



ANNO TERTIO

# GULIELMI IV. REGIS.

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## Cap. xxvi.

An Act for the more effectually repairing and maintaining the Turnpike Road from *Pant Evan* Brook in the County of *Flint* to *Abergele* in the County of *Denbigh*, and thence to *Conway* Ferry House in the County of *Carnarvon*. [20th April 1833.]

**W**HEREAS an Act was passed in the Ninth Year of the Reign of His Majesty King George the Third, intituled *An Act for repairing the Road from the Turnpike Gate in the Township of Greenfield to the North Limits of the Township of Mostyn, and from Mostyn to Henllan, and from Llanerch-y-Mor to Pen-y-Fordd Wain, in the Counties of Flint and Denbigh*: And whereas another Act was passed in the Eleventh Year of the Reign of His said late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers granted by an Act of the Ninth Year of His present Majesty's Reign, for repairing the Road from the Turnpike Gate in the Township of Greenfield to the North Limits of the Township of Mostyn, and from Mostyn to Henllan, and from Llanerch-y-Mor to Pen-y-Fordd-Waen, in the Counties of Flint and Denbigh; and for extending the said Act to several other Roads in the said Counties and the County of Carnarvon; and for taking several Roads within the said Counties out of the Power of the Trustees appointed by Two several Acts of Parliament of the Twenty-ninth and Thirtieth Years of His late Majesty,*

[Local.]



52 G. 3. c. 28. Majesty, and for putting the said Roads under the Direction of the Trustees appointed by the said former and this present Act: And whereas by the said lastly-recited Act the said Roads were divided into Five separate Districts, Two of which Districts were called the *Saint Asaph* District and the *Conway* District: And whereas another Act was passed in the Fifty-second Year of the Reign of His said late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing Roads in the Counties of Flint, Denbigh, and Carnarvon, so far as the same relate to the Saint Asaph and Conway Districts of Road*: And whereas the Trustees appointed by or in pursuance of the said recited Acts have proceeded in the Execution thereof, and have, in pursuance of the Powers and Authorities thereby vested in them, borrowed several Sums of Money upon the Credit of the Tolls of the said *Saint Asaph* and *Conway* Districts of Roads thereby granted, which Sums of Money now remain due and owing, and cannot be repaid, nor can the said Roads be effectually amended and kept in repair, unless the Term and Powers of the said recited Acts be enlarged: And whereas it is expedient that the said recited Acts should be repealed, and other Provisions granted in lieu thereof: 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 upon the Day of the Commencement of this Act the said recited Acts of the Ninth, Eleventh, and Fifty-second Years of the Reign of King George the Third, so far as the same relate to the said *Saint Asaph* and *Conway* Districts of Road, shall be and the same are hereby declared to be repealed.

Recited Acts  
repealed.

Purposes of  
this Act.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing and maintaining the Road leading from *Pant Evan* Brook in the Parish of *Saint Asaph* in the County of *Flint* to the Town of *Abergele* in the County of *Denbigh*, and thence to the Ferry House at *Conway* in the County of *Carnarvon*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Flint*, all His Majesty's Justices of the Peace for the Time being acting for the County of *Denbigh*, and all His Majesty's Justices of the Peace for the Time being acting for the County of *Carnarvon*, together with *Joseph Ablett*, *Sir Henry Browne*, *Henry Ralph Browne*, *Ralph Charles Browne*, *Thomas Browne* the elder, *Thomas Browne* the younger, *Peter Browne*, *Richard Butler Clough*, *James Henry Clough*, *Roger Clough Clerk*, *Charles Butler Clough Clerk*, *William Shipley Conway*, *Charles Calveley*, *William Cleaver Clerk*, *Philip Davies Cooke*, *John Conway Conway Clerk*, *Benjamin Conway Conway Clerk*, ——— *Cayley*, *William Foulkes Currie Clerk*, *John Douglas*, *John Hargreave Douglas*, *John Davies*, *John Whiteball Dodd*, *John Wynne Eyton*, *Thomas Wynne Eyton*, *Thomas Wynne Edwards Clerk*, *John Copner Edwards*, *Richard Davies Evans*, *Sir Stephen Richard Glynne Baronet*, *Henry Glynne*, *John Wynne Griffith*, *George Griffith*, *Edward Humffreys Griffith*, *Hugh Davies Griffiths*, *Joscelyn Foulkes*, *Lloyd Hesketh Bamford Hesketh*, *John Bamford Hesketh*, *John Heaton*, *John Heaton* the younger, the Honourable  
William



