ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. lxxxvi.

An Act for more effectually repairing the Road from *Flint* to the *Lower King's Ferry*, and for making and maintaining Two new Branches of Roads from the *Lower King's Ferry* aforesaid, to or near to the Town of *Mold*, all in the County of *Flint*. [5th *May* 1826.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing, widening, turning, and altering the Road from the Township of* Saltney *in the County of* Flint, *to the Town of* Flint *in the said County*: And whereas an Act was passed in the Forty-ninth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to continue the Term and alter the Powers of an Act of His present Majesty, for repairing the Road from the Township of* Saltney *in the County of* Flint *to the Town of* Flint: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of His said

28 G. 3. c. 101.

49 G. 3. c. 11.

3 G 4. c. 126.

4 G. 4. c. 95. 5 G. 4. c. 69.

said present Majesty King *George* the Fourth, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty King *George* the Fourth, 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 Road, or intended Road, described or referred to in and by the said recited Acts of the Twenty-eighth and Forty-ninth Years of His said late Majesty's Reign, was never made and completed as a Turnpike Road (save about One Mile thereof), and the same still remains out of Repair, and is often so obstructed and overflowed by the Sea along the Estuary of the River *Dee*, that Horses and Carriages cannot travel along the same, and is otherwise in many Parts thereof dangerous and frequently impassable: And whereas it is considered expedient that the said Two first-recited Acts should be repealed, so far as the said Acts relate to so much of the said Road as lies between the Town of *Flint* and the *Lower King's Ferry* in the Parish of *Hawarden* in the said County of *Flint*; and it would be a great Convenience to the Neighbourhood, and also of great public Utility, if further, better, and more effectual Powers were granted for making, improving, and maintaining so much of the said Road as lies between the Town of *Flint* and the *Lower King's Ferry* in the Parish of *Hawarden* in the said County of *Flint*; and also for making and maintaining a Branch Road from the same, commencing near the said *Lower King's Ferry*, to or near the Town of *Mold*, by way or near the present Road leading from the said *Lower King's Ferry* to or near the *Boar's Head*, situate on the Turnpike Road between *Northop* and *Hawarden*, and from thence over *Ewloe Green* and *Buckley Mountain* to the Turnpike Road between *Mold* and *Chester*, at or near *Pentre Bridge* near *Mold* aforesaid; and also the making and maintaining another Branch Road from the said last-mentioned Branch, to commence at or near a Place called *Ewloe Green*, passing through a certain Farm called *Ewloe Barn*, and thence to or near another Farm called *All't Amy*, and thence between *Mynydd-bychan* and *Byrn-y-bâl* Farms, and from thence to the Turnpike Road leading from *Mold* to *Northop*, by or near a Farm called *Rhydgaled* in the said County of *Flint*; but the several beneficial Purposes aforesaid 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 passing of this Act, the said recited Acts of the Twenty-eighth and Forty-ninth Years of the Reign of His late Majesty King *George* the Third, so far as the same respectively relate to so much of the Road therein mentioned as lies between the Town of *Flint* and the *Lower King's Ferry* in the Parish of *Hawarden* in the County of *Flint*, shall be and the same are hereby declared to be repealed and null and void to all Intents and Purposes whatsoever; and on the same Day this Act shall commence and

Recited Acts 28 & 29 G. 3. repealed, and this Act to take effect.

and take effect instead thereof, and shall be put in execution for and during the Term herein-after mentioned, as well for the Purpose from Time to Time of making, repairing, widening, altering, diverting, and otherwise improving and keeping in repair the said Road from the Town of *Flint* aforesaid to the *Lower King's Ferry* aforesaid, both in the said County of *Flint*, as also for making, widening, improving, maintaining, and keeping in repair the said intended Branch of Road from the said *Lower King's Ferry* to or near the Town of *Mold* aforesaid, by way or near the present Road leading from the said *Lower King's Ferry* to or near the *Boar's Head*, situate on the Turnpike Road between *Northop* and *Hawarden*, and from thence over *Ewloe Green* and *Buckley Mountain* to the Turnpike Road between *Mold* and *Chester*, at or near *Pentre Bridge* near *Mold* aforesaid, and also an Extension or new Branch of Road from and out of the said last-mentioned Branch of Road, to commence at or near a Place called *Ewloe Green*, passing through a certain Farm called *Ewloe Barn*, and thence to or near another Farm called *All't Amy*, and thence between *Mynydd-bychan* and *Bryn-y-bâl* Farms, and from thence to the Turnpike Road leading from *Mold* to *Northop*, by or near a Farm called *Rhydgaled* in the said County of *Flint*.

