



ANNO QUARTO

# GEORGIIV. REGIS.

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## Cap. xlv.

An Act for more effectually amending the Road from *Wrexham* in the County of *Denbigh*, to *Barnhill* in the County of *Chester*; and for making and keeping in Repair the Road branching out of the said Road at *Pwll-y-rhwyd* to the Borough of *Holt* in the said County of *Denbigh*.

[23d May 1823.]

**W**HEREAS an Act was passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, widening, and keeping in Repair the Road from Wrexham in the County of Denbigh, to Barnhill in the County of Chester*: And whereas an Act was passed in the Forty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act passed in the Twenty-second Year of the Reign of His present Majesty, intituled 'An Act for amending, widening, and keeping in Repair the Road from Wrexham in the County of Denbigh, to Barnhill in the County of Chester; and for making, amending, and keeping in Repair the Road branching out of the said Road at a Place called Pwll-y-rhwyd in the said County of Denbigh, to the Borough of Holt in the same County*: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas the Trustees appointed in and by virtue of the said Two first recited Acts have proceeded in the Execution of the said Acts, and have made great Progress in the Execution thereof, for which Purpose they have borrowed several considerable Sums of Money upon the Credit of the Tolls by the said Two first recited Acts granted, which

22G.3.c.105.

42G.3.c.39.

3G.4.c.126.

[Local.]

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Money

Money still remains due and owing, and cannot be paid off, nor can the Road mentioned and described in the said first recited Act be amended, widened, improved, and kept in Repair, unless the Term granted and continued by the said Two first recited Acts be further continued; and it would be more convenient if the said Two first recited Acts were repealed, and other Powers and Provisions granted instead thereof; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Two first recited Acts, and all the Powers, Provisions, Matters, and Things therein respectively contained, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and that this Act shall commence and take Effect in lieu and instead thereof, and shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of more effectually making, diverting, widening, improving, and keeping in Repair the said Road from *Wrexham* in the said County of *Denbigh*, to *Barnhill* in the said County of *Chester*; and this Act, and the Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit or on Account of the said Two first recited Acts, and also of such other Sum or Sums of Money as may be borrowed by virtue of or become due on the Credit of the said last recited Act and this Act, or either of them, and of all Interest due and to grow due for the same respectively.

The Two first recited Acts repealed.

Extending the Powers of 3G.4. c. 126. to this Act.

II. And be it further enacted, That all the Powers, Provisions, Exemptions, Penalties, Forfeitures, Remedies, Matters, and Things in the said last recited Act contained, shall extend, and be deemed, construed, and taken to extend to this Act, in as full, large, and ample a Manner, to all Intents, Constructions, and Purposes whatsoever, as if the same respectively were repeated and re-enacted in the Body of this Act, save and except where the same are or any Part thereof is expressly varied, altered, or repealed by this Act.

Bonds and Securities entered into under the former Acts, to remain in Force until satisfied and paid.

III. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities, made or entered into by any Person or Persons to or with any of the Trustees for executing the said Two first recited Acts, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities, duly made or entered into by the Trustees for executing the said Acts hereby repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said last recited Act, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively.

Trustees.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said Counties of *Denbigh* and *Chester* respectively, together with *Samuel Aldersey*, *Thomas Aldersey*,  
the

