ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

****

Cap. viii.

An Act for more effectually repairing the Road leading from *Wem* to the Lime Rocks at *Bronygarth* in the County of *Salop*, and for making several Lines of Road connected with the same in the Counties of *Salop* and *Denbigh*.

[3d *April* 1860.]

WHEREAS an Act was passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for more effectually repairing the Road leading* 19 & 20 Vict. *from* Wem *to the Lime Rocks at* Bronygarth *in the County of* Salop, *and* c. ciii. *for making several Lines of Road connected with the same in the Counties of* Salop *and* Denbigh, whereby the Trustees thereby appointed were authorized, for and during the Term of Twenty-one Years from and after the passing of the said Act, to put the same in execution, for the Purpose of improving and keeping in repair certain Roads therein mentioned, and also of making, completing, and maintaining certain other Roads, also therein mentioned, and to levy Tolls on all the said Roads respectively: And whereas the Trustees acting in virtue of the said recited Act have proceeded to carry the same into execution to a partial Extent, but they have been unable to raise any Part of the necessary Funds for paying the Costs of obtaining the said Act, or for making,

completing, and maintaining the several Roads thereby authorized, and carrying the said Act fully into execution: And whereas the Sum of One thousand five hundred and fifty Pounds is now due and owing on the Credit of the Tolls by the said recited Act authorized to be levied on the First District of Roads thereby created: And whereas the Costs and Expenses incurred by the Trustees in obtaining the said recited Act amount to upwards of Two thousand six hundred Pounds, and the several Persons to whom the same are owing are willing to accept the Sum of One thousand two hundred Pounds by way of Compromise, in satisfaction of such Costs and Expenses, but the Trustees have no Funds available for Payment thereof; and it has been agreed to charge Six hundred Pounds thereof upon the said First District, and Six hundred Pounds thereof upon the Second District of Roads hereby constituted: And whereas it is expedient that certain Portions of the Roads authorized to be made and maintained by the said recited Act should be abandoned, and that certain other Roads more convenient to the Public should be authorized in lieu thereof; and it is also expedient that Powers should be granted to make, complete, and maintain the additional Roads herein-after mentioned: And whereas the estimated Expense of making and maintaining the Roads proposed to be authorized by this Act (other than the Roads which it is herein-after provided shall be made only in the event of the Funds for making the same being separately and specially provided for) is the Sum of Six thousand Pounds: And whereas the Persons named in the Schedule (A.) to this Act annexed are willing and have offered to the said Trustees to subscribe and contribute the Sums respectively set opposite to their Names in the said Schedule, making together the Sum of Two thousand five hundred and fifty-five Pounds, towards making and completing the Roads now proposed to be authorized other than as aforesaid, upon Condition that Interest at the Rate of Four *per Centum per Annum* upon the Sums to be so subscribed and contributed by them shall be paid out of the Tolls hereby authorized to be taken upon such Roads, preferably to the Payment of Interest on any further Sums to be raised by the Trustees for the Purposes of this Act, and other Persons may also be willing to subscribe further Sums on the same Conditions: And whereas the *Cambrian* Slate Company (Limited), who are interested in extensive Slate Quarries situate at *Chwarel Ucha* in the Parish of *Llansaintffraid-Glyn-Ceiriog* in the County of *Denbigh*, worked by them, and which will be accommodated by some of the Roads proposed to be authorized by this Act, are willing and have offered to the said Trustees to provide One Half of the necessary Funds for completing the said Roads other than as aforesaid, and to allow to the Subscribers of the said Sum of Two thousand five hundred and fifty-five Pounds a Preference and Priority in the Payment of Interest upon the said Sum, but upon Condition that Interest at the Rate of Five Pounds *per Centum per Annum* on the Sum to be subscribed by the said Company shall be paid out of the Tolls and other Revenue of the same Roads,

Roads, as herein-after provided, and that such Lease be granted to them as is herein-after mentioned before Payment of their Subscription is called for: And whereas the said Trustees are unable to make any Part of either the Roads already authorized or of those proposed to be authorized, or to carry the said Act into execution, without the Assistance of such Persons and of such Company as aforesaid: And whereas it is also expedient that the First and Second Districts of Roads created by the said recited Act should, subject to the Provisions of this Act, be retained: And whereas, for effecting the Objects aforesaid, it is expedient that the said recited Act should be repealed, and that the Provisions thereof, so far as applicable, should be re-enacted, and that further Powers should be granted to the said Trustees; but such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Recited Act repealed, and this Act to be put in force.

