



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. xxvii.

An Act for repairing and maintaining the Roads from *Denbigh* to the *Northop* and *Holywell* Road, and from *Afon Wen* to *Mold*, and also a Branch of Road leading from *Northop* to *Mold*, near a Place called *Black Brook*, and extending over *Rhydgolet Bridge*, by *Rhŷtal*, to a certain Bridge called *Pontnewydd*, in the Counties of *Denbigh* and *Flint*.
[20th April 1833.]

WHEREAS 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 Town of Denbigh to the Turnpike Road between Northop and Holywell, and from Avon Wen to the Town of Mold, in the Counties of Denbigh and Flint*: And whereas another Act was passed in the Thirtieth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for more effectually amending, widening, and keeping in repair the Roads from the Town of Denbigh to the Turnpike Road between Northop and Holywell, and from Afon Wen to the Town of Mold, in the Counties of Denbigh and Flint*: 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 an Act of His present Majesty, for repairing the Roads from Denbigh to the Northop and Holywell Road, and from Afon Wen to Mold, in*
[Local.] 4 U the

Recited Acts
repealed.

the Counties of Denbigh and Flint; and for extending the Powers of the said Act to an adjoining Branch 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 thereby granted, which Sums of Money now remain due and owing, and cannot be repaid, nor can the said Roads be effectually maintained 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Term and Powers of the said recited Acts be enlarged: And whereas it is expedient that the said recited Acts should be repealed, and other Provisions be granted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent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, Thirtieth, and Fifty-second Years of the Reign of King *George the Third* shall be and the same are hereby declared to be 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 maintaining and repairing the Roads following; (that is to say,) the Road leading from *Denbigh* to the *Northop* and *Holywell* Road, and from *Afon Wen* to *Mold*, and also an adjoining Branch of Road leading from *Northop* to *Mold*, near a Place called *Black Brook*, and extending over *Rhydgoleu-Bridge*, by *Rhual*, to a certain Bridge called *Pontnewydd*, in the Counties of *Denbigh* and *Flint*.

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 *Denbigh*, and all His Majesty's Justices of the Peace for the Time being acting for the County of *Flint*, together with *Joseph Ablett*, *William John Bankes*, *Sir Henry Browne*, *Henry Ralph Browne*, *Ralph Charles Browne*, *Thomas Browne*, *Richard Butler Clough*, *James Henry Clough*, *Roger Clough*, *Charles Butler Clough Clerk*, *William Shipley Conway*, *Charles Calveley*, *William Cleaver Clerk*, *Philip Davies Cooke*, *John Conway Conway Clerk*, *Benjamin Conway Conway Clerk*, ——— *Cayley*, *John Douglas*, *John Hargreave Douglas*, *John Whitehall Dodd*, *John Wynne Eyton*, *Thomas Wynne Eyton*, *Thomas Wynne Edwards Clerk*, *John Copner Edwards*, *Joscelyn Foulkes*, *Sir Stephen Richard Glynne Baronet*, *Henry Glynne*, *John Wynne Griffith*, *George Griffith*, *Edward Humffreys Griffith*, *Hugh Davies Griffith*, *Lloyd Hesketh*, *Bamford Hesketh*, *John Bamford Hesketh*, *John Lloyd Robert Bamford Hesketh*, *Robert Lloyd Hesketh Bamford Hesketh*, *William Lloyd Bamford Hesketh*, *John Heaton*, *John Heaton the younger*, the Honourable *William Hughes*, *Edward Jones Hughes*, *Thomas Lewis Hughes Clerk*, *John Hughes*, *Colonel James Hughes*, *Hugh Robert Hughes of Backe*, *William Hanmer*, *William Holland Holland*, *John Jones*, *John Jones Clerk*, the Honourable *Thomas Pryce Lloyd*, *Edward Lloyd*, *Llewelwyn Lloyd*, *Llewelwyn Falkner Lloyd*, *Llewelwyn Lloyd Clerk*, *Thomas Lloyd*, *Charles Scott Luxmoore Clerk*, *John Nicholl Luxmoore*, the Honourable *Edward Mostyn Lloyd Mostyn*, *Thomas Edward Mostyn Lloyd*
Mostyn,

