



ANNO QUINTO

GULIELMI IV. REGIS.

Cap. xxi.

An Act for making and maintaining a Road from
New Quay in the County of *Cardigan* to *Aberayron*
in the same County. [12th June 1835.]

WHEREAS the making and maintaining of a Turnpike Road from the Town or Village of *New Quay* in the County of *Cardigan* to the Town or Village of *Aberayron* in the same County, through the several Parishes of *Llanllwchaiarn*, *Llanina*, *Llanarth*, and *Henfennyw*, will be a great Advantage and Convenience to the Owners and Occupiers of Estates and Residents within the several Places or Districts through which the said Road is intended to pass, and to the adjacent Country, and will also be of great public Utility; but the same 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 all His Majesty's Justices of the Peace for the Time being acting for the County of *Cardigan*, together with *John Beynon*, *William Owen Brigstocke*, *David Saunders Davies*, *David Thomas Bowen Davies*, *David Evans Clerk*, *David Evans*, *Alban Thomas Jones Gwynne*, *Benjamin Edward Hall*, *John Hughes*, *John William Lewis*, *Llewelyn Lewellin Clerk*, *Thomas Lloyd*, *Edward Pryse Lloyd*, *Thomas Lewes Lloyd*, *James Richard*
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Appoint-
ment of
Trustees.

Lewes Lloyd, John Lloyd, Charles Richard Longcroft, William Edward Powell, Charles Arthur Prichard, Pryse Pryse, Francis David Saunders, John Lloyd Williams, Thomas Winwood, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for making and maintaining a Turnpike Road according to the Line described on the Map or Plan herein-after mentioned, such Road to commence at a certain Place called *Pen-y-wig* in the Village of *New Quay*, and to pass through or by the said Village, and by or through a certain Farm called *Morfagwyn* in the Parish of *Llanllwchaiarn*, and by or nearly by the several Places called *Ffynonfeddyg* and *Llanina Bridge*, and through the several Farms called *Ltwynon Penlan* and *Oernant* in the Parish of *Llanina*, by or through the Farms of *Penygraig* and *Gilfachyrhalen* in the Parish of *Llanarth*, and by or through the Farms of *Cilcert Cilfforch, Clogfryn,* and *Penygarregfach* in the Parish of *Hénfenyw*, and to enter into and communicate with the Turnpike Road from *Aberystwith* to *Cardigan* at or near the Toll Gate at the Town or Village of *Aberayron*, and there to terminate, and for otherwise putting this Act into execution.

Power to appoint additional Trustees.

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

Meeting of Trustees.

III. And be it further enacted, That the First Meeting of the Trustees for executing this Act shall be held at *Aberayron*, or at some other convenient Place on or near to the said Road, within Two Months next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon; and the said Trustees shall then and there proceed to carry this Act into execution, and shall then and from Time to Time afterwards adjourn to and meet at such Time and Place or Times and Places on the Line or in the Neighbourhood of the said intended Road as they shall think proper.

Map or Plan deposited with the Clerk of the Peace to remain there and be open to Inspection.

IV. And whereas a Map or Plan describing the Line of the said Road, and the Lands through or over which the same is to be made or carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited at the Office of the Clerk of the Peace for the said County of *Cardigan*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof or therefrom, at their Will and Pleasure, paying the said Clerk of the Peace the Sum of One Shilling for every such Inspection,

Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the said Trustees in making the said Road shall have full Power to deviate from the Line described in the said Map or Plan; provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Line so described in the said Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate through whose Lands such Deviation beyond the said Distance of One hundred Yards shall be made.

V. Provided always, and be it further enacted, That the Powers and Authorities by this Act granted for making the said Road shall not authorize the said Trustees to pull down, take, use, or injure any Dwelling House or other Building, or to take, use, or injure any Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are specified in the Schedule to this Act,) without the Consent in Writing of the Owners or Proprietors thereof, or other Persons interested therein, first had and obtained.

Dwelling Houses, &c. (except those in the Schedule) not to be taken without Consent.

VI. Provided also, and be it further enacted, That if any of the Lands, Houses, Buildings, and other Premises to be taken and used for the Purposes of this Act shall happen not to be described in the said Map or Plan and Book of Reference, or any of the Owners or Occupiers of the same; or any of the Lands, Houses, Buildings, or other Premises described in the said Map or Plan and Book of Reference, or any Part thereof, shall happen to be omitted, misnamed, or inaccurately described, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act, but the several Lands, Houses, Buildings, and other Premises, and every Part thereof, shall and may be taken and used for the Purposes of this Act, as fully and effectually as if the same had been accurately described in the said Map or Plan and Book of Reference, and as if the Owners and Occupiers of the same had not been omitted, or were properly and accurately named; provided it shall appear to any Two or more Justices of the Peace acting for the said County of *Cardigan*, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real Owners or Occupiers of such Lands, Houses, Buildings, or other Premises had Notice that the same would be wanted for the Purposes of this Act.