I. From and after the passing of this Act, the said recited Act of the Nineteenth and Twentieth Years of the Reign of Her Majesty Queen *Victoria*, shall be and the same is hereby repealed, subject to the Provisions of this Act, and this Act shall thereafter be put in execution for and during the Term and for the Purposes herein-after mentioned: Provided always, notwithstanding such Repeal as aforesaid, that the Trustees shall be entitled to put in force all the Powers and Authorities therein contained, in so far as the same relate to or are necessary for enabling them to construct so much of the Road Number One of the Second District created by the said repealed Act as is not by this Act authorized to be relinquished or abandoned, and which Portion of the said Road is herein-after described as forming Number Two of the Second District of Roads hereby created; and all Notices for purchasing, taking, or using Lands for the Purpose of making so much of the said Road as aforesaid shall be construed and take effect, and the same Proceedings shall be had thereon, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if the said Act had not been repealed.

Power to abandon certain Roads.

II. It shall be lawful for the Trustees and they are hereby required to relinquish and abandon the Formation of the Roads following, authorized by the said repealed Act to be made and maintained; that is to say, (1.) So much of the Road from *Bronygarth* Tollgate to *Pontfadog Bridge*, being the Road firstly described, and authorized in the said repealed Act of the Roads forming the "Second District," created by the said Act as lies between *Pontfadog Bridge* and the Point where the Road Number One of the Second District hereby created will intersect the said Road in the Parish of *Llangollen* and County of *Denbigh* near to the Point marked

Three

Three Miles and Seven Furlongs upon the deposited Plans mentioned in Section Ten of this Act; (2.) So much of the Road from *Pontfadog Bridge* through *Llansaintffraid-Glyn-Ceiriog*, to the Bridge at *Llanarmon-Dyffryn-Ceiriog*, secondly described in the said Act among the Roads thereby forming the Second District, as lies between *Pontfadog Bridge* and the *New Inn* in the said Village of *Llansaintffraid-Glyn-Ceiriog*; and (3.) The Road commencing at or leading out of the Road first above described at or near to the Limekilns at *Bronygarth*, and terminating at a certain Bridge over the River *Ceiriog* called *Pontfaen* in the Parish of *Saint Martin* and County of *Salop*, being the Road lastly described in the said Act of those forming the Second District thereby created.

All Monies due under recited Act vested in Trustees under this Act.

III. All Rents and Arrears of Tolls and other Monies due to and all Property and Choses in Action vested in or belonging to the Trustees under the Act hereby repealed shall immediately on the passing of this Act be vested in and belong to the Trustees for executing this Act; and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof, as effectually as if the same had been vested in and belonged to them under the said recited Act, and they shall be liable to all the Debts and Engagements, if any, to which the Trustees under the said recited Act were liable at the Repeal thereof: Provided always, that this Act shall not give to any Creditor or other Person any further or other Claim or Security than such Person would have had independently hereof.

Construction of Terms.

IV. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Person" shall include Corporation:

The Expression "the Trustees" shall mean the Trustees for the Time being for executing this Act:

The Expression "the Roads" shall mean the Roads to which this Act applies:

The Word "Turnpike" shall include Tollgate, Sidebar, Tollhouse, Bar, and Chain.

Short Title.

V. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Wem* and *Bronygarth* Roads Act, 1860."

Trustees.

VI. All Her Majesty's Justices of the Peace for the Time being acting for the Counties of *Salop*, *Flint*, and *Denbigh*, together with *Henry John Barker*, *Thomas John Barker*, *Samuel Hollinsed Burrows* Clerk, *Harry Cotton*, *Charles Richard Cotton*, *John David Day* Clerk, *Thomas Davies*, *Robert Myddelton Dymock*, *John Dickin*, *Thomas Atcherley Massey Dickin*, *Stephen Donne* Clerk, *Richard Ellerton*, *David*

David Hamer, *William Hurst* Clerk, *Isaac Scott Hodgson*, *William Walsham How* Clerk, *David Jones* Clerk, *John Jones* of *Shelbrook*, *John Lister*, *Thomas Lowe*, *Thomas Longueville Longueville*, *Joseph Maude* Clerk, *John William Drage Merest* Clerk, *John Morrall* Clerk, *Cyrus Morrall* Clerk, *William Francis Oswell*, *John Croxon Phillips* Clerk, *Richard Steele Perkins*, *John Richard Powell*, *William David Rees* Clerk, *Alexander Reid*, *John Stanton*, *John Skerratte Stubbs*, *George Stanton*, *George Salter*, *John Vaughan*, *John Walford*, *John Nickson Henshaw Walford*, *Richard Wynne*, and *Edward Williams*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

Power to appoint additional Trustees.

VII. It shall be lawful for the said Trustees, at any Meeting to be holden in pursuance of this Act (not being a Meeting called for special Purposes, or an Adjournment thereof), to elect any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated, and such Persons so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

First Meeting of Trustees.

VIII. The said Trustees shall hold their First Meeting at the *Wynnstay Arms* Hotel at *Oswestry* in the County of *Salop*, or at some other convenient House or Place in such County, within One Calendar Month after the passing of this Act, and shall then and from Time to Time adjourn to or meet at such Times and Places at, upon, or near the said Roads as they shall think proper.

Existing Roads to be *improved* and kept in repair.