Mostyn, Roger Mostyn, Sir Edward Mostyn Baronet, Pyers Mostyn, Edward Mostyn, Robert John Mostyn, Joseph Martineau, John Madocks, John Edward Madocks, Henry Robarts Madocks, Edward Morgan, Thomas Trevor Mather, Captain Mostyn, Richard Newcome Clerk, Major Napier, William Hicks Owen Clerk, Owen Owen, Edward Owen, Colonel Philips, John Price, John Price the younger, David Pennant, David Pennant the younger, James Price Clerk, Hugh Roberts, Sir John Salusbury Piozze Salusbury, John Lloyd Salusbury, George Strong Clerk, Charles Sankey, Richard Sankey, Charles Shipley Clerk, Sir John Williams Baronet, Hugh Williams, Owen Edward Williams, Thomas Williams, William Williams, John Copner Williams, John Williams Doctor of Medicine, John Lloyd Wynne, John Lloyd Wynne the younger, Colonel Wynne, Thomas Molyneux Williams, Frederick Richard West, Simon Yorke, and Simon Yorke the younger, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for repairing, maintaining, and keeping in repair the said Roads, 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 Five 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.

Power to
appoint
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 known by the Sign of the *White Lion* in the Town of *Saint Asaph* in the County of *Flint*, or at some other convenient Place in or near the said Roads, 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.

First Meet-
ing of Trus-
tees.

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, or on the Side of or across the said Roads, 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 Roads, or on the Sides thereof, or any Part thereof, when, 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

Power to
erect Toll
Gates.

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 or being or continued or erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Roads or any Part thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Chariot, Post Chaise, Calash, or other wheeled Carriage (not being a Waggon or Cart), any Sum not exceeding Sixpence:

For every Horse or other Beast drawing any Waggon or Cart, the Wheels whereof shall be full Six Inches in Breadth on the Bottom of the Sole, any Sum not exceeding Sixpence:

For every Horse or other Beast drawing any Waggon or Cart, the Wheels whereof shall be Four and a Half Inches and less than Six Inches in Breadth, any Sum not exceeding Eight-pence; and having the Wheels thereof of less Breadth than Four and a Half Inches, any Sum not exceeding Nine-pence:

For every Horse or other Beast drawing Timber on any Carriage, any Sum not exceeding Eight-pence:

For every Horse, Mule, Ass, or other Beast, laden or unladen, and not drawing, any Sum not exceeding Three Halfpence:

For every Drove of Oxen, Cows, or other Neat Cattle, any Sum not exceeding One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, any Sum not exceeding Ten-pence *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, 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 Roads, 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.

Tolls to be
paid but once
a Day at the
same Gate.

VIII. 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

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.

IX. Provided always, and be it further enacted, That no more than Three Tolls in the whole shall be demanded or taken for or in respect of the same Horse or Horses, Beast, Cattle, or Carriage, in any One Day (to be computed as aforesaid), for passing all or re-passing through all the Gates upon the said Roads; (that is to say,) one of such Tolls, and no more, for passing and re-passing all the Gates between the Town of *Denbigh* and the *Northop* and *Holywell* Road; one other of such Tolls, and no more, for passing and re-passing through all the Gates between *Afon Wen* and *Mold*; and the other of such Tolls, and no more, for passing and re-passing through all the Gates between *Black Brook* and *Pontnewydd* aforesaid.

Limiting the Number of Payments for passing through all the Gates on the Roads in One Day.

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 re-passing along the said Roads: 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,

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 Roads, whenever any new Hiring thereof shall take place.

Post Chaises on every fresh 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, 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 as 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

Application of Tolls and other Monies.

[Local.]

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Expences

Expences of erecting or repairing Toll Gates, Toll Houses, Weighing Machines, Milestones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and in amending, widening, altering, and improving the said Roads, 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 Roads, and in repaying the Principal Monies so due and owing or to be borrowed on the Credit of this Act.

Repairs of
Branch
Roads.

XIII. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken thereat, pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon, or borrowed on the Credit of the Tolls collected thereon.

Ditches and
Drains, by
whom to be
made and
cleansed.

XIV. 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 Roads dry, and of conveying the Water from the same, as well on the Side or Sides of the said Roads, as also, where necessary, into or through any Lands or Grounds adjoining or lying near the said Roads, (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 Roads 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.

XV. 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 Roads 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
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than

than Fifty Yards asunder, nor exceed in Height Four Feet and Six Inches, in Length Fourteen Feet, and in Breadth Six Feet.

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

XVII. And be it further enacted, That this Act shall commence Term of Act. and take effect from 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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