



ANNO QUADRAGESIMO SECUNDO

# GEORGII III. REGIS.

\*\*\*\*\*

## Cap. 51.

An Act for amending, widening, improving, and keeping in Repair, the Road leading from or nearly from *Porthaethwy Ferry* otherwise called *Bangor Ferry*, in the County of *Caernarvon*, to or near to *Pentre Voelas* in the Parish of *Llanŷfydd*, in the County of *Denbigh*. [7th May 1802.]

**W**HEREAS the Road leading from or nearly from *Porthaethwy Ferry* otherwise called *Bangor Ferry*, in the County of *Caernarvon*, through the several Parishes or Places of *Bangor*, *Llandegai*, *Llanllechid*, *Llanrochwyn*, *Llanrwst*, *Trewydir*, *Dolwyddelen*, *Bettws-y-Coed*, *Penmachno*, *Eidda*, and *Capel Cerrig*, in the said County, to or near to the Village of *Pentre Voelas* in the Parish of *Llanŷfydd*, in the County of *Denbigh*, is very much out of Repair, narrow, circuitous, and incommo-  
dious, and cannot be effectually amended, widened, altered, diverted, improved, and kept in Repair, by the ordinary Course of Law: And whereas if the said Road were properly amended, widened, improved, and kept in Repair, and the Course thereof in some Parts varied or altered, it would be of considerable Advantage to the Neighbourhood thereof, and of great publick Utility: 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

[*Loc. & Per.*]

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Commons,



Trustees.

Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable *Richard Lord Penrybn*, the Right Honourable *Thomas Lord Newborough*, *Sir Edward Pryce Lloyd*, *Sir Thomas Mostyn*, *Sir Robert Williams Vaughan*, and *Sir Robert Williams*, *Baronets*, the Honourable the Justices of the Court of Great Sessions and the Attorney General for the Counties of *Caernarvon*, *Anglesea*, and *Merioneth* for the Time being, *Robert Buckland* of *Llanfihangel*, Clerk, *John Bishop* of *Shrewsbury*, *John Beck* of the same, *Peter Beck* of the same, *Robert Thomas Carreg* of *Carreg*, *Joseph Careless* of *Shrewsbury*, *Edmund Crawley* of *Caernarvon*, *Arthur Davis* of *Ysputti*, Clerk, *William Lloyd Doulsen*, *Edward Davies* of *Bangor*, Clerk, *John Dodson* of *Shrewsbury*, *Howell Holland Edwards* Clerk, *William Edwards* of *Hendre House*, *Thomas Ellis* of *Bangor*, Clerk, *Richard Edwards* of *Nanhoran*, *Browning Edwards* of the same, *Thomas Eyton* of *Shrewsbury*, *Charles Evans* of *Trefeilir*, *William Evans* of the same, *John Eaton* of *Shrewsbury*, *Hugh Evans* of *Holyhead*, *Richard Ellis* of *Caernarvon*, Clerk, *Hugh Ellis* of the same, the Honourable *Charles Finch*, *Charles Finch* the younger, *John Forbes* of *Bodnant*, *John Griffith* of *Llanfair*, *William Griffith* of *Caernarvon*, Clerk, *Richard Garnons*, *Richard Garnons* the younger, *Edward Glynn*, of *Shrewsbury*, *Hugh Davies Griffith* of *Caerhün*, Clerk, *John Gibbons* of *Oswestry*, *John Griffith* of *Tryfan*, *Edward Griffith* of *Caernarvon*, *William Griffith* of *Bodegroes*, *William Glynn Griffith* of *Caernarvon*, *David Griffith* of the same, *Robert Meyrick Humphreys* of *Rbydlanfair*, *David Hughes* of *Penllyn*, Doctor in Divinity, *Thomas Hughes* of *Tyissa*, *Maurice Hughes* of *Capel Cerrig*, Clerk, *Robert Hughes* of the same, Clerk, *John Hughes* of *Llanrochwyn*, Clerk, *Robert Harvey* of *Pool Park*, *William Hazeldine* of *Shrewsbury*, *John Hughes* of *Caernarvon*, *Henry Jones* of *Caernarvon*, Clerk, *Owen Jones* of *Cae'r Doctor*, Clerk, *John Lloyd Jones* of *Plas Madoc*, Clerk, *Richard Jones* of *Llanrwst*, *John Jones* of *Maesygarnedd*, *Thomas Parry Jones* of *Madrin*, *Love Parry Jones* of the same, *Thomas Parry Jones* the younger, of the same, *John Jones* of *Bangor*, *John Jones* of *Brynkir*, *Thomas Jones* of *Bryntirion*, *Lewis Jones* of *Oswestry*, *Thomas Jones* of *Caernarvon*, Surgeon, *Richard Jones* of *Cefnycœd*, *John Jones* of *Ruthin*, *John Ellis Kyffin* Clerk, *John Kyffin* of *Bangor*, Clerk, *John Lloyd* of *Hafodunos*, *John Lloyd* of *Maesmôr*, *John Lloyd* of *Glynnanaw*, *William Lloyd* of *Hendreddwysaen*, *William John Lenthall* of *Maenan*, *Kyffin John William Lenthall* of the same, *Joseph Loxdale* of *Shrewsbury*, *William Lloyd* of the same, *Robert Lawrence* of the same, *John Lawrence* of the same, *Thomas Lewis* of *Mounthazel*, *John Lloyd* of *Caernarvon*, *Evan Lloyd* of *Maesyporth*, *Humphry Lloyd*, *Thomas Lloyd* of *Shrewsbury*, *William Lloyd* of *Aston*, *Richard Nanney* of *Brockwaen*, Clerk, *William Oakley* of *Tanybwelch*, *William Owen* of *Penraig*, *Robert Owen* of the same, *Hugh Owen* of *Bangor*, Doctor in Divinity, *Nicholas Owen* of the same, Clerk, *Hugh Owen* of *Shrewsbury*, Clerk, *Hugh Owen* of *Caernarvon*, Doctor of Physic, *David Price* of *Fedw Dêg*, *William Priffick* of *Shrewsbury*, *Richard Phillips* of the same, *Owen Anthony Poole*, *William Peacocke*, *Richard Parry* of *Plasnewydd*, *Owen Rowlands* of *Crûg*, *William Roberts* of *Oakland*, *William Anwyl Roberts* of the same, *James Royle* of *Cae'r melwr*, *William Lloyd Roberts* of *Cefnycœd*, *William Rowlands* of *Cerrigy Druidion*, *John Roberts* of *Penrallt*, *Bangor*, *John Roberts* of *Llanllechid*, Clerk, *John Roche* of *Shrewsbury*, Clerk, *William Reynold* of the same, *Hugh Rowlands* of *Tymawr*, *Robert Roberts* of *Caernarvon*, *John Robins* of the same, *Henry Rowlands* of *Plasgwyn*, *John Roberts* of *Ruthin*, *Edward Williams Vaughan Salisbury*, *Thomas Assheton Smith*, *Thomas Assheton Smith* the younger, *William Simes* of



of Shrewsbury, Peter Tetley of Llanrwst, Peter Tetley the younger, of the same, John Tetley of the same, Clerk, Edward Tipton of Shrewsbury, Rice Thomas, Rice Thomas the younger, Griffith ap Howell Vaughan of Hengwrt, John Vaughan of Shrewsbury, Joseph Venables of Oswestry, Thomas Williams of Llanidan, Owen Williams of the same, John Warren Doctor in Divinity, Dean of Bangor, Thomas Williams of Cappel Garmon, Clerk, Ellis Wynne of Voelas, Clerk, John Wynne of Bellmont, Robert Watkin Wynne of Gartmeileo, John Wynne of the same, John Wynne of Benarth, Lewis Lloyd Williams of Hafod Ddwyryd, Richard Lloyd Williams of the same, Owen Wynne of Pengwern, William Wynne of Peniarth, John Williams of Dolwyddelen, Clerk, John Williams of Bettws-y-Coed, Robert Howell Wynne of Llangwm, Clerk, Henry Williams of Pentir, Clerk, John Williams of the same, Peter Williams of Bangor, Clerk, Benjamin Wyatt, William White of Glangwna, John Williams of Bangor, Clerk, John Wilkinson of Shrewsbury, Thomas Wright of Knutsford, William Williams of Caernarvon, Evan Williams of Caernarvon, Peter Williams of Llanrŷg, and David Williams of Pengwern, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Trustees for amending, widening, improving, and keeping in Repair, the said Road, and for otherwise putting this Act in Execution.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in any Case, in the Execution of this Act, unless at the Time of his acting therein he shall have, or be seized of in his own Right, or in the Right of his Wife, and be in the actual Possession, Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds above Reprizes, or be Heir Apparent of some Person or Persons seized of such an Estate of the clear yearly Value of One hundred Pounds, or be in Possession of or entitled to a Personal Estate to the Amount of One thousand Pounds, nor (except in administering the Oath or Affirmation herein-after mentioned, and giving Notice of the First Meeting of the said Trustees, as herein-after mentioned), unless he shall have taken and subscribed, before any Two or more of the said Trustees (who are hereby authorized and empowered to administer the same), the Oath or Affirmation following; (that is to say),

I Do swear, [or, being One of the People called Quakers do solemnly affirm] That I truly and *bonâ fide* am seized of, in my own Right [or, in the Right of my Wife, *as the Case may be*] and in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds above Reprizes [or, am Heir Apparent of a Person who to the best of my Knowledge and Belief is seized of such an Estate of the clear yearly Value of One hundred Pounds, [or, am possessed of or entitled unto a Personal Estate to the Amount of One thousand Pounds.

