



ANNO NONO

GEORGII IV. REGIS.

Cap. lxxvii.

An Act to alter, amend, and enlarge the Powers and Provisions of several Acts relating to the Road from *Chester* to *Wrexham*, in the City and County of *Chester* and the Counties of *Flint* and *Denbigh*.
[23d May 1828.]

WHEREAS an Act was passed in the Twenty-fifth Year of the Reign of King George the Second, intituled *An Act for repairing the Roads from the Town of Shrewsbury, through Ellesmere in the County of Salop, and Overton in the County of Flint, to Wrexham in the County of Denbigh*: And whereas another Act was passed in the Twenty-ninth Year of the Reign of King George the Second, intituled *An Act to enlarge the Term and Powers of an Act for repairing the Road from Shrewsbury to Wrexham in the County of Denbigh, and to repair and widen several other Roads therein mentioned, and the Road from Wrexham to Chester, and from thence to Pen y fordd y Waen in the Parish of Whitford, and also the Road from Broughton to Mold in the County of Flint*, whereby the Roads in the said first-recited Act comprised were divided into several Districts or Divisions; and the Road from *Wrexham*, through *Pulford*, and a Lane called *Wrexham Lane*, to *Dee Bridge* in the City of *Chester*, and from the North End of the said Lane called *Wrexham Lane*, within the Liberties of the said City, over *Saltney Marsh* through *Bretton*, to the Town of *Northorp*, were thereby directed to be called the *Chester District* or Division of the said Roads: And whereas

[Local.] 18 S another

28G.3. c.112.

another Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enlarge the Term and Powers of an Act passed in the Twenty-ninth Year of the Reign of King George the Second, for repairing the Road from Shrewsbury to Wrexham in the County of Denbigh, and from Wrexham to Chester, and also from Broughton to Mold in the County of Flint, and several other Roads therein mentioned; and for making and repairing a Road from the said Wrexham and Chester Road to the Wrexham and Ruthin Road in the said County of Denbigh*; which

48G.3. c.67.

last-mentioned Road when made, and the several Branches therefrom, it was by such Act enacted should be deemed and taken to be Part of the *Chester District or Division of the Roads* in the said Act comprised: And whereas another Act was passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two several Acts of His late and present Majesty, for amending the Road from Shrewsbury to Wrexham in the County of Denbigh, and from Wrexham to Chester, and several other Roads therein mentioned, so far as respects the Chester District of the said Roads*: And whereas it is expedient that so much of the said *Chester District or Division of the Roads* comprised in the several herein-before recited Acts as lies between the City of *Chester* and the Town of *Wrexham* in the County of *Denbigh*, and the several Branch Roads communicating or connected therewith, should be separated from the remaining Part of the Roads comprised in such District or Division, and be formed into a separate and distinct District or Trust, to be called "*The Chester and Wrexham District*:" And whereas considerable Sums of Money are due and owing on the Credit of the Tolls by the said recited Acts, or some of them, authorized to be collected on that Portion of the said *Chester District of Roads* which is by this Act intended to be separated from the remaining Portion of such Roads and (to be called the *Chester and Wrexham District*,) which cannot be paid off, nor can the said *Chester and Wrexham District of Road* be kept in repair, unless the Term and Powers of the said Acts are enlarged, some additional Powers granted, and the Tolls increased, so far as relates to the said *Chester and Wrexham District of Road*: And whereas certain Parts of the said Road within the Parish of *Gresford* in the Counties of *Denbigh* and *Flint* are narrow and inconvenient, and it would tend to the public Accommodation if Power were granted for widening and improving such narrow and inconvenient Parts of the said Road: And whereas it would be a great Accommodation to the Neighbourhood, and of public Utility, if certain Diversions or Alterations were made from and out of the said intended *Chester and Wrexham District of the said Roads* as herein-after mentioned, and if Power were given to abandon or discontinue as Turnpike Roads such Part or Parts of the said several Roads so as aforesaid intended to be called the *Chester and Wrexham District or Trust*, as may be rendered unnecessary by the making the said Alterations or Diversions, or any of them: And whereas it would be beneficial to the Interests of the said *Chester and Wrexham District of Road* if the several Acts herein-before recited were repealed, so far as relates to such District, and if such of the Powers and Provisions thereof as it may be deemed expedient to retain, and the necessary new and additional