IX. This Act shall be put in execution for and during the Term herein-after mentioned for the Purpose of improving and keeping in repair the Roads herein-after mentioned, and which are for the Purposes of this Act hereby constituted as the First District; (that is to say,)

1. The Road commencing at the North End of the Plantation near the Rectory in *Wem*, and continuing to the Corner of *Oteley Park*, where it joins the Turnpike Road leading from *Shrewsbury* to *Ellesmere*, and commencing again at the Boundary Stone marked with the Letters E. T. L., erected One hundred and twenty Yards from the present Turnpike Gate at *Trimpley* in the Town of *Ellesmere*, and leading from thence across the *London and Holyhead* Turnpike Road in the Parish of *Saint Martin* to and including the present *Bronygarth* or *Brookside* Turnpike Gate in the said Parish of *Saint Martin*:
2. The Road leading out of the Road Number One at *Horton* (between *Wem* and *Ellesmere*), and terminating by a Junction with the said Turnpike Road from *Shrewsbury* to *Ellesmere* at

Burlton, which Roads Number One and Two are situate in the County of *Salop*:

3. The Road leading out of the said Road Number One at or near *Ifton Heath*, and terminating by a Junction with the Turnpike Road from *Ellesmere* to *Wrexham* near *Overton*, and called "The *Overton* Branch," which Road is situate partly in the County of *Salop* and partly in the County of *Flint*.

New Lines of Road to be made according to deposited Plans.

X. And whereas Plans and Sections of the Road herein-after described, and forming Number Two of the Second District of Roads hereby created, together with a Book of Reference thereto, were deposited at the Offices of the several Clerks of the Peace for the Counties of *Salop* and *Denbigh* on or before the Thirtieth Day of *November* One thousand eight hundred and fifty-five: And whereas Plans and Sections of the other Lines of Road herein-after mentioned, together with a Book of Reference thereto, were deposited at the Offices of the several Clerks of the Peace for the Counties of *Salop* and *Denbigh* on or before the Thirtieth Day of *November* One thousand eight hundred and fifty-nine: The said Trustees may make, complete, and maintain such Lines of Road respectively as are herein-after described in the Lines and in and through the Lands delineated on such Plans and described in such Books of Reference respectively, and according to the Levels shown upon such Sections, together with all such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto respectively as they may think requisite; and for the Purposes aforesaid they may take possession of the Lands described on such Plans and Books of Reference, making satisfaction to the Owners thereof and other Persons interested therein for all Damage which such Owners or other Persons may respectively sustain thereby; and the Trustees and their Surveyor and Workmen may from Time to Time enter upon such Land, and mark and stake out the same for the Purposes of this Act, at such Times and in such Manner as they may think necessary or expedient.

Description of new Roads.

XI. The Roads by this Act authorized to be so made and completed, and afterwards maintained, and which are for the Purposes of this Act hereby constituted as "The Second District," are as follows; (that is to say,)

1. A Road commencing by a Junction with a certain Highway leading from *Chirk* to *Chirk Castle* and to *Pontfaen* at or near the Point where the *Great Western* Railway intersects the same in the Parish of *Chirk* and County of *Denbigh*, and terminating by a Junction with the Road secondly authorized by "The *Wem* and *Bronygarth* Roads Act, 1856," of the Roads forming the "Second District," at a Point near the *New Inn* in the Village and Parish

Parish of *Llansaintffraid-Glyn-Ceiriog* in the County of *Denbigh*, and which Road will pass through the Townships or Places of *Chirk*, *Crogen Wladis*, *Erwallo*, *Cilcochwyn*, *Hefodgynfor*, *Talegarth*, *Nantgwrid*, *Laver Issa*, *Laver Ucha*, *Coed-y-Glyn*, and *Glynfechan*, and the Parishes of *Chirk*, *Llangollen*, and *Llansaintffraid-Glyn-Ceiriog*, in the County of *Denbigh*:

2. So much of the Road Number One of the Second District created by the repealed Act as is not authorized to be hereby relinquished or abandoned, *viz.*, the Portion thereof which is between *Bronygarth* or *Brookside* Tollgate and the Point of Junction of such Road with the Road Number One of the Second District hereby created at or near the Point marked Three Miles and Seven Furlongs on the said deposited Plans as aforesaid, and which Road will pass through the Township of *Bronygarth* and Parish of *Saint Martin*'s, in the County of *Salop*, and the Townships of *Crogen Iddon* and *Crogen Wladis* in the Parish of *Llangollen* and County of *Denbigh*:

3. A Road commencing by a Junction with the said proposed new Road Number One from *Chirk* to *Llansaintffraid-Glyn-Ceiriog* before described at or near the *New Inn* before mentioned, and passing through the Townships of *Laver Ucha*, *Laver Issa*, *Coed-y-Glyn*, and *Glynfechan*, and terminating by a Junction with a certain Highway leading from *Llansaintffraid-Glyn-Ceiriog* to *Nantyr* near a Farmhouse called *Chwarel Ucha*, belonging to *Alexander Reid*, and occupied by *Evan Jones*, and which Road will be wholly in the Parish of *Llansaintffraid-Glyn-Ceiriog* in the County of *Denbigh*: Provided always, that the Trustees shall not be required to make or afterwards to maintain the Road thirdly described, unless and until a sufficient Sum of Money shall be separately provided and subscribed for the express Purpose of making and maintaining the said Road, in addition to the Subscriptions before referred to:

