, in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Application when less than 20*l.*

XXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the Trustees may think fit, for his, her, and their own Use and Benefit; or in cases of Idiotcy, Infancy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out Titles, Money to be paid into the Bank.

XXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereto, and to make such other

Order

Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum and Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

Persons in possession to be deemed entitled.

XXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities, or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities, or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court of Exchequer may order reasonable Expences to be paid by Trustees.

XXIV. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Application of Money subscribed, or which shall be borrowed.

XXV. And be it further enacted, That out of the Monies already subscribed, or to be subscribed or advanced for the Purpose of making the said Road, or which shall be borrowed on the Credit of this Act, or out of the first Monies which shall arise or be received from the Tolls by this Act granted, the said Trustees shall in the first Place pay and discharge

charge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act, and the Remainder of all such Monies so subscribed or to be subscribed, advanced, or borrowed, shall be applied in the defraying the Expences of making the said Road, and in purchasing Lands and Hereditaments and Materials for the Purpose, and in erecting, making, or providing Toll Gates, Turnpikes, Bars, Gates, Chains, Weighing Machines, Toll Houses, with Outhouses or Conveniences, also Foot-paths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, Lamps, Books, and other Matters and Things necessary and requisite for carrying the Purposes of this Act into Execution; and after Payment of all such Expences, the Remainder (if any) of such Money, and all Monies which shall arise or be received from the Tolls by this Act granted, or otherwise, shall from Time to Time be applied in keeping down the Interest of the Monies subscribed or advanced for the Purposes of this Act, and which may be borrowed on the Credit of this Act, and in amending and keeping in Repair the said Road, and the Toll Gates and Toll Houses, and in otherwise putting this Act into Execution, and lastly, in paying the Principal Monies subscribed or advanced for the Purposes of this Act, or which shall be borrowed for the Purposes of this Act.

Power to make the said Road.

XXVI. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered to make the said Road upon or over any Commons or Waste Grounds, and by, over, and along any other public Road or Roads, without making any Satisfaction for such Commons or Waste Grounds or Roads, and also to widen, alter, turn, or divert the Course of any such public Road, and make any new Part or Parts of the said Road upon, in, over, or through any private Lands, Grounds, or Hereditaments, of such Width or Dimensions as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, as they shall think necessary or expedient, making Satisfaction to the Owners of such Lands, Grounds, or Hereditaments, and Persons interested therein for the same, or for the Damage they may sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises or Hereditaments through which or whereupon such Road, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences is or are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Land or Premises respectively, for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, or shall prevent or obstruct the putting down of such Stakes or other Marks, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Road to be made according to the Map or Plan

XXVII. And whereas a Map or Plan, describing the Line of the said Road, and the Lands, Hereditaments, and Premises through or over which the same is intended to be made or carried, together with a Book

of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerks of the Peace for the said Counties of *Denbigh* and *Carnarvon* respectively; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerks of the Peace for the said Counties respectively, to the End that all Persons may at seasonable Times have Liberty to inspect and peruse the same, and 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 Four-pence for every Seventy-two Words of such Copies or Extracts of the said Map and Plan and Book of Reference; and that the said Trustees, in making the said 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, Bodies Politic, Corporate or Collegiate, through whose Lands or Premises such Deviation shall be made.

deposited at the Office of the Clerk of the Peace.

XXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners, Occupier or Occupiers of Lands or Premises over which the same is or are 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 or misstated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands marked in the Plan may be used, notwithstanding Errors in the Book of Reference.

XXIX. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Road shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained.

Trustees restrained from pulling down any Dwelling Houses, &c. without the Consent of the Owner.

XXX. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Road dry, and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Road, and also where necessary, into or through any Fields, Lands, or Grounds, adjoining to or lying near the said Road, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees out of the Monies aforesaid, any Statute or Law to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats when made and completed by the said Trustees, shall for ever

Ditches, Drains, Bridges, &c. by whom to be made and cleansed.

afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Road, shall be scoured, cleansed, and kept open, repaired and maintained by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

No Pit to be dug within Thirty Feet of the Road; and if dug within Thirty Feet the Owner to fence it off under a Penalty.

