ANNO UNDECIMO

Georgii III. Regis.

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 Ffordd 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; and for putting the ſaid Roads under the Direction of the Truſtees appointed by the ſaid former and this preſent Act.

WHEREAS by an Act paſſed in the Ninth Year of his preſent Majeſty's Reign, (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 Ffordd Waen*, in the Counties of *Flint* Preamble. Act 9 *Geo.* III. recited.

and *Denbigh*) several Tolls and Powers were granted, which were to continue and be in Force from the Thursday Fortnight next after the passing the said Act, for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the Sum of Two thousand five hundred Pounds hath been borrowed upon the Credit of the said Tolls, and now remains unpaid; which, together with the Tolls collected, have been duly applied for the Purposes directed by the said Act, and a great Progress hath been made in repairing the said several Roads; but the same cannot be effectually amended, and the Money borrowed repaid, unless the said Act be further continued: And whereas the said Act has in several other Particulars been found ineffectual; 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 Act of the Ninth Year of the Reign of His present Majesty, and all the Powers, Provisos, Limitations, Exceptions, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, except such as are by this Act altered or repealed, shall be continued, and are hereby declared to be continued, from and after the Expiration of the said Act, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, as fully and effectually as if the same were repeated and re-enacted in the Body of this present Act.

The Term of 9 *Geo.* III. further continued.

And be it further enacted by the Authority aforesaid, That John Allen, Philip Allwood, Owen Salusbury Brereton, Edward Blount the elder, Edward Blount the younger, John Davies, Peter Davies, John Denman, George Davies, Sir Thomas Grey Egerton Baronet, Samuel Edwards D. D. Thomas Edwards, Pierce Edwards, William Evans, Robert Foulkes, William Graham, Humphrey Hanmer, Peter Hughes Clerk, Benjamin Havard Clerk, Thomas Humphreys, Peter Jones, Thomas Jones, Thomas Ingleby, Bell Lloyd, John Lloyd Clerk, Charles Brown Mostyn, William Mostyn senior, William Mostyn junior, Peter Morgan, Samuel Mostyn, Thomas Preston, William Price, Bagot Read senior, Bagot Read junior, William Davis Shipley Clerk, Thomas Slaughter, Henry Thomas, Roger Thomas, Edward Totty, John Totty, William Wynne D. D. Jeffrey Williams, Edward Williams, Evan Williams, Clerks; Howel Lloyd, John Lloyd, William Lloyd Clerk, Edward Lloyd, Richard Price

Additional Trustees.

Price Thelwal, Hugh Davies Clerk, Robert Lloyd Clerk, William Jones, Thomas Thornes, John Davies, John Edwards, John Lloyd of Rhul, John Bartholomew, Hugh Evans, John Ellis Clerk, William Griffith, Richard Griffith, John Vaughan Garnons, Clerks; Richard Garnons, John Holland, John Holland junior, Robert Howard, Richard Howard, Richard Hughes, Hugh Hughes, Owen Jones Clerk, John Jones Clerk, William Knight, Richard Lloyd, Edward Lloyd, Robert Lloyd, Hugh Lloyd, William Lloyd Clerk, John Lewis, Thomas Lloyd Doctor in Divinity, Dean of Bangor; Owen Lloyd, Sir Roger Mostyn Baronet, Meyrick Meredith, John Middleton, Robert Middleton Clerk, William Owen, Love Parry, John Parry, Richard Parry, Owen Parry Clerk, Richard Pennant, James Coytmore Pugh, Pugh Clerk, Philip Quellyn, Humphrey Roberts, John Roberts Clerk, Griffith Roberts, Richard Rathbone, Clerks; John Rowlands, Henry Sparrow, John Bodychen Sparrow, Thomas Mostyn, Sir John Wynn Baronet, Thomas Wynn, Glynn Wynn, Watkin Wynne, Robert Wynn of Garthewin, Robert Wynn of Plasnewydd, Ridgeway Owen, Meyrick Terence, Prendergast Williams, Joseph Williams, Holland Williams, Thomas Williams, William Williams, William Vaughan, Evan Lloyd Vaughan, James Vincent Clerk, the Right Honourable James Lord Bulkely, Sir Nicholas Bayly Baronet, Sir Hugh Williams Baronet, Owen Holland, Thomas Kyffin, Francis Lloyd, John Griffith, Paul Panton, Hugh Stodart, Rice Thomas, William Stodart Clerk, John Williams, Bennet Williams, John Wynn, Robert Anwyl Clerk, Watkin Williams, Richard Langford Clerk, Edward Edwards, Clerks, shall be, and they are hereby nominated and appointed Trustees, together with the Trustees appointed or elected by virtue of the said former Act, for putting the said former Act, and this present Act, in Execution.