4. A Road commencing at the *New Inn* in the Village of *Llansaintffraid-Glyn-Ceiriog*, and terminating in a certain Bridge over the River *Ceiriog* in the Village of *Llanarmon-Dyffryn-Ceiriog*, being Part of the Road secondly described in the said recited Act of the Roads thereby forming the Second District thereby created, and which Road is situate in the several Parishes of *Llansaintffraid-Glyn-Ceiriog*, *Llansilin*, *Llancadwaladr*, and *Llanarmon-Dyffrn-Ceiriog*, and wholly in the County of *Denbigh*:

5. A Road leading out of the last-mentioned Road Number Four at or near to the Junction of the River *Teirw* with the said River *Ceiriog*, and from thence by the Valley of the *Teirw* into the Highway leading to *Nantyr* at or near to a Farmhouse called "The *Bonk*," and which Road is wholly situate in the Parish of *Llansaintffraid-Glyn-Ceiriog* aforesaid in the County of *Denbigh*, and is

is the Road thirdly described in the said repealed Act of the Roads forming the Second District thereby created:

Provided always, that the Trustees shall not be required to make or afterwards to maintain the Road fifthly above described unless and until a sufficient Sum of Money shall be separately provided and subscribed for the express Purpose of making and maintaining the said Road, in addition to the Subscriptions before referred to.

Power to deviate from Plans.

XII. The Trustees may, in the Construction of the Works by this Act authorized, deviate from the Lines thereof to the Extent delineated upon the said deposited Plans, but not to any greater Extent in passing through a Town or Lands continuously built upon than Ten Yards, and not to any greater Extent between *Bronygarth* and the Road Number One of the Second District than Forty Yards, and elsewhere than One hundred Yards, from such Lines, nor, in any Case, into any Lands not described in the Plans or the Book of Reference, without the Consent in Writing of the Owner and Occupier of such Land; and no Deviation shall be made from the Lines of the said Works where no Limits of Deviation are shown on such Plans: Provided always, that no Gradient between *Bronygarth* and the Road Number One of the Second District shall be steeper than One in Eighteen in any Place.

Power to deviate from Levels on Sections.

XIII. The Trustees may deviate from the Levels of the said Works, as marked on such Sections, to any Extent not exceeding Three Feet, except as herein-before provided.

Land may be taken, notwithstanding Errors in Book of Reference, &c.

XIV. The Works by this Act authorized may be made in or through any Land delineated on such Plans, although such Land, or the Situation thereof, or the Names of the Owners, Lessees, or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in such Plans or Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the Counties of *Salop* or *Denbigh* in which such Land shall be situated, in Petty Sessions assembled, and be certified in Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of such Justices shall be deposited with and remain in the Custody of the Clerks of the Peace of such Counties for the Time being.

Power to Trustees, under 1 G. 4. c. xlv., to relinquish Right to take Tolls, and Liability to repair a certain

XV. The Act passed in the First Year of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from the Town of* Pool *in the County of* Montgomery, *through* Oswestry *in the County of* Salop, *to* Wrexham *in the County of* Denbigh, *and several other Roads therein mentioned, in the said Counties and in the County of* Merioneth; *and for making several new Branches of Roads to communicate with the said Roads in the Counties of*

Salop,

Salop, Montgomery, *and* Denbigh, shall, so far as relates to so much of a Road leading from the Cross in *Oswestry*, through the *Willow Street*, then over *Pontfaen* to *Pont Cyssylltau*, as lies between *Pontfaen Bridge* and the *Chirk* Entrance Gate to *Chirk Castle Park*, and as also relates to a certain Deviation of the same Road lately made between *Pontfaen Bridge* and a Dwelling House occupied by *William Lever*, all in the Parish of *Chirk* and County of *Denbigh*, but not further or otherwise, shall be repealed; and from and after the passing of this Act the last-mentioned Deviation shall form Part of the Road Number One of the Second District hereby created: Provided nevertheless, that it shall not be lawful for the Trustees of this Act to levy or demand Tolls in respect of any Horse or other Animal, Carriage or other Traffic, which shall pass in either Direction along the said Deviation before described, and shall also pass over *Pontfaen Bridge*, and along any now existing Roads in the County of *Salop* leading therefrom. Road herein named.

XVI. "The Lands Clauses Consolidation Act, 1845," shall not apply to the Works by this Act authorized, nor is it incorporated with this Act. 8 & 9 Vict. c. 18. not to apply to this Act.

