ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. xliii.

An Act for continuing the Term and enlarging the Powers of Three Acts of the Reign of His late and present Majesty, for amending several Roads therein mentioned, so far as relate to the Road from *Wrexham* in the County of *Denbigh*, to *Pentre Bridge* in the County of *Flint*; and for making a new Branch of Road from the said Road at a Place near *Abermorddu* to *Mold*, in the said County of *Flint*. [19th *May* 1819.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for amending, widening, and keeping in Repair the Roads from the Town of* Wrexham *in the County of* Denbigh, *to* Pentre Bridge *in the County of* Flint, *and from the Town of* Mold *to* Northop, Holywell, *and* Rhuddlan, *in the same County, and from thence to the* Ferry House, *opposite the Town of* Conway, *in the County of* Carnarvon, *and from* Ruthin *to the said Town of* Mold; whereby the said Roads were divided into several Districts or Divisions; and one, being the Road from the Town of *Wrexham* in the County of *Denbigh*, to *Pentre Bridge* in the County of *Flint*, was called the *Wrexham* District or Division: And whereas an Act was passed in the Nineteenth Year of the Reign of His present Majesty King *George* the Third, intituled *An Act for enlarging the* 30 G. 2. c. 69. 19 G. 3. c. 107.

Term and Powers of ſo much of an Act made in the Thirtieth Year of the Reign of His Majeſty King George *the Second, intituled* '*An Act for* '*amending, widening, and keeping in Repair the Roads from the Town of* 'Wrexham *in the County of* Denbigh, *to* Pentre Bridge *in the County of* 'Flint, *and from the Town of* Mold *to* Northop, Holywell, *and* Rhuddlan, '*in the ſame County, and from thence to the* Ferry Houſe, *oppoſite to the Town* '*of* Conway, *in the County of* Carnarvon, *and from* Ruthin *to the ſaid* '*Town of* Mold,' *as relates to the Diſtrict of Road from the Town of* Wrexham *in the County of* Denbigh, *to* Pentre Bridge *in the County of* Flint: And whereas an Act was paſſed in the Fortieth Year of the Reign
40 G. 3. c. 31. of His ſaid preſent Majeſty King *George* the Third, intituled *An Act for continuing for Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament, the Term, and altering the Powers of Two Acts paſſed in the Thirtieth Year of the Reign of His late Majeſty King* George *the Second, and in the Nineteenth Year of the Reign of His preſent Majeſty, for amending, widening, and keeping in Repair ſeveral Roads therein mentioned, ſo far as the ſaid Acts relate to the Road leading from the Town of* Wrexham *in the County of* Denbigh, *to* Pentre Bridge *in the County of* Flint: And whereas the Truſtees appointed in or by virtue of the ſaid Acts for the ſaid Diſtrict or Diviſion called the *Wrexham Diſtrict*, have proceeded to put the ſame into Execution, and for that Purpoſe have borrowed ſeveral conſiderable Sums of Money on the Credit of the Tolls by the ſaid Acts granted and made payable; which Money ſtill remains due and owing, and cannot be paid off, or the Intereſt thereof diſcharged, nor can the ſaid Diſtrict or Diviſion of Road be effectually amended, improved, and kept in Repair, unleſs the Term granted and continued by the ſaid ſeveral Acts, ſo far as the ſame relate to the ſaid *Wrexham* Diſtrict of Road, be further continued, ſome of the Powers and Proviſions thereof reſpectively altered, amended, and enlarged, and it is expedient that the Tolls granted and continued by the ſaid Act ſhould be increaſed: And whereas it would be a great Convenience to the Neighbourhood, and of public Utility, if Powers were granted to divert Part of the ſaid Road from *Wrexham* to *Mold*, from a certain Place in the Townſhip of *Cumme* in the Pariſh of *Hope*, called or known by the Name of *Abermorddu*, about Four Miles from the Town of *Wrexham*, over certain ancient incloſed Lands belonging to the Right Honourable *Edward* Earl of *Derby*, and the very Reverend *William Davies Shipley* Doctor in Divinity, Dean of the Cathedral Church of *Saint Aſaph*, and *Barbara Yonge* of *Bodryddan* in the County of *Flint*, Spinſter, in the ſaid Pariſh of *Hope*, in a Line on the Weſt Side of the Caſtle of *Caergwrle*, into the Town of *Caergwrle*, in the ſaid County of *Flint*, and from thence along a certain Highway leading from the Town of *Caergwrle* aforeſaid into the Town of *Mold*, by a certain Manſion called *Plaſtêg* in the Townſhip of *Rhanberffedd* in the ſaid County of *Flint*; and from thence along the ſame Highway by a Public Houſe at *Pont Bleythin*, in the Townſhip of *Leeſwood* in the County of *Flint* aforeſaid, and under *Leeſwood Hall* by a certain Manſion called *Pentrehobin*, to and into the Town of *Mold* in the ſame County of *Flint*; but the ſeveral 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 the ſaid recited Acts,

Acts further continued.