‘ So help me GOD.’

And if any Person not so qualified shall presume to act in the Execution of this Act, every such Person shall for every such Offence forfeit the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, in any of His Majesty's Courts of Record; by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Impar lance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid,

or



or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act: Provided nevertheless, that such Acts and Proceedings as shall have been done and performed by any such Person, touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

No Trustee to act while he holds any Place of Profit under this Act.

III. Provided also, and be it further enacted, That no Trustee hereby appointed or hereafter to be appointed, shall be capable of acting as such during the Time he shall enjoy any Office or Place of Profit under or by virtue of this Act, or have any Share or Interest in any Contract or Bargain relating to the Execution thereof, or in any Case wherein he shall be personally interested.

Mortgagees or Assignees not disqualified.

IV. Provided nevertheless, That any Mortgagee, or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of any of the Tolls granted by this Act, or receiving Interest thereout for the same, shall not on that Account be deemed unqualified or disabled from acting as a Trustee in the Execution of this Act.

Trustees in the Commission of the Peace may act as Justices.

V. Provided also, That such Trustees as are or shall be in the Commission of the Peace for the said Counties of *Caernarvon* and *Denbigh*, or either of them, may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees.

Election of new Trustees.

VI. And be it further enacted, That when and so often as any Trustee shall die, or refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, by Writing under their Hands, from Time to Time to elect, nominate, and appoint, One other Person to be a Trustee in the Room or Stead of such Trustee so deceased or refusing to act; but Notice of the Time and Place of the Meeting for every such Election of new Trustees shall be given by the Clerk or Clerks to the said Trustees, by affixing the same in Writing upon all the Turnpike Gates then erected in or upon the said Road, at least Fourteen Days before every such Meeting; and every such Person as shall from Time to Time be so chosen and appointed, is hereby vested with the same Powers for putting this Act in Execution, as if such Person had been named in and appointed a Trustee by this Act.

Trustees may sue or be sued in the Name of their Clerk.

VII. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Clerk; and that no Action which may be brought or commenced by or against the said Trustees, or any of them, by virtue or on account of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of such Clerk, or by the Act of such Clerk, without the Consent of the said Trustees, or any Five or more of them, at a publick Meeting to be held for that Purpose, but the Clerk to the said Trustees for the Time being shall be deemed Plaintiff or Defendant in such Action, as the Case may be: Provided always, that every such Clerk, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of this Act, all such Costs, Charges, and Damages, as by the Event of every such Proceeding he shall be put to or become chargeable

Clerk to be repaid his Expences.

with



with, by reason of his being so made Plaintiff or Defendant in any such Action or Suit as aforesaid.

VIII. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the House of *William Hugbes*, known by the Name or Sign of the *Penrbyn Arms*, at *Bangor*, on the Third *Thursday* next after this Act shall have received the Royal Assent, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, of which Meeting Notice shall be given in some Newspaper circulated in the Neighbourhood, at least Ten Days before such Meeting, by One or more of the said Trustees, at which Time and Place the said Trustees shall proceed to the Election of a Clerk, and to the Execution of this Act, and may adjourn themselves from Time to Time, and afterwards meet there or at any other Place in or near the said Road, as the said Trustees attending the said Meeting shall think most convenient, as often as it shall be necessary, for putting this Act into Execution; and if it shall happen that there shall not appear at any Meeting a sufficient Number of Trustees to act or to adjourn to another Day (Two Trustees being deemed sufficient for the Purpose of Adjournment only), or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, the Clerk or Clerks to the said Trustees shall, by Notice in Writing to be affixed on all the Turnpike Gates then erected on the said Road, at least Ten Days before the next Meeting, appoint the said Trustees to meet at the Place where the last Meeting was held, or was appointed to be held, or at some other convenient House in or near the said Road, on that Day Three Weeks from the Day on which such Meeting was held or was appointed to have been held; and in case the Clerk or Clerks to the said Trustees shall neglect or refuse to give such Notice, or by any Means shall be prevented from giving Notice as aforesaid, it shall be lawful for any Five or more of the said Trustees, although not assembled at a Meeting, at any Time or Times after the Space of Ten Days after such Refusal, Neglect, or Prevention of such Clerk or Clerks, by Notice in Writing under their Hands, to be affixed in Manner aforesaid, to appoint the said Trustees, to meet at some convenient House in or near the said Road, upon that Day Three Weeks after the Date of such last mentioned Notice; and that the said Trustees at all their Meetings shall defray their own Charges and Expences: Provided always, that no Order, Appointment, or Proceedings of the said Trustees, shall be deemed to be valid, unless made or had at a Meeting held in pursuance of this Act (except in Cases herein particularly provided for); and that no such Act, Order, or Proceeding shall be made or had, unless the Majority of the Trustees present shall concur therein; nor shall any Order or Appointment made at a Meeting of any Five or more of the said Trustees, be revoked or altered at any subsequent Meeting, unless Notice in Writing, specifying the Revocation or Alteration intended to be made, be affixed upon all the Toll Gates or Turnpikes then erected on the said Road, at least Fourteen Days before such subsequent Meeting, nor unless a Majority of Three-Fourths of the Trustees present at such Meeting shall decide in Favour of such Revocation or Alteration.

Time and  
Place of First  
Meeting of  
the Trustees.

Trustees to  
bear their own  
Expences.

IX. Provided always, and be it further enacted, That such Meetings of the Trustees for the Execution of this Act, shall be held alternately within the Counties of *Caernarvon* and *Denbigh*, and that no Business relating to such Part of the said Road as shall be within the County of *Denbigh*, shall be

Meetings to  
be held alter-  
nately within  
the Counties  
of *Caernarvon*  
and *Denbigh*.

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done



done or performed at any Meeting to be held within the County of *Caernarvon*; and that no Business relating to such Part of the said Road as shall be within the County of *Caernarvon*, shall be done or performed at any such Meeting to be held within the said County of *Denbigh*.

Meetings on Emergencies.

X. And be it further enacted, That if after any Adjournment of the said Trustees, it shall at any Time be thought necessary by any Five or more of the said Trustees, that an earlier Day of Meeting should be appointed than that Day to which such Meeting shall have been adjourned, the said Clerk, by an Order in Writing signed by Five or more of the said Trustees, although not assembled at a Meeting, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice of such earlier Meeting in the Manner before directed, such Time not being less than Ten Days after such Notice; and all Proceedings of the Trustees at such Meetings shall be as valid as they would have been in case the Trustees had met in pursuance of an Adjournment.

Orders and Proceedings to be entered in Books, and admitted as Evidence.

XI. And be it further enacted, That all the Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept by the Clerk for that Purpose, and signed by all or the major Part of the Trustees present at the Meeting at which each respective Order or Proceeding shall be made or had, or by their Chairman or Clerk by their Order; and that every such Book shall be open at all seasonable Times for the Inspection of any of the said Trustees, who shall be at Liberty to take Copies thereof or Extracts therefrom, without Fee or Reward.

Trustees may appoint or remove Officers.

XII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, by Writing under their Hands, nominate and appoint One or more fit Person or Persons to be Clerk or Clerks, Treasurer or Treasurers, and Collector or Collectors of the Tolls, and shall take a Bond within One Calendar Month after the Appointment of such respective Officers, with a sufficient Surety, in such Penalty as the said Trustees, or any Five or more of them, at any Meeting shall direct, conditioned for the Execution of their respective Offices, and also One or more fit Person or Persons to be Surveyor or Surveyors of the said Road, and also such other Officers as they, or any Five or more of them, shall think necessary to employ in the Execution of this Act, and from Time to Time to remove any such Clerk, Treasurer, Receiver, Collector, Surveyor, and other Officer, as they, or any Five or more of them, shall see Occasion; and appoint others in Cases of Death or such Removal; and that out of the Monies to be received by virtue of this Act, such Allowances and Compensations shall be made to the several Officers to be appointed as aforesaid, and to such other Persons as shall be assisting in and about the Execution of this Act, as to the said Trustees, or any Five or more of them, shall seem proper.

Trustees may allow Officers Salaries.

Officers to account on Oath.