New Roads.

And whereas the Road from the Side of the Hill opposite Frith y Garreg Wen, called Pen y Gelly, in the Parish of Caerwys, in the County of Flint, to Pen y Fordd Waen; and also the Road turning up out of the Road from the Town of Mold, through Northop and Halkin, to Holywell, near the House of Thomas Venables, under Brynford-hall, and Caulcot-hall, to a Place on the Turnpike Road from Avon Wen to Halkin, called Onnen Gethin, in the Parish of Skeiviog; and also a Road from the North Limits of the Township of Mostyn to the Gate at the East End of the Lodge-field, in the Parish of Llanhafa; and the Road from Brickhill,

through Caerwys, to Avon Wen, in the Parish of Skeiviog, in the County of Flint; and also the Road from the Corner of Cae Newydd, in the Township of Tre Mostyn, under Bichton, to a Place called Wibnant, in the Parish of Whitford; and from Plâs-ucha, through Whitford, to Saith Fynnon, in the Parish of Whitford; and also the Road from the Hill opposite Firth y Garreg Wen, called Pen y Gelly, to Cae Rhûs Buidge, on the Road leading from Mostyn to Henllan; and also the Road from the Ferry House opposite to the Town of Conway, through Abergeley and Saint Asaph by Brickhill, to join the Denbigh Turnpike near Waenissa, and from Pen yr Allt Mostyn to Newmarket, and from Wall Wen to the Dwelling-house of Edward Parry, in the Parish of Hollywell, and from Mold to Kilken, in the Counties of Flint, Denbigh, and Carnarvon, are in most Parts too narrow, very ruinous, and cannot be effectually mended and kept in Repair by the ordinary Course of Law; and the repairing thereof would be of publick Utility; be it therefore enacted by the Authority aforesaid, That the said Act of the Ninth Year of his present Majesty's Reign, and also this present Act, shall, and they are hereby declared to extend to the said Road from the Side of the said Hill, opposite Frith y Garreg Wen, called Pen y Gelly, in the Parish of Caerwys, in the County of Flint; and also to the Road turning up out of the Road from the Town of Mold, through Northop and Halkin, to Holywell, near the House of Thomas Venables, under Brynford-hall and Caulcot-hall, to a Place on the Turnpike Road from Avon Wen to Halkin, called Onnen Gethin, in the Parish of Skeiviog; and also the Road from the North Limits of the Township of Mostyn to the Gate at the East End of The Lodge-field, in the Parish of Llanhasa; and from Brickhill, through Caerwys, to Avon Wen, in the Parish of Skeiviog, in the County of Flint; and also the Road from the Corner of Cae Newydd, in the Township of Tre Mostyn, under Bichton, to a Place called Wibnant, in the Parish of Whitford; and from Plâs-ucha, through Whitford, to Saith Fynnon, in the Parish of Whitford; and also the Road from the Hill opposite Frith y Garreg Wen, called Pen y Gelly, to Cae Rhûs Bridge on the Road leading from Mostyn to Henllan; and also the Road from the Ferry House opposite to the Town of Conway, through Abergeley and Saint Asaph, by Brickhill, to join the Denbigh Turnpike near Waenissa, and from Pen yr Allt Mostyn to Newmarket, and from Wall Wen to the Dwelling-house of Edward Parry, in the Parish

Parish of Hollywell; and from Mold to Kilken, in the Counties of Flint, Denbigh, and Carnarvon, as fully and effectually as if the said Roads had been inserted in the said Act of the Ninth Year of the Reign of his present Majesty.