and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, so far as the same Acts relate to the said District of Road called the *Wrexham District* (except so far as the same are varied, altered, or repealed, and also except such as relate to Exemptions from Stamp Duties), shall be and continue, and be executed for and during the Term herein-after mentioned, for the Purpose from Time to Time of repairing, widening, improving, and keeping in Repair the Road included in the said *Wrexham* District of the said Road; and also for making, widening, turning, altering, improving, and keeping in Repair the said Road, branching out of the said Road at or near the aforesaid Place called *Abermorddu*, by the Castle of *Caergwrle* into the Town of *Caergwrle* aforesaid, and from thence along the aforesaid Highway leading from the Town of *Caergwrle* into the Town of *Mold*, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act, and as if the said additional Branch of Road had originally been Part of the Road included in the said recited Acts, but subject nevertheless to the Provisions, Amendments, and Alterations herein contained, and which shall continue and take Effect on the passing of this Act; and this Act and the additional Term hereby granted, shall be subject and liable to the Payment of all the Money now due on the Credit or on account of the said recited Acts or any of them, with respect to the said District of Road called the *Wrexham District*, or which shall be borrowed on the Credit of the said Acts and this Act, for the Use of the same District of Road, and the aforesaid Branch thereof, and the Interest due and to grow due thereon respectively; but no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of this Act, or who shall have already advanced any Sum or Sums of Money on the Credit of the said recited Acts, in respect to the Priority of advancing or of having advanced any Sum or Sums of Money; and all Persons to whom any Mortgages or Securities shall have been made, or shall be made, shall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the Tolls granted by this Act, in equal Degree one with another.

No Preference to be given to Creditors.

II. And be it further enacted, That the Trustees already named and elected under and by virtue of the said recited Acts shall be and they are hereby appointed Trustees for putting this Act into Execution; and it shall be lawful for the said Trustees, or any Five or more of them, at their First Meeting to be holden under this Act, to elect any additional Number of fit and proper Persons, not exceeding Ten in the Whole, to be Trustees for the Purposes of the said recited Acts and this Act; and such Trustees so named and elected, and so to be elected, and their Successors to be elected in Manner in the said first-recited Act mentioned, and having qualified as the said first-recited Act directs, shall be and are hereby invested with the same Powers and Authorities for executing the said recited Acts and this Act, as if they had been named and appointed Trustees in and by this Act; and all and every the Powers, Authorities, Directions, Matters, and Things by the said recited Acts or by this Act given to, or directed to be done by or before the said Trustees, shall and may be exercised, had, and done by or before any Five or more of them; and all such Acts, Matters, and Things shall be of as full Force and Effect as if done or executed by or before all the Trustees, or by or before Trustees named and appointed in and by this Act.

Trustees under former Acts to be Trustees for this Act, and Power to appoint additional Trustees.

III. And

Orders of former Meetings not to be revoked or altered without Notice of a Meeting for the Purpose published.

III. And be it further enacted, That no Order made by any Five or more of the said Trustees, shall be revoked or altered at any subsequent Meeting, unless Twenty-one Days Notice at the least shall be given to the Clerk to the said Trustees of an intended Meeting for the Purpose of revoking or altering such Order; and such Notice shall specify the Revocation or precise Alteration intended to be made, and shall be inserted in some public Newspaper circulated in the Neighbourhood through which the said Road passes, and affixed on all the Toll Gates or Turnpikes now erected or hereafter to be erected upon the said Road, Fourteen Days at least previous to such Meeting; nor shall any Order be revoked or altered unless a Majority of the Trustees present at such subsequent Meeting shall concur therein, and such Majority shall consist of more Trustees than made and signed the original Order.

All Notices to be advertised.

IV. And be it further enacted, That all Notices of Meetings and other Business required to be given by the said recited Acts and this Act, shall be given in some one public Newspaper circulated in the Neighbourhood through which the said Road passes, and such Publication shall be sufficient for all Purposes.

To remove Toll Gates, and erect new ones.

V. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may from Time to Time, and at any Time after the passing of this Act, take down any Toll Gate or Toll Gates now erected on any Part of the said District of Road called the *Wrexham District*, and shall and may from Time to Time erect, set up, and provide, or cause to be erected, set up, and provided, One or more Toll Gate or Toll Gates, Turnpike or Turnpikes, Bar or Bars, in, upon, or across any Part of the said District of Road, or the said Branch of Road intended to be included in this Act, or upon, across, or on the Side or Sides of the same Road or Branch of Road, or at the End thereof, or at the End or Opening of any Street, Lane, or Way leading into or out of the said Road or Branch of Road, together with such proper and necessary Toll Houses, Weighing Machines, and proper and necessary Buildings and Fences near to each Gate, Turnpike, or Bar, so to be erected, as the said Trustees shall think proper.

Present Tolls insufficient.

VI. And whereas the Tolls by the said recited Acts granted and continued are insufficient for the Purposes thereof, and of this Act; be it therefore enacted, That the said Tolls shall from the Third *Monday* next after the passing of this Act cease, determine, and be no longer paid or payable; and that instead thereof the respective Tolls following shall be demanded, taken, collected, and paid at the several and respective Gates and Turnpikes which have been or shall be erected in, upon, across, or on the Side or Sides of the said District of Road, or Branch of Road, included in the said recited Acts and this Act, or at the End thereof, or at the End or Opening of any Street, Lane, or Way leading out of the said Road or Branch of Road; (that is to say),

New Tolls.