additional Powers and Provisions were consolidated and incorporated in One Act: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain so much of the General Turnpike Act as relates to the Tolls payable on Carriages laden with Lime for the Improvement of Land*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in England*: And whereas the several beneficial Purposes herein-before mentioned cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fourth *Thursday* after the passing of this Act so much of the *Chester* District or Division of the Roads comprised in the several herein-before recited Acts passed in the Twenty-fifth and Twenty-ninth Years of the Reign of King *George* the Second, and in the Twenty-eighth and Forty-eighth Years of the Reign of His late Majesty King *George* the Third, as lies between the City of *Chester* and the Town of *Wrexham* in the County of *Denbigh*, and the several Branch Roads communicating or connected therewith and herein-after more particularly described, shall be separated from the Remainder of such District or Division, and shall constitute a distinct District, to be called "The *Chester* and *Wrexham* District," and that the same several Acts, so far as they respectively relate to the Roads comprised in the said *Chester* and *Wrexham* District, shall be and the same are hereby declared to be repealed.

3 G. 4. c.126.

4 G. 4. c. 95.

4 G. 4. c. 16.

5 G. 4. c. 69.

7 & 8 G 4.
c. 24.

Chester
District se-
parated, and
recited Acts
of 25 & 29
G. 2. & 28 &
48 G. 3. re-
pealed, so far
as they relate
to the *Chester*
and *Wrex-*
ham District.

II. And be it further enacted, That this Act shall be put into Execution for and during the Term herein-after mentioned, for the Purpose of amending, widening, diverting, improving, and maintaining in repair the Roads herein-after mentioned; (that is to say,) the Road commencing at a certain Public House called the *Hare and Hounds*, in *Handbridge* in the Parish of *Saint Mary on the Hill* in the Liberties of the City of *Chester*, and terminating at or near to a certain Dwelling House in the Occupation of *Mary Goode* Widow, in the Township of *Wrexham Regis* in the Parish of *Wrexham* and County of *Denbigh*; and also certain Branch Roads leading therefrom, one of such Branch Roads commencing at or near the *Rosset Bridge* in the Township of *Merford* and Parish of *Grasford* in the County of *Flint*,

This Act to
be put in
Execution for
amending
the Road and
making the
Diversions
herein de-
scribed.

Flint, and extending to a certain Dwelling House called the *Miners Arms*, in the Township of *Minera* and Parish of *Wrexham* in the County of *Denbigh*, in the Occupation of *Thomas Jones*; and another of such Branch Roads commencing at or near to a certain Field in the Township of *Brymbo* and Parish of *Wrexham* in the same County, in the Occupation of *Samuel Davies*, and extending to within One hundred Yards of the *Efrith Bridge* in the Township of *Uchymynydd* in the Parish of *Hope* in the County of *Flint*; (and which said Branch Roads were, by the said recited Act of the Twenty-eighth Year of the Reign of His late Majesty King *George the Third*, described as "a new Road of Communication between a certain Bridge called *Rosset Bridge*, in the Counties of *Denbigh* and *Flint*, or one of them, and the Turnpike Road between *Wrexham* and *Ruthin* in the County of *Denbigh*, at or near a certain Place called *Geggin Wen*; and also One or more Branches of Road from *Pont-plas-y-maen* in the County of *Denbigh*, to the Collieries and Lime Works at *Abermerddu-Hope* and *Harwood* in the Counties of *Denbigh* and *Flint*;" and also for making and maintaining the several Diversions or Alterations herein-after mentioned; (that is to say,) the First of such Diversions or Alterations commencing at the Distance of One hundred Yards from the South End of the new Bridge now erecting over the River *Dee*, in the Liberties of the said City of *Chester*, thence passing through the Parish of *Saint Mary on the Hill* within the same Liberties, and terminating at a certain Field called the *Sheriffs Field*, in the Occupation of *Margaret Garratt Widow*, and there rejoining the present Turnpike Road; the Second of such Diversions or Alterations commencing at a certain Field in the Township of *Marlston-cum-Lache* in the County of *Chester*, called the *Near Chester Field*, in the Occupation of *Joseph Jones*, thence passing through the Township of *Marlston-cum-Lache* and *Eccleston* in the Parishes of *Saint Mary on the Hill* and *Eccleston* in the said County of *Chester*, and terminating at or near a certain Field in the same Township called *Wrexham Road Field*, in the holding of *James Rowe*, and there rejoining the present Road; the Third of such Diversions or Alterations commencing at or near to a certain Dwelling House in the Township of *Merford* and Parish of *Gresford* in the County of *Flint*, in the Occupation of *John Davies*, thence passing through the several Townships of *Merford*, *Gresford*, and *Allington*, in the Parish of *Gresford*, and in the several Counties of *Flint* and *Denbigh*, and terminating at or near another Dwelling House in the Township and Parish of *Gresford*, in the Occupation of *Edward Williams*, and there rejoining the present Road.