XIII. And be it further enacted, That all such Officers and other Persons to be appointed as aforesaid, shall from Time to Time, when thereunto required by the said Trustees, or any Five or more of them, deliver to such Trustees, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under their respective Hands, of all Monies which shall have been by them respectively had, collected, or received, by virtue of this Act, and how, and to whom, and for what Purpose the same, or any Part thereof, hath been disposed of, together



ther with proper Vouchers and Receipts for such Payments, and shall verify the Accounts upon Oath; and such Officers and Persons shall, and they are hereby respectively required to pay all such Monies as upon the Balance of such Account or Accounts, shall appear to be in their Hands, to such Person or Persons as the said Trustees, or any Five or more of them, shall appoint to receive the same; and if any of the said Officers or Persons shall refuse or neglect to render or give such Accounts as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to verify the Articles thereof on Oath (which Oath any One or more of them is and are hereby authorized and empowered to administer), or to pay the Balance remaining in their Hands, when thereunto required in Manner aforesaid, or if any such Officers or Persons shall refuse or neglect to deliver up to the said Trustees, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall appoint, within Fourteen Days after being thereunto required by the said Trustees, or any Five or more of them, all Books, Accounts, Papers, and Writings, in their respective Custody or Power, anywise relating to the Execution of this Act or to the said Road, and Complaint shall be made of any such Neglect or Refusal to any Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons so neglecting or refusing, shall be or reside, by any Five or more of the said Trustees, or by any Person or Persons on their Behalf, such Justice may and is hereby authorized and required, by Warrant or Warrants, to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his, her, or their appearing or not appearing (except for some reasonable Excuse), having been first duly summoned, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, might have done; and if upon the Settlement of such Account or Accounts as aforesaid, or upon the Confession of the Officer or Officers, or Person or Persons against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been collected or received, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place by him appointed for that Purpose (except for some reasonable Excuse), or appearing shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of the Receipts and Payments as aforesaid, or to verify the Truth of any such Account, or of the Articles thereof, upon Oath as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power, relating to the Execution of this Act or to the said Road, then and in any of the Cases aforesaid, the said Justice may, and is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction of the County or Place where he, she, or they shall



be or reside, there to remain, without Bail or Mainprize, until he, she, or they shall have delivered in and settled his, her, or their Accounts, and have verified the same on Oath, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his, her, or their respective Hands, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he, she, or they shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Composition Money to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same (and which Composition the said Trustees, or any Five or more of them, are hereby in such Case empowered to make), or until he, she, or they shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees, or any Five or more of them: Provided always, that no Person shall be committed for Want of sufficient Distress for any longer Space of Time than Six Calendar Months.

Trustees to appoint temporary Collectors.

XIV. And be it further enacted, That, upon the Death, Incapacity, Absconding, Misbehaviour, or Absence of any Collector or Receiver of the Tolls, any Five or more of the said Trustees, although not at a Meeting of the said Trustees appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver who shall abscond, misbehave, or become incapable, or absent himself as aforesaid, and nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, in the Stead of such Collector or Receiver so dying or being discharged, and to continue until the next Meeting of the said Trustees; which Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all Respects as the Person who shall so die or be discharged would have had or been subject to; and that if any Collector or Receiver of the said Tolls, who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die, abscond, absent himself, or be discharged, or any other Person, shall refuse or neglect to deliver up the Possession of any Toll House or Building to be erected or set up by virtue of this Act, for the Space of Ten Days after Demand thereof made, and Notice in Writing given or left on the Premises for that Purpose, by or under the Hands of any Three or more of the said Trustees, or by their Clerk or Treasurer, then and in any of the said Cases it shall be lawful for any Justice or Justices of the Peace for the County in which such Toll House or Building shall be, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer for the same County, with such Assistance as shall be necessary, to enter such House or Building in the Day Time, and to remove the Person or Persons who shall be found therein, and the Occupier or Occupiers thereof, together with his, her, or their Goods, out of the same, and to put the said Trustees, or any Two or more of them, or their Clerk, or their new appointed Officer, into the Possession thereof, with the Appurtenances.

The Junction of the Roads.

XV. And be it further enacted, That in laying out the said intended Road, the said Trustees shall, and they are hereby required to form the Junction between the same and the present Turnpike Road leading from the Town of *Conway* to the Town of *Caernarvon*, at some Place



Place or Part thereof between the River *Ogwen* and the River *Cegin*.

XVI. And be it further enacted, That the said Trustees, or any Seven or more of them, shall and may erect and set up, or cause to be erected or set up, One or more Gate or Gates, Turnpike or Turnpikes, in, upon, and across the said Road, at any Place or Places within the Extent of the said Road, and also may erect or set up, or cause to be erected and set up, on the Side or Sides of any Part of the said Road, where any Highway joins or meets the same, as many Side Gates or Turnpikes as they, or any Seven or more of them, shall think proper, with a Toll House, and proper and necessary Buildings, Gardens, Conveniencies, and Fences, near to each such Gates or Turnpikes, whether across the said Road or on the Side or Sides thereof, and may from Time to Time afterwards remove, alter, or discontinue the said Turnpike Gates or Toll Houses, or any of them, as the said Trustees, or any Seven or more of them, shall think expedient; and that the respective Tolls following shall be demanded and taken of the Person or Persons attending any Horses, Cattle, or Carriages, by such Person or Persons as the said Trustees, or any Seven or more of them, shall from Time to Time appoint, at each of the said Gates or Turnpikes, before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the same; (that is to say),

Power to erect  
Turnpikes and  
Toll Houses.

For every Horse, Mare, Gelding, Mule, or other Cattle drawing any Coach, Berlin, Landau, Machine, Hearse, Chariot, Chaise, Calash, Caravan, Chaise-Marine, Litter, Bed Carriage, Curricule, Chair, or other such Carriage, the Sum of Eight-pence :

Tolls;

For every Horse, Mare, Gelding, Mule, or other Beast or Cattle, drawing any Waggon, Wain, Cart, or other such Carriage, the Sum of Eight-pence :

For every Horse, Mare, Gelding, Mule, or Afs, laden or unladen, and not drawing, the Sum of One Penny Halfpenny :

For every Drove of Oxen or other Neat Cattle, the Sum of One Shilling *per* Score, and so in Proportion for any greater or less Number: And,

For every Drove of Calves, Sheep, Lambs, or Pigs, the Sum of Sixpence *per* Score, and so in Proportion for any greater or less Number :

And that on every *Sunday* after the passing of this Act, there shall be demanded and taken at each of the said Gates or Turnpikes, by such Person or Persons so to be nominated and appointed as aforesaid, before any Coach, Waggon, Cart, or other Carriage, or any Horse, Cattle, or other Beast, shall be permitted to pass through the same, Double the Tolls before directed to be taken on any other Day of the Week, which said respective Sums of Money shall be demanded and taken as Tolls; and if any Person or Persons, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect the said Tolls, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary (and which Assistance all Persons are hereby required to give if called upon) to seize and distrain any Horse or Horses, or other Beasts or Cattle, upon

Double Toll  
on *Sundays* to  
be taken.

Recovery.

[*Loc. & Per.*]

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which



Tolls, and the Money borrowed thereon, vested in the Trustees.

which such Toll is by this Act imposed, together with their Bridles, Saddles, Geers, Harness, or Accoutrements, or a sufficient Part thereof; and if such Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, or other Things so seized or distrained, or a sufficient Part thereof, returning the Overplus (if any be) and what shall remain unfold, upon Demand, to the Owner thereof after such Tolls, and the reasonable Charges of such Seizure and Distress, shall be deducted and paid; and that all the Tolls and Monies so to be collected and levied, or the Money borrowed or to be borrowed on the Credit thereof, shall be and are hereby vested in the said Trustees, and shall be paid, applied, and disposed of, to and for the several Uses, Intents, and Purposes, and in such Manner as is herein mentioned.

Leasing the Tolls.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time, by Writing under their Hands and Seals, to lease the Tolls arising within or in relation to any Part or Parts of the said Road, unto any Person or Persons from Year to Year, or for any Term not exceeding Three Years, for the best Rent that can be got for the same, payable at such Times, under such Covenants, and to such Person or Persons, as they the said Trustees, or any Five or more of them, shall direct or appoint; and the Money arising thereby shall be applied in such Manner as the Tolls so leased are directed to be applied.

Tolls to be paid but Once in repassing, except, etc.

XVIII. Provided always, and be it further enacted, That no Person who shall have paid Toll for passing through any Turnpike to be erected by virtue of this Act, shall be subject to any Toll for returning through such Turnpike the same Day, before Twelve of the Clock at Night of the same Day, with the same Horse or Horses, Cattle, or Carriage, but shall return Toll free (except such Waggon, Cart, Caravan, Timber Carriage, or other Carriage, which shall pass or repass through any of the said Turnpikes, laden with any Lading of the Weight of Five hundred Pounds or upwards, of Five Score to the hundred, and shall return the same Day also laden with any Lading of the Weight of Five hundred Pounds or upwards as aforesaid, or any Coach, Berlin, Landau, Chariot, Calash with Four Wheels, Chaise Marine, Diligence, Chaise with Four Wheels, or Caravan, or by what Name soever such Carriage or Carriages now is, are, or hereafter may be called or known, that shall be kept or used by or for any Person or Persons as a publick Stage Coach or Stage Coaches, or Stage Carriages employed in carrying Passengers for Hire to and from different Places), on delivering a Note or Ticket to the Collector of the Tolls at such respective Turnpikes, which Note or Ticket such Collector is hereby required to deliver *gratis* on Receipt of the Toll.

Disputes concerning Tolls to be settled by a Justice.

XIX. Provided also, and be it further enacted, That if any Dispute shall happen about the Quantity of Tolls due or the Charges of keeping any Distress, it shall be lawful for the Collector or Person distraining to retain the same, or the Money arising by Sale thereof (as the Case may happen), until the Quantity of Tolls due, and Charges of seizing, distraining, keeping,



keeping, and selling the Distress, shall be ascertained by some Justice or Justices of the Peace for the said Counties of *Caernarvon* and *Denbigh*, or either of them, who, upon Application made to him or them for that Purpose, shall examine the said Matter on Oath of the Parties, or other Witness or Witnesses, and determine the Quantity of the Tolls due, and assess the Charges of such Seizure, Distress, Keeping, and Sale, and also of the Collector's Attendance for that Purpose on the said Justice or Justices; all which Sums so determined or assessed shall be paid to the said Collector or other Person, before he shall be obliged to return the Distress, or the Overplus after the Sale thereof, or of any Part thereof.