Unintentional Errors not to prevent the Execution of the Act.

VII. Provided also, and be it further enacted, That if the said Trustees shall not within the Space of Five Years (to be computed from the passing of this Act) agree for or cause to be valued and paid for, in manner directed by the Acts now in being for regulating Turnpike Roads in that Part of *Great Britain* called *England*, some or one of them, the several Messuages, Cottages, and other Buildings, Gardens, Yards, Plantations, Hereditaments, and Premises in the Schedule to this Act annexed, which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary

Limiting the Period of purchasing Property.

necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby given them for such Purpose only shall cease, determine, and be utterly void, save and except with the Consent of the Owners or Proprietors thereof.

Lands to remain vested in the Persons of whom they are purchased.

VIII. And be it further enacted, That in case any Lands shall, in pursuance of this Act, and of the Acts for regulating Turnpike Roads in *England*, or any of them, be purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance of and in the Lands so purchased (notwithstanding any Provision in the said Acts or any of them to the contrary) shall not by means of any such Purchase, or any Conveyance made in pursuance thereof, be vested in the said Trustees, but the Freehold and Inheritance of and in the Lands so purchased shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance, or either of them, be entitled to a perpetual Right of Way in or upon the Lands purchased by them in pursuance of this Act and the said Acts, or any of them.

Right of Way of Trustees to cease when Lands are not wanted.

IX. Provided always, and be it further enacted, That if at any Time any Land purchased by the said Trustees for the Purposes of the Road mentioned in this Act shall not be wanted for the same, then and in such Case the Right of Way in or upon the said Lands vested in the said Trustees shall cease and determine and be extinguished, and the Freehold and Inheritance of the said Lands shall be and remain in the Person or Persons then entitled to the same, freed and discharged of and from such Right of Way.

Trustees empowered to use the Lands taken by them.

X. Provided also, and be it further enacted, That the said Trustees shall have such and the same Power and Authority of cutting, digging, and otherwise using any Lands and Hereditaments which may be taken by them for the Purposes of this Act, and of erecting any Toll House or other Building, or of building any Bridge thereon, as fully and effectually to all Intents and Purposes as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments under and by virtue of the Powers contained in any of the Acts now in force for regulating Turnpike Roads in *England*, any thing herein contained to the contrary in anywise notwithstanding.

Trustees may erect Toll Gates.

XI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized, to erect and set up, or cause to be erected and set up, such and so many Turnpikes, Toll Gates, and Toll Bars in, upon, or across the said Road by this Act authorized to be made and maintained, or in, upon, or across any Part or Parts thereof, or at the Commencement or End thereof, or upon the Side or Sides thereof, as they shall think proper, and from Time to Time to remove, take away, or alter the Situation of the same or any of them, and to erect another or others in the Room or Stead thereof, or to discontinue the same, as the said Trustees shall deem expedient; and also to erect and provide so many Toll Houses, with

suitable Outhouses and other Conveniences, and to take in and inclose from the Sides of the said Road, or from the Lands adjoining the same, suitable Garden Spots for the same respectively, (not exceeding One Eighth Part of a Statute Acre to each Toll House,) and to erect and set up so many Weighing Machines at or near each and every or any of such Toll Houses, as to the said Trustees shall seem proper or expedient.

XII. And be it further enacted, That it shall be lawful for the said Trustees, or any Collector or Collectors, or any other Person or Persons acting under the Authority of the said Trustees, to demand and take at each and every of the said Turnpikes, Toll Gates, and Toll Bars which shall be erected or set up in or upon or across the said Road or any Part or Parts thereof, or at the Commencement or End thereof, or upon the Side or Sides thereof, the several and respective Tolls following; (that is to say,)

Power to take
Tolls.

For every Horse or other Beast drawing any Coach, Barouche, Sociable, Berlin, Chariot, Landau, Chaise, Phaeton, Curricule, Gig, Caravan, Hearse, Litter, or other such like Carriage, the Sum of Sixpence :

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, or Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards at the Bottoms or Soles thereof, provided such Wheels shall be of cylindrical Shape, and not conical, the Sum of Two-pence Halfpenny ; but if such Wheels be conical, the Sum of Five-pence :

For every Horse or other Beast drawing any Waggon, Wain, or Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and a Half and less than Six Inches at the Bottoms or Soles thereof, provided such Wheels shall be cylindrical, the Sum of Three-pence ; but if such Wheels be conical, the Sum of Four-pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Wain, or Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth than Four Inches and a Half at the Bottoms or Soles thereof, the Sum of Four-pence :

For every Coach, Waggon, or Vehicle of whatsoever Description, propelled or moved by Steam, Gas, or other like Means, the Sum of Two Shillings and Sixpence :

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

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, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number :

And in all Cases where there shall be a fractional Part of a Half-penny in the Calculation or Amount of the Tolls hereby granted, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part ; which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, or Ass, or other Beast or Cattle, or Carriage,

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shall

shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Limiting the Number of Tolls to be taken.