And whereas by an Act passed in the Twenty-ninth Year of the Reign of His late Majesty 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 Waen*, in the Parish of *Whitford*; and also the Road from *Broughton* to *Mold*, in the County of *Flint*; the Trustees by the said Act appointed are impowered to repair (amongst other Roads) the Road branching out of the Chester Turnpike at Northop, and extending itself through Flint and Hollywell to Pen y Fordd Waen: And whereas it would be advantageous to the Publick if the Power of repairing and keeping in Repair the said Road branching out of the Chester Turnpike at Northop, and extending itself through Flint and Holywell to Pen y Fordd Waen, was vested in the Trustees appointed to put the said Act of the Ninth Year of his present Majesty, and this present Act, in Execution; and the said Trustees for putting the said Act of the Twenty-ninth Year of His late Majesty King George the Second are willing that the said Roads should be transferred from their Trust to that of the Trustees appointed to put the said Act of the Ninth Year of the Reign of his present Majesty, and this present Act, in Execution; be it therefore enacted, That the said Act of the Twenty-ninth Year of His late Majesty 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 Waen*, in the Parish of *Whitford*; and also the Road from *Broughton* to *Mold*, in the County of *Flint*), so far as the same relates to the Road branching out of the Chester Turnpike at Northop, and extending itself through Flint and Hollywell to Pen y Fordd Waen, shall be, and is hereby declared to be repealed. repealed as to certain Roads.

And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, the said Road leading out of the Chester Turnpike at Northop, and extending itself through Flint and Hollywell Roads put under this Act.

to

to Pen y Fordd Waen, shall be, and is hereby declared to be under the Power of the Trustees appointed to put the said Act of the Ninth Year of His present Majesty, and this Act, in Execution; any Law or Statute to the Contrary notwithstanding.

Act 30 Geo. II. And whereas by an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, (intituled, An Act for amending, widening, and keeping in Repair, the Roads from the Town of *Wrexham*, in the County of *Denbigh*, to *Pentre Bridge* in the County of *Flint*; and from the Town of *Mold* to *Northop*, *Holywell*, and *Rhuddlan*, in the same County; and from thence to the *Ferry-house* opposite to the Town of *Conway*, in the County of *Carnarvon*; and from *Ruthin* to the said Town of *Mold*;) the Trustees in the said Act appointed are impowered to repair (amongst other Roads) the Road leading from the Town of Mold, through Northop and Halkin, to Holywell aforesaid: And whereas it would be advantageous to the Publick if the Power of repairing and keeping in Repair the said Road leading from the Town of Mold, through Northop and Halkin, to Hollywell aforesaid, was vested in the Trustees appointed to put the said former Act of the Ninth Year of His present Majesty's Reign, and this present Act, in Execution; and the said Trustees for putting the said Act of the Thirtieth Year of the Reign of His late Majesty King George the Second in Execution, being willing that the said Road should be transferred from their Trust to that of the Trustees appointed to put the said Act of the Ninth Year of His present Majesty's Reign, and this present Act, in Execution; be it therefore enacted by the Authority aforesaid, That the said Act of the Thirtieth Year of the Reign of His late Majesty King George the Second, (intituled, An Act for amending, widening, and keeping in Repair the Roads from the Town of *Wrexham*, in the County of *Denbigh*, to *Pentre Bridge*, in the County of *Flint*; and from the Town of *Mold* to *Northop*, *Holywell*, and *Rhuddlan*, in the same County; and from thence to the *Ferry-house* opposite to the Town of *Conway* in the County of *Carnarvon*; and from *Ruthin* to the said Town of *Mold*;) so far as relates to the Road leading from the Town of Mold, through Northop and Halkin, to Holywell aforesaid, shall be, and is hereby declared to be repealed.