For every Horse, Mule, or other Beast, drawing any Coach, Barouche, Berlin, Landau, Chariot, Chaise, Curricle, Caravan, Chair, Gig, or other such Carriage, Hearse, or Litter, any Sum not exceeding Nine-pence:

For every Horse, Mule, or other Beast, drawing any Waggon, Cart, Wain, Tumbrel, or other such like Carriage, having at the Time of using thereof

thereof Wheels of the Breadth of Six Inches at the Sole or Bottom of the Fellies thereof, the Sum of Four-pence:

For every Horſe, Mule, or other Beaſt, drawing any Waggon, Cart, Wain, Tumbrel, or other ſuch like Carriage, having at the Time of uſing thereof Wheels of leſs Breadth than Six Inches at the Sole or Bottom of the Fellies thereof, the Sum of Sixpence:

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

For every Drove of Oxen, Cows, or Neat Cattle (Calves excepted), the Sum of Ten-pence *per* Score; and ſo in Proportion for any greater or leſs Number; and

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

Additional Tolls on Sundays.

And alſo on each and every *Sunday* during the Continuance of this Act, ſuch Day to be computed from Twelve of the Clock on the preceding *Saturday* Night to Twelve of the Clock on the next following *Sunday* Night, there ſhall be demanded and taken at the ſaid Gates, Turnpikes, or Bars, One-half of the ſaid Tolls in addition to the Tolls hereby granted for all Articles herein-before named paſſing the ſame Gates, Turnpikes, or Bars; which ſaid ſeveral Tolls, by this Act authorized to be taken, ſhall be and the ſame are hereby veſted in the Truſtees already nominated and appointed under and by virtue of the ſaid recited Acts, as to the *Wrexham* Diſtrict of Road, and their Succeſſors to be appointed for putting the ſaid recited Acts and this Act in Execution; and the ſame and every Part thereof ſhall be collected, recovered, levied, paid, applied, aſſigned, varied, and diſpoſed of in ſuch and the ſame Manner, and by ſuch and the ſame Ways and Means, and with ſuch Remedies for Non-payment or Evaſion thereof, and with ſuch Powers, Proviſions, Exemptions, and Reſtrictions, as are contained in the ſaid recited Acts, or any of them, with reſpect to the Tolls thereby authorized to be taken, but ſubject nevertheleſs to this Act and the Proviſions and Regulations herein contained.

Toll to be taken only once in any One Day.

VII. Provided always, and be it further enacted, That no Perſon who ſhall have paid Toll for paſſing through any Gate, Turnpike, or Bar, now erected or hereafter to be erected on the Road called the *Wrexham* Diſtrict of Road, directed to be repaired and maintained by the ſaid recited Acts, or on the Branch of Road directed to be repaired and maintained by this Act, ſhall be liable to the Payment of another Toll for afterwards paſſing or repaſſing on the ſame Day with the ſame Horſe, Cattle, and Carriage through the other Gate or Gates, Turnpike or Turnpikes, Bar or Bars, on the ſame Roads, but ſhall be exempt from the Payment of any further Toll there on producing a Note or Ticket denoting the Payment of Toll at the ſame or ſome other Gate, Turnpike, or Bar on the ſame Road.

Tickets to be provided, denoting Payment of Toll.

VIII. And be it further enacted, That upon Payment of the ſaid Tolls, the Collector or Receiver thereof ſhall and he is hereby required to deliver *gratis* to the Perſon paying ſuch Toll, a Note or Ticket denoting ſuch Payment; and which Note or Ticket ſhall be provided by the ſaid Truſtees, and there ſhall be printed and ſpecified thereon the Names of the ſeveral and reſpective Gates freed by ſuch Payment.

Exemptions.

IX. Provided always, and be it further enacted and declared, That none of the Tolls by this Act granted ſhall be demanded or taken for or in reſpect of any Carriage, Horſe, Cattle, or Beaſt employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, Stones, Bricks, Lime, Timber, Wood, Gravel, or other Materials for repairing of the ſaid Road or Branch, or any of the Roads in the Pariſhes in which any Part of the ſaid Road and Branch are ſituate; or Hay, Graſs, Turnips, Potatoes, or other Fodder, Straw, or Corn in the Straw, not ſold or diſpoſed of, or paſſing for that Purpoſe, but paſſing to be placed or laid up in the Buildings or on the Premiſes of the Owners thereof; or for or in reſpect of any Carriage, Horſe, Cattle, or Beaſt employed only in carrying or conveying, or going empty or unladen to carry or convey, or returning empty or unladen from carrying or conveying, having been employed only in conveying any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Compoſt, or other Manures to be employed only in Huſbandry for manuring or improving Lands, or for any other Thing employed in the managing of any Farms or Lands, or for Lime carried or conveyed in any Waggon, Cart, or other Carriage, having at the Time of uſing thereof Wheels of the Breadth of Six Inches on the Sole or Bottom of the Fellies thereof, with the Tire lying flat, and the Nails counterſunk, ſo as not to riſe above the Surface; or for any Horſes or Cattle going to or returning from Paſture or Watering Place, or going to be or returning from being ſhoed or farried; or from any Perſon going to or returning from his or her proper parochial Church or Chapel, or other Place of Religious Worſhip tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Hearſe or Carriage conveying the Corpſe or attending the Funeral of any Perſon who ſhall die and be buried in any or either of the Pariſhes in which the ſaid Road or Branch of Road ſhall lie or be ſituate; or for any Horſe, Beaſt, Cattle, or Carriage, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, or returning back from conveying the ſame; or for any Horſe or Carriage belonging to His Majeſty or any of the Royal Family, or any Horſe or Carriage attending His Majeſty or any of the Royal Family; or for any Horſe, Beaſt, Cattle, or Carriage attending any Soldiers on their March, or on Duty, or attending them with their Arms or Baggage; or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, Commiſſariat, or other public Stores of, for, or belonging to His Majeſty, for the Uſe of His Majeſty's Forces, or returning from attending them on ſuch Occaſions; or for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe or Review, provided that ſuch Perſons are in the Uniforms of their reſpective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemptions as aforeſaid; or for any Horſe, Cart, Waggon, or other Carriage employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning from ſuch Employment; or for any Horſe, Cattle, Beaſt, or Carriage carrying

rying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Denbigh* or *Flint*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall, in any fraudulent or colluſive Manner whatſoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this and the ſaid recited Acts.