Term and
Tolls granted
by this Act
made liable
to the original
Debt.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls by the said former Acts authorized to be taken upon so much of the said *Chester District of Roads* therein mentioned as is comprised in the said *Chester and Wrexham District* hereby constituted, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or become due and owing on the Credit of this Act or of the Tolls hereby granted; and

and all and every Person and Persons who may owe any Money to the Trustees acting in the Execution of the said former Acts, or any of them, in respect of so much of the said *Chester* District of Roads as is comprised in the said *Chester* and *Wrexham* District hereby constituted, shall be liable to the Payment thereof to the Trustees for executing this Act; and such Money shall be applied by the Trustees for executing this Act to the Purposes of this Act.

IV. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities relating to such Part of the said *Chester* District of Roads as is comprised in the said *Chester* and *Wrexham* District hereby constituted, made or entered into by any Person or Persons to or with the Trustees for carrying into Execution the said former Acts, or to or with any Person or Persons on behalf of the said Trustees, according to the Provisions of such Acts, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, or before all or any of His Majesty's Justices of the Peace having Jurisdiction (as the Case may require), until the same shall be fully satisfied and performed on account and for the Benefit of the Trusts created by this Act; and all Lettings of Tolls, Orders, Contracts, Conveyances, Bonds, Covenants, Agreements, Securities, and Notices, duly made, entered into, or given by the said Trustees, or by any Person or Persons on their Behalf as aforesaid, shall, so far as the same are not altered or avoided by this Act, and as they respectively relate to the said *Chester* and *Wrexham* District hereby constituted, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, and by the other respective Parties thereto, according to the Terms and Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said former Acts.

Securities,
&c. under
former Acts
to continue
in force.

V. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books containing the Accounts and Proceedings of the Trustees in the Execution of the said former Acts hereby repealed, kept according to the Directions or Provisions of the said respective Acts, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books shall be preserved and kept by the Clerk for the Time being to the Trustees for executing this Act, and shall at all seasonable Times be open to the Inspection of the said Trustees, and of any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds for every such Offence.

Books kept
under former
Acts to be
Evidence.

VI. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or other Money on account of the District of Roads by this Act directed to be widened,

Books of
Proceedings,
Accounts,&c.
under former
Acts to be

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improved,

delivered to
Trustees
under this
Act.

improved, and kept in repair, or who have or shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or other Things relating solely to the said District of Roads, shall account for and pay and deliver over the same and every Part thereof to the Trustees in and by this Act named and appointed, or to such Person or Persons as they shall appoint, in like Manner and under the like Penalties and Forfeitures as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, are by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty required to pay or account for the same.

Former
Officers to
continue
until new
ones ap-
pointed.

VII. Provided always, and be it further enacted, That the Treasurer, if appointed consistently with the Provisions of the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and employed in the Execution of the said recited Acts hereby repealed, or any of them, so far as they relate to the said *Chester and Wrexham* District of Roads, shall respectively continue to exercise their Offices under this Act until they shall be removed therefrom by the said Trustees; and each and every such Treasurer, Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he and they had been appointed under or by virtue of this Act.

Extending
the Powers
of General
Turnpike
Acts to this
Act.

VIII. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) and also the said several recited Acts passed in the Fifth and in the Seventh and Eighth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Directions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution as if the same had been respectively repeated and re-enacted in the Body of this Act.

Trustees.

IX. And be it further enacted, That the Honourable *Richard Grosvenor* commonly called Viscount *Belgrave*, the Honourable *Robert Grosvenor*, Sir *Watkin Williams Wynne* Baronet, Sir *Foster Cunliffe* Baronet, Sir *John Cotgreave* Knight, *Roger Barnston*, *Roger Harry Barnston*, *Richard Barker*, *John Boydell*, *James Boydell*, *James Boydell the younger*, *Samuel Bennett*, *Henry Bowers*, *Robert Bowers*,
George