Repealed as to certain Roads.

Roads put under the Trustees for this Act.

And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, the said Road from the Town of Mold, through Northop and Halkin, to Holywell aforesaid, shall be, and are

are hereby declared to be under the Power of the Truſtees appointed to put the ſaid Act of the Ninth Year of his preſent Majeſty's Reign, and this preſent Act, in Execution; any Law or Statute to the Contrary notwithſtanding.

Under what Diſtricts the new Roads ſhall be put.

And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this preſent Act, the Roads directed to be repaired by the ſaid former and this preſent Act, ſhall be, and they are hereby declared to be, divided into the following Diſtricts or Diviſions; that is to ſay, First, The Flint Diſtrict or Diviſion, containing the Road from Northop, through Flint and Holywell, by Pen y Fordd Waen, to the Finger Poſt near Cae Rhûs Bridge, in the Pariſh of Caerwys; and from Wall Wen to the Dwelling-houſe of Edward Parry, in the ſaid Pariſh of Holywell: Secondly, The Holywell Diſtrict or Diviſion, containing the Roads from Mold, through Northop and Halkin, to Holywell, and the Road turning out of the ſame under Brynford-hall and Caulcot to Onnen Gethin, in the ſaid Pariſh of Skeiviog; and from Mold of Kilken, in the ſaid County of Flint: Thirdly, The Moſtyn Diſtrict or Diviſion, containing the Roads from Greenfield Turnpike-gate to the Eaſt End of the Lodge-field, in the Pariſh of Llanhaſa; and from Moſtyn, over Llanerch-Bridge, to Henllan, in the County of Denbigh; and from Brickhill, through Caerwys, to Avon Wen; and from the Corner of Cae Newydd, in Tre Moſtyn, to Wibnant; and from Plâs-ucha, through Whitford, to Saith Finnon; and from Llanarch y More, by Downing, to Pen y Fordd Waen, in the Pariſh of Whitford; and from Pen yr Alt Moſtyn to Newmarket; and from Onnen Gethin, by Brickhill, to a Brook near Pant Evan, in the County of Flint: Fourthly, The Saint Aſaph Diſtrict or Diviſion, containing the Road from the aforeſaid Brook near Pant Evan, through Saint Aſaph, to Abergeley, in the County of Denbigh: And Fifthly, The Conway Diſtrict or Diviſion, containing the Road from Abergeley aforeſaid to the Ferry Houſe oppoſite to the Town of Conway, in the County of Carnarvon.

Diſtricts to be ſeparate.

Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall not apply the Money raiſed by this Act from or upon the Tolls or Turnpikes of any One of the Diſtricts aforeſaid in repairing the Roads, or any other Matter relative to another Diſtrict; but that the Money now due and owing, or which ſhall hereafter be raiſed upon the Credit of the Tolls within each Diſtrict, ſhall be ſecured upon the Gates or Turnpikes erected within the ſaid Diſtrict only;

only; and all the Money to be collected at any Gate on the Road between Northop and Flint shall be expended on the said Road only, the said Gate and Tolls continuing a Security for the Money advanced in proportion to the other Gates.

The Powers extended to the new Roads.

Provided always, That nothing in this Act contained shall extend to impower the Trustees appointed or to be appointed to put the said former Act, or this present Act, in Execution, to remove any Gate or Turnpike erected or to be erected by virtue of the said Acts, or either of them, without the Consent of Three Parts in Four in Value of the Creditors, who shall have lent or advanced any Sum of Money upon the Credit of the Tolls directed to be taken at such Gate or Turnpike; any Thing in the said Acts, or either of them, to the Contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That the said Trustees shall, and they are hereby impowered to erect Gates or Turnpikes on the said additional Roads put under their Direction by this Act, and there to demand and take the same Tolls and Duties as are by the said Act of the Ninth Year of His present Majesty directed to be paid and taken on the Roads in the said Act mentioned, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass any such Gate or Turnpike so to be erected.