*William Hughes, Thomas Hughes, Edward Jones Hughes, Thomas Lewis Hughes, John Hughes, William Hanmer, William Holland Holland, Colonel James Hughes, Hugh Robert Hughes of Bache, John Lloyd, Robert Bamford Hesketh, Robert Lloyd Bamford Hesketh, William Lloyd Bamford Hesketh, John Jones Clerk, Richard Jackson Clerk, William Jones Clerk, John Jones, John Burleton Jones, Rowland Lloyd Jones, Charles Scott Luxmoore Clerk, John Nicholl Luxmoore, the Honourable Thomas Pryce Lloyd, Edward Lloyd, Llewelyn Lloyd, Llewelyn Falkner Lloyd, Thomas Lloyd, the Honourable Edward Mostyn Lloyd Mostyn, Thomas Edward Mostyn Lloyd Mostyn, Roger Mostyn, Sir Edward Mostyn Baronet, Piers Mostyn, Edward Mostyn, John Madocks, John Edward Madocks, Henry Roberts Madocks, Edward Morgan, Captain Mostyn, Richard Newcome Clerk, William Hicks Owen Clerk, John Oldfield, John Price, John Price the younger, David Pennant, David Pennant the younger, James Price Clerk, Richard Roberts, John Lloyd Salusbury, George Strong Clerk, Charles Sankey, Richard Sankey, Charles Shipley Clerk, Sir John Williams Baronet, Hugh Williams, William Williams, John Copner Williams, John Williams Doctor of Medicine, Owen Edward Williams, Thomas Williams, John Lloyd Wynne, John Lloyd Wynne the younger, Colonel Wynne, and Frederick Richard West; and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for improving, repairing, and keeping in repair the said Road, and for otherwise putting this Act into execution.*

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in England, (not exceeding Six in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named. Additional Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet on the Day of the Commencement of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, at the House called the *White Lion Inn* in *Saint Asaph* in the County of *Flint*, or at some other convenient Place in or near the said Road, and shall proceed to carry this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and at such Place or Places as the said Trustees shall think proper. Meetings of Trustees.

VI. And be it further enacted, That the several Toll Gates or Turnpikes and Toll Houses, and Bars and Side Bars, and Weighing Machines, erected and now standing and being in, upon, on the Side of, or across the said Road, shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected, set up, and built upon, in, or across the said Road, or on the Sides thereof, or any Part thereof, when, Turnpikes at present existing may be continued, and others erected.  
where,



where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also from Time to Time to order and cause to be taken down and removed, or altered or discontinued, the same present Gates, Turnpikes, Toll Houses, and Weighing Machines, or any future Gates, Turnpikes, Side Gates, Bars, Chains, and Weighing Machines, or any of them, as they the said Trustees shall think proper.

Power to  
take Tolls.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or is or shall be standing and being or continued or erected, by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road, or any Part thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night ; (that is to say,)

For every Horse or other Beast drawing any Coach, Sociable, Berlin, Phaeton, Landau, Chariot, Vis-a-vis, Curricle, Gig, Hearse, Litter, Stage Coach, Caravan, Van, or other such Carriage, any Sum not exceeding Sixpence :

For every Horse or other Beast drawing any Waggon, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, any Sum not exceeding Sixpence ; and having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches, any Sum not exceeding Sevenpence Halfpenny ; and having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches, any Sum not exceeding Ninepence :

For every Ox or other Neat Cattle drawing any Waggon, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, any Sum not exceeding Threepence ; and having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches, any Sum not exceeding Threepence Three Farthings ; and having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches, any Sum not exceeding Fourpence Halfpenny :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding Twopence :

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding Tenpence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Hogs, Swine, Sheep, or Lambs, any Sum not exceeding Fivepence *per* Score, and so in proportion for any greater or less Number :

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike,



pike, or Side Gate or Side Bar or Chain, which shall be continued, erected, or placed by virtue of this Act in, upon, or across the said Road, or on the Sides thereof, or any Part thereof; and which said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

VIII. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any one of the said Toll Gates continued or erected or to be erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage (except Horses drawing any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage as herein-after mentioned,) shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day (to be computed as aforesaid); any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid only once a Day at One Gate.