Owners or Drivers of Waggons in the King's Service not ſubject to Penalties for Overweight.

X. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight in any ſuch Waggon, Wain, Cart, or other Carriage, or for being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained to the contrary notwithſtanding.

Abatement of Toll in certain Caſes.

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

Toll Collectors to put up their Names.

XII. And be it further enacted, That all and every Toll Collector appointed either by the ſaid Truſtees, or by any Leſſee or Leſſees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of the ſaid recited Acts and this Act, or either of them, upon the ſaid Roads, ſhall and he is hereby required to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or on ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately upon coming on Duty, each of the Letters of ſuch Name to be at leaſt One Inch in Length and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſaid Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon or Perſons than he ſhall be authorized to do by virtue of the Powers of the ſaid recited Acts and this Act, or any or either of them, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in anywiſe hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian

or

or Surname to any Perſon or Perſons who ſhall demand the ſame, on having been paid the ſaid Tolls, or any of them, or ſhall give a falſe Name or Names on ſuch Demand, or ſhall refuſe or neglect to deliver a Ticket *gratis*, denoting the Payment of the Toll, and naming and ſpecifying the ſeveral Gates freed by ſuch Payment, or ſhall make uſe of any ſcurrilous or blaſphemous Language to any Perſon or Perſons travelling upon the ſaid Roads, or ſhall, without ſufficient Cauſe, detain or delay any Perſon or Perſons travelling thereon; then and in every ſuch Caſe every ſuch Collector ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be levied, recovered, and applied in ſuch and the ſame Manner as other Penalties are by the ſaid recited Acts or this Act, or either of them, directed to be levied, recovered, and applied.

Accounts to be kept of Receipts and Diſburſements, which ſhall be open to the Inſpection of the Truſtees and Creditors.

XIII. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books ſuch Clerk ſhall enter or cauſe to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the ſaid Road, and of the ſeveral Articles, Matters, and Things for which ſuch Sums of Money ſhall have been diſburſed, laid out, and paid; which Book or Books ſhall at all ſeaſonable Times be open to the Inſpection of the ſaid Truſtees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the ſaid Truſtees and Creditors, or any of them, ſhall or may take Copies of or Extracts from the ſaid Book or Books, or any Part or Parts thereof, without paying any Thing for the ſame; and in caſe the ſaid Clerk ſhall refuſe to permit the ſaid Truſtees or ſuch Creditors to inſpect the ſame, or take ſuch Copies or Extracts as aforeſaid, ſuch Clerk ſhall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in Manner in the ſaid recited Acts or any of them mentioned.

Clerk reſtrained from acting as Treaſurer, and vice verſâ.

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

XV. Provided

Treasurer to account the First Thursday in August in each Year.

XV. Provided always, and be it further enacted, That the Treasurer or Treasurers for the Time being of the Monies arising by virtue of this Act, shall and he and they is and are hereby required to settle his or their Account or Accounts with the said Trustees or any Five or more of them, on the First *Thursday* in the Month of *August* in every Year during the Continuance of this Act, in such Manner as is directed in and by the said recited Acts.

Trustees not to administer Oaths on verifying Accounts;

XVI. And be it further enacted, That nothing in the said recited Acts contained shall extend or be construed to extend to authorize or empower the said Trustees, or any of them, to administer any Oath or Oaths to any Clerk, Treasurer, Collector of the Tolls, Surveyor, or other Officer or Officers now appointed or hereafter to be appointed under or by virtue of the said recited Acts and this Act, or any or either of them, for the Purpose of verifying his or their Accounts.

To compound for Tolls.

XVII. And be it further enacted, That the said Trustees shall and may, and they are hereby empowered from Time to Time, as they shall see convenient, to compound and agree for any Term not exceeding One Year at any one Time, with any Person or Persons for any Horses, Cattle, Beasts, or Carriages, passing through any of the said Turnpikes, Toll Gates, or Bars, so that no Composition be made for any Cattle or Carriages travelling for Hire, and all such Composition Money shall be paid One Year in advance, otherwise such Composition shall be void.

To demise Tolls for any Term not exceeding Three Years.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them from Time to Time, by Writing under their Hands and Seals, or under the Hand and Seal or Hands and Seals of their Clerk or Clerks for the Time being, by their Order to be made for that Purpose, to let or lease the Tolls arising by virtue of this Act, or any Part or Parts thereof, in such Manner as they shall think proper, unto any Person or Persons, for any Term not exceeding Three Years at any one Time, for the best Rent that can or may be gotten for the same, payable at such Times, in such Manner, under such Covenants, and unto such Person or Persons, as the said Trustees or any Five or more of them shall direct or appoint; of which letting Fourteen Days Notice at the least shall be given in Writing, and inserted in some public Newspaper circulating in the Neighbourhood through which the said Road doth pass; and the Monies arising thereby shall be applied in such Manner as herein is mentioned and directed.