the Honourable *Richard Grosvenor* commonly called Lord Viscount *Belgrave*, *Roger Barnston*, *Harry Roger Barnston*, *John Boydell*, *James Boydell*, *Francis Edge Barker*, *Daniel Rowland Barker*, *Richard Buckley*, *John Brassie*, the Honourable *Henry Cholmondeley* commonly called Lord *Henry Cholmondeley*, *Sir Foster Cunliffe* Baronet, *Foster Cunliffe*, *Robert Cunliffe*, *Charles Clarke*, *Thomas Chorlton Clutton*, *Thomas Crewe Dod*, *William Wickham Drake* Clerk, *William Davenport*, *Roger Dutton*, *Done*, *Sir John Grey Egerton* Baronet, *Philip Egerton* Clerk, *John Edgworth*, the Minister of *Farndon* for the Time being, *George French*, the Honourable *Robert Grosvenor*, *Hugh Maxwell Goodwin*, *William Garnett* Clerk, the Minister of *Holt* for the Time being, *Francis James Hughes* Doctor of Medicine, *Townsend Ince*, *Townsend Ince* the younger, *Bell Ince*, the Honourable *Lloyd Kenyon*, the Honourable *Edward Kenyon*, *George Kenyon*, *John Hurleston Leche*, *John Larden*, *Richard Myddleton Lloyd*, *William Lloyd*, *Richard Massie* Clerk, *Richard Massie* the younger, *Edward Massie*, *Thomas Massie*, *Charles Mytton* Clerk, *Thomas Matthews*, *Samuel Newton*, *Sir Richard Puleston* Baronet, *Richard Puleston*, *Francis Richard Price*, *Jasper Peck*, *Christopher Parkins* Clerk, *Henry Potts*, *Cadwallader Blayney Trevor Roper*, *Charles Blayney Trevor Roper*, *William Richards*, *Charles Rowe*, *Sir John Thomas Stanley* Baronet, *Samuel Sidebotham*, *Sir Watkin Williams Wynn* Baronet, the Right Honourable *Charles Watkin Williams Wynn*, *Henry Watkin Williams Wynn*, the Vicar and Minister of *Wrexham* for the Time being, *George Warrington* Clerk, *Joseph White*, and their Successors, shall be and they are hereby appointed the Trustees for putting the said last recited Act and this Act in Execution.

V. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Three or more of them, and they are hereby authorized and empowered, at their First Meeting to be holden in pursuance of the said last recited Act and this Act, to elect any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act and the said last recited Act, in addition to the Trustees hereby and by the said last recited Act appointed; and such Trustees so elected, and being qualified according to the Directions of the said last recited Act and this Act, shall be and are hereby invested with the same Powers and Authorities for executing this and the said last recited Act, as if they had been hereby nominated and appointed.

Power to appoint additional Trustees.

VI. And be it further enacted, That no Person shall be capable of acting as a Trustee for putting the said last recited Act and this Act in Execution unless he shall be qualified in such Manner as in and by the said last recited Act is directed and prescribed, and unless (being so qualified) he shall, before he shall act as a Trustee (except in administering the Oath mentioned in the said last recited Act, and the Oath hereinafter mentioned) take and subscribe before any One or more of the said Trustees an Oath, or being a Quaker, an Affirmation, in the Words or to the Effect following; (that is to say),

Trustees to take an Oath truly to execute the Act.

I *A. B.* do swear [or, being a Quaker, do affirm], That I will truly, honestly, and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee, by virtue of an Act passed in the Fourth

Form of the Oath.

Year

Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.* [here insert the Title of this Act], and also an Act passed in the Third Year of the Reign of His said Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England.* So help me GOD.

Which Oath or Affirmation any One or more of the said Trustees is and are hereby authorized and empowered to administer; and if any Person shall presume to act (except as aforesaid) before he shall have taken and subscribed the said Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; provided nevertheless, that no Act or Proceeding touching the Execution of the said last recited Act or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath by the said last recited Act and this Act prescribed, shall be thereby impeached or rendered nugatory, but all such Acts and Proceedings shall be as valid and effectual as if such Person had taken such Oath previously to his having acted as such Trustee as aforesaid.

First Meeting of the Trustees, and Power to appoint Officers.

VII. And be it further enacted, That the First Meeting of the said Trustees shall be held at the House known by the Sign of *The Raven*, or at some other convenient Place in the Town of *Farndon* in the said County of *Chester*, on the Fourth Monday next after the passing of this Act, or as soon after as conveniently may be; at which Meeting the said Trustees shall and may proceed in the Execution of the said last recited Act and of this Act, and shall and may, by Writing under their Hands, elect and appoint a Treasurer or Treasurers, and a Clerk or Clerks, and also a Collector or Collectors of the Tolls, and of all the Monies to be collected, or which shall or may be due and payable under or by virtue of the said recited Acts and this Act; and shall likewise appoint some fit and proper Person or Persons to be a Surveyor or Surveyors of the said Road, and all such other Officers as they the said Trustees shall think proper; and they the said Trustees shall and may from Time to Time remove all such Treasurers, Clerks, Collectors, Receivers, Surveyors and other Officers, or any of them, when and as often as they shall see occasion, and appoint others in their stead, as to the said Trustees shall seem proper; and the said Trustees shall and may, out of the Tolls and other Monies to be collected and received under or by virtue of the said last recited Act and this Act, make such Allowance, by way of Salaries or otherwise, unto the Treasurers, Clerks, Collectors, Receivers, Surveyors, and other Officers so to be appointed, for and in consideration of the Care and Pains by them respectively taken in the Execution of their respective Offices, and to such other Person or Persons as shall be assisting in and about the Execution of the said last recited Act and this Act, as to the said Trustees shall seem proper.