XX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, or any of them, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be and are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation.

Collectors of  
Tolls com-  
petent Wit-  
nesses.

XXI. And be it further enacted, That out of the Monies to arise by virtue or to be borrowed on the Credit of this Act, the said Trustees, or any Five or more of them, shall first pay and discharge the Expences of procuring and passing this Act, and the Remainder of such Monies shall from Time to Time be applied in erecting Turnpikes and Toll Houses, and in widening, improving, and keeping in Repair the said Road, and in defraying the necessary Charges and Expences attending the Execution of this Act, and in paying the Principal and Interest of any Money to be borrowed by virtue thereof, and to no other Use or Purpose whatsoever.

Application of  
the Money.

XXII. And be it further enacted, That the Right and Property of all the said Turnpikes and Toll Houses, and other Buildings to be erected or provided upon, at the Side of, or near the said Road, and of the Materials for building or altering the same, and all Materials, Tools, and other Things which shall be provided, collected, or made use of for repairing or otherwise improving the said Road or for executing this Act, shall be and the same are hereby vested in the said Trustees, and they, or any Five or more of them, are hereby authorized and empowered to bring Actions in the Name or Names of any Five or more of them, or of their Treasurer or Treasurers, Clerk or Clerks, or to prefer Bills of Indictment against any Person or Persons who shall steal, take away, or damage any such Turnpikes, Toll Houses, or other Buildings, Materials, Tools, or other Things as aforesaid, or disturb the said Trustees, or any of them, or any of their Collectors, or other Officers, in the Possession thereof.

Turnpikes  
and Toll  
Houses vested  
in the Trustees

XXIII. And be it further enacted, That the said Trustees, or any Five or more of them, at any Meeting to be held for that Purpose (whereof Ten Days Notice shall be given in Writing, by affixing the same on all the Toll Gates or Turnpikes then erected by virtue of this Act) may and they are hereby empowered from Time to Time to reduce all or any of the Tolls hereby granted, and to order such Tolls so reduced to be collected and received in such Manner, Parts, and Proportions, as they shall think fit, so that such Reduction be no Prejudice to, and be with the Consent of Five Sixth-Parts in Value of the several Persons who shall have advanced any Money on the Credit of the said Tolls at the Time of such Reduction;

Trustees may  
lessen the  
Tolls, and  
raise them  
again, if  
necessary.



Reduction; and the said Trustees, or any Five or more of them, may and they are hereby empowered to raise the said Tolls again, or any Part thereof, so that the same do not exceed the respective Tolls herein-before granted; and such Tolls, so reduced and raised again, shall be collected, recovered, paid, and applied, in the same Manner as the Tolls herein-before granted are directed to be collected, recovered, paid, and applied.

Trustees may compound.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time to compound for any Term, not exceeding Three Years at a Time, with any Person or Persons, for any Carriages, Horses, Beasts, or Cattle travelling on the said Road, for all or any of the Tolls to be paid in respect of such Carriages, Horses, Beasts, or Cattle; and all such Composition Money shall be paid in advance quarterly, or otherwise as the said Trustees shall appoint, and in Default thereof, the Composition shall be void.

For exempting the Inhabitants of Yspuddy and other Places from the Payment of Toll in going to or returning from Llanrwst Market.

XXV. And be it further enacted and declared, That no Toll shall be demanded or taken at any Gate or Gates, to be set up or erected by virtue or under the Authority of this Act, of or from any of the present or future Inhabitants of that Part of the Parish of *Llanrwst*, which lies on the South Side of the said intended Road, or of or from any of the present or future Inhabitants of the several Parishes or Places called *Yspuddy Evan*, *Penmachno*, *Bettws-y-Coed*, *Dolwyddelen*, *Trewydir*, and *Capel Cerrig*, or any or either of them; or for any Horse, Cattle, or other Beast, or any Cart or Carriage, or any Calves, Sheep, Lambs, or Pigs, belonging to and *bonâ fide* the Property of any such Inhabitants, in going from their respective Places of Habitation to the Town of *Llanrwst*, or in returning from the said Town to their said respective Places of Habitation on each and every regular Market Day throughout the Year, or on the several Days on which the Fairs are usually held within the said Town.

Exemption from Tolls.

XXVI. Provided always, and it is hereby enacted and declared, That no Toll shall be demanded or taken for any Cattle or Carriages laden only with Stone, Brick, Gravel, or other Materials for making or repairing the said Road, or for repairing the Highways in any Township, Parish, or Place through which the said Road leads, or laden only with Lime, Sand, Dung, Marl, Soil, Mould, Compost, or other Manure, of what Nature or Kind soever, to be used in manuring or improving of Land; or for any Cattle or Carriage laden only with Hay, Hay Grass, Sanfoin, Fodder, Straw, or Corn in the Straw, to be laid up in the Houses, Outhouses, Barns, Yards, or other Places belonging to the Inhabitants of any of the said Townships, Parishes, or Places (except Carts or Carriages laden with any Hay or Straw for Sale) or for any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the said Inhabitants passing in order to the using or repairing the same, or for any Cattle or Carriages going empty and unladen for, or returning empty and unladen after having carried such Stones, Bricks, Gravel, or other Materials for repairing the said Road, or for the repairing the Highways in any Township, Parish, or Place through which the said Road, or any Part thereof leads, or going empty or unladen for, or returning empty or unladen after having carried such Lime, Sand, Dung, Marl, Soil, Mould, Compost, or other



other Manure, of any Kind or Nature whatsoever, to be used in manuring and improving of Land, or any Hay or Corn in the Straw, to be laid up in the Houses, Outhouses, Barns, Yards, or other Places belonging to the Inhabitants of any of the said Townships, Parishes, or Places, or any Ploughs, Harrows, or other Implements of Husbandry belonging to the said Inhabitants; nor shall any Toll be demanded or taken of or from any Rector, Vicar, or Curate, going to or returning from his own Parish Church or other Place of Divine Worship, or visiting his sick Parishioners; or of or from any Person or Persons in any of the said Townships, Parishes, or Places, for passing through any of the said Turnpikes on *Sundays*, or on any other Day on which Divine Worship is ordered by Authority to be celebrated, to or from his, her, or their respective Parish Church or other usual Place of Religious Worship licensed according to Law; or for any Cattle or Carriage conveying the Corpse or attending the Funeral of any Person to be interred in any of the said Parishes or for any Cattle belonging to any of the said Inhabitants which shall be only going to or returning from Pasture or Water; or for any Cattle or Carriage belonging to any Inhabitant of any Township, Parish, or Place wherein any such Turnpike shall be erected, which shall be only passing to the Smith's Shop in order to be shoed, farried, or repaired, or for the Return of any such Cattle or Carriages unladen; or for any Waggons, Carts, or other Carriages, Ploughs, Harrows, or Implements of Husbandry belonging to any of the said Inhabitants going to or returning from any Wheelwright's Shop, empty and unladen, to be altered or amended, or being made new in passing through any Gate from the said Shop to the Place of Residence of any such Inhabitant; or for any Cattle or Carriage belonging to any of the said Inhabitants, going to or returning from any Corn Mill or any Oat Kiln for or with any Corn, Grain, Malt, Wheat, or Flour, for the Owner's Use or Consumption in his or her Dwelling House and not for Sale; nor shall any Toll be demanded or taken for any Horses or Carriages of whatever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or in returning back from conveying or guarding the same; or for the Horses of Soldiers upon their March or upon Duty, or for Cattle or Carriages attending them, or laden only with their Arms or Baggage; or for Horses or Carriages travelling with Vagrants sent by legal Passes; nor shall any Toll be demanded or taken for any Coaches, Berlins, Landaus, Chariots, Calashes, Chaises, Chairs, or Passengers on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said several Counties of *Caernarvon* and *Denbigh*, or either of them, on the respective Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall fraudulently claim and take the Benefit of any of the Exemptions aforesaid, from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

XXVII. And be it further enacted, That if any Person or Persons owning or occupying any Land near to any of the said Turnpikes or Roads, shall permit or suffer any Person or Persons to pass through any Gate, Passage, Inclosure, or private Way, with any Horse, Cattle, or

Penalty on permitting Persons to go through private Grounds, &c.

[*Loc. & Per.*]

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Carriage,



Carriage, or if any Person or Persons shall pass through any such Gate, Passage, Inclosure, or private Way, with any Horse, Cattle, or Carriage, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall take off or cause to be taken off any Horse or other Cattle from any such Carriage, with an Intent to avoid paying any of the said Tolls, or any Part thereof, or shall leave or cause to be left upon or near to the said Road any Cattle or Carriage as aforesaid, every Person so offending in any of the Cases aforesaid, shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Forty Shillings.

The Trustees of this Act not to interfere with the Conway and Caernarvon Roads.

XXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the Trustees for executing this Act, to interfere with the Trusts and Management of the present Road leading from the said Town of *Conway* to the said Town of *Caernarvon*, nor in any Respect to give Power or Authority for the said Trustees to erect or set up, or cause to be erected or set up, any Toll Gate or Turnpike between the Junction of the said intended Road, and the said Road at or near the Village of *Llandegai* aforesaid, and the said Ferry called *Porthaethwy* otherwise *Bangor Ferry*; but the same shall be and is hereby declared to continue under the Care and Management of the Trustees for executing the several Acts passed for making and maintaining the said Road, in the same Manner, as the same were before the passing of this Act; any Thing herein contained to the contrary notwithstanding.

Trustees enabled to borrow Money on the Credit of the Tolls.

XXIX. And be it further enacted, That the said Trustees, or any Five or more of them, at any Meeting to be held for that Purpose, whereof Ten Days Notice shall be given in Writing, to be affixed upon all the Turnpikes then erected by virtue of this Act, may and they are hereby empowered, from Time to Time, by any Writing or Instrument under their Hands and Seals, to assign over or mortgage the Tolls to be collected and levied at any of the said Toll Gates or Turnpikes, or any Part thereof respectively, and also the respective Toll Houses and Appurtenances for collecting the same (the Charges of assigning or mortgaging the same to be paid out of such Tolls) for any Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money so to be borrowed by the said Trustees upon the Credit of such Tolls, to such Person or Persons, or his, her, or their Trustee or Trustees, who shall advance and lend the same, to secure the Repayment thereof, with such legal or less Interest as the said Trustees, or any Five or more of them, shall think proper, which said Money so to be borrowed shall be applied and disposed of in such Manner as the Tolls are herein directed to be applied and disposed of; and that such Mortgage or Mortgages, or Assignments, may be in the Form following, or such other Form as the said Trustees making the same shall think proper.

Form of Mortgage.

BY virtue of an Act made in the Forty-second Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*] We \_\_\_\_\_ of the Trustees appointed under the said Act, in Consideration of the Sum of \_\_\_\_\_ to the Treasurer of the said Road in Hand paid, do grant, bargain, sell, and demise unto *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Tolls arising upon the said Road, and of the Turnpikes



pikes and Toll Houses for collecting the same, as the said Sum of  
 doth or shall bear to the whole Sum due and  
 owing on the Credit thereof: To be had and holden from this  
 Day of                      in the Year of our Lord  
 for and during the Continuance of the said Act, unless the said Sum  
 of                      , with Interest at the Rate of Five Pounds *per Cen-*  
*tum per Annum*, shall be sooner paid and satisfied.

And Copies of all such Mortgages shall be entered in a Book or Books  
 to be kept for that Purpose by the Clerk or Treasurer to the said Trus-  
 tees, and which said Book or Books shall and may at all seasonable Times  
 be perused and inspected by the said Trustees or Mortgagees, or any  
 Person or Persons on their Behalf, without Fee or Reward; and every  
 Person to whom any Mortgage shall be made as aforesaid, or who shall  
 be entitled to the Money thereby secured, may from Time to Time trans-  
 fer his or her Right, Title, Interest, or Benefit to the said Mortgage, and  
 the Principal and Interest thereby secured, to any Person or Persons  
 whomsoever, by Indorsement on the Back of such Security, or by any  
 other Writing under his or her Hand, before One credible Witness, in  
 the following Words or Words to the like Effect:

I Do transfer this Mortgage [*or, a certain Mortgage, as the Case may* Form of  
*be*], with all my Right and Title to the Principal thereby secured, Transfer  
 and to all Interest now due upon the same, unto  
 Executors, Administrators, and Assigns. Dated this                      Day  
 of                      *A. B.*

Which Transfer shall be produced and notified to the said Clerk or  
 Treasurer within Twenty-one Days after the Date thereof, who shall  
 cause an Entry or Memorial to be made thereof in the before-mentioned  
 Book or Books, containing the Numbers, Dates, and Names of the Par-  
 ties, and Sums of Money therein transferred, for which the said Clerk or  
 Treasurer shall be paid such Sum of Money as the said Trustees, or any  
 Five or more of them, shall appoint, not exceeding the Sum of Two  
 Shillings and Sixpence, and such Transfer shall then entitle such Assignee,  
 his, her, or their Executors, Administrators, and Assigns, to the Benefit  
 thereof and Payment thereon, and such Assignee may in like Manner  
 assign or transfer the same again, and so *toties quoties*; and it shall not be  
 in the Power of any Person or Persons (except such to whom the same  
 shall be last transferred), to make void, release, or discharge the original  
 Security, or any Monies thereby due, or any Part thereof; and all Persons  
 to whom any Mortgage or Transfer shall be made by virtue of this Act,  
 shall be, in Proportion to the Sum or Sums of Money therein mentioned,  
 Creditors on the Tolls by this Act granted, in equal Degree one with  
 another, and shall have no Preference in respect of the Time of Advance  
 of any Sum or Sums of Money on such Mortgages or Mortgage, or of the  
 Dates thereof respectively.

XXX. And be it further enacted, That in case the Money arising by In case the  
 the Tolls authorized to be taken on the Road leading from the Town of Tolls now aris-  
*Llanwrst*, in the County of *Denbigh*, through the Towns of *Conway*, *Ban-* ing on the Con-  
*gor*, and *Caernarvon*, to the Town of *Pwllheli*, in the said County of way and Caer-  
*Caernarvon*, shall at any Time be insufficient to pay the Interest of the narvon Road  
 Money now due on the Credit of the said Tolls, after the Rate of Five shall be insuffi-  
 Pounds cient to pay the  
Interest of the  
Money due  
thereon, the



Trustees of the intended Road to make up the Deficiency.

Pounds *per Centum per Annum*, then and in such Case the Trustees for executing this Act shall and they are hereby required to pay any Deficiency of the Interest of the said Money, after the Rate aforesaid, out of the Tolls granted by this Act.

Trustees may alter or divert the Road.

XXXI. And be it further enacted, That the said Trustees, or any Five or more of them, shall and they are hereby fully empowered from Time to Time, as they shall think proper, to divert, turn, shorten, vary, or alter the Course or Path of any Part or Parts of the Road comprized in this Act, and that the said Road, or any Variation thereof, may be made of any Width, not exceeding Sixty Feet; and that any Alteration, Diversion, Variation, or widening of the said Road, may be made through any Commons or Waste Grounds without making any Satisfaction for the same, and through any private or inclosed Lands or Hereditaments, first making Satisfaction to the Owners thereof and Persons interested therein for the Damage they may sustain thereby; and for that Purpose it shall be lawful for the said Trustees, or any Five or more of them, to treat, contract, and agree with the Owners of and Persons interested in any Lands, Grounds, or Hereditaments, for the Purchase thereof, or for the Loss or Damage such Owners or Persons interested may sustain by the making, widening, diverting, or changing the Course or Path of any Part or Parts of the said Road through such Lands, Grounds, or Hereditaments; and it shall be lawful for all Bodies Politick or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and all Feoffees in Trust, Committees, Executors, Administrators, Husbands, Guardians, or other Trustees whatsoever, not only for or on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of Infants, Females Covert, or Cestuique Trusts, and all other Persons whomsoever, to contract and agree with the said Trustees, or any Five or more of them, for the Sale of such Lands or Hereditaments, or any Part thereof, or for their Interests therein, for the Purposes of this Act, and to sell and convey the same as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and that all Persons shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Where Owners, &c. of Land refuse to treat;

XXXII. And be it further enacted, That if any such Bodies Politick or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, or any such Feoffees in Trust, Committees, Executors, Administrators, Husbands, Guardians, or any other Person or Persons as aforesaid interested in any such Lands, Grounds, or Hereditaments, upon Notice to him, her, or them, given or left in Writing at the Dwelling House or Houses, or Place or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick or Corporate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Lands and Hereditaments intended to be taken in and added to any Part of the said Road, or through which the said Road is to be diverted, widened, turned, shortened, altered, or varied as aforesaid, shall, for the Space of Ten Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said



said Trustees, or any Five or more of them, shall cause it to be enquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County wherein such Lands, Grounds, or Hereditaments shall be situate (which Oaths any Two or more of the said Trustees are hereby empowered to administer), what Damage will be sustained by, and what Recompence and Satisfaction shall be made to such Owners or Proprietors, or other Person or Persons interested, for or on Account of the taking of such Lands, Grounds, or Hereditaments, into the said Road, or of making, widening, diverting, or changing the said Road or any Part thereof through the same; and in order thereunto the said Trustees, or any Five or more of them, shall, and they are hereby empowered and required, from Time to Time, to summon before the said Jury, and examine upon Oath all and every Person and Persons whomsoever who shall be thought necessary and proper to be examined concerning the Premises (which Oath any Two or more of the said Trustees are hereby empowered to administer), and they the said Trustees, or any Five or more of them, shall, by ordering the said Jury to view the said Places in Question, or otherwise, use all lawful Ways and Means, as well for their own as for the said Jury's better Information in the Premises; and after the said Jury shall have so enquired of, ascertained, and settled such Damage and Recompence, they the said Trustees shall order, adjudge, and direct the Sum or Sums of Money which shall be so assessed by the said Jury, to be paid to the said Owners or Proprietors of, or Person or Persons interested in the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which Verdict or Inquisition, and Judgement or Determination, so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming or to claim in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, and Persons under any Disability whatsoever, Bodies Politick or Corporate, Ecclesiastical or Civil, Aggregate or Sole, as well as all other Person or Persons whomsoever, and against all and every such Owners and Proprietors; and all and every Person and Persons anywise interested in such Lands, Grounds, or Hereditaments, shall thereby be from thenceforth, to all Intents and Purposes, excluded and divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of the same.