To appoint occasional Officers.

XIX. And be it further enacted, That as often as any Collector of the said Tolls or other Officer shall die, or misbehave himself or herself, or become incapable of performing his or her Duty, it shall be lawful for any Five or more of the said Trustees, though not assembled at a public Meeting to be held in pursuance of the said recited Acts or this Act, by any Writing under their Hands, to displace such Collectors and other Officers so misbehaving or becoming incapable of performing their Duty, and appoint others in their Stead, and also in the Stead of such of them as shall so die; and all such Collectors and other Officers so appointed shall have the like Authority to act in the Execution of their respective Offices as the Person or Persons whom they shall so succeed was or were vested with, until the said Trustees, or any Five or more of them, shall at

a Meeting to be held by virtue of this Act, appoint a Collector or other Officer as aforesaid.

Collectors not to be incompetent Witnesses by reason of their holding Offices under the said Acts and this Act.

XX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, or the Recovery thereof, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Tolls, or by reason of his, her, or their acting under the Authority of the said Trustees.

To take Possession of Toll Houses, &c.

XXI. And be it further enacted, That in case all or any of the Tolls arising by virtue of the said recited Acts and this Act, or any of them, or any of the Gates, Turnpikes, or Bars, or Houses or Buildings, at which the same shall be collected, shall be demised or let to farm, or be agreed to be demised or let to farm, at any Time or Times to any Person or Persons, and such Person or Persons shall neglect or refuse to perform the Terms and Conditions of the Demise or Contract by which the same shall be let, or be agreed to be let to him, her, or them, either by taking a greater or less Toll in respect of any Horse, Cattle, or Carriage, than those demised or let, or agreed to be demised or let to him, her, or them, or in any other Way or Manner; or in case the Rent for which such Tolls shall be demised or let, or be agreed to be demised or let, or any Part thereof, shall be in arrear and unpaid by the Space of Seven Days next after any of the Days or Times whereon the same shall become due, and ought to be paid, pursuant to such Demise or Contract; and the Toll House or Toll Houses belonging to such Gates, Turnpikes, or Bars, shall be in the Possession of any such Lessee or Lessees, Farmer or Farmers, or any Person or Persons by him, her, or them appointed or nominated to collect the Tolls thereat; or in case of the Decease of any such Lessee, Farmer, Toll-keeper, or Collector, and the Wife or Family of such deceased Person shall refuse to quit the Premises after Seven Days Notice in Writing, under the Hand of the Clerk to the said Trustees, being given or left at the Toll House, or affixed upon the Gate, Turnpike, or Bar for that Purpose, then and in any and every such Case it shall be lawful for the Trustees, or any Five or more of them (if they shall think proper), to vacate and determine such Demise and Contract, giving Notice in Writing of such their Determination to such Lessee or Lessees, Farmer or Farmers, or by leaving the same at any of the said Toll Houses, or affixing the same upon any of the said Gates, Turnpikes, or Bars, and such Lease and Contract, and the Term for which the said Tolls shall be let, or be agreed to be let, shall from that Time be utterly void and at an end to all Intents and Purposes (save as to the Covenants and Agreements therein contained on the Lessee or Lessees Part and Behalf); and in case any such Lessee or Lessees, Farmer or Farmers, shall not on Service of such Notice as aforesaid, deliver up the Possession of such Toll House or Toll Houses, Gates, Turnpikes, or Bars, with the Appurtenances so demised or let, or agreed to be demised or let, to him, her, or them; or if the Wife or Family of any deceased Lessee, Farmer, Toll-taker or Collector, shall not, on the Expiration of such Notice as aforesaid, deliver up the Possession of the Premises pursuant to such Notice, it shall be lawful for any Justice of the Peace acting for the County or Place in which such Lessee or Lessees, Farmer or

Farmers of the ſaid Tolls ſhall live or reſide, by Warrant under his Hand and Seal (which Warrant ſuch Juſtice is hereby empowered and required to grant, upon the Requeſt of the ſaid Truſtees or any Five or more of them), to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Toll Houſe or Toll Houſes, and take Poſſeſſion of ſuch Gates, Turnpikes, or Bars, and Premiſes, and to remove the Perſon and Perſons who ſhall be found in ſuch Toll Houſe or Toll Houſes, together with his, her, and their Goods out of the ſaid Houſes and Premiſes, and to put ſuch Perſon or Perſons into Poſſeſſion of the ſaid Toll Houſe or Toll Houſes, Gates, Turnpikes, or Bars, and Premiſes, and into the Receipt and Collection of the ſaid Tolls, and to do ſuch other Acts in the Premiſes as the ſaid Truſtees or any Five or more of them ſhall appoint.

Old Road to be given up when new Branch made.