George Boscowen, George Townshend Brooke, George Brooke, Richard Browne, John Burton, Richard Owen Burton, John Burton the younger, Foster Cunliffe, Robert Henry Cunliffe, Ellis Watkin Cunliffe, Philip Davies Cooke, Robert Bryan Cooke Clerk, Brooke Cunliffe, George Cunliffe Clerk, Lynck Sydney Cotton, John Dickenson, John Dickenson the younger, Thomas Edwards, John Edwards, Thomas Evans, William Egerton, Thomas Francis, John Fletcher, John Foulkes, John Foulkes the younger, Phillips Lloyd Fletcher, Thomas Fletcher, Thomas Murhall Griffith, Hugh Maxwell Goodwin, John Hutchinson, Peploe William Hamilton Clerk, George Harrison, Phillip Humberston, John Humphreys, John Wright Hayton, David Francis Jones, David Francis Jones the younger, George Johnson, Bell Ince, Thomas Henshaw Jones, George Kenyon, George Lloyd Kenyon, Richard Kirk, James Kyrke, George Kyrke, Richard Kirk the younger, Richard Venables Kyrke, Richard Venables Kyrke the younger, James Radcliffe Lyon Clerk, Richard Myddleton Lloyd, William Lloyd, John Larden, Joseph Langford, Henry Warter Meredith, John Finchett Maddock, Thomas Finchett Maddock, Robert Morris, James Mainwaring Clerk, Charles Mytton Clerk, Charles Mytton the younger, John Mytton, John Meller, William Newell, Richard Newcome Clerk, Christopher Parkins Clerk, William Trevor Parkins, John Phillips, Henry Potts, Charles Potts, William Pownall, Charles Poyser, William Richards, John Swarbreck Rogers, Cadwalader Blaney Trevor Roper, Joshua Strengfellow, William Thomas, John Thompson, Richard Thompson, William Makepeace Thackeray, John Townshend, Henry Townshend, Bennett Townshend, Robert Twiss Doctor of Divinity, Travis Twiss, Edwin Wyatt the younger, George Warrington Clerk, John Williamson, Edward Webber, Sir Stephen Richard Glynn Baronet, William Aingier Doctor of Divinity, Robert Aldersey, William John Bankes, George Blomfield Clerk, Samuel Nevett Bennett, Thomas Bagnall, Samuel Brittain of Upton, Robert Brittain, George Cumming Doctor of Medicine, William Currie Clerk, William Crosley, Charles Dundas, Thomas Dixon, James Dixon, Thomas Edwards Clerk, Charles Hamilton, Alderman George Harrison, John Harrison, Henry Hesketh the younger, James Hilton, Henry Kelsall, James Thomas Law Clerk, Thomas Longueville Longueville, Richard Massey, Charles Kynaston Mainwaring, Thomas Moulson, John Drake Rogers, Edward Roberts, James Slade Clerk, Thomas Sudworth, Edward Simon Snow, James Sedgwick, Richard Tyrwhitt, Robert Topham the younger, Francis Wrangham Clerk, William Ward, Edward Ommaney Wrench, and their Successors, being duly qualified in manner directed by the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for carrying this Act into Execution.

X. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings from Time to Time to be held for that Purpose, (of which Meeting, and of the Purpose thereof, at least Ten Days previous Notice shall be given in manner by the said recited Act of the Third Year of the Reign of His present Majesty directed with respect to Meetings for the Appointment of Trustees on Vacancies,) to elect and appoint any Number of Persons, not exceeding Five in the whole, to

Power to
appoint addi-
tional Trus-
tees.

to be Trustees for executing this Act, in addition to the Trustees herein named; and such additional Trustees so elected and appointed, as well as all Trustees to be from Time to Time elected and appointed, in pursuance of and according to the Provisions of the said recited Act passed in the Third Year of the Reign of His present Majesty, in the Place or Stead of any Trustee or Trustees dying, resigning, or otherwise become incompetent or disqualified to act, (being duly qualified according to the Provisions of the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty,) shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Meetings of
Trustees.

XI. And be it further enacted, That the Meetings of the said Trustees shall be held alternately at *Chester* and *Wrexham*; and their First Meeting shall be held at the Exchange in the City of *Chester* on the Fourth *Thursday* next after the passing of this Act, or as soon afterwards as conveniently may be; and such Meetings shall and may be adjourned from Time to Time as such Trustees may think fit.

Present
Roads to be
widened.

XII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, to amend and improve and to render more commodious the said *Chester* and *Wrexham* District of Roads, by widening certain narrow Parts of the Lines of the same which are described in the Maps or Plans and Books of Reference herein-after mentioned; and for the aforesaid Purpose or Purposes it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to purchase, take, and use, and lay into the Lines of the said Roads, any of the Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof and other Persons interested therein for the same or for the Damage they may respectively sustain thereby.

Diversions
may be made.