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

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Flint*, together with the Right Honourable *Richard Grosvenor* commonly called Lord Viscount *Belgrave*, the Honourable *Robert Grosvenor*, the Honourable *Lloyd Kenyon*, Sir *Thomas Mostyn* Baronet, Sir *Edward Pryce Lloyd* Baronet, Sir *Thomas Hammer* Baronet, Sir *Stephen Richard Glynne* Baronet, Sir *John Williams* Baronet, Sir *Edward Mostyn* Baronet, the Honourable and Reverend *George Neville Grenville*, *George Allanson* Clerk, *William John Bankes*, *Richard Beresford*, *Thomas Bate*, *Philip Davies Cooke*, *John Conway Conway* Clerk, *Benjamin Conway Conway* Clerk, *Thomas Hugh Clough* Clerk, *Charles Butler Clough* Clerk, *Offley Crewe* Clerk, *Charles Dundas*, *John Douglas*, *William Dutton*, *Robert Davies*, *Thomas Mostyn Edwards*, *John Wynne Eyton*, *Thomas Wynne Eyton*, *William Wynne Eyton*, *Charles Wynne Eyton* Clerk, *Thomas Eyton*, *John Price Eyton*, *Edward Eyton*, *Robert*

Robert Eyton, William Thomas Ellis, James Ewer, Henry Glynne, Richard Garnons, Edward Jones Hughes, William Hancock, William Hancock the younger, *Jonathan Hobson, Thomas Harrison, Ellis Hughes, David Hughes, Trevor Owen Jones, Howell Wepre Owen Jones* Clerk, *Henry Jones* Clerk, *Thomas Jones, Edward Jones, Samuel Knight, James Knight, Edward Mostyn Lloyd, Thomas Lewis, Edward Lewis, Henry Laffer, Edward Lloyd* of *Cefn, Edward Lloyd* the younger, *John Maddocks, Thomas Trevor Mather, Thomas Makin, Robert John Mostyn, David Pennant, David Pennant* the younger, *Henry Potts, Charles Potts, Edward Pemberton, Cadwalader Blayney Trevor Roper, Charles Blayney Trevor Roper, Ralph Richardson, William Rigby, John Rigby, Honoratus Leigh Rigby, George Roskell, Hugh Roberts, Richard Sankey, Christopher Smalley, John Smalley, Maurice Seary, William Maddock Williams* Clerk, *Edward Whitley, William Williamson, Samuel Wolstenholme, William Williams, James Wills,* 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 said present Majesty, shall be and they are hereby appointed the Trustees for executing the Powers and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at their First or Second Meeting to be held under or by virtue of this Act, 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 Three in the whole in addition to the Trustees herein named and appointed,) to be Trustees for the Purposes of the said Acts and 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 the same as if they had been herein named and appointed.

First Meeting of Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at some convenient House or Place in the Town of *Mold* in the said County of *Flint,* or at some other convenient Place on the Line or in the Neighbourhood of the said Road and Branches, as the said Trustees shall think proper, on the Fourth *Tuesday* next 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 the same Place, or at such Times and Places on the said Line, or in the Neighbourhood of the said Road and Branches, as they shall think proper, and shall and may by Writing under their Hands elect and appoint a Treasurer or Treasurers, and a Clerk or Clerks, and also a Collector or Collectors of the Tolls and of all the Monies to be collected by virtue of this Act, and shall likewise appoint some fit and proper Person or Persons to be a Surveyor or Surveyors of the said Roads, and all such other Officers as they the said Trustees shall think proper, and out of the Tolls and other Monies to be collected and

received

received under or by virtue of this Act and the said recited Acts, shall make such Allowance, by way of Salaries or otherwise, unto the Treasurers, Clerks, Collectors, Surveyors, and other Officers so to be appointed, for and in consideration of the Care and Pains by them respectively taken in the Execution of their respective Offices, and to such other Person or Persons as shall be assisting in and about the Execution of the said recited Acts and this Act, as to the said Trustees shall seem proper.

Treasurer and Clerk not to be the same Person.