XVII. All the Clauses and Provisions of the Public General Acts now in force relating to Turnpike Roads in *England*, with respect to the Taking, Purchase, and Sale of Lands for the Purpose of widening, diverting, altering, or improving any Road, the Conveyances of such Lands, the Compensation to be made for the same, the Application of such Compensation, and the making out of Titles thereto, (except where such Clauses and Provisions are inconsistent with this Act,) shall extend and apply to the Land to be purchased for the Purposes of this Act; but nothing in those Acts or any of them contained shall prevent the Trustees from taking or pulling down any Dwelling House or Building, or taking in or making use of any Garden, Yard, or Paddock, Park, planted Walk or Avenue to a House, or any enclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, which is delineated on such Plans and described in such Book of Reference, whether with or without the Consent in Writing of the Owners, Proprietors, or other Persons interested therein. As to Construction of certain Provisions of General Turnpike Acts.

XVIII. The Freehold and Inheritance in the Land so purchased shall not (notwithstanding any Provision in any of the Acts now in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, be vested in the Trustees, but such Freehold and Inheritance shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Owners for the Time being of the adjoining Land from which the same shall have been taken, subject to a perpetual Right Freehold, &c. of Land to remain in Owners of adjoining Land.

of Way, for all Purposes not inconsistent with the free and uninterrupted Use of the said Roads, over or upon the Land so purchased.

Trustees to have Power of digging and using Land, &c.

XIX. The Trustees shall have the same Rights and Powers of digging, cutting, and using the Land taken by them for the Purposes of this Act, and also of erecting any Toll Houses or other Buildings, or of building any Arch thereon, as they would have had in case they had purchased the Fee Simple or the whole Estate and Interest in such Land.

Power for compulsory Purchases limited.

XX. The Powers of the Trustees for the compulsory Purchase of Land for the Purposes of the new Roads, Numbers One and Three, by this Act authorized, shall not be exercised after the Expiration of Three Years from the Commencement of this Act.

Extending Time for compulsory Purchase of Lands for certain Roads.

XXI. The Powers for the compulsory Purchase of Land for the Purposes of the new Roads, Numbers Four and Five, herein-before authorized, and which were by the said repealed Act authorized to be constructed, shall be and the same are hereby revived, and shall, notwithstanding the Repeal of the said Act, take effect and may be enforced in respect of the Lands authorized to be taken for the Purposes of the said Roads, and the Time limited for the compulsory Purchase of such Lands shall be extended until the Expiration of Three Years after the passing of this Act.

Period for Completion of Works.

XXII. The Works by this Act authorized may be completed within Five Years from the Commencement in operation of this Act, and at the Expiration of that Period the Powers by this Act given for executing the same shall cease to be exercised.

Power to take Tolls.

XXIII. Upon and after the passing of this Act it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take, at the several and respective Turnpikes which are or shall be standing or being or continued or erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Roads, or any Part thereof, such Tolls in respect of the Use of the said Roads as the Trustees from Time to Time shall appoint, not exceeding the several Tolls following; (that is to say,)

On the First District hereby created:

For every Horse or other Beast (except an Ass) drawing any Coach, Landau, Chariot, Chaise, Phaeton, Caravan, Hearse, Litter, Omnibus, Chair, Gig, Tax Cart, Wain, Waggon, Cart, Sledge, or other such like Carriage, Fourpence Halfpenny:

For every Carriage with Four Wheels affixed to any Waggon, Cart, or other Carriage, Sixpence:

For

For every Carriage with Two Wheels affixed to any Waggon, Cart, or other Carriage, Threepence:

For every Ass drawing any such Carriage, Twopence:

For every Carriage drawn or propelled by Steam or Machinery or by any other Power than Animal or Manual Power, Threepence for each Wheel of such Carriage or Vehicle:

For every Horse or other Beast of Burden not drawing, One Penny Halfpenny:

For every Ox, Cow, or other Neat Cattle, One Halfpenny:

For every Calf, Sheep, Swine, or Lamb, One Farthing:

And upon the Second District hereby created:

For every Horse or other Beast (except an Ass) drawing any Coach, Landau, Chariot, Chaise, Phaeton, Caravan, Hearse, Litter, Omnibus, Chair, Gig, Tax Cart, Wain, Waggon, Cart, Sledge, or other such like Carriage, Sixpence:

For every Carriage with Four Wheels affixed to any Waggon, Cart, or other Carriage, Sixpence:

For every Carriage with Two Wheels affixed to any Waggon, Cart, or other Carriage, Threepence:

For every Ass drawing any such Carriage, Twopence:

For every Carriage drawn or propelled by Steam or Machinery or by any other Power than Animal or Manual Power, Threepence for each Wheel of such Carriage or Vehicle:

For every Horse or other Beast of Burden not drawing, One Penny Halfpenny:

For every Ox, Cow, or other Neat Cattle, One Halfpenny:

For every Calf, Sheep, Swine, or Lamb, One Farthing:

Which said respective Tolls or Sums of Money shall be paid before any Horse, Beast, Cattle, Animal, or Carriage whatever, in respect of which a Toll is payable, shall pass through any such Turnpike; and such respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied in manner herein-after mentioned

Continuing existing Tolls on certain Roads.

