



ANNO TRICESIMO NONO & QUADRAGESIMO
GEORGI II. REGIS.

Cap. 30.

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 and enlarging the Powers of an Act, passed in the Twenty-first Year of the Reign of His present Majesty, intituled, *An Act for more effectually repairing the Road leading from the Town of Denbigh to the Town of Saint Asaph, and from thence to the Town and Port of Ruthland, in the Counties of Denbigh and Flint; and for repealing an Act, made in the Thirty-second Year of His late Majesty King George the Second, so far as the same relates to the said Road.*

[16th May 1800.]

WHEREAS an Act was passed in the Twenty-first Year of the Reign of His present Majesty King George the Third, intituled, *An Act for more effectually repairing the Road leading from the Town of Denbigh to the Town of Saint Asaph, and from thence to the Town and Port of Ruthland, in the Counties of Denbigh and Flint; and for repealing an Act, made in the Thirty-second Year of His late Majesty King George the Second, so far as the same relates to the said Road:* And whereas the Trustees appointed in or by virtue of the said Act have proceeded in the
Preamble:
21 Geo. III,
recited.

[Loc. & Per.]

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Execution

Execution thereof; and have borrowed a considerable Sum of Money upon the Credit of the Tolls thereby authorized to be collected; which Money, as also a considerable Sum which had been borrowed on the Credit of the said Act passed in the Thirty-second Year of the Reign of His late Majesty, still remains due and owing: And whereas the Money borrowed and due as aforesaid on the Credit of the said Road cannot be paid off and discharged, and the said Road effectually amended and kept in Repair, unless the Term of the said Act be continued, and some Alterations and Amendments made to such Act: 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 Act passed in the Twenty-first Year of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, and Clauses therein contained respectively (except such of them as relate to Exemption from Stamp Duties, or as are hereby varied, altered, or repealed) shall be and continue in full Force, and be executed for and during the Term herein-after mentioned, in as full and ample Manner, and as effectually, to all Intents and Purposes, as if the said Act, and all the Authorities, Powers, Privileges, Provisions, and Clauses therein contained, were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Amendments and Alterations herein contained; and which shall commence and take Effect upon the passing hereof, and be in force during the Term hereby continued and granted; and this Act, and the additional Term hereby granted, shall be, and are hereby declared to be subject and liable to the Payment of all Monies now due and owing on the Credit or on Account of the said former Act, or that may be borrowed or become due on the Credit of the said former Act and of this Act, and of all Interest due or to grow due for the same respectively.

21 Geo. III,
further con-
tinued.

Additional
Trustees.

II. And be it further enacted, That *Richard Butler Clough, Hugh Powel Clough, James Henry Clough of Glan y Wern, Thomas Hugh Clough, Howel Powel Clough of Plas Clough, Roger Butler Clough, James Butler Clough, Henry Butler Clough, Charles Butler Clough, Frederick Butler Clough, Alfred Butler Clough of Eriuiat, William Currie of Geinas, Thomas Mostyn Edwards of Kilken Hall, John Egerton of Oulton, William Evans of Glanrbyddwy, Clerk, the Right Honourable John Hamilton Fitzmaurice commonly called Lord Kirkwall in the Kingdom of Ireland, Thomas Foulkes of Gwernygron, John Wynne Griffith, John Wynne Griffith the younger, Robert Griffith, Thomas Griffith, George Griffith, Edward Humphrey Griffith, Richard Augustus Griffith, Frederick Griffith of Garn, John Heaton of Plas Heaton, Robert Hesketh of Gwrych, Edward Hughes Clerk, William Lewis Hughes, Hugh Robert Hughes, James Hughes of Kimmel Park, John Hughes of Pen-y-bryn, Thomas Lewis Hughes, John Hughes of The Cottage, Richard Ingleby of Pistill, Arthur Vaughan, Owen Jones, Trevor Owen Jones, Edward Humphrey Owen Jones, Valentine Owen Jones, Howel Wepre Owen Jones of Wepre Hall, Edward Chambres Jones the younger of Llysmeirchion, Clerk, David Jones of Rbuddlan, Clerk, Daniel Leo of Llannerch Park, Sir Edward Pryce Lloyd Baronet, Edward Mostyn Lloyd of Pengwern, Cynric Lloyd, Llewelyn Lloyd Gruffydd Lloyd of Pontriffith Clerk, John Lloyd of Wygfair, Edward Lloyd the younger of Cefn, Edward Lloyd Lloyd of Pen-y-lan, John Lloyd Clerk, Vicar of Holywell, Llewelyn Lloyd Clerk, Rector* of