Damage and Recompence to be settled by a Jury.

Witnesses to be examined upon Oath.

Verdict of Jury to be final.

XXXIII. And be it further enacted, That, for the summoning and returning such Jury or Juries, the said Trustees, or any Five or more of them, are hereby empowered to issue out their Warrant or Warrants to the Sheriff of the County where such Lands or Hereditaments shall lie, thereby commanding him to impanel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return Twenty-four such Persons as aforesaid, and out of the Persons so impanelled and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Five or more of them, shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid, and in Default of a sufficient Number of Jurymen,

By Trustees Warrant, Sheriff to impanel a Jury.

[Loc. & Per.]

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the



Jurors may be challenged, and Sheriff and Jury fined for Default.

the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service to the Number of Twelve; and that the said Trustees, and all Persons interested, shall have their lawful Challenges against any of the said Jurymen; and that the said Trustees, or any Five or more of them, acting in the Premises, shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premises, and on any of the Persons who being summoned and returned on such Jury shall not appear (except for some reasonable Excuse), or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give or shall not give his or their Verdict, or in any other Manner wilfully neglect his or their Duty therein (contrary to the true Intent of this Act), and on any Person or Persons who being summoned to give Evidence before the said Jury as aforesaid, touching the Premises, shall not attend (except for some reasonable Excuse), or attending shall refuse to be sworn and examined, or to give Evidence touching the same, so that no such Fine exceed the Sum of Forty Shillings upon any Person for One Offence.

Money allowed for Lands, &c. how to be charged and tendered; although the Money tendered be not accepted, the Lands may be laid to the Roads.

XXXIV. And be it further enacted, That all and every Sum and Sums of Money or Recompence to be agreed for or ascertained as aforesaid, shall be and is and are hereby charged upon the said Tolls, or upon the Monies to be borrowed on the Credit of such Tolls, and shall be paid thereout accordingly, either into the Bank of *England*, or as the Case may require, to the Persons respectively entitled thereto, or to their Agents; and that upon Tender or Payment thereof, to such Persons respectively, or their Agents, and in case of Refusal to accept the same, upon leaving the same in the Hands of the Clerk or Clerks for the Time being to the said Trustees, for the Use of such Persons, it shall be lawful for the said Trustees, or any Five or more of them, their Surveyors, Workmen, or Agents, to enter into or upon, and to take or add to the said Roads such Lands, Grounds, or Hereditaments, and to do all and every such Act, Matter, and Thing, in relation to such Lands, Grounds, or Hereditaments, as the said Trustees, or any Five or more of them, shall think proper; and the said Lands, Grounds, or Hereditaments, so added to, taken in, or made a Part of the said Road, shall be fenced from the adjoining Lands by the said Trustees, or any Five or more of them, and shall be deemed and taken to be a Part of the said Road, hereby directed to be made and maintained, for ever thereafter, and shall, to all Intents and Purposes be a publick and common Highway, and shall be repaired and kept in Repair by such Ways and Means as the Road hereby directed to be repaired is by this Act to be repaired; and after such new Road shall be completed, the Lands and Grounds, constituting the old or former Road (unless leading over some Moor, Common, or Waste Ground, or to some Village, Town, or Place, to which such new Road doth not lead), shall be vested in the said Trustees, and shall and may be sold and conveyed by them, or any Five or more of them, for the best Price that can be gotten for the same, and the Money arising by such Sale shall be applied for the Purposes of this Act; provided, that in all Cases the Preference shall be given and allowed to the Proprietors of the adjoining Lands, if they or either of them chuse to treat for the same; and in case they shall be dissatisfied with the Terms offered by the said Trustees, the Difference may be adjusted and determined by Two Persons, One to be appointed

by



by each Party; and in case the said Proprietors do not, within Fourteen Days, acquiesce in such Determination, or do not appoint a Person on their Behalf as aforesaid; then it shall be lawful for the said Trustees to sell the Lands in Question to any Person or Persons whomsoever; and all Deeds of Conveyance executed by the said Trustees, and inrolled with the Clerk of the Peace for the respective County, shall be good and effectual in the Law to all Intents and Purposes.

XXXV. And be it further enacted, That in case any Jury shall give in and deliver a Verdict or Assessment for more Money as a Recompence for the Right, Interest, or Property, of any Person or Persons, in any Lands, Grounds, or Hereditaments, or for any Loss or Damage to be by him, her, or them sustained, than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning of the Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be borne and paid by the said Trustees, or any Five or more of them; out of the Money to arise by virtue of this Act; but if such Jury shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning the said Jury, as a Recompence and Satisfaction for any such Right Interest, or Property in, or Loss or Damage as aforesaid, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining such Difference, shall be paid and borne by the Person or Persons with whom the said Trustees, or any Five or more of them, shall have such Controversy or Dispute, which said Costs and Expences, having been ascertained and settled by some Justice of the Peace for the said respective Counties of *Caernarvon* or *Denbigh*, not interested in the Matter in Question (who is hereby authorized and required to examine and settle the same), shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk to the said Trustees, in and by such Ways and Means, as are herein-after provided for Recovery of Penalties and Forfeitures.

How the Expences of the Jury shall be paid.

XXXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity as herein mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the said Trustees, to the Intent that such

Application of Compensation when amounting to 200*l*.

Money



Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes; and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is less than 200% and shall exceed 20%.

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

XXX III. Provided



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

Application where the Money is less than 20 l.

XXXIX. Provided always, and it is hereby enacted and declared, That the Power and Authority given to the said Trustees, as aforesaid, shall not extend to the pulling down any Dwelling House or other Building, or taking in the Scite of any House or other Building, or any Part thereof, or to take in any Orchard, Garden, Yard, Park, Paddock, 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 of the Owners and Proprietors thereof, and the several Persons interested therein respectively; any Thing herein contained to the contrary in anywise notwithstanding.

Trustees not to pull down Houses, &c.

XL. And be it further enacted, That the Road hereby authorized to be amended, widened, turned, and varied, shall be deemed and taken to be and shall be a publick Highway for ever, to all Intents and Purposes whatsoever, and that the Inhabitants of the several Townships, Districts, or Places, through which the said Road shall lead, pass, and extend, shall be and for ever continue subject and liable to the Repair thereof, in like Manner and in every Respect as they are by Law liable to the Repair of any other common Highway in the said Townships, Parishes, or Places.

The Inhabitants of the several Parishes, Townships, Districts, or Places, made liable to repair the Road.

XLI. Provided always, and be it further enacted, That all Persons who by Law are liable to Statute Work, or chargeable towards repairing and amending the Road hereby directed to be made, widened, and repaired, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said Counties of *Caernarvon* and *Denbigh*, or either of them, in their respective Jurisdictions, and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Five or more of them, to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road, by the Inhabitants of the respective Parishes or Places in which the said Road doth lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him or them paid to the said Trustees, or any Five or more of them, or to their Treasurer or Treasurers; and in order thereunto, it shall and may be lawful to and for such Justices in their respective Jurisdictions, from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place, to bring in Lists before such Justices respectively at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within every such Pa-

Persons chargeable to Statute Work to continue so; to determine Differences touching Statute Work.

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rish or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be so paid, which Lists of Names shall be made in Manner, and under such Regulations and Restrictions, as is or may be directed by any Law or Statute in force and effect, for the Repairs of the publick Highways, and out of such Lists the said Justices respectively shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to the Statute Work as aforesaid, to do such Number of Days Work in every Year upon the said Road, as the said Justices respectively shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay Time or Harvest), and in such Parts of the said Road as the said Trustees, or any Five or more of them, or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices respectively shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money, in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices respectively shall think proper, to the said Trustees, or any Five or more of them, or to their Treasurer or Treasurers, at such Time or Times as they the said Justices respectively shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered, and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute in force and effect for the Repair of the publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Road, all which Forfeitures shall be paid to the Treasurer or Treasurers to the said Trustees, and applied towards amending the said Road; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending, shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Trustees may  
compound for  
Statute Work.

XLII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to compound and agree with any Person or Persons, Bodies Politick or Corporate, for the Repairs



Repairs or Statute Work to be by them done on the said Road or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any of the Parishes or Places in which the said Road shall lie and be situate, for a certain Sum of Money by the Year or otherwise as the said Trustees shall think reasonable, in lieu of the Whole or any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Road, which Composition shall always be paid by the Surveyor or Surveyors of the Highways or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer or Treasurers of the said Trustees, in Advance, on or before the First Day of *February* in each and every Year.

XLIII. And be it further enacted, That the said Trustees, or any Five or more of them, at a Meeting to be held, whereof Notice in Writing, specifying the Time, Place, and Purpose for which such Meeting is intended to be held, shall be affixed upon the Turnpike Gate or Gates then erected by virtue of this Act, at least Ten Days previous to the Time when such Meeting is appointed to be held, may, and they are hereby authorized and empowered, when and as often as they shall think fit and necessary, to direct Indictments to be preferred and prosecuted at the Expence of the Revenues arising by virtue of this Act, against the Inhabitants of all or any of the Townships, Parishes, Districts, or Places through which the said Road passes, and against the Hundred liable to repair Bridges, who shall have neglected or refused respectively to repair the same.