XXIV. Notwithstanding the Repeal of the said recited Act, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates to be continued or erected on or on the Sides of the Roads forming the First District until the First Day of *June* One thousand eight hundred and sixty.

Fractional Parts of a Halfpenny.

XXV. In all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected, the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Tolls to be paid but once for

XXVI. In case the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, Cattle, Animal, or Carriage,

passing and repassing.

riage, through any of such Turnpikes, such Horse, Beast, Cattle, Animal, or Carriage shall, upon a Ticket being produced denoting the Payment thereof on the same Day, be permitted to pass and repass Toll-free through the same Turnpike, and also through such other Turnpike (if any) as the Ticket for such Payment shall denote to be free.

Limiting the Number of Tolls to be taken.

XXVII. Not more than the Number of full Tolls herein-after mentioned shall be taken upon the Roads for the same Horses, Beasts, Cattle, Animals, and Carriages passing and repassing through all or any of the Turnpikes erected or to be erected across, upon, or on the Sides of the Roads in any One Day, to be computed as aforesaid; (that is to say,)

On the First District the following Tolls; *viz.*,

1. On the Road between *Wem* and *Ellesmere* Two full Tolls:
2. On the Road between *Ellesmere* and the present *Brookside* Turnpike Gate, and including such Gate, Two full Tolls:
3. On the Road between *Horton* and *Burlton* One Full Toll:

And on the Second District of Roads, Two full Tolls:

Provided always, that the several and respective Tolls to be levied on the Road Number One of the said Second District between *Chirk* and the Point where such Road joins the Road Number Two of the Second District shall never be less in Amount than the corresponding Tolls to be levied for the Time being at *Bronygarth* or *Brookside* Gate: Provided also, that no Turnpike shall be erected or Toll taken or demanded upon the Road Number Two of the Second District.

Stage Coaches to pay every Time of passing.

XXVIII. The Tolls hereby imposed shall be paid for and in respect of all Horses or Beasts drawing any Stage Coach, Waggon, or other Stage Carriage employed in carrying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing and repassing along the said Roads: Provided always, that no further or additional Toll shall be payable in respect only of the Horses or Beasts drawing any such Stage Coach, Waggon, or other Stage Carriage having been changed.

Horses, &c. drawing different Waggons, &c.

XXIX. The Tolls by this Act authorized to be taken shall be paid in respect of Horses or other Beasts of Draught drawing any Waggon, Wain, Dray, Cart, or such like Carriage, for every Time during the same Day that any such Horse or other Beasts of Draught shall pass through any Turnpike upon the said Roads drawing any other laden Waggon, Wain, Dray, Cart, or such like Carriage than that which such Horse or other Beast of Draught was employed in drawing at any former Time during the same Day, and at which such Toll shall have been paid.

Postchaises on, to be subject to

XXX. The Tolls hereby imposed shall be paid for and in respect of the Horses or other Beasts let out to Hire, and drawing any Postchaise or

or other Carriage, every Time such Postchaise or other Carriage shall pass along the said Roads whenever a new Hiring thereof shall take place.

Toll every Time of hiring.

XXXI. In consideration of the Sum agreed to be advanced and subscribed by the said *Cambrian* Slate Company (Limited) as aforesaid, and prior to calling upon the said Company for Payment of the Monies agreed to be subscribed by them as aforesaid, or any Part thereof, the Trustees, or any Three or more of them, nominated and appointed for the Purpose at any Meeting of the Trustees specially called, and which Nomination and Appointment shall be effected by Resolution entered on the Minutes of the Trustees, shall, if and when thereto required, grant a Lease or Leases to such Company of the several Roads constituting the Second District, or of any Portion thereof required by the said Company, for a Period not exceeding the Term hereby created, upon such Terms and Conditions or for such other Consideration, and subject to such Provisions as have been or may be agreed upon; and the said Lease or Leases shall contain all necessary and proper Covenants and Provisions for securing during the Currency of the Lease or Leases the efficient Maintenance by the Lessees of the Portions of the said Roads so leased, and for the Re-entry of the said Trustees thereon upon the Expiration of the Lease or Leases, or at any earlier Period, in case of the Non-performance of the Conditions therein contained on the Part of the Lessees.

Trustees to grant Lease of Roads and Tolls.

XXXII. Such Lease or Leases shall also contain a Power of Re-entry to the Trustees in the event of the Bankruptcy, Insolvency, or Winding-up of the said Company, and a Counterpart or Counterparts of such Lease or Leases shall be executed contemporaneously therewith.

Lease to contain Provision for Re-entry.