of *Gwaenyscor*, *John Lloyd* Clerk, Rector of *Caerwys*, *Robert Maurice* Clerk, Vicar Choral of *Saint Asaph*; *Charles Morrall*, *Charles Morrall* the younger, of *Chester*, *Sir Thomas Mostyn* of *Mostyn*, Baronet, *John Meredith Mostyn* of *Segroit*, *John Mostyn* of *Denbigh* Clerk, *Robert Myddleton* Doctor in Divinity, *Robert Myddleton* the younger, of *Gwaenynog*, *Thomas Peake* of *Perthewig*, *Robert Peake* of *Denbigh*, *Gabriel Piozzi* of *Bryn Bella*, *John Parry* Clerk, Vicar of *Llanbasa*, *John Lloyd Salusbury* of *Galltvaenan*, *William Shipley*, *Mordaunt James Shipley*, *Conway Shipley*, *John Shipley* of *Bodryddan*, *William Stodart* Clerk; *George Strong* Clerk, *Richard Wilding* of *Prestatyn*, *Sir John Williams* Baronet, *John Williams*, *Fleetwood Williams* of *Bodlewyddan*, *William Williams* of *Wrexham*, *William Williams* Clerk, Rector of *Saint George*, *William Williams* Vicar of *Llangollen*, *Sir Watkin Williams Wynn* Baronet, *Charles Watkin Williams Wynn*, *Henry Watkin Williams Wynn* of *Wynnstay*, *John Wynne*, *Julius Wynne*, *Watkin Wynne*, *Charles Wynne* of *Plasnewydd*, *John Wynne* of *Coed Coch*, *Philip Yorke*, *Simon Yorke*, and *Brownlow Yorke* of *Ertbig*, being qualified in the Manner directed by the said recited Act, shall be added to and joined with the Trustees appointed by or in pursuance of the said former Act, for putting the said Act and this Act in Execution; and the Trustees herein-before nominated are hereby empowered to act in the Execution of the said former Act and this present Act, as fully and effectually, to all Intents and Purposes, as if they had been originally appointed Trustees by the said former Act.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in any Case in the Execution of the said former Act or of this Act (except in administering the Oath hereinafter mentioned) until he shall have taken and subscribed, in the Presence of any Two or more Trustees, who are hereby authorized and required to administer the same (except Heirs apparent, who shall be exempt from swearing to a Qualification, but shall in like Manner take that Part of the Oath which relates to the due Execution of this Act) the Oath following; *videlicet*,

‘ I *A. B.* do swear, That I truly and *bonâ fide* am in my own Right, or in Right of my Wife, in the actual Possession and Enjoyment or Receipt of the Rents or Profits of Lands, Tenements, Tythes, or Hereditaments, either in Fee, or being Freehold, Leasehold, or Copyhold, or being a Rectory or Vicarage, of the clear yearly Value of Fifty Pounds above Reprizes, [or, am possessed of or entitled to a Personal Estate to the Amount or Value of One thousand Pounds]; and that I will faithfully and impartially, and to the best of my Knowledge and Judgement, execute the Trusts and Powers reposed in me by several Acts passed for more effectually repairing the Road from the Town of *Denbigh* to the Town of *Saint Asaph*, and from thence to the Town and Port of *Rhuddlan*, in the Counties of *Denbigh* and *Flint*.

‘ So help me GOD.’

IV. And be it further enacted, That the Trustees for executing the said Act and this Act, or any Five or more of them, shall meet at the *White Lyon Inn*, in *Saint Asaph* aforesaid, on the *Monday* Three Weeks next after the passing of this Act, and proceed in the Execution of the said Act and this Act, and from thence and thereafter, from Time to Time

Trustees to take an Oath.

Form of the Oath.

First General Meeting.