XXII. And be it further enacted, That in caſe the ſaid Truſtees ſhall at any Meeting to be held by them think proper to order and direct the ſaid Road, branching out of the ſaid Diſtrict of Road called the *Wrexham Diſtrict*, to be made, widened, altered, improved, and kept in Repair, and ſhall have cauſed the ſame to be made, done, and completed fit for the Paſſage of Cattle, Carts, and Carriages along the ſame, then and in ſuch Caſe the ſaid Truſtees, or any Five or more of them, may and they are hereby authorized and empowered to ſurrender and give up ſo much and ſuch Part of the Road by the firſt-recited Acts directed to be made, widened, and repaired, called the *Wrexham* Diſtrict of Road, as extends from the ſaid Place at or near *Abermorddu* to *Pentre Bridge* in the County of *Flint*, to the reſpective Townſhips through which the ſame paſſes, and which ſhall from thenceforth be repaired and maintained by the ſaid reſpective Townſhips.

Reſtraining the Truſtees from deviating more than 100 Yards from the Line of the old Road, without Conſent, &c.

XXIII. And be it further enacted, That it ſhall not be lawful for the ſaid Truſtees, in diverting, turning, varying, or altering the Courſe or Path of any Part of the Road compriſed in the ſaid recited Acts, to deviate more than One hundred Yards from the preſent Line or Courſe thereof, without the Conſent in Writing of the Owners or reputed Owners and Occupiers for the Time being of the Lands and Grounds which may be affected by any ſuch Diverſion or Alteration, any thing in the ſaid recited Acts contained to the contrary thereof in anywiſe notwithſtanding.

Plan, &c. depoſited at the Office of the Clerk of the Peace to remain there for Inſpection, &c.

XXIV. And whereas a Map or Plan, deſcribing the Line of the ſaid intended Branch of Road, and the Lands, Hereditaments, and Premiſes through which the ſame is to be made or carried, together with a Liſt of the Names of the Owners and Occupiers of ſuch Lands and Premiſes, hath been depoſited at the Office of the Clerk of the Peace for the ſaid County of *Flint*; be it therefore enacted, That the ſaid Map or Plan ſhall remain in the Cuſtody of the Clerk of the Peace for the ſaid County, to the end that all Perſons may at any reaſonable Times have Liberty to inſpect and peruſe the ſame, and to take Copies or Extracts thereof at their Will and Pleaſure, paying the Clerk of the Peace for the Time being a reaſonable Compenſation for making ſuch Copies or Extracts; and the ſaid Truſtees, in making the ſaid new Branch of Road, ſhall not deviate more than One hundred Yards from the Line deſcribed in the ſaid Map or Plan, without the Conſent in Writing of the Perſon or Perſons,

Bodies

Bodies Politic, Corporate, or Collegiate, through whoſe Lands or Premiſes ſuch Deviation ſhall be made.

Truſtees to make the Road conformably to ſuch Plan, &c. notwithſtanding Errors.

XXV. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees to make the ſaid Branch of Road 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 over which the ſame is or 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 Liſt, in caſe it ſhall appear to any Two or more Juſtices of the Peace for the ſaid County of *Flint*, and be certified by Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake.

Houſes, &c. not to be injured.

XXVI. Provided always, and be it further enacted, That the Powers and Authorities hereby given ſhall not extend or be conſtrued to extend to empower or authorize the ſaid Truſtees, in making the ſaid Branch of Road, to take or pull down, injure, or damage any Dwelling Houſe or other Building, or to take in or make uſe of any Orchard, Garden, Yard, Park, Paddock, 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 firſt had and obtained.

For getting Materials to make and repair the Road.

XXVII. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Road, and to or for all ſuch Perſon or Perſons as he or they reſpectively ſhall appoint, to ſearch for, cut, dig, get, gather, and take away any Furze, Heath, Stones, Gravel, Sand, or other Materials for repairing the ſaid Road, out of or from any Commons or Waſte Grounds, common River, Brook, or Pit, in any Pariſh, Townſhip, or Place in which any Part of the ſaid Road ſhall lie, or in any adjoining Pariſh, Townſhip, or Place, without paying any thing for the ſame, the ſaid Surveyor or Surveyors, or other Perſon or Perſons acting by his or their Appointment, filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and alſo that ſuch Surveyor or Surveyors, or other Perſon or Perſons as aforeſaid, may, by Order of any Two or more Juſtices of the Peace for the County or Place in which the ſaid Road doth lie, ſearch for, cut, dig, get, gather, and take away any ſuch Materials as aforeſaid in, out of, or from the private Lands, Fields, or Grounds of any Perſon or Perſons where the ſame may be had or found (ſuch Lands, Fields, or Grounds not being a Garden or Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees), making or tendering ſuch Satisfaction for the ſame, and for any Damages done thereby, to the Owners or Occupiers of the Ground and Premiſes where and from whence the ſame ſhall be cut, dug, gotten, gathered, and taken or carried away, or over which the ſame or any other Materials for repairing the ſaid Road ſhall be carried, according to their reſpective Rights and Intereſts in ſuch Ground and Premiſes, as the ſaid Truſtees or any Five or more of them

ſhall

ſhall deem reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or other Perſons employed as aforeſaid, and the ſaid Owners or Occupiers, or any of them, concerning the Value of ſuch Materials and Damages, it ſhall be lawful for any Two Juſtices of the Peace for the County or Place in which the ſaid Road doth lie, on Ten Days Notice thereof in Writing being given by either Party to the other, or left at their reſpective Places of Abode, to hear, ſettle, and determine the Matters of ſuch Payment and Damages; and the Judgment or Order of the ſaid Juſtices therein ſhall be final and concluſive to all Parties.

An Action of Ejectment may be ſupported by One Mortgagee.