XXXI. And be it further enacted, That from and after the passing of this Act, no Chalk Pit, Gravel Pit, or other Pit already dug, sunk, or made within Thirty Feet of the said Road, shall be dug, sunk, or made nearer thereto than the same now is; and that no Chalk Pit, Gravel Pit, or other Pit whatsoever, already begun to be dug, sunk, or made, not being at present within Thirty Feet, or shall at any Time or Times hereafter be dug, sunk, or made near the said Road, or any Part thereof, shall be dug, sunk, or made within less Distance than Thirty Feet from the Centre of the said Road, such Distance to be ascertained by Admeasurement on the Surface, at Right Angles from the Centre of the said Road; and that where any Chalk Pit, Gravel Pit, or other Pit now is or hereafter shall be dug, sunk, or made within less Distance than Thirty Feet from the said Road, such Distance to be ascertained as aforesaid, the Owner or Owners, Occupier or Occupiers of every such Pit shall within Three Days after Notice in Writing given for that Purpose, under the Hand or Hands of the Surveyor or Surveyors to the said Trustees, (such Notice being served either personally or by leaving the same at his or their Dwelling House or Dwelling Houses), well and sufficiently, to the Satisfaction of the said Trustees, or the Surveyor or Surveyors, fence off such Pit from the said Road; and in case any Chalk Pit, Gravel Pit, or other Pit, shall at any Time hereafter be dug, sunk, or made at a less Distance from the said Road as aforesaid, or shall be excavated or undermined within such Distances without the Consent of the said Trustees, as herein-after mentioned, then and in every such Case all and every the Owners and Occupiers of every such Chalk Pit, Gravel Pit, or other Pit, shall forfeit and pay for every Offence the Sum of One hundred Pounds, or in case the same shall not be fenced off as aforesaid, then and in every such Case all and every the Owners and Occupiers of every such Pit shall forfeit and pay for every such Offence the Sum of Ten Pounds, such several Penalties of One hundred Pounds, or Ten Pounds, to be levied, recovered, apportioned, and applied, as in and by the said herein-before recited Acts, or either of them, is provided for the Recovery and Application of Penalties and Forfeitures.

For stopping up an unnecessary Branch of Road by Order of the Trustees.

XXXII. And whereas the making of the said new Road will render useless and unnecessary that Part of the present public Road leading from *Penmachno* to *Llanrwst*, commencing at a certain Bridge called *Pont y Pandu* in the Parish of *Penmachno*, and extending northwardly and westwardly between Lands belonging to *William John Bankes* Esquire, to the North-west Extremity of that Part of *Pandu Farm* called *Gruenyn*, belonging to the said *William John Bankes* Esquire, and in the said Parish of *Penmachno*, all of which Piece of Road lies in the Parish of *Penmachno*, and is in Extent about One thousand six hundred and eighty-six Yards; be it therefore enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting or Meetings to be held under this Act, by Order under their Hands and Seals, to stop

up and discontinue, and prevent the using for the future the said Road so ordered to be stopped up and discontinued as aforesaid, but the same shall thenceforth cease to be a common Highway to all Intents and Purposes whatsoever: Provided always, that the said Road shall not be stopped up or discontinued until Notice in Writing of such Order having been made as aforesaid, shall be affixed on some conspicuous Place by the Side of the said Road so ordered to be stopped up and discontinued as aforesaid, and also upon the Porch Door of the Church belonging to the Parish in which the said Road is situate, immediately before Divine Service, upon Three successive *Sundays* next after the making of such Order, and shall also be once inserted in some public Newspaper usually circulated in the said County of *Carnarvon*, for the Purpose of enabling any Person or Persons who may be aggrieved by the said Order to make his, her, or their Appeal against the same, as herein-after provided.

Allowing Appeal against the Order.

XXXIII. And be it further enacted, That it shall be lawful for any Person or Persons who may be aggrieved by the making of any Order hereby authorized for stopping up and discontinuing the said Road, to appeal against the same at any General or Quarter Sessions of the Peace for the said County of *Carnarvon* which shall be held within the Space of Four Calendar Months next after the making of the said Order, upon giving a Notice in Writing of such Appeal, (to be duly signed by such Appellant or Appellants), to the Clerk to the said Trustees for the Time being, or leaving the same at the usual Place of Residence of the Clerk to the said Trustees for the Time being, at least Twenty-eight clear Days next before such General or Quarter Sessions of the Peace; and upon Proof of such Notice of Appeal having been duly given as aforesaid, the Justices at such General or Quarter Sessions are hereby authorized and required to hear and determine the said Appeal, and upon the Quashing or Confirmation of the said Order to award and adjudge that the Party against whom such Appeal shall be determined shall pay such Costs as the said Justices shall appoint, and the said Appeal having been so heard and determined shall be final and conclusive to all Intents and Purposes whatsoever, and no Order against which any such Appeal shall be made as aforesaid shall be quashed for want of Form only.

If no Appeal, the Order to be conclusive.

XXXIV. Provided also, and be it further enacted, That in case no such Appeal shall be made as aforesaid, the said Order or Orders shall be final and conclusive upon all Persons whomsoever.

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 by all Judges, Justices, and others, without being specially pleaded.

Continuance of this Act.

XXXVI. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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