VI. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who hath or have been, or who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner 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, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint the Person or Persons who hath or have been or who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall hold or accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner 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, shall hold or accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, shall hold or accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under this Act other than that of Treasurer, 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* or elsewhere, 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 continue the present Gates, and to erect others.

VII. And be it further enacted, That it shall be lawful for the said Trustees to continue, remove, take away, or alter the Situation of the Toll Gate now erected upon the said Road, lying between the said Town of *Flint* and the *Lower King's Ferry*, and to erect and set up One or more Toll Gate or Toll Gates in lieu thereof, and also to erect, set up, or build, or cause to be erected, set up, or built, upon, in, or across the several other Roads by this Act directed or authorized to be made and maintained, or any Part thereof, or upon the Side or 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 on each of the said Roads hereby directed to be made and maintained, 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 Roads suitable Garden Spots for such

such Toll House or Toll Houses, not exceeding One Eighth Part 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.

Power to take Tolls.

VIII. And be it further enacted, That it shall 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 upon each of the Roads hereby directed to be made and maintained, at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, now erected, or which shall be erected or placed by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads respectively, 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),

Tolls.

For every Horse, Mule, or other Beast, drawing any Coach, Chariot, Phaeton, Calash, Curricle, Chaise, Diligence, Caravan, Hearse, or Litter, the Sum of Nine-pence:

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Ten-pence:

For every Horse, Mule, or other Beast, laden or unladen, and not drawing, the Sum of Two-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 One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number: And

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

Tolls vested in the Trustees.

Which said Tolls, and all other Tolls authorized to be taken upon the said Roads, and all Monies arising by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, shall be and the same are hereby vested in the said Trustees, and shall and may be levied and recovered in the Manner directed by the said recited Acts of the Third and Fourth Years of His said present Majesty's Reign, and applied in manner herein-after directed.

Tolls not to be applied in the Repair of the new Branches.

IX. And be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed upon the Credit thereof, shall be laid out or expended in the Amendment, Repair, or Improvement of the Road and Branches of Road included in this Act, if there shall be no Toll Gate erected thereon respectively, and Tolls taken thereat.

Tolls to be paid but once a Day.

X. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken in the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock

Clock in the next succeeding Night), for or in respect of the passing and repassing of the same Horses, Cattle, Beasts, or Carriages, through all or any of the Turnpikes, Toll Gates, or Side Gates placed on each of the said Roads; but all and every Person and Persons, after having paid Toll once as aforesaid, and producing a Note or Ticket denoting the Payment of such Toll, shall afterwards pass with the same Horses, Cattle, Beasts, and Carriages, Toll-free during such Day, to be computed as aforesaid, through all and every the Gates, Chains, or Side Bars erected and placed on the said Roads respectively, or across any Road or Way leading out of the same, or any of them (except as herein-after mentioned); and all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis* on Receipt of such Toll in manner aforesaid.

Stage Coaches to pay every Time of passing.

XI. Provided always, and be it further enacted, That for or in respect of all Horses or other Beasts drawing any Stage Coach or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Turnpike or Toll Gate, in like Manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Roads on the same Day, with a Ticket denoting a fresh Hiring.

Power to borrow Money from the Commissioners for the Issue of Exchequer Bills, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees, present at any Meeting or Meetings to be held by them under the Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, to borrow of and from the Commissioners for carrying into Execution an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on public Works and Fisheries, and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, such Sum or Sums of Money as the Majority of the said Trustees present at such Meeting or Meetings may deem expedient for the Purposes of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, or any of them, upon Mortgage or Assignment of all Tolls to arise on the Roads in this Act mentioned or referred to, and the Toll Gates and Toll Houses to be erected for collecting the same, with their Appurtenances, subject nevertheless to such of the Provisions and Conditions particularly mentioned and expressed in the said last herein-before mentioned Act, and the Acts therein recited and referred to, and in such Form as the said Commissioners shall direct and appoint.

XIII. And

Mortgages given to the said Commissioners to have a Priority over all other Mortgages, &c.

XIII. And be it further enacted, That any Mortgage or Assignment which shall be given by the said Trustees to the said Commissioners shall have Priority over and shall precede all other Mortgages and Securities which shall be granted by the said Trustees; any thing contained in the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty or this Act, or in any Mortgage or Security which shall be granted under the Powers thereof, to the contrary in anywise notwithstanding.