Treasurer and Clerk not to be the same Person.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who

who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit 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 Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

IX. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer, (except the Treasurer) nominated and appointed under and by virtue of the said Acts hereby repealed, or either of them, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer, shall have the like Powers and Authorities for carrying the said recited Act of the Third Year of the Reign of His said present Majesty, and this Act, into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever as if he or they had been nominated or appointed under or by virtue of this Act.

Old Officers may continue until others are appointed.

X. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said Two first recited Acts, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the same Acts had not been repealed.

Books used under former Acts to be Evidence.

XI. Provided always, and be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Road, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as is and are by the said last recited Act directed and inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writing, or other Things, by virtue of the said Act and this Act.

Officers under the former Acts to account to the Trustees for executing this Act.

[Local.]

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XII. Pro-

Treasurers to  
make up their  
Accounts  
annually.

XII. Provided always, and be it further enacted, That the Treasurer or Treasurers for the Time being of the Monies arising by virtue of the said last recited Act and this Act, shall and he and they is and are hereby required to settle his or their Account or Accounts with the said Trustees, or any Three or more of them, on the last *Monday* in the Month of *September* in every Year during the Continuance of this Act, in such Manner as is directed in and by the said last recited Act.

Power to  
continue the  
present  
Gates, or to  
erect others.

XIII. And be it further enacted, That the said Trustees shall and may continue the several Turnpike Gates which now stand across or on the Sides of the said Road, or from Time to Time remove the same or any of them, and set up and erect in lieu thereof, and in addition thereto, one or more Turnpike Gate or Turnpike Gates in, upon, across, or on the Side or Sides of any Part or Parts of the Road directed or authorized by this Act to be amended and repaired, as they the said Trustees may deem expedient; and may also set up and erect a Toll House to each such Turnpike, with suitable Conveniences thereto; and may also inclose from the said Road, or from any Common or Waste Land immediately adjoining such Toll Houses, convenient Garden Spots to the said Toll Houses respectively, as they the said Trustees may judge proper, not exceeding in the whole One Eighth Part of a Statute Acre to or for each Toll House; and the said Trustees may cause all or any of such Turnpike Gates, Toll Houses, and other Buildings, from Time to Time to be taken down, removed, and set up again, or altered, in such Place or Places across or on the said Road or on the Side or Sides thereof, as they shall judge proper.

Power to sell  
the present  
Toll Houses.

XIV. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses erected by virtue of the said Acts hereby repealed on the said Road to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, when they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same; and in case of Sale, to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees, or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land, as is by the said last recited Act directed to be given where any Piece or Pieces of Ground or old Road, not wanted for the Purposes of any Turnpike Road, is authorized to be sold and disposed of.

XV. And be it further enacted, That the respective Tolls following shall be demanded, taken, collected, and paid at the severall and respective Gates or Turnpikes which have been or shall hereafter be erected in, upon, across, or on the Side or Sides of the said Road; (that is to say,) Power to take Tolls.

For every Horse, Mule, or other Beast, drawing any Carriage whatsoever, the Sum of Sixpence: Tolls.

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number: And,

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number:

Which said Tolls, and also the Tolls granted by the said recited Act of the Third Year of the Reign of His said present Majesty, shall be and the same are hereby vested in the said Trustees.

XVI. And be it further enacted, That out of the Tolls and other Monies to be collected and levied under or by virtue of the said last recited Act and this Act, or out of the Monies to be borrowed on the Credit thereof, the said Trustees shall, after Payment of the Charges and Expences incurred in, about, and relating to the obtaining and passing of this Act, defray the Expence and Charge of erecting and providing the Turnpikes, Toll Gates, and Toll Houses, and of repairing, widening, altering, turning, keeping in repair, and improving the said Road, and of executing the other Purposes of the said last recited Act and this Act, and apply the same to no other Use or Purpose whatsoever. Application of Tolls.