XIII. Provided always, and be it further enacted, That no more than One full Toll in the whole (except as herein-after mentioned) shall be demanded or taken for or in respect of the passing or repassing of any Horse, Beast, Cattle, or Carriage on the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night,) through all the several Toll Gates or Turnpikes to be erected upon or by the Side of the said Road.

Tolls to be taken but once a Day.

XIV. And be it further enacted, That if the full Toll hereby authorized to be taken shall have been paid for or in respect of any Horse, Beast, Cattle, or Carriage passing through any of the Turnpikes, Toll Gates, or Toll Bars maintained and supported by virtue of this Act, such Horse, Beast, Cattle, or Carriage (except Horses or other Beasts drawing any Stage Coach or other Stage Carriage, or any Post Chaise or such other like Carriage let out to Hire, when any new Hiring shall take place,) shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, such Day to be computed as aforesaid; any thing herein contained to the contrary thereof in anywise notwithstanding.

Stage Coaches, &c. to pay each Time of passing.

XV. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach or other Stage Carriage carrying or conveying Passengers or Goods for Pay, Hire, or Reward, and which shall return on the same Day (to be computed as aforesaid) through the same Turnpike, Toll Gate, or Toll Bar, the Tolls hereby made payable shall be paid for every Time of passing and repassing through such Turnpike, Toll Gate, or Toll Bar: Provided nevertheless, that no further or additional Tolls shall be payable in respect of Horses drawing Stage Coaches on account only of such Horses having been changed.

Post Chaises, &c. to pay every Time of Hiring.

XVI. And be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire for every Time of passing and repassing along the said Road on the same Day (to be computed as aforesaid), as often as a fresh Hiring thereof shall take place.

Application of Tolls, &c.

XVII. And be it further enacted, That out of the Monies already subscribed or advanced for the Purpose of making the said Road, or which shall be borrowed on the Credit of the Tolls granted by this Act, the said Trustees acting under this Act shall, in the first place, and in preference to all other Payments whatsoever, pay and discharge
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all the Costs, Charges, and Expences relative to the obtaining and passing of this Act, with lawful Interest on any Sum or Sums of Money which shall be advanced for that Purpose; and the Remainder of all such Monies shall be applied in defraying the Expences of making the said Road, and building any Bridges and other necessary Works, and in purchasing Lands, Hereditaments, and Materials for that Purpose, and in erecting, making, and providing Turnpikes, Toll Gates, Toll Bars, Weighing Machines, and Toll Houses, with Lamps, Lights, Outhouses, and Conveniences thereto, and all other Matters and Things necessary or requisite for carrying the Purposes of this Act into full and complete Execution; and after Payment of all such Expences, the Residue (if any) of such Monies, and all Monies which shall arise or be received from the Tolls by this Act granted, and all other Monies which shall come to the Hands of the said Trustees acting under this Act, shall from Time to Time be applied, first, in paying and keeping down the Interest of the Monies borrowed on the Credit of this Act, and, in the next place, in maintaining, amending, and keeping in repair the said intended Road, and the Turnpikes, Toll Gates, Toll Bars, Weighing Machines, Toll Houses, Outhouses, Lamps, and other Conveniences aforesaid, or in otherwise putting this Act into execution, and in repaying the Principal Monies borrowed by virtue thereof.

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

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

The SCHEDULE to which this Act refers.

Quality of Property.	Situation.	Owners.	Occupiers.
Part of Three small Gardens - - -	{ Near Pen-y-wig in the Village of New Quay - }	Mr. William Evans -	{ James Davies and others, as Tenants at Will.
Part of Two Gardens -	Ditto - -	Mr. David Timothy -	Self and Thomas Jones.
Three Cottages and Gardens - - -	{ In the Village - }	Mr. William Evans -	{ David Owens, Esther Davies, Lettice Evans.
A Garden - - -	{ At the East End of the Village - }	Mr. David Evans -	Mr. John Philips.
A Cottage and Garden	Ditto - -	Mr. David Thomas	James Thomas.
A Garden - - -	Ditto - -	Ditto - -	Mr. Walter Jones.
A Ditto - - -	Ditto - -	Mr. Rhys Davies -	John Evans.
A Cottage and Garden	Ditto - -	Ditto - -	David Morgan.
Two Gardens - - -	Near Llanina -	Mr. Enoch Moses -	{ David Thomas, Elizabeth Davis.
A Cottage and Garden	Ditto - - -	{ Thomas Lloyd and C. R. Longcroft, Esquires }	John James.

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