Time as often as may be expedient, shall adjourn and meet at any Place or Places in the said several Towns of *Denbigh*, *Saint Asaph*, and *Rkuddlan*, or any of them, which at any Meeting or Meetings shall from Time to Time be appointed; and shall also yearly, on the First *Wednesday* in *May*, in every Year, hold One General Meeting at some Inn or Publick House in *Saint Asaph* aforesaid, to be called *The General Annual Meeting*, whereat Five or more Trustees must and shall be present to constitute a Meeting; and they (being so present) are hereby empowered to carry the said Act and this Act into Execution, and to examine and revise the Proceedings of all other Meetings held the preceding Year, and to adjourn and hold other Meetings during the succeeding Year at such Place or Places in the Towns aforesaid, or any of them, as may at such General Annual Meeting, or any adjourned Meeting or Meetings, be appointed; and if it shall happen at any General Annual Meeting, or any adjourned Meeting, that Five Trustees will not or do not attend, such Meeting shall be adjourned, and another Meeting called, from Time to Time, by any One Trustee; or by the Clerk of the Trustees for the Time being, in Manner and according to the Directions given in and by the said Act of the Twenty-first Year of His present Majesty: Provided always, That the Interval between a Meeting adjourned and the next Meeting called, shall not at any Time exceed Six Calendar Months.

Gardens to
Toll Houses.

V. And be it further enacted, That the said Trustees, or any Five or more of them, may and are hereby empowered to inclose, from Open Commons or any vacant Space adjoining the Road, with the Consent of the Lord of the Manor, or to purchase from Owners of inclosed Lands willing to sell the same, small Pieces of Land for Gardens to the Toll Houses now erected or which may be erected on the said Road, not exceeding One Rood or Fourth Part of a Statute Acre of Land to every or any Toll House respectively.

Repealing
Power in
former Act
for erecting
certain Gates.

VI. And whereas by the said recited Act the Trustees are empowered to erect Gates or Turnpikes upon or across certain Roads or Lanes, leading or branching out of the said Turnpike Road, as therein particularly mentioned and described, and also upon, across, or on the Side or Sides of the said Turnpike Road, and in, upon, or across any other Lane or Way leading into or out of the said Road; which general Power is too extensive; be it therefore enacted, That so much of the said Act as empowers the said Trustees, or any of them, to erect any Gate or Turnpike in, upon, or across any other Lane or Way leading into or out of the said Road, shall be, and the same is hereby declared to be repealed.

Declaring
that Creditors
shall be equal.

VII. And be it further enacted, That all Sums of Money which have been borrowed and secured upon the said Road and Tolls, under the Powers given by the said Act of the Twenty-first Year of the Reign of His present Majesty, or the said Act of the Thirty-second Year of the Reign of His said late Majesty, which (as to the said Roads called *The Fourth Division*) was by the said Act of His present Majesty repealed; and also all Sums of Money which shall hereafter be borrowed and secured by virtue of this Act upon the Tolls arising from the said Road and Toll Gates, shall be Debts and Liens upon the said Tolls and Toll Gates of equal Degree and Obligation, without any Preference in Payment or Priority of Action, or Right of Entry in or to any Person or Persons

Persons whomsoever to whom the same is or shall be due in respect or on account of having been first or more early advanced, or being hereafter more early advanced, or by reason of the earlier Date or Dates of the respective Securities for the same, or of any Assignment or Assignments thereof respectively, or otherwise howsoever.

VIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Act and this Act, to the Intent that such Money shall be applied under the Direction, and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of
Compen-
sation, where
exceeding
200^l.

IX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred

Application
where the
Compen-
sation
does not ex-
ceed 200^l.
nor less than
20^l.

[*Loc. & Per.*]

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Pounds,

Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20 l.

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

For paying Expences of this Act.

XI. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, shall be defrayed out of any Money raised by virtue of the said former Act, or out of the first Monies to be raised or received by virtue of the said former Act and this Act, in preference to all other Payments whatsoever.

Publick Act.

XII. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Term of the Act.

XIII. And be it further enacted, That the Term granted and continued by the said recited Act shall, upon the passing hereof, cease and determine; and that the said Act and this Act shall from thenceforth continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.