XIII. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to make and maintain the said several Diversions herein-before mentioned or described, upon, in, over, or through any private Lands, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same or for any Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, of such Width or Dimensions as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences on the Line of the said Diversions, as they shall think necessary or expedient; and for such Purpose or Purposes to take and use any Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof and Persons interested therein for the same or for the Damage they may sustain thereby; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter

enter upon the Lands, Tenements, and Hereditaments through which or whereupon such Roads, Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences are intended to be made or passed, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands, Tenements, or Hereditaments respectively, for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

XIV. And whereas Maps or Plans describing the Widenings of the present Road, and the intended Diversions thereof, and the Lands, Tenements, and Hereditaments through or over which the same are intended to be carried, together with Books of Reference containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands, Tenements, and Hereditaments, have been deposited at the Offices of the respective Clerks of the Peace for the County Palatine of *Chester* and Counties of *Denbigh* and *Flint*, and with the Town Clerk of the City of *Chester*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerks of the Peace and Town Clerk for the said Counties and City respectively, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom, paying to such Clerks the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts: Provided always, that the said Trustees in making such Widenings and Diversions shall not deviate more than One hundred Yards from the respective Lines thereof described in the said Maps or Plans, without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, over or through whose Lands, Tenements, or Hereditaments such Widenings or Deviations shall be made.

Maps or Plans deposited at the Offices of the several Clerks of the Peace to remain there and be open to Inspection.

Lines not to vary therefrom more than 100 Yards.

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

Dwelling Houses, &c. not to be taken, except such as are mentioned in the Schedule.

XVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Widenings and Diversions into, through, across, or over the several Lands, Tenements, or

Misnomers not to prevent Execution of this Act.

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Hereditaments

Hereditaments of any Person or Persons who is or are or may be Owner or Owners, Occupier or Occupiers of any Lands, Tenements, or Hereditaments over which the same is or are set out and described in the said Maps or Plans as being intended to be carried, although such Lands, Tenements, or Hereditaments, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in the said Maps or Plans and Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the County wherein such Lands, Tenements, or Hereditaments may be situate, and be certified by Writing under their Hands, that such Error, Omission, or Mis-statement apparently proceeded from Mistake, and was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

When new Divisions of Road are made, the former Lines to be discontinued.

XVII. Provided always, and be it enacted, That when and so soon as the said several other new Divisions of Road shall have been respectively made and completed fit for the Passage of Horses, Cattle, and Carriages, then and in such Case so much of the present Line of Road in lieu of which such Divisions respectively shall be made shall cease to be under the Direction, Controul, or Management of the said Trustees; and so much and such Part or Parts of the Land or Ground constituting the former Road as in the Judgment of the said Trustees may become useless or unnecessary shall and may be stopped up and discontinued as public Highways, and shall be vested in the said Trustees, and shall and may be sold for the Benefit of the Trust, in the Manner and subject to the Conditions, Provisions, and Regulations in that Behalf contained in the said recited Act of the Third Year of the Reign of His present Majesty.

Limiting the Period for purchasing Property.

XVIII. Provided also, and be it further enacted, That if the said Trustees, shall not within the Space of Five Years next after the passing of this Act, agree for or cause to be valued, as in and by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty is directed, and purchase the Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers to them thereby and hereby granted for such Purpose shall cease, determine, and be utterly void and of no effect; any thing herein contained to the contrary thereof in anywise notwithstanding.

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

XIX. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue all and every or any of the Toll Gates or Turnpikes and Toll Houses now standing and being in, upon, or across such Parts of the said Road as shall continue to be used, and shall not at the Time of the passing of this Act have been abandoned, or on the Sides thereof, and also to erect, set up, and build, or cause to be erected, set up, and built, in lieu thereof or in addition thereto, in or across the said Road so continued in use as aforesaid, or any Part thereof, or upon the Sides thereof, or any Part thereof, and also upon, in, or across the Divisions hereby directed to be made and maintained, or upon the Sides thereof, or any Part thereof, when, where, and as they shall judge necessary, any Gate or

Gates,

Gates, Turnpike or Turnpikes, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and from Time to Time to alter, take down, or discontinue the same, or any of them, as they the said Trustees shall think proper and expedient, and also to erect and provide One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre, as they shall think necessary.

XX. And be it further enacted, That the said Trustees shall and they are hereby required to continue, upon each and every Branch of Road comprised in this Act, One or more Toll Gate or Toll Gates, Toll Bar or Toll Bars, Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions in this Act, and the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, contained : Provided also, that no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Bar continued under the Authority of the Trustees for carrying this Act into Execution.