IX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to cause more than Two full Tolls to be demanded or taken for or in respect of the Passage of the same Horses, Beasts, Cattle, or Carriages through all the several Turnpikes or Toll Gates now erected or to be erected along the whole Line of the said Road from *Pant Evan* Brook aforesaid to *Abergele* aforesaid, nor more than Three full Tolls for and in respect of the like Passage by the same Horses, Beasts, Cattle, or Carriages through all the several Turnpikes or Toll Gates now erected or to be erected along the whole Line of the said Road from *Abergele* aforesaid to the Ferry House at *Conway* aforesaid, on the same Day respectively (to be computed as aforesaid).

Limiting the Number of Payments for passing once along the whole Line.

X. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or Stage Waggon, or other Stage Carriage or Cart conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Road: Provided also nevertheless, that no further or additional Toll shall be payable in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or Stage Waggon, or other Stage Carriage or Cart, on account only of the Horses or Beasts drawing the same having been changed between any Gates freeing each other by Tickets.

Stage Coaches, &c. to pay every Time of passing along the Road;

XI. Provided also, and be it further enacted, That the Tolls payable for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise, Hackney Coach, One-horse Chaise, Gig, or other Carriage, shall be payable and paid for every Time of passing along the said Road whenever any new Hiring thereof shall take place.

Post Chaises, &c. on every new Hiring.

XII. And be it further enacted, That all the Monies which have been raised and produced or received by virtue of the said Acts hereby repealed,

Application of Monies.

[*Local.*]

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and which shall be remaining and undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by and from the Tolls in this Act mentioned, together with the Monies which shall be borrowed on the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes herein-after mentioned; that is to say, in the first place, and in preference to all other Payments whatsoever, in the Payment and Discharge of all the Costs, Charges, and Expences relative to the obtaining and passing of this Act; and in the next place, in Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Weighing Machines, Mile Stones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and in amending, widening, altering, and improving the said Road, and keeping the same in repair, and other Expences incidental to the Execution of this Act, and in paying the Interest of the Principal Monies now due or to be borrowed on the Credit of the Tolls arising on the said Road, and in repaying the Principal Monies so due and owing or to be borrowed on the Credit of this Act.

Ditches and  
Drains.

XIII. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees and their Surveyor and Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses, and of such Depth and Breadth as they shall consider expedient for the Purposes of keeping the said Road dry and of conveying the Water from the same, as well on the Side or Sides of the said Road, as also, where necessary, into or through any Lands or Grounds adjoining or lying near the said Road, (not being a Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be requisite or necessary, at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, any Law or Statute to the contrary thereof notwithstanding; and all Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, to be made in pursuance of this Act, when so made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Lands or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats to be made in pursuance of this Act, as cross or pass through, in, or under the said Road, shall be repaired and maintained by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads in *England* or *Wales*.

Trustees may  
erect Lodges  
to preserve  
Materials.

XIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to erect such Lodges or Recesses for confining or preserving Materials for the said Road along the Whole or any Part and on either Side thereof as to the said Trustees shall seem expedient; provided nevertheless, that such Lodges shall not be less than Fifty Yards asunder, nor exceed in Height Four Feet and Six Inches, in Length Fourteen Feet, and in Breadth Six Feet.

XV. And

XV. And be it further enacted, That this Act shall be deemed and Public Act.  
taken to be a Public Act, and shall be judicially taken notice of as such  
by all Judges Justices, and others.

XVI. And be it further enacted, That this Act shall commence and Term of Act.  
take effect upon the Second *Tuesday* after the passing thereof, and shall  
continue and be in force for and during the Term of Thirty-one Years, and  
from thence to the End of the then next Session of Parliament.

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