Trustees may direct Prosecutions at the Expence of the Tolls.

XLIV. And be it further enacted, That it shall be lawful for the said Turnpike Surveyor or Surveyors, and such Persons as he or they shall direct and appoint (such Surveyor or Surveyors having an Order from the said Trustees, or any Five or more of them, for that Purpose) to remove and prevent all Annoyances on any Part of the said Road, by Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Watercourses, Sinks, or Drains, running into, along, and out of the said Road, to the Prejudice thereof, and to open, scour, and cleanse any Watercourses or Ditches adjoining to the said Road, and make the same as deep and large as he or or they shall think proper and necessary, and to cut down, lop, or top, any Trees or Bushes growing in the said Road, or in the Hedges or Banks adjoining thereto, and within Ten Yards of the Centre thereof, and to take and carry away the same in case the Owners or Occupiers of the Premises shall neglect to remove the same, or cut down or carry away such Trees or Bushes as aforesaid, or to open, scour, or cleanse such Watercourses or Ditches, or to remove such other Annoyances, for the Space of Six Days next after Notice in Writing given for that Purpose, under the Hand or Hands of such Surveyor or Surveyors, and the Charges thereof, to be settled by the said Trustees, or any Five or more of them, shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers, and the same shall be recovered in such Manner as the Penalties and Forfeitures are herein-after directed to be recovered; and if after Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings.

Surveyors may remove Annoyances, etc.

XLV. And



Surveyors may  
erect Bridges,  
&c.

XLV. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, by Order of the said Trustees, or any Five or more of them, to make or cause to be made Footways or Causeways in, upon, or by the Side or Sides of the said Road, and to erect, support, and repair any Bridge or Bridges, Arch or Arches, upon any Part of the said Road, and across any River, Brook, Stream, Ditch, or Drain therein, and to cut and make Drains through any Lands lying contiguous to the said Road, and also to make or cause to be made a Road through the Grounds adjoining any narrow or ruinous Part or Parts of the said Road (not being the Ground whereon any Houses or other Buildings stand, or a Garden, Orchard, Park, Paddock, planted Walk or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees), to be made Use of by all Passengers, Cattle, Carriages, and otherwise, as a publick Highway, whilst the old, narrow, or ruinous Road is widening or repairing, and till it shall be convenient and safe for Passengers and Carriages to pass thereon, making such reasonable Satisfaction to the Owners or Occupiers of such Grounds respectively through which any such Drains shall be made, or whereon such Bridges or Arches shall be erected, or through which any such temporary Road shall be made, for the Damages which such Owners or Occupiers respectively shall or may sustain thereby, as shall be adjudged reasonable by the said Trustees, or any Five or more of them; and in case of any Difference concerning the same between such Owners and Occupiers and the said Trustees, that then it shall be lawful for the Justices of the Peace, or the major Part of them, assembled at the next General Quarter Sessions for either of the said Counties of *Caernarvon* and *Denbigh* (as the Case may be), or at the Second Quarter Sessions at the farthest, to settle, adjudge, and determine what Recompence shall be made to such Owners and Occupiers for the Damage they shall have sustained as aforesaid; which Determination shall be final.

Surveyors may  
take Gravel,  
etc. in Waste  
Grounds with-  
out paying for  
the same.

XLVI. And be it further enacted, That it shall be lawful for the said Surveyor and Surveyors, and such Person or Persons as he or they shall appoint, to search for, dig, gather, and take away any Gravel, Furze, Heath, Sand, Stones, or other Materials for making or repairing the said Road, in and out of any River or Brook, or out of any Moor, Waste, or Common Grounds, in any Township, Parish, District, or Place, in or near which any Part of the said Road doth or shall lie, without paying any Thing for such Materials, such Surveyor or Surveyors levelling or causing to be levelled all such Holes and Pits, or otherwise causing the same to be railed or fenced off, where or from whence any such Materials shall be dug, gathered, or taken away, in such Manner as that the same shall not be dangerous to any Cattle, or Travellers whatsoever, and paying for the Damages done by landing, and for going over or through any Lands, Grounds, or private Lands or Roads for or with such Materials; and also that it shall be lawful for the said Surveyor or Surveyors, and such Person and Persons as he or they shall appoint (such Surveyor or Surveyors first having an Order in Writing of any Five or more of the said Trustees for that Purpose), to search for, dig, gather, and take away such Materials in and out of the several Grounds of any Person or Persons (not being a Garden, Orchard, Yard, Park, Paddock, or planted Walk or Walks, or Avenue to a House, Lawn, or inclosed Plantation, or any Piece of Ground inclosed, planted, and set apart as a Nursery for Trees), paying such Rates for



for such Materials, and for the Damages done to the Owners or Occupiers of such Lands or Grounds where and from whence the same shall be dug, gathered, and carried away, or over which the same or any other Materials for the Repair of the said Road shall be carried, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference concerning the same, the Justices of the Peace, or the major Part of them assembled at the next General Quarter Sessions, or at the Second General Quarter Sessions at the farthest, to be holden for the said respective County, shall and may hear, adjudge, and determine the same; from which Determination there shall be no Appeal.

Differences to be settled at Quarter Sessions.

XLVII. Provided nevertheless, and be it further enacted, That it shall not be lawful for any such Surveyor, or any other Person or Persons, under the Authority of this Act, to take and carry away Materials for repairing the said Road from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before the said Trustees, or any Five or more of them, or Two Justices of the Peace acting for the County where such Lands are situated, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice, the said Trustees, or any Five or more of them, or such Justices shall, if they think meet, authorize such Surveyor or other Person to dig, gather, take, and carry away such Materials, at such Time or Times as to such Trustees, or any Five or more of them, or to such Justices, shall seem proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent, the said Trustees, or any Five or more of them, or such Justices, shall and may make such Order therein as they shall think fit, as fully and effectually, to all Intents and Purposes, as if such Occupier or his Agent had attended.

Surveyors not to carry away Materials out of private Grounds, without giving Notice to the Occupiers.

XLVIII. And be it further enacted, That if any Person or Persons whosoever shall take away any Materials which shall have been digged, gotten, or gathered for the Repair or Use of the said Road, or shall raise or carry away any Materials out of any Pit or Quarry which shall have been made, dug, or opened for the Purpose of getting Materials for the said Road, before the said Surveyors or their Workmen shall have discontinued working therein for the Space of Fourteen Days (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials for his own private Use only and not for Sale), every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on taking away Materials raised by Surveyors.

XLIX. And be it further enacted, That the said Trustees, or any Five or more of them, shall cause the said Road to be measured, and Stones or Posts to be set up in or near the Sides of the said Road, at the Distance of One Mile from each other, denoting the Distance of every such Stone or Post from any Town or Place, as the said Trustees, or any Five or more of them, shall think proper, and also proper Direction Posts; and if any Person shall wilfully pull up or damage any such Posts or Stones, or shall obliterate or deface any of the Letters, Figures, or Marks, which shall be inscribed thereon, and be thereof convicted before the said Trustees, or any Five or more of them, or before any One or more Justice or Justices of

Road to be measured and Mile Stones erected.

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Penalty on  
Persons drag-  
ging Timber  
or Stone on  
the Road.

the Peace for either of the said Counties of *Caernarvon* and *Denbigh*, either by the Confession of the Party or by the Oath of One credible Witness, such Person or Persons so offending shall respectively forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings, for each Stone or Post so wilfully broken, pulled up, obliterated, or defaced, to be levied and recovered as herein-after mentioned; or if any Person shall haul or draw or cause to be hauled or drawn upon any Part of the said Road any Tree or Piece of Timber, or any Stone, otherwise than upon any wheeled Carriage, or shall suffer any Part of any Tree or Piece of Timber, which shall be conveyed upon any Wheel Carriage, to drag upon any Part of the said Road to the Prejudice thereof; or if any Person or Persons shall lay any Hay, Straw, or other Matter or Thing upon any Part of the said Road, to be made into Manure, or shall scrape off the same, or any Mud, Soil, or other Matter or Thing, which shall be or lie upon any Part of the said Road, with any sharp pointed Instrument, so as to damage the said Road or any Part thereof; or if any Person or Persons shall leave any Waggon, Wain, Cart, or other Carriage, in, upon, or on the Sides of the said Road, either with or without any Horse or Beast harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stones, Brick, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, in any Part of the said Road, or on the Side or Sides thereof, to the Prejudice or Annoyance thereof, or of any Person or Persons travelling thereon, and be convicted thereof by the Confession of the Party, or by the Oath of One credible Witness before any One or more Justice or Justices of the Peace for the said respective Counties (which Oath the said Justice or Justices is and are hereby empowered and required, upon Application made to him or them for that Purpose, to administer), every Person so offending shall forfeit and pay a Sum not more than Forty Shillings nor less than Twenty Shillings for every such Offence, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Trustees may  
contract for  
repairing the  
Roads.