Minerals to be reserved.

Provided also, That if any Coal, Lead Ore, or Copper Ore, or any other Mineral shall be discovered or found out, in, or upon any Part of the Lands purchased by virtue of the said Act of the Ninth Year of His present Majesty, or this present Act, in that Case such Coal, Ore, or Mineral so found, shall be reserved to the Person or Persons, Bodies Politick, Corporate, or Collegiate, who shall be intitled to such Coal, Ore, or other Mineral, with Liberty for him, her, or them, their respective Agents or Servants, to dig and prosecute the same Mine or Work in such Manner as is usual for carrying on Works of the like Kind in the Country, in as full and ample Manner as if the said Lands had not been sold for the Purposes of the said former or this present Act, such Person or Persons, their Agents or Servants respectively, so working for the said Coal, Ore, or other Mineral, causing as little Damage and Inconvenience to the Road as possible, and filling all Pits and Holes, and removing and levelling all Banks and Hillocks that shall be made on account of the Work or Mine as aforesaid: Provided that the Person or Persons, Bodies Politick, Corporate, or Collegiate, shall, before he, she, or they begin to dig for such Coal, Ore, or Mineral, lay

out and make another proper and convenient Road, if necessary, to be approved of by the said Trustees, or any Five or more of them, at a Publick Meeting assembled.

Who permitted to pass Toll-gates.

Provided always, and be it hereby enacted and declared, That all and every Person and Persons having passed the Gate or Turnpike already erected at Maesmynen Gate, or Smell Gate, or either of them, and producing a Note or Ticket of the Payment of the Toll directed to be taken at the said Gates, shall be permitted to pass through any Gate or Turnpike to be erected by virtue of the said former or this present Act between Avon Wen and Caerwys, on Payment of One Moiety of the Toll directed to be taken by the said Acts, or either of them; and that the Commissioners for putting the said former or this present Act in Execution, or any Five or more of them, shall be, and they are hereby impowered to compound or agree by the Year, or otherwise, with any Inhabitant residing in the Parish of Caerwys for the Tolls to be paid at any such Gate to be erected between Caerwys and Avon Wen aforesaid.

Continuation of Tolls.

Provided always, and be it further enacted by the Authority aforesaid, That if at any Time before the Expiration of the said former and this present Act, the said Roads shall be sufficiently repaired, and so adjudged to be by the Justices of the Peace at the Quarter Sessions for the County in which such Roads respectively lie; that from and after such Adjudication and Re-payment of the Money borrowed upon the Credit of the said former and this present Act, and the Interest due thereon, the said Tolls shall cease and be discontinued; any Thing in the said former or this present Act to the Contrary notwithstanding.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought against any Person or Persons for any Thing done or to be done by virtue or in pursuance of this Act, or in relation to the Matters herein contained, every such Action or Suit shall be commenced within the Space of Twelve Months next after the doing the Matter or Thing for which such Action shall be so brought, and not afterwards, and shall be brought, laid, and tried in the County where such Matters and Things shall be committed and done, and not in any other County; and the Defendant or Defendants, in such Actions and Suits, and every of them, may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon; and that

General Issue.

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the Matter or Thing for which such Action or Actions, Suit or Suits, shall be brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall be so done, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County than as aforesaid; then the Jury or Juries shall find for the Defendant or Defendants therein: And if the Plaintiff or Plaintiffs in such Action shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if a Verdict or Verdicts shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer or otherwise, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath, have, or may have, for his, her, or their Costs in Cases by Law.

Treble Costs.

Publick Act. And be it further enacted by the Authority aforesaid, 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.

FINIS.