Application of the Tolls.

XIV. And be it further enacted, That all the Tolls and other Monies to arise by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act shall be applied in the first place, and in preference to all other Payments whatsoever, in paying and defraying the Charges and Expences incident or in anywise relating to the obtaining and passing of this Act, and then in Payment of Interest upon the Money borrowed and to be borrowed for the Purposes thereof, and of the Salaries and Allowances to the Treasurers, Clerks, Collectors, Surveyors, and other Officers and Persons for the Time being employed by the said Trustees, and in paying and defraying all other Charges, Sums of Money, and Expences to be incurred or occasioned in or relating to the Execution of this and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and also in repaying the Principal Sum or Sums of Money to be borrowed upon the Credit of the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act granted, and to and for no other Use or Purpose whatsoever.

Power to set out and make the new Roads.

XV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered to set out and make the said new Roads herein-before mentioned and described, in such Manner as to them shall seem right and proper, and for that Purpose to take and use any Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, they the said Trustees first making Satisfaction to the Owners and Occupiers of such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, or such Part or Parts thereof as they the said Trustees may require for making and constructing the said Roads; such Satisfaction, in case of any Difference concerning the same, to be settled and ascertained by a Jury in manner directed and prescribed in and by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Not to deviate more than 100 Yards from the Line laid down in the Plan.

XVI. And whereas a Map or Plan, describing the Lines of the said new Roads, and of the Lands and Premises through which the same are to be made or carried, together with Lists of the Names of the Owners and Occupiers or reputed Owners and Occupiers of such Lands and Premises, have been deposited in the Office of the Clerk of the Peace for the said County of *Flint*; be it therefore enacted, That the said Map or Plan, and Lists, shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may,

at seasonable Times, have liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, (paying the said Clerk of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words for making such Copies or Extracts); and the said Trustees, in making the said Roads as in this Act particularly mentioned, described, and enacted, shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent in Writing first had and obtained of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Misnomers not to prevent the Execution of this Act.

XVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads in this Act particularly mentioned, described, and enacted, into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners or Occupier or Occupiers of Lands and Premises through or over which the same are set out and described in the said Map or Plan as aforesaid, although such Lands or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in the said Map or Plan or Lists, in case it shall appear to any one or more Justice or Justices of the Peace for the said County of *Flint*, and be certified by Writing under his or their Hand or Hands, that such Error or Omission proceeded from Mistake.

Trustees not to take down Houses, &c. without Consent of Owners, unless specified in the Schedule.

XVIII. Provided also, and be it further enacted, That the Powers and Authorities hereby and by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty given or granted, shall not extend or be construed to extend to authorize or empower the said Trustees, in making the said new Roads in this Act particularly mentioned, described, and enacted, to take or pull down, injure or damage any Dwelling House or other Buildings, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, 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 Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned or specified in the Schedule to this Act annexed.

Power to purchase Land only to cease if not done within Five Years, &c.

XIX. Provided always, and be it further enacted, That if the said Trustees shall not, within the Space of Five Years (to be computed from the Day of the passing of this Act), agree for, or cause to be valued and paid for, in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, the several Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments to which they are by this Act empowered to purchase, take, and use, or so much thereof respectively as they shall deem necessary or proper for the Purposes of the said Acts and this Act, then and from thenceforth the Powers hereby given to them for that Purpose only shall cease, determine, and be utterly void,

void, unless the Owner or Owners thereof respectively shall consent that such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, or any Part or Parts thereof, shall be purchased, taken, and used for the Purposes aforesaid.

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

XX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts of the Third and Fourth Years of the Reign of His said present Majesty is particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of 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; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and 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 and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the Court of Exchequer 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; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by

1 G. 4. c. 35.

Order

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 the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less than 200*l.* and amounting to 20*l.*

XXI. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, 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 amount to or exceed 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, and Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing 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 shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Where less than 20*l.*

XXII. And be it further enacted, That where such Money so agreed or awarded to be paid as before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

XXIII. 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 by virtue of the said Acts and 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 such 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

as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, and 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 and 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 same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the 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 thereunto, and to make such other 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 or Sums of Money is and are hereby required to give a Receipt for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money.

XXIV. 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 Court of Exchequer, in pursuance of the said Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and 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 said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, 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.