Trustees to erect Toll Gates on each Branch, and to take Tolls thereat.

XXI. And be it further enacted, That it shall be lawful for the said Trustees, or for any Person or Persons under their Authority, to demand and take the Tolls or Sums of Money herein-after mentioned at each and every Turnpike, Toll Gate, Side Gate, and Chain to be continued or set up by virtue of this Act in, upon, across, or on the Side of the said Roads and Diversions respectively, before any Horse, Mule, Ass, Beast, or other Cattle, Coach, Chariot, Chaise, Waggon, Wain, Cart, or other Carriage shall be permitted to pass through any such Turnpike, Toll Gate, Side Gate, or Chain ; (that is to say,)

For every Horse or other Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Chair, Caravan, Van, Hearse, Litter, or other such Carriage, any Sum not exceeding Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards on the Bottom or Soles thereof, any Sum not exceeding Sixpence ; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches and not less than Four and a Half Inches, any Sum not exceeding Seven-pence Halfpenny ; and in case the Fellies of the Wheels thereof are of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, any Sum not exceeding Nine-pence :

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

For every Score of Oxen or Neat Cattle, any Sum not exceeding One Shilling and Three-pence, and so in proportion for any greater or less Number :

For

For every Score of Calves, Sheep, Lambs, or Swine, any Sum not exceeding Ten-pence, and so in proportion for any greater or less Number :

And for every Waggon, Wain, Cart, or other such Carriage, having the Nails of the Tire or Tires of the Wheels projecting more than One Quarter of an Inch above such Tire or Tires, any Sum not exceeding Ten Shillings for each Time of passing through any of the said Turnpike Gates; such last-mentioned Toll or Sum to be in lieu of any Penalty or Forfeiture to which, by virtue of the said, recited Act of the Fourth Year of the Reign of His present Majesty, the Owner or Driver of any such last-mentioned Waggon, Wain, Cart, or other Carriage, would be subject or liable by reason or on account of the Nails of the Tire or Tires of the Wheels thereof projecting more than One Quarter of an Inch above such Tire or Tires :

And an additional Toll not exceeding One Penny upon every Horse or other Beast drawing, and an additional Toll not exceeding One Halfpenny upon every Horse, Mule, or Ass, laden or unladen, and not drawing, shall be demanded and paid for watering any Part of the said Roads during such Periods as the said Trustees shall direct :

Which said several Tolls or Sums of Money shall be vested in the said Trustees, and shall be applied for the Purposes of this Act.

Exemptions
from Toll.

XXII. Provided always, and be it further enacted, That (in addition to the Exemptions from Toll contained in the several hereinbefore recited Acts of the Third and Fourth Years of the Reign of His present Majesty,) no Toll shall be demanded or taken by virtue of this Act for any Horses or other Beasts going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, or going to be or returning from being shod or farried, such last-mentioned Horses or other Beasts not going or returning on those Occasions more than Three Miles on the Turnpike Road on which the Exemption shall be claimed, nor for any Horse or Beast drawing any Waggon, Wain, Cart, or other such like Carriage going empty to be repaired or returning empty from having been repaired; and if any Person or Persons shall by an fraudulent or collusive Means whatsoever claim or take the Benefit of any Exemption from Toll in this Act contained, not being entitled to such Exemption, every such Person shall for every such Offence forfeit and pay such and the like Penalty, with such and the like Powers and Provisions for the Recovery and Application thereof, as are provided and contained in and by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty with respect to Persons fraudulently or collusively claiming or taking the Benefit of any Exemption from Toll in the said last-mentioned Acts contained.

Exemptions
not allowed
to Carriages
having the
Nails of the
Tires pro-
jecting more

XXIII. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse or Beast of Draught drawing in any Waggon, Cart, or other Carriage any Materials for making or repairing any Highway, or for building or repairing any Bridge, or with any

any Dung, Soil, Compost, or Manure for improving Lands, or any Ploughs, Harrows, or Implements of Husbandry, or any Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes, or other Agricultural Produce, such Waggon, Cart, or other Carriage having the Nails of the Tire or Tires of the Wheels thereof projecting more than One Quarter of an Inch from the Surface of such Tire or Tires.

