



ANNO QUADRAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 12.

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, for repairing and widening the Road from *Wilmslow Bridge*, in *Wilmslow*, in the County of *Chester*, through *Nether Alderly* and the Town of *Congleton*, to or near the *Red Bull* in *Church Lawton*, in the said County. [24th March 1802.]

WHEREAS an Act was passed in the Twenty-first Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for repairing and widening the Road from Wilmslow Bridge, in Wilmslow, in the County of Chester, through Nether Alderly and the Town of Congleton, to or near the Red Bull in Church Lawton, in the said County*: And whereas the Trustees appointed in or by virtue of the said Act, have proceeded to put the same in Execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit thereof, which are still due and owing, and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in Repair, unless the Term of the said Act is continued, some of the Powers and Provisions thereof altered, and the Tolls granted by the said Act increased: May it therefore please Your Majesty that it may be enacted;

[Loc. & Per.] U u and

21 Geo. 3.

Act further
continued.

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 Act, and all and every the Powers, Authorities, Provisions, Matters, and Things, therein contained (except such as relate to Exemptions from Stamp Duties), and also such as are hereby varied or repealed), shall be and continue in full Force and be executed for and during the Term herein-after mentioned, for the Purpose, from Time to Time, of repairing, widening, turning, altering, and improving the said Road in the said recited Act mentioned, as fully and effectually, to all Intents and Purposes, as if the said Act, and the Powers, Authorities, Provisions, Matters, and Things therein contained, were repeated and re-enacted in the Body of this Act; but subject nevertheless to the Provisions, Amendments, and Alterations herein contained, and which shall commence and take Effect from the passing of this Act; and this Act, and the additional Term and the Tolls hereby granted, shall be subject and liable to the Payment of all the Money now due on the Credit or on Account of the said recited Act, or which shall be borrowed for the Use of the said Road on the Credit of the said Act and this Act, and the Interest due and to grow due thereon respectively, subject nevertheless as aforesaid to the Provisions herein-after contained in that Respect.

Additional
Trustees.

II. And be it further enacted, That *Philip Antrobus, Walter Booth, George Birch Clerk, Thomas Birtles the younger, David Davis Doctor in Divinity, John Darcey Clerk, William Done, Francis Cutts, John Eaton, Heptinstal Clerk, Jeffrey Gally, William Lowndes, John Marsden Jodrell, Edmund Jodrell, Richard Keymer, John Leigh, Peter Leigh, James Pattison, John Smith, John Manwaring Uniacke, Henry Whitfield, Lancaster Wetenhall Clerk, Charles Henry Johnson, and John Twiss the younger,* shall be, and they are hereby added to and joined with the Trustees appointed by or in pursuance of the said recited Act, for putting the same and this Act in Execution, in such Manner as in the said recited Act and this Act are mentioned, directed, and prescribed; and the Trustees herein nominated, and their Successors, being qualified according to the Directions of the said recited Act, are hereby empowered to act in the Execution of the said recited Act and this Act, as fully and effectually, to all Intents and Purposes, as if they had been nominated and appointed Trustees in and by the said recited Act.

No Trustees
to act where
interested.

III. Provided always, and be it further enacted, That no Person shall act as a Trustee in any Case where he shall be personally interested, but every Person so offending shall forfeit for every such Offence, any Sum not exceeding Twenty Pounds, One Moiety whereof shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties in the said Act are thereby directed to be applied.

Additional
Tolls to be
taken.

IV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at any Time or Times hereafter, at a Meeting to be held for that Purpose, (of which, and of the Intent thereof, Fourteen Days Notice in Writing shall be affixed on all the Turnpike Gates then erected upon or on the Sides of the said Road), to direct and order any additional Tolls to be demanded and taken for every Horse, Mare, Gelding, Mule, or other Beast, drawing any Coach, Chariot, or
other

other Carriage, passing along the same Road, not exceeding double the Tolls directed by the said Act to be taken for every such Horse, Mare, Gelding, Mule, or other Beast, and from Time to Time (on giving such Notice as aforesaid) to reduce, alter, or take away any such additional Tolls as they shall think proper; and such additional Tolls, so to be demanded and taken as aforesaid, shall and may be demanded, recovered, levied, assigned, and managed, in Manner directed by the said recited Act with respect to the Tolls thereby granted, and shall be applied in executing the said Act and this Act, and to and for no other Use or Purpose whatsoever.

V. And be it further enacted, That all Waggons, Wains, Carts, or other Carriages, passing upon the said Road, or by any Weighing Engine now erected or hereafter to be erected thereon, by the said Trustees, or any other Person or Persons, or within Eight hundred Yards thereof, the Wheels whereof shall not roll a flat or level Surface, or a Surface so flat or level as not to deviate more than Half an Inch from a flat or level Surface, shall be deemed and considered as Carriages on Wheels rolling a Surface of less than Six Inches, and be liable to be weighed at any of such Weighing Engines as any Waggon, Wain, Cart, or other Carriage, on Wheels rolling a Surface of less than Six Inches, is now by Law liable to be weighed there, and shall pay the same Tolls at the said Gates or Turnpikes and Weighing Engines, as such Waggons, Wains, Carts, or other Carriages, on Wheels rolling a Surface of less than Six Inches, are now subject and liable to pay.