XXXIII. The Money which the said Trustees may borrow and take up at Interest on the Credit of the Tolls or Revenue to arise under this Act in respect of the First District of Roads, in addition to the Sum of One thousand five hundred and fifty Pounds now due and owing on the Credit of the existing Tolls, shall be the Sum of Six hundred Pounds.

Limiting the Amount of Money to be borrowed on the Roads of the First District.

XXXIV. The Money which the said Trustees may so borrow and take up at Interest on the Credit of the Tolls and Revenue to arise from the First District shall be applied in part Payment of the Costs, Charges, and Expenses incidental to obtaining the said repealed Act as so compromised as aforesaid.

Application of such Money.

XXXV. The Trustees may also borrow and take up at Interest, on the Credit of the Tolls or Revenue to arise under this Act upon the Roads forming the Second District, any Sum of Money not exceeding the Sum of Seven thousand Pounds.

Limiting the Amount to be borrowed on the Roads of the Second District.

Application of such Money.

XXXVI. The Money which the Trustees may borrow and take up at Interest upon the Credit of the Toll and Revenues of the said Second District shall be applied as follows:

Firstly, in defraying the Charges and Expenses of and incident to the passing of this Act, and the Arrangements between the Trustees and the said Company:

Secondly, in paying to the Trustees of the before-mentioned Act of the First of King *George* the Fourth any Sum not exceeding the Sum of Two hundred Pounds which they may have expended in forming and metalling the Deviation between *Pontfaen Bridge* and the Dwelling House of *William Lever*, herein-before referred to:

Thirdly, in paying the several Persons who have accepted the Compromise aforesaid the Sum of Six hundred Pounds, being the Balance or Residue of the said Sum of One thousand two hundred Pounds agreed to be accepted by them as aforesaid:

Fourthly, in the Purchase of Land for and in making and completing the several new Lines of Road by this Act authorized to be made and completed (other than the Roads numbered Three and Five of the Second District hereby created), in fencing off such Lines of Road respectively, and in erecting and providing Tollhouses and Turnpikes, Milestones, and Finger Posts, with the necessary Appurtenances to the same, on such Lines of Road.

Application of Revenue of First District.

XXXVII. All Monies now in the Hands of the said Trustees, and all Tolls and Revenue which shall be received by them by virtue of this Act, from the Roads forming the First District, shall be applied as follows; (that is to say,)

First, in the Expenses of Management, Salaries of Officers (not including the Salaries of Toll Collectors, or the Costs of prosecuting or defending Actions at Law or Indictments, or of Proceedings before Magistrates), to an Amount not exceeding the Sum of Fifty Pounds *per Annum*:

Secondly, in paying Interest at the Rate of Four Pounds *per Centum per Annum* on the Debt of One thousand five hundred and fifty Pounds now due and owing as aforesaid:

Thirdly, in paying Interest at the Rate of Five Pounds *per Centum per Annum* on the Sum of Six hundred Pounds authorized to be borrowed on the Credit of the said Tolls for Payment of the before-mentioned Compromise:

Fourthly, in setting apart and applying a Sinking Fund of Five Pounds *per Centum per Annum* on the whole Sum borrowed on the Credit of the Tolls or other Revenue as aforesaid, which Sinking Fund shall be applicable to the Discharge of such Debts in the Order and Priority herein-before provided with respect to the Interest thereof:

Fifthly,

Fifthly, in repairing and maintaining the Roads forming the First District, and also the Road Number Two of the Roads forming the Second District created by this Act, to an Amount not exceeding the Sum of Two hundred and eighty Pounds *per Annum*:

Sixthly, in further paying off and discharging the said Debts in the Order and Priority herein-before prescribed.

Application of Revenue of Second District.

XXXVIII. All Tolls and Revenue which shall be received by the Trustees by virtue of this Act from the Roads forming the Second District shall be applied as follows; (that is to say,)

First, in the Expenses and Management, Salaries of Officers (not including the Salaries of Toll Collectors, or the Cost of prosecuting or defending Actions at Law or Indictments, or of Proceedings before Magistrates), to an Amount not exceeding the Sum of Forty Pounds *per Annum*:

Secondly, in paying Interest at the Rate of Four Pounds *per Centum per Annum* on any Sum not exceeding the Sum of Three thousand six hundred Pounds which shall be subscribed and contributed by way of Loan by the Persons enumerated and specified in Schedule (A.) to this Act annexed, or by any other Persons other than the *Cambrian* Slate Company (Limited), for the Purpose of this Act, or such Portion thereof as shall for the Time being be due and owing on the Credit of the Tolls hereby authorized, or other Revenue of the said Trustees derived from the said Second District:

Thirdly, in paying Interest at the Rate of Five Pounds *per Centum per Annum* on whatever Sum shall be subscribed by way of Loan by the *Cambrian* Slate Company (Limited) for the Purposes of this Act, or such Portion thereof as may for the Time being be due and owing on the Credit of the Tolls or other Revenue of the said Trustees arising from the said Second District:

Fourthly, in setting apart and applying a Sinking Fund of Five Pounds *per Centum per Annum* on the whole Sum borrowed on the Credit of the Tolls or other Revenue of the said Second District; which Sinking Fund shall be applicable to the Discharge of such Debts in the Order and Priority herein-before provided with respect to the Interest thereof:

Fifthly, in repairing and maintaining the Roads forming the Second District, other than the Roads Number Two, Three, and Five of such District, to an Amount not exceeding the Sum of One hundred and twenty Pounds.