XXVIII. And be it further enacted, That if any Mortgagee or Mortgagees of the ſaid Tolls, Toll Gates, Bars, Chains, Toll Houſes, and Buildings, ſhall ſeek to obtain the Poſſeſſion of the ſaid Toll Gates, Bars, Chains, Toll Houſes, and Buildings, in order to pay himſelf, herſelf, or themſelves the Principal Money and Intereſt, or any Part thereof, due to him, her, or them, it ſhall be competent for him, her, or them, as Leſſor or Leſſors of the Plaintiff, and upon his, her, or their Demiſe only, and without uniting in ſuch Demiſe the other Mortgagees of the ſaid Tolls and Premiſes, to obtain ſuch Poſſeſſion; but ſuch Perſon or Perſons who ſhall obtain the Poſſeſſion thereof ſhall not apply the Tolls which may conſequently be received by him or them to his, her, or their own excluſive Uſe and Benefit, but to and for the Uſe and Benefit of all the Mortgagees of the ſaid Premiſes, *pari paſſu*, and in proportion to the ſeveral Sums which may be due to them as ſuch Mortgagees.

Notice to be given to Occupiers of incloſed Lands before Materials are taken therefrom.

XXIX. Provided always, and be it further enacted, That it ſhall not be lawful for any Surveyor, or any other Perſon or Perſons under the Authority of the ſaid recited Acts or this Act, to dig, gather, get, take, or carry away any Materials for repairing the ſaid Roads out of or from any incloſed Lands or Grounds, until Ten Days Notice in Writing, ſigned by ſuch Surveyor, ſhall have been given to the Owner or Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left for ſuch Owner or Occupier at his or her uſual Place of Reſidence, to appear before any One or more Juſtice or Juſtices of the Peace acting for the County or Place where ſuch Premiſes ſhall lie, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Owner or Occupier, or his or her Agent, ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, then and in ſuch caſe it ſhall be lawful for the ſaid Juſtice or Juſtices, by his or their Order or Orders, to authorize ſuch Surveyor or other Perſon or Perſons to dig, get, gather, take, and carry away ſuch Materials at ſuch Time or Times as to ſuch Juſtice or Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall refuſe or neglect to appear by himſelf or herſelf, or his or her Agent, ſuch Juſtice or Juſtices ſhall and may make ſuch Order therein as he or they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Owner or Occupier, or his or her Agent, had attended; any thing in the ſaid recited Acts contained to the contrary notwithſtanding.

Penalty on taking away Materials got by the Surveyor.

XXX. Provided always, and be it further enacted, That if any Perſon whomſoever ſhall take away any Materials which ſhall have been dug or gathered for the Purpoſe of repairing or improving the ſaid Roads, or ſhall get or take away any Materials out of any Pit or Quarry which ſhall have been

been made, dug, or opened for the Purpoſe of getting the ſaid Materials, before the ſaid Surveyor or his Workmen ſhall have diſcontinued working therein for the Space of Forty Days (except the Owner or Occupier of any private Ground, and the Perſon or Perſons authorized by ſuch Owner or Occupier to get Materials for his own private Uſe only, and not for Sale), every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, the ſame to be recovered, levied, and applied in Manner by the ſaid recited Acts mentioned.

Gates not to open or ſwing into the Roads.

XXXI. And be it further enacted, That all Gates to be hereafter placed in any Field or Ground adjoining any Part of the ſaid Road, ſhall be made and hung to open and ſwing inward towards ſuch Field or Ground, and not towards the ſaid Road; and it ſhall be lawful for the ſaid Truſtees, or any Three or more of them, to order all ſuch Gates as are now erected, or may hereafter be erected, and open and ſwing outward towards the ſaid Road, to be altered and made to open and ſwing inwards, as they the ſaid Truſtees ſhall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or ſhall be conſtructed ſo as to open and ſwing outward towards the ſaid Road, ſhall (after Ten Days Notice from the Surveyor of the ſaid Road, requiring him, her, or them to alter any ſuch Gate or Gates, and make the ſame to open and ſwing inwards), refuſe or neglect to make ſuch Alteration, or after ſuch Alteration ſhall have been once made, ſhall again alter the ſame, every ſuch Occupier or Occupiers ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

In caſe of not making out Titles,

or if Perſons cannot be found Purchaſe Money to be paid into the Bank;

ſubject to the Order of the Court of Chancery, on Motion or Petition.

XXXII. 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 recited Acts or 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 any Five or more of them; 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, or any Three or more of them, 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 High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the 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 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 or Receipts 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 as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Perſons in Poſſeſſion to be deemed preſumptively entitled, &c.

XXXIII. 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 ſaid Accountant General in purſuance of the ſaid recited Acts or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Acts or this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, 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 ſhewn to the Satisfaction of the ſaid Court; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be 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 Chancery to direct Payment of Expences.

XXXIV. 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 under the Authority of the ſaid recited Acts or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of any 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 Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts or this Act, or ſo much of the ſaid Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, or any Three or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Statute Labour.

