



ANNO QUADRAGESIMO SECUNDO

# GEORGI II. REGIS.

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## Cap. 59.

An Act for continuing the Term, and altering and enlarging the Powers of an Act, passed in the Twenty-first Year of the Reign of His present Majesty, intituled, *An Act for continuing the Term of an Act, made in the Thirty-second Year of the Reign of His late Majesty King George the Second, intituled, 'An Act for amending and widening ' the Roads leading from Stretford's Bridge in the ' County of Hereford, to the New Inn in the ' Parish of Winstanstow, in the County of Salop, ' and also the Road from Blue-mantle Hall, near ' Mortimer's Cross, to Aymestrey, in the said County ' of Hereford; and for repealing so much of an Act, ' made in the Twenty-second Year of the Reign of ' His present Majesty, as relates to the Road from ' Mortimer's Cross to Aymestrey Bridge.'*

[24th May 1802.]

[Loc. & Per.]

II K

WHEREAS

32 Geo. 2.  
21 Geo. 3.  
**W**HEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for amending and widening the Roads leading from Stretford's Bridge, in the County of Hereford, to the New Inn in the Parish of Winstanstow, in the County of Salop, and also the Road from Bluemantle Hall, near Mortimer's Cross, to Aymestrey, in the said County of Hereford; and for repealing so much of an Act made in the Twenty-second Year of the Reign of His present Majesty, as relates to the Road from Mortimer's Cross to Aymestrey Bridge:* And whereas an Act was passed in the Twenty-first Year of the Reign of His present Majesty, for continuing the Term of the said recited Act: And whereas the Trustees appointed in or by virtue of the said Acts, have made great Progress in the Execution thereof, and have for that Purpose borrowed a considerable Sum of Money upon the Credit thereof, which is still due and owing; but the said Roads cannot be effectually amended, widened, improved, and kept in Repair, nor the Money borrowed as aforesaid be paid off, unless the Term of the said Acts is continued, and some of the Powers and Provisions thereof, which are found inconvenient and defective, be altered and amended: And whereas that Part of the Road leading from *Wigmore*, to the *New Inn*, in the Parish of *Winstanstow*, in the said County of *Salop*, which is through *Payto*, is nearly parallel with the Road leading in the direct Line from *Wigmore* to the *New Inn* aforesaid, and is of very little Use to the Publick; and it is expedient that the Trustees for executing the said Acts and this Act, should be discharged from the future Care and Management thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, passed in the Thirty-second Year of the Reign of His said late Majesty, and in the Twenty-first Year of the Reign of His present Majesty, and all the Clauses, Tolls, Powers, Provisions, Exemptions, Matters, and Things therein contained (except such as relate to Exemptions from Stamp Duties), shall be and continue in full force, and be executed for and during the Term hereinafter mentioned, in as full and ample a Manner, and as effectually, to all Intents and Purposes, as if the said Clauses, Tolls, Powers, Provisions, Exemptions, Matters, and Things were repeated and re-enacted in the Body of this present Act; but subject nevertheless to the Amendments, Alterations, and Additions herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the additional Term hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing upon the Credit or on Account of the said recited Acts or either of them, or which may become due or be borrowed on the Credit thereof, and of this Act, and all Interest due and to grow due for the same respectively.

Acts further continued.

That Part of the said Acts which relates to the Road through *Payto*, repealed.

II. And be it further enacted, That so much of the said last recited Act as relates to that Part of the said Road which is through *Payto* to the *New Inn* aforesaid, shall be and the same is hereby declared to be repealed; and that the Trustees for executing the said recited Acts, shall be, and they are hereby absolutely freed and discharged of and from the future Care and Management thereof.

III. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity, as in the said first recited Act particularly 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 there *ex parte* the Trustees for executing the said Acts and this Act, to the Intent that such 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 and Hereditaments in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands 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 Lands 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 Lands or 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 Lands or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of  
Compensation  
Money where  
amounting to  
200*l.*

IV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or 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 Lands or 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 by 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

Application  
where the  
Compensation  
is less than  
200*l.* and  
above 20*l.*

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.

Application where the Money is less than 20*l*.

V. 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 Lands or Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner 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.

For paying the Expences of this Act.

VI. And be it further enacted, That all the Charges and Expences of obtaining and passing this Act, shall be defrayed out of any Money already collected or received by virtue of the said former Acts, or either of them, or out of the First Monies to arise by virtue of the said former Acts and this Act, in Preference to all other Payments whatsoever.

Publick Act.

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

Term of this Act.

VIII. And be it further enacted, That the Term granted and continued by the said recited Acts shall, from and after the passing of this Act, cease and determine; and that the said Acts (subject to the Alterations and Additions herein-before mentioned) and this Act, shall from thenceforth 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.