L. And be it further enacted, That the said Trustees may and they are hereby empowered, from Time to Time, to contract and agree with any Person or Persons for making, repairing, widening, altering, turning, or amending the said Road, or any Part or Parts thereof, or for doing any other Work to be done in the Execution of this Act, in such Manner, and for such Sum or Sums of Money, as the said Trustees shall think proper; and that all Contracts and Agreements in Writing, entered into pursuant to an Order made at any Meeting by the said Trustees, shall be binding to and upon the said Trustees and their Successors, and also to and upon all other Parties who shall sign the same, his, her, and their Executors and Administrators respectively, and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Party or Parties failing in the Execution of such Contracts or Agreements.

Penalty on  
obstructing  
the Execution  
of this Act.

LI. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause or promote to be assaulted, interrupted, or hindered, any Collector of the Tolls, or any Surveyor or Surveyors, or any other Person or Persons by them or any of them, or by the said Trustees, employed in the Execution of this Act, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.



LII. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors, Surveyors, or other Officers under this Act; be it therefore enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively, to seize and detain any such unknown Person or Persons guilty of any Offence as aforesaid, and to convey him, her, or them, before One or more Justice or Justices of the Peace for the County or Place where any such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing, and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next Petty or Special Sessions to be holden for the County or Place where such Offence or Offences shall be committed; and on such Conviction, or for Want of sufficient Security, to commit the Person or Persons so offending to the Common Gaol or House of Correction for the County, District, or Place where the Offence shall be committed, there to remain until he, she, or they shall pay the respective Penalty by him, her, or them incurred for such Offence or Offences, or shall give such Security as aforesaid.

Power to Collectors to detain Persons guilty of Offences.

LIII. And be it further enacted, That when any Penalty by this Act imposed shall be incurred, or any Offence by this Act created shall have been committed, the Method of Proceeding in respect to which is not herein-before particularly directed, any One of His Majesty's Justices of the Peace for the County in which the Offence shall be committed, may and he is hereby required, upon Complaint and Information to him thereof made, to summon before him the Person or Persons against whom such Complaint or Information shall be made, to answer the Matter thereof, and at the Time and Place appointed by such Summons, the Person or Persons complained of or informed against appearing before the said Justice, or in case of his, her, or their not appearing (except for some reasonable Excuse), Proof being made upon Oath before the said Justice of the personal Service of such Summons, or that a Duplicate or true Copy of the same was left at the Dwelling House or last known Place of Abode of such Person or Persons, the said Justice may and is hereby required, whether the said Person or Persons complained of or informed against do or do not appear, to proceed to examine the Merits of such Complaint and Information, and if such Offence or Offences shall be confessed by the Person or Persons so complained of and informed against, or be duly proved to the Satisfaction of such Justice, by the Testimony of One or more credible Witness or Witnesses upon Oath, such Justice may and he is hereby required forthwith to convict such Offender or Offenders, and to adjudge him, her, or them to pay such Penalty or Penalties as he, she, or they shall be therefore liable unto by virtue of this Act; and if such Penalty or Penalties shall not be paid immediately, in case such Offender or Offenders appear personally to answer such Complaint or Information, or in case of his or their Non-appearance, without sufficient Excuse, to answer such Complaint or Information, within Three Days after Notice of such Conviction given to such Offender or Offenders, or left at his, her, or their Dwelling House or last known Place of Abode, and Proof thereof, and of the Non-payment of such Penalty or Penalties, made to such Justice upon Oath, such Justice shall, and

Any Justice may enquire into Penalties incurred, and Offences committed, and determine thereon.



and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the same, together with the reasonable Costs and Charges of such Complaint and Information, and of the Distress and Sale to be made pursuant to such Warrant, to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders; and if sufficient Goods and Chattels of such Offender or Offenders cannot be found to answer such Distress, then such Justice is hereby required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be apprehended and brought before him the said Justice; and in case such Penalty or Penalties, and the Costs and Charges of such Proceedings as aforesaid, to be settled as aforesaid, shall not be immediately paid, such Justice is hereby required forthwith to commit such Offender or Offenders to the Common Gaol or House of Correction for the said respective County or Place, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months nor less than Ten Days, unless the said Penalties, and such Costs and Charges as aforesaid, shall be sooner paid, or unless such Offender or Offenders shall have compounded for such Penalties, Costs, and Charges, with the said Trustees or any Five or more of them, and paid such Composition, which the said Trustees are hereby empowered to make and accept.

Application of Penalties.

Trustees to reward Persons assisting in apprehending Offenders.

LIV. And be it further enacted, That all the Penalties and Forfeitures by this Act imposed (other than and except such or such Parts thereof as are by this Act otherwise directed to be paid) shall be paid to the said Trustees, their Treasurer or Surveyor, or other Person or Persons by them appointed to receive the same, and shall be applied for the Purposes of this Act; and it shall be lawful for the said Trustees, from Time to Time if they shall see Cause, to pay and apply such Part of the said Penalties and Forfeitures, as they shall think proper, not exceeding One Moiety of them, to and for the Use of the Informer or Informers, or any Person or Persons taking or seizing, or assisting therein; any Thing herein contained to the contrary notwithstanding.

Form of Conviction.

LV. And be it further enacted, That Convictions for Offences against this Act may be drawn up in the following Form or to the like Effect; (that is to say),

‘ to wit. } BE it remembered, That on the [*here insert the Day of the*  
 ‘ Month and Year of our Lord, and of the King’s Reign] A. B.  
 ‘ is convicted before me C. D. One of Majesty’s Justices of the Peace for  
 ‘ the County of \_\_\_\_\_ on his own Confession [*or, on the Oath*  
 ‘ of \_\_\_\_\_ a credible Witness, or  
 ‘ \_\_\_\_\_ and \_\_\_\_\_ credible Witnesses, as the  
 ‘ Case may be] of [*here specify the Offence, and the Time and Place when*  
 ‘ *and where the same was committed*] contrary to an Act passed in the  
 ‘ Forty-second Year of the Reign of King George the Third, intituled,  
 ‘ [*here set forth the Title of this Act*], and I the said Justice do adjudge  
 ‘ the said A. B. to have thereby incurred the Penalty of  
 ‘ \_\_\_\_\_ to be paid, recovered, and applied, in Manner directed by the said  
 ‘ Act. Given under my Hand and Seal, the Day and Year aforesaid.’

Which Conviction shall be valid and effectual in Law to all Intents and Purposes.

LVI. Pro.



LVI. Provided always, and be it further enacted, That in case any Person or Persons shall think him, her, or themselves aggrieved, by any Thing done in pursuance of this Act, and for which no particular Method of Relief has been already hereby appointed, it shall be lawful for such Person or Persons to appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be held within the County respectively, or in case the Cause of Complaint shall arise within Fourteen Days next before such General Quarter Sessions of the Peace, then such Appeal may be made to such Justices at the Second General Quarter Sessions of the Peace to be held within the County respectively, who are hereby authorized and required to take Cognizance thereof, and to determine the Complaint of every such Person in a summary Way; and if they see Cause may, by Order of such Sessions, mitigate at their Discretion all or any of the Penalties aforesaid, or vacate or set aside the Conviction, and set the Party at Liberty, or otherwise may ratify and confirm the same, with such Costs as to them shall seem reasonable, and to make such Orders and Judgements in regard to the Premises as they shall think fit; but the Person or Persons so appealing shall give Notice in Writing to the Clerk or Clerks to the said Trustees, of such his, her, or their Intention of bringing such Appeal, and of the Cause or Matter thereof, Eight Days before the said Quarter Sessions, and shall also enter into sufficient Bail, before One or more Justice or Justices of the Peace, for prosecuting such Appeal, and abiding such Orders as shall be made therein.

Appeal to  
Quarter Ses-  
sions.

LVII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form, or be removed or removable by *Certiorari*, or any other Writ or Process, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

Proceedings  
not to be  
quashed for  
Want of  
Form, nor  
removed by  
*Certiorari*.

LVIII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the same shall be commenced within Six Calendar Months next after the Offence committed, or Cause of Action or Suit accrued, and not afterwards, and shall be laid and brought in the County where the Cause of Complaint shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, or that such Action or Suit shall be commenced after the Time before limited for bringing the same, or shall be brought in any other County or Place, that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may have and recover Treble Costs, and have the like Remedy for the same as any other Defendant or Defendants hath or have by Law in other Cases.

Limitation of  
Actions.

Treble Costs.

LIX. And be it further enacted, That the several and respective Persons who have subscribed Money for and towards making, amending, widening,

[*Loc. & Per.*]

9 X

improving,

Subscribers to  
pay their Sub-  
scription Mo-  
ney.



improving, and keeping in Repair the said Road, shall and are hereby required to pay the Sum or Sums so by them respectively subscribed, in such Parts and Proportions, within such Time and Times, and to such Person or Persons, as the said Trustees, or any Five or more of them, shall, by any Writing under their Hands, authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same in Manner aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, to sue for and recover the same, either in their own Name or in the Name of the Clerk or Treasurer to the said Trustees, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Effoign, Protection, Wager of Law, or more than One Impar lance shall be allowed.

Publick Act.

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

Commence-  
ment and  
Term of the  
Act.

LXI. And be it further enacted, That this Act, and all the Tolls and Powers hereby given, shall commence and take Effect immediately on the passing hereof, and shall be put in Execution and continue in Force from thenceforth for and during the Term of Twenty-one Years, then next ensuing, and from thence to the End of the then next Session of Parliament.

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