XXIV. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates, Turnpikes, or Side Gates, or Chains, such Horse, Beast, or Cattle shall at any Time or Times during the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, upon the Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to pass Toll-free through the same Toll Gate, Turnpike, Side Gate, or Chain, and also through any such other Toll Gates, Turnpikes, Side Gates, or Chains, (if any,) as the Ticket for such Payment shall free; provided that no Horse or other Beast of Draught for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, Side Gates, or Chains, drawing another or different Waggon, Wain, Cart, or other such Carriage, or drawing for Payment, Hire, or Reward, a fresh or different Lading of the Weight of Two hundred and forty Pounds Avoirdupoise at the least in the same Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Turnpikes, Toll Gates, Side Gates, or Chains, on the same Day, without again paying Toll, if in so repassing such Horse or other Beast of Draught shall go or travel upon the said Road for the Distance of Three Miles.

XXV. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach or Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, the Tolls hereby made payable shall be paid for every Time of passing or repassing.

XXVI. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts of Draught for which the Post Horse Duty shall be payable, let out to Hire, and drawing any Post Chaise or other Carriage, for every Time of passing along the said Roads, whenever a fresh Hiring thereof shall take place.

XXVII. Provided always, and be it further enacted, That no more than Two full Tolls, except as herein-before provided to the contrary, shall be demanded or taken for or in respect of the same Horses or other Beasts or Cattle or Carriages, in any One Day, (to be computed as herein-before mentioned,) for passing and repassing through all the several Toll Gates or Toll Bars erected between the City of *Chester* and the Town of *Wrexham*, or more than Two full Tolls between the *Rosset Bridge* and the *Miners Arms* aforesaid, or more than One full Toll between the aforesaid Field in the Township of *Brymbo*, in the Occupation of *Samuel Davies*, and *Efrith Bridge* aforesaid.

[Local.]

18 X

XXVIII. And,

Weights of
single Horse
Carts limited.

XXVIII. And, for regulating the Weights to be allowed to all Carts or other Carriages which shall be drawn by One Horse, Mule, or other Beast only, be it further enacted, That the Weights hereinafter next specified shall be allowed to every Cart or other such Carriage drawn by One Horse, Mule, or other Beast only; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive), One Ton and Five Hundred Weight for each such Carriage and the Lading thereof; and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive), One Ton for each such Carriage and the Lading thereof.

One Horse
Carts may
be weighed.

XXIX. And be it further enacted, That all Carts or other such Carriages passing along the said Roads or any of them, drawn by One Horse, Mule, or other Beast, shall and may be weighed at any Weighing Machine erected or to be erected on the said Roads or any of them, and the like additional Tolls demanded, received, and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggon, Carts, or other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Roads or any of them, drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

Application
of Tolls.

XXX. And be it further enacted, That the Monies already received by virtue of the said former Acts hereby repealed with respect to the said *Chester* and *Wrexham* District of Roads, and now in the Treasurer's Hands, and also all Monies which shall arise and be produced by or under this Act, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in manner following; (that is to say,) in the first place in Payment and Discharge of all Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise incident thereto, with lawful Interest for the same; secondly, in paying and discharging all the Interest which shall from Time to Time be owing to any Mortgagee or Mortgagees of the Tolls heretofore payable upon the same District of Road under the said former Acts hereby repealed, or to arise under this Act; thirdly, in defraying the Expences of widening, diverting, improving, repairing, and maintaining the said *Chester* and *Wrexham* District of Road, and of erecting, altering, and repairing Turnpikes, Toll Gates, and Toll Houses, with suitable Out-buildings, upon, across, or by the Side of the same Road, and otherwise in executing the Purposes of this Act; and, lastly, in reducing, paying off, and discharging the several Principal Sums of Money which shall have been borrowed and secured upon the Credit of the Tolls arising on the same District of Roads in pursuance and for the Purposes of the said former Acts, and also the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of this Act.

No Part of
the Money
to be laid out

XXXI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of the said recited Acts or

any of them, or of this Act, shall be laid out in the repairing any Street in any Part of the said City of *Chester*, any thing herein contained to the contrary in anywise notwithstanding.