XVII. Provided always, and be it further enacted, That no Person shall be liable to pay Toll more than Once in the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, for passing or repassing with the same Horses, Cattle, Beasts, or Carriages through all or any of the Turnpikes or Toll Gates maintained and supported by virtue of the said last recited Act and this Act, but that all and every Person and Persons, after having paid Toll Once as aforesaid, and producing a Note or Ticket or Notes or Tickets denoting the Payment of such Toll, shall afterwards pass with the same Horses, Cattle, Beasts and Carriages Toll-free during such Day, to be computed as aforesaid, through all and every the Gate and Gates, Turnpike and Turnpikes erected on the said Road, or across any Road or Way leading out of the same (except as herein-after mentioned), and all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis* on Receipt of the Toll, in manner aforesaid. Tolls to be paid only Once a Day.

XVIII. Provided also, and be it further enacted, That for or in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Toll Gate, in like manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect Stage Coaches, Caravans, and Post Chaises to pay every Time of passing.

respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or re-passing along the said Road on the same Day with a Ticket denoting a fresh Hiring.

Trustees may contract for the making or repairing the Roads.

XIX. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose authorize, delegate, or appoint, shall and may, and they and he are and is hereby empowered to contract with any Person or Persons for making, altering, diverting, widening, repairing, or otherwise improving the said Road or any Part thereof, or for doing any other Work to be performed in the Execution of the said last recited Act and this Act, in such Manner and for such Sum or Sums of Money as the said Trustees shall think proper; and that all Contracts or Agreements in Writing entered into pursuant to any Order of the said Trustees, or by their Clerk or Treasurer, Surveyor or other Officer, with any Workmen or other Person or Persons, relating to any Matter or Thing to be done by virtue of the said last recited Act and this Act, or either of them, shall be binding upon all such Parties and Persons as shall sign the same, his, her, or their Executors or Administrators.

Houses, &c. not to be injured.

XX. Provided always, and be it further enacted, That the Powers and Authorities hereby and by the said last recited Act given or granted, shall not extend or be construed to extend to authorize or empower the said Trustees, in repairing and widening the said Road, to take or pull down, injure or damage any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

Regulations as to the Performance of Statute Work.

XXI. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road, or any Part thereof, shall still remain liable thereunto in like manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Clerks, Surveyor or Surveyors, by their Order), yearly 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, Townships, or Places liable thereto, or 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, Township or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees, or to their Treasurer or Treasurers; and in order thereto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons, either personally or by leaving the same at his or their Dwelling House or Dwelling Houses), of the Names of the several Persons who within such Parish, Township, 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



Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is or may be directed by any Law or Statute in Force and Effect for the Repair of the public Highways; and out of such Lists such Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices may also order and direct the Surveyor or Surveyors of such respective Parishes, Townships, or Places to pay over to the said Trustees, or their Treasurer or Treasurers, such Proportion of the Composition for Statute Work as aforesaid as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them for that Purpose, signed by the Surveyor or Surveyors to 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 public Highways; and if any Person who shall come to work as a Labourer, or who 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 refused or neglected 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, Townships, 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, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace of the County or Place where such Offence shall be committed, on Complaint made to such Justices by the Surveyor to the said Trustees.

XXII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty, or this Act, as or by way of Compensation or Satisfaction for

[Local.]

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In case of Nonpayment of Compensation for Materials, Damages, or Injury done any

by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

any Materials or Costs, or for any Damages, Spoil or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such case such Overplus shall be returned, on Demand, to the said Trustees, or to their Treasurer for the Time being, as the Case may be: Provided always, that the said Treasurer shall and may retain, out of any Monies which may come into his Hands in pursuance of this Act, all such Costs, Charges, Damages, and Expences as he shall be put unto by virtue of such Order or Orders as aforesaid.

Trustees not to repair the Streets in the Town of Wrexham.

XXIII. And be it further enacted, That nothing in this or the said last recited Act contained shall oblige or authorize the said Trustees to repair any of the Streets in the Town of *Wrexham*, or any Part of the said Road nearer to the said Town of *Wrexham* than the first House at the North-east End thereof, at present known by the Sign of *The Cock*.

For paying the Expences of passing this Act.

XXIV. And be it further enacted, That all the Charges and Expences incident to and attending the obtaining and passing of this Act shall be paid out of any Money already raised under or by virtue of the said Two first recited Acts, or out of the first Money to arise by virtue of the said last recited Act and this Act, in preference to all other Payments whatsoever.

Public Act.

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

Commencement and Continuance of this Act.

XXVI. And be it further enacted, That this Act shall commence and take Effect from the passing thereof, and shall continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.