As to Mode of discharging Debt.

XXXIX. When and so often as any Monies applicable to the Discharge of any Principal Monies for the Time being due on the Credit of any Tolls or Revenues arising under this Act shall amount to the Sum of One hundred Pounds the Trustees shall apply such Sum in the Payment

Payment of a proportionate Part of such Principal Monies to the Persons entitled thereto in priority as aforesaid, and shall, Twenty-eight Days at least before such Sum shall be so applied, cause Notice to be given of the intended Application of such Sum in a Newspaper published in the County of *Salop*, or by Letter addressed to each Mortgagee; and the Trustees shall apply such Sums or a Portion thereof (as the Case may require) in or towards the Discharge of such Principal Monies to the Creditor who shall, by Proposal in Writing transmitted to the Clerk of the Trustees, have offered to accept the lowest Composition in respect of such Monies; and after Payment to such Creditor as aforesaid the Trustees shall apply the Surplus (if any) of such Sum or a Portion thereof (as the Case may require) in or towards the Payment of other Principal Monies chargeable on the same District to the Creditor of the same Class who by Proposal aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Money due to him, and so in like Manner until the Sum applicable to such Payment shall be exhausted; and if and whenever Two or more Creditors by such Proposals as aforesaid shall have offered to accept an equal Rate of Composition, the Trustees may determine by Lot the Preference between or amongst such Creditors, or pay such Composition rateably between or amongst such Creditors, as the Trustees shall think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments, after applying the same, so far as may be necessary, in or towards the Discharge of the Monies to which such Proposals as aforesaid relate, the Trustees may apply the Sum applicable to such Payments, or the Surplus thereof, (as the Case may be,) rateably amongst the Creditors in such Class, or may pay the same to such of them as may be determined by Lot or otherwise, as the Trustees shall think fit.

Mortgagees to take possession for Arrears of Interest only.

XL. Whenever and so long as the Interest upon any Debt for the Time being due according to the Provisions of this Act shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of any Tolls or Revenue collected upon any of the Roads charged therewith shall be entitled to enter into possession of the Tollgates, Tollhouses, or Buildings upon the Roads, or into the Receipt of the Tolls or Rents arising thereon, or of the Rent payable upon any Letting of such Tolls, or of any other Revenue arising as aforesaid; and every Mortgagee entering into possession of such Tollgates, Tollhouses, or Buildings, or into the Receipt of such Tolls or Rent or Revenue, shall pay the Interest from Time to Time becoming due upon all the existing Mortgages affecting such District in the Order of Priority by this Act directed, and without any Priority or Preference between Mortgagees of the same Class, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being

being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Accounts that the Interest due on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, shall have been fully paid and satisfied or provided for, then such Mortgagee shall, when thereunto required by the Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, to be applied by him, as nearly as the Case will admit, in the Manner herein-before provided with respect to Tolls or Revenue, and deliver up possession of the said Tollgates, Tollhouses, and Buildings, and the Receipt of the said Tolls, and of any such Rent and Revenue as aforesaid, to the Trustees or any Person appointed by them to receive the same, anything in this Act or in any Statute or Law in force relating to Turnpike Roads in *England* to the contrary notwithstanding.

No Money to be laid out or collected in Towns.

XLI. No Money shall be laid out by the Trustees of the said Roads on any Road or Roads within the Limits of any Act of Parliament passed for the Improvement of a Town, nor shall any Money be collected therein.

Roads not exempt from Provisions of General Acts.

XLII. Nothing in this Act contained shall exempt the Roads comprised in this Act from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Commencement and Term of Act.

XLIII. This Act shall commence on the Day of the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

The SCHEDULE (A.) before referred to.

	£
Sir W. W. Wynn, Bart.	500
Robert Myddelton Biddulph, Esq.	500
F. R. West, Esq.	500
Alexander Reid, Esq.	300
Rev. David Jones	100
Richard George Jebb, Esq.	100
Mr. Thomas	80
Rev. William Lewis	50
Mr. Thomas Hughes	50
Mr. John Mason	50
Messrs. John and Edward Wynne	40
Mr. Samuel Hughes	25
Mr. Thomas Edwards	25
Mr. Evans Talgarth	25
Mr. Hugh Jones	25
Mr. Humphrey Roberts	25
Mr. Samuel Williams	10
Mr. Foulkes	10
Mr. Edward Jones	10
Mr. Hugh Hughes	10
Messrs. Hammond	10
Mr. Benjamin Webster	10
Several smaller Sums, at least	100
	£2,555

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1860.