in repairing
Streets, &c.
in Chester.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees, at their First Meeting after the passing of this Act, or at any Adjournment thereof, to declare, order, and determine that all Demises, Leases, and Agreements for Leases of the existing Tolls heretofore granted and payable at the several Turnpikes and Toll Gates on the said *Chester* and *Wrexham* District of Road, and of the several Toll Houses, Buildings, and Appurtenances thereto belonging, shall cease and be vacated from and after the Tenth Day next after such Meeting; and from and after such Declaration, Order, and Determination, the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees to receive, recover, and compel Payment of all Rents and Arrears of Rent and Payments due and to become due thereon; and the said Trustees shall and may and are hereby required to make a fair and just Compensation and Satisfaction to the present Lessee or Lessees of the said Tolls for any Loss or Damage which he, she, or they shall or may respectively sustain thereby, to be paid at such Time and Times and in such Proportions as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction shall and may be recovered by such Lessee or Lessees respectively, his, her, or their respective Executors, Administrators, or Assigns, from the said Trustees, in case the same shall not be paid within Six Calendar Months after the same shall be due and demanded of the Clerk or Treasurer, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case the said Trustees and the Lessee or Lessees respectively cannot agree upon the Amount of such Compensation and Satisfaction, the same shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees, at their first or any other Meetings, if they shall think fit, from entering into any new or other Agreement with all or any of the present Lessees of the Tolls, for such additional Rent for the Tolls hereby granted and made payable as they shall think reasonable and proper, for the unexpired Time of his, her, or their respective Leases or Terms.

Leases of
Tolls to be
vacated,
making Satis-
faction to the
Lessees.

XXXIII. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money on the Credit of the Tolls arising on the said *Chester* and *Wrexham* District of Roads, granted by the said recited Acts or any of them, or who shall hereafter advance any Sum or Sums of Money on the Credit of the Tolls granted by this Act, or to his, her, or their Assignee or Assignees, in respect to the Priority of the Mortgage or Assignment or Mortgages or Assignments, or other Security or Securities for the same, or for advancing such Sum or Sums of Money, but that as well all Persons to whom any such Mortgage or Assignment shall hereafter be made or given, his, her, or their Assignee or Assignees, as also all and every Person or Persons to whom any such Mortgage or Assignment hath or have

No Priority
of Mort-
gages.

have heretofore been made or given, shall (in proportion to the Sum or Sums therein mentioned) be Creditors under this Act, and in equal Degree one with another, without any Preference or Priority.

Term of Act.

XXXIV. And be it further enacted, That this Act shall commence upon the Fourth *Thursday* next after the passing hereof, and shall 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.

Public Act.

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

The SCHEDULE to which the foregoing Act refers

No. on Plan.	Township.	Owners or reputed Owners.	Occupiers.	Description.
FIRST DEVIATION, <i>from Chester New Bridge to the present Road, at the South Corner of Sheriffs Field, in the holding of Margaret Garratt, Widow.</i>				
1, 2, 3.	Handbridge - -	{ The Right Hon. Earl Grosvenor - - }	Thomas Evans - {	Wood, Yard, and Land.
SECOND DEVIATION, <i>from the present Road, at or near a Field in Marlston cum Lache Township, called the Near Chester Field, in the holding of Thomas Jones, to the same Road, at or near to a Field in the same Township, called the Wrexham Road Field, held by James Rowe, in the Marlston cum Lache Township.</i>				
7	Marlston cum Lache - -	{ The Right Hon. Earl Grosvenor - - }	Right Hon. Earl Grosvenor - {	Wood.
THIRD DEVIATION, <i>commencing at or near the Dwelling House of John Davies in the Village of Merford, and terminating at or near a Cottage in Gresford Township, in the holding of Edward Williams.</i>				
9	Merford - -	George Boscowan, Esq.	John Davies -	Garden.
10	Ditto - -	Ditto - -	Mary Salisbury -	Ditto.
11	Ditto - -	Ditto - -	Mary Randles -	Yard and Buildings.
12	Ditto - -	Ditto - -	Mrs. Pate - -	Garden.
13	Ditto - -	Ditto - -	William Edwards -	Ditto.
14	Ditto - -	Ditto - -	Matthew Roberts -	Ditto.
15	Ditto - -	Ditto - -	Peter Roberts -	Garden and Land.
16	Ditto - -	Ditto - -	William Roberts -	Ditto.
17	Ditto - -	Ditto - -	John Woolrich -	Ditto.
18	Ditto - -	Ditto - -	John Davies -	Ditto.

Property to be taken for straightening and improving the present Road.

No. on Plan.	Township.	Owners or reputed Owners.	Occupiers.	Description.
8	Merford - -	George Boscowan, Esq.	Edward Cooper -	Orchard or Plantation.
27	Gresford - -	Thomas Ellis - -	Samuel Evans -	Garden.
28	Ditto - -	Catherine Lanceley -	Catherine Lanceley	Ditto.
29	Ditto - -	{ Thomas Edgworth, Esq. Richard Brown, Esq.	} David Jones -	Ditto.

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18

2