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

XXV. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and 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 Expence of such last-mentioned Purchases from Time to Time to be made in pursuance

of this Act, or so much thereof as the said Court shall deem reasonable, 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.

Public Act.

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

Term and Continuance of this Act.

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

The SCHEDULE to which the aforegoing Act refers.

No. on Plan.	Parishes and Townships.	Owners.	Occupiers.	Description.
		Road from Flint to the Lower King's Ferry.		
1	Flint - -	William Lewis Salisbury Trelawny, Esq. -	Sampson Roberts -	Garden.
2	Ditto - -	Ditto - - -	Anne Cash - -	Ditto.
3	Ditto - -	Thomas Piercy - -	Jane Pritchard, Widow - -	Ditto.
12	Ditto - -	The Reverend Offley Crewe -	Thomas Parry - -	End of Cottage and old Shed.
13	Ditto - -	William Lewis Salisbury Trelawney, Esq. -	George Lewis - -	Garden.
2	Leadbrook Major	Mary Williams - - -	Peter Davies - -	Yard.
3	Kelsterton - -	Timothy Bentley, Esq. - -	Thomas Bate - -	Stackyard.
4	Golftyn - -	Sarah Williams - -	Sarah Williams -	Garden.
5	Ditto - -	John Williams - - -	George Jones - -	Ditto.
6	Ditto - -	Ditto - - -	Thomas Jones -	Ditto.
7	Ditto - -	Ditto - - -	John Williams -	Ditto.
10	Ditto - -	Trevor Owen Jones, Esq. and others - -	George Hewitt -	Cottage and Garden.
1	Wepre - -	Ditto - - -	Robert Hughes -	Garden.
4	Shotton - -	Sir Stephen Richard Glynne, Bart. - - -	Richard Podmore -	Ditto.
6	Ditto - -	Ditto - - -	William Garret -	Ditto.
7	Ditto - -	Ditto - - -	Thomas Foulkes -	Ditto.
		Branch Road from the Lower King's Ferry to Pentre Bridge.		
15	Aston - -	The Reverend Offley Crewe -	Thomas Nangreave	Garden and Stackyard.
17	Ditto - -	Robert Jones - - -	Robert Jones - -	Garden.
18	Ditto - -	Charles Dundas, Esq. - -	John Williams -	Ditto.
19	Ditto - -	Ditto - - -	Elizabeth Adams -	Ditto.
20	Ditto - -	Ditto - - -	Barbara Edwards -	Ditto.
21	Ditto - -	Thomas Nangreave - -	Isaac Newton - -	Ditto.
—	Ditto - -	Ditto - - -	William Thomas -	Ditto.
—	Ditto - -	Ditto - - -	John Evans - -	Ditto.
—	Ditto - -	Ditto - - -	John Catherall - -	Ditto.
24	Ditto - -	Thomas Jones - - -	Thomas Jones -	Ditto.
26	Ditto - -	Sir Stephen Richard Glynne, Baronet - -	Peter Wainwright -	Ditto.
29	- - - -	Charles Dundas, Esq. - -	John Harding -	Ditto.
13	Ewloe Town -	Ditto - - -	Thomas Tellet -	Ditto.
30	Argoed - -	Jonathan Hobson, Esq. - -	Jonathan Hobson, Esq. - -	Plantation.
33	Ditto - -	Ditto - - -	Edward Ward - -	Yard.
—	Ditto - -	Ditto - - -	John Williams -	Ditto.
—	Ditto - -	Ditto - - -	John Roberts -	Ditto.
—	Ditto - -	Ditto - - -	William Davies -	Ditto.
—	Ditto - -	Ditto - - -	David Roberts -	Ditto.

No. on Plan.	Parishes and Townships.	Owners.	Occupiers.	Description.
		Branch Road from Ewloe Green to Rhydgaled.		
8	Ewloe Town -	Sir Stephen Richard Glynne, Bart. - - -	John Duckers -	Stackyard.
1	Ewloe Wood -	Philip Davies Cooke, Esq. -	William Pierce -	Garden.
2	Ditto - -	Ditto - - -	Edward Pierce -	Ditto.
5	Ditto - -	Ditto - - -	John Griffith -	Ditto.
6	Argoed - -	Thomas Lloyd, Esq. - -	Edward Jones -	Ditto.
7	Ditto - -	Edward Griffith - -	Edward Griffith -	Stackyard and Garden.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1826.