XXXV. And be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards amending and repairing the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore, and it ſhall be lawful to and for any Two or more Juſtices of the Peace for the ſaid County of *Denbigh* or *Flint* (as the Caſe may be) and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Treaſurer, Clerk, or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Diſtrict or Diviſion of the ſaid Road, by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Road lies, and alſo what Proportion of the Money received

by

by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; and in order thereunto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Ten Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions, as are or may be directed by any Law or Statute in Force or Effect for the Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work in every Year upon the ſaid Road, as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt), and on ſuch Parts of the ſaid Road, as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, or appoint; and the ſaid Juſtices ſhall and may order and direct the Perſons who by ſuch Liſts ſhall be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for the Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the Surveyor or Surveyors of ſuch Pariſhes, Townſhips, or Places reſpectively, to be by him or them paid over to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in default of Payment thereof the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts, or any of them, authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor to the ſaid Truſtees, ſhall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Fines, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute now in Force or Effect for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſon who ſhall be found idle or negligent as aforeſaid; and in that caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments as aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer of the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the Surveyor or Surveyors of the Highways or any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give

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any ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe and imperfect Liſts, or ſhall refuſe or neglect to collect or pay over ſuch Compoſition Money, or any Part thereof, in Manner aforeſaid, every ſuch Surveyor ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

XXXVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the ſaid Road, or any Part thereof; and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments of and in all or any of the Townſhips or Places in which the ſaid Road ſhall lie and be ſituate, for a certain Sum of Money by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Road; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Townſhip, or by the Perſon or Perſons ſo compounding, to the Treaſurer of the ſaid Truſtees in advance, on or before the Firſt Day of *May* in each and every Year; or otherwiſe ſuch Perſon or Perſons, Bodies Politic or Corporate, and the Inhabitants and Occupiers within ſuch Townſhip or Place, ſhall not be permitted to compound for that Year.

To impound Cattle found wandering on the Road.

XXXVII. And be it further enacted, That if any Horſe or Horſes, Aſs or Aſſes, Cattle or Swine, ſhall be found wandering or depaſturing upon or on the Sides of any Part of the ſaid Road, the Owner or Owners of ſuch Horſe or Horſes, Aſs or Aſſes, Cattle or Swine, ſhall reſpectively forfeit and pay for every ſuch Offence any Sum not exceeding Ten Shillings, to be recovered in ſuch Manner as other Penalties by the ſaid recited Acts, ſome or one of them, are directed to be recovered and levied; and the Surveyor or Surveyors of the ſaid Roads, and all and every other Perſon and Perſons, is and are hereby authorized to cauſe all ſuch Horſe or Horſes, Aſs or Aſſes, Cattle or Swine, as ſhall be found wandering or depaſturing upon the ſaid Road, or on the Sides thereof, to be impounded until the Complaint againſt the Owner or Owners thereof can be heard before ſome one of His Majeſty's Juſtices of the Peace acting for the County or Place wherein ſuch Offence ſhall happen to be committed, or until the Owner or Owners of ſuch Horſe or Horſes, Aſs or Aſſes, Cattle or Swine, ſhall pay the ſaid Penalty; which ſaid Penalty ſhall be applied towards the repairing of the ſaid Roads, and to or for no other Purpoſe whatſoever.

Caſual Offenders to be taken up.

XXXVIII. And whereas Offences may be committed againſt the ſaid recited Acts and this Act by Perſons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act into Execution; be it therefore enacted, That it ſhall be lawful for any of the ſaid Collectors, Surveyors, or other Officers reſpectively, and ſuch other Perſon or Perſons as he or they ſhall call to his or their Aſſiſtance, without any other Warrant or Authority than this Act, to ſeize and detain any ſuch unknown Perſon or Perſons who ſhall commit any ſuch Offence or Offences, and take him, her, or them before any Juſtice of the Peace for the County or Place, or near to the Place where the Offence or Offences ſhall be committed, and

such Juſtice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint.

Expences of the Act to be firſt diſcharged.

XXXIX. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing this Act, ſhall immediately after the paſſing thereof, and in preference to all other Payments whatſoever, be paid and diſcharged by the ſaid Truſtees, or any Five or more of them, out of any Money which hath ariſen by virtue of the ſaid recited Acts, or out of the firſt Monies which ſhall ariſe by virtue thereof, and of this Act, or out of any Money borrowed or to be borrowed on the Credit thereof reſpectively.

To compel Payment of Subſcriptions.

XL. Provided always, and be it further enacted, That the ſeveral and reſpective Perſons who have ſubſcribed, or ſhall or may ſubſcribe any Money for or towards the obtaining this Act, and the making or repairing the ſaid new Branch of Road by this Act authorized to be made, ſhall and they are hereby required to pay the reſpective Sums of Money ſo ſubſcribed or to be ſubſcribed within ſuch Time or Times, and in ſuch Parts and Proportions as the ſaid Truſtees, or any Five or more of them, ſhall order and direct, and the ſame ſhall be paid to the Treaſurer to the ſaid Truſtees for the Time being; 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, or any Five or more of them, to ſue for and recover the ſame in the Name of their Clerk or Treaſurer, in any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere, by Action of Debt, or on the Caſe, or by Bill, Plaint, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed.

Public Act.

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

Term of the Act

XLII. And be it further enacted, That the Term granted and continued by the ſaid recited Acts, ſo far as the ſame relate to the *Wrexham* Diſtrict or Diviſion of the ſaid Roads, ſhall from and after the paſſing hereof ceaſe and determine; and that the ſaid recited Acts (ſubject to the Alterations, Amendments, and Additions herein-before mentioned) and this Act, ſhall commence, continue, and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's moſt Excellent Majeſty. 1819.