Certain Regulations; as to Waggons, etc. with Wheels not rolling a flat Surface.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, upon the Death, Neglect, Refusal, or Incapacity to act of any Collector or Receiver of the Tolls, authorized by the said recited Act and this Act to be taken on the said Road, to nominate and appoint some other fit and proper Person in his Place, until the next Meeting of the said Trustees, which Person so to be nominated and appointed shall have the like Power and Authority, and be accountable in the same Manner in all Respects as the Person in whose Place he shall be so appointed; and that if any Collector or Receiver, who shall be discharged from his Office by the said Trustees, or any Lessee, Farmer, or Renter of the said Tolls, whose Lease or Term therein shall have been forfeited or shall be expired, shall refuse to deliver up the Possession of the House, Buildings, and Appurtenances, within Seven Days after Notice in Writing under the Hands of the said Trustees, or any Five or more of them, given to him or her, or left at the Toll House then in his or her Holding or Possession; or if the Wife or Family of any such Collector or Receiver, Lessee, Farmer, or Renter, shall refuse to deliver up the Possession of such House, Buildings, and Appurtenances as aforesaid, then and in such Case it shall be lawful for any Justice of the Peace for the County or Place where such Offender shall live or reside, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House and Premises in the Day Time, and to remove the Persons who shall be found therein, together with their Goods, out of the same, and to put the new appointed Officer, Lessee, Farmer, or Renter of the said Tolls, into the Possession thereof.

Trustees may appoint temporary Collectors.

Compelling Collectors and Lessees to deliver Possession of Toll Houses, etc.

VII. And be it further enacted, That if any Person or Persons shall ride on Horseback on any of the Footpaths or Causeways, upon or by

Penalty on Persons riding on the Footpaths.

the Sides of the said Road, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings. One Moiety whereof shall go and be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as other Penalties are by the said recited Act directed to be applied.

Trustees having erected a Bridge and altered the Road;

VIII. And whereas the said Trustees have found it very inconvenient to make and maintain so much of the Road comprized in the said Act as leads from *Wilmslow Bridge*, in *Wilmslow* aforesaid, to *Church Lawton* aforesaid, in the old Line thereof, by reason of that Part thereof which passes by or near *Wilmslow Church-yard*, being too narrow and incapable of being widened, the said Trustees have made a new Road, and built a Bridge across the River *Bollen*, at or near a certain Corn Mill called *The Wilmslow Corn Mill*, in *Wilmslow* aforesaid, to communicate with the other Parts of the said Road, pursuant to the Authority vested in them by the said recited Act; be it therefore further enacted, That the new Line of Road, so made by the said Trustees, shall be and is hereby declared to be Part of the said Turnpike Road, within the Intent and Meaning of this and the said recited Act, and shall be maintained and repaired by the said Trustees accordingly.

the new Line to be Part of the Turnpike Road.

Application of Compensation Money where amounting to 200 l.

IX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or other Hereditaments purchased, taken, or used, by virtue of the Powers of the said recited Act and 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 in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to 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 Trustees for executing the said Act 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, Grounds, or other 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, Grounds, or other Hereditaments, or affecting other Lands, Grounds, or Hereditaments, standing settled therewith, to the same or the like Uses, Trusts, 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, Grounds, 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, Grounds, or other 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*

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 be entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments, so hereby directed to be purchased; in case such Purchase or Settlement were made.

X. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or other 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 Lands, Grounds, or other 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.

Application where the Compensation Money shall be less than 200 £. and exceed 20 £.

XI. 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, Grounds, or other Hereditaments so purchased, taken, or used, for the Purposes of the said Act 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.

Application where the Money is less than 20 £.

XII. And be it further enacted, That all the Costs, Charges, and Expenses, incident to and attending the obtaining and passing of this Act, shall be paid and discharged by the Trustees for putting the said recited Act and this Act in Execution, or any Five or more of them, out of any Money which hath already arisen by virtue of the said recited Act, or out of the First Money which shall arise by virtue thereof and of this Act, in Preference to all other Payments whatsoever.

For defraying the Charges of the Act.

XIII. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a publick Act, and shall be judicially taken Notice of as
[Loc. & Per.] X N such,

Publick Act.

such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Commence-
ment and
Term of the
Act.

XIV. And be it further enacted, That the Term granted by the said recited Act shall, from and after the passing of this Act, cease and determine; and that the said recited Act (subject to the Alterations and Additions herein contained), 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1802.