



ANNO QUADRAGESIMO SECUNDO

# GEORGI II. REGIS.

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## Cap. 23.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, One passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, and the other in the Sixteenth Year of the Reign of His present Majesty, for widening and repairing the Road leading from *Horsham*, in the County of *Suffex*, through *Capell*, *Dorking*, *Mickleham*, and *Leatherhead*, to the Watch House in *Ebbisham*, in the County of *Surrey*; and from *Capell* to *Stone Street*, in the Parish of *Ockley*, in the said County of *Surrey*.

[15th April 1802.]

**W**HEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for widening and repairing the Road leading from* <sup>28 Geo. 2.</sup> *Horsham, in the County of Suffex, through Capell, Dorking, Mickleham, and Leatherhead, to the Watch House in Ebbisham, in the County of Surrey; and from Capell to Stone Street, in the Parish of Ockley, in the said County of Surrey;* And whereas an Act was passed in the Sixteenth Year <sup>16 Geo. 2.</sup> of the Reign of His present Majesty, for continuing the Term and enlarging the Powers of the said recited Act: And whereas the Trustees appointed in or by virtue of the said recited Acts, have proceeded to put the same in Execution; for which Purpose they have borrowed several considerable Sums of Money on the Credit thereof, which still remain due, and cannot be paid off, nor can the said Road be properly amended, improved, and kept in Repair, unless the Term and Powers of the said recited Acts be further continued, and some of the Provisions thereof amended and enlarged, and the Tolls thereby granted increased: 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

[Loc. & Per.]

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Acts further  
recited continued

recited Acts, passed in the Twenty-eighth Year of the Reign of His said late Majesty King *George* the Second, and the Sixteenth Year of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, Penalties, Clauses, Matters, and Things, therein contained (except such as relate to Exemptions from Stamp Duties), shall be and continue in full Force, and shall be executed for and during the Term hereafter mentioned, as fully and effectually, to all Intents and Purposes, as if the same were herein particularly repeated and re-enacted, but subject nevertheless to the Amendments, Alterations, and Additions, herein contained, and which shall commence and take Effect from and after the passing of this Act; and this Act, and the Tolls, and the additional Term hereby granted, shall be, and are hereby made subject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the said former Acts, or either of them, or of any Tolls granted by or taken under the said recited Acts, and also of all Money that shall hereafter be borrowed or become due on the Credit of the said former Acts and this Act, or the Tolls hereby granted, and also to the Payment of all Interest due or to grow due for or in respect of any such Sums of Money respectively.

Repealing  
former Tolls  
and granting  
new ones.

II. And whereas the Tolls by the said last mentioned Acts granted, have been found insufficient for the carrying into Execution the Purposes of the said Acts; be it therefore enacted, That the said Tolls shall, from and after the passing of this Act, cease, determine, and be no longer paid; and that instead thereof the respective Tolls following shall be demanded and taken (at all Times except on *Sundays*), at the several and respective Gates or Turnpikes which have been or shall be erected in, upon, or on the Side of the said Road; (that is to say),

Tolls.

For every Horse, Mare, Gelding, Mule, or Ass, drawing any Coach, Chariot, Landau, Berlin, Phaeton, Chaise, Curricule, Hearse, Calash, Chaise-Marine, Chair, or Chaise-Cart, the Sum of Four-pence:

For every Horse, Mare, Gelding, or other Beast of Draught, drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Four-pence:

For every Horse, Mare, Gelding, Mule, or Ass, 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 for every Half Score of such Cattle the Sum of Six-pence; and for any less Number than Half a Score of such Cattle the Sum of One Halfpenny each:

And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Sixpence *per* Score; and for every Half Score thereof the Sum of Three-pence; and for any less Number than Half a Score of such Calves, Swine, Sheep, or Lambs, the Sum of One Farthing each:

Double Tolls  
on *Sundays*.

And that upon every *Sunday* during the Continuance of this Act, there shall be demanded and taken at the said Gates or Turnpikes respectively, for every Horse, Mare, Gelding, Mule, or Ass, and for all Oxen or other Neat Cattle, and Calves, Swine, Sheep, and Lambs, herein before enumerated, Double the said respective Tolls herein before by this Act granted and made payable for the same respectively.

Which said several Tolls by this Act authorized to be taken, shall be, and the same are hereby vested in the Trustees of the said Road; and the same, and every Part thereof, shall be collected, recovered, levied, paid, applied, assigned, lessened, varied, and disposed of, in such and the same Manner, and by such and the same Ways and Means, and with such Remedies

Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions, as are contained in the said former Acts, or either of them, respecting the Tolls thereby authorized to be taken.

III. Provided always, and be it further enacted, That in all Carriages wherein Oxen or Neat Cattle shall be used, Two Oxen or Neat Cattle shall be considered as One Horse, and chargeable accordingly with the Tolls aforesaid.

Two Oxen to be considered only as One Horse.

IV. 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 recited Acts 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 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.*

V. 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

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

city 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 and 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 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.

VI. 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 the Act.

VII. 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.

VIII. And be it further enacted, That this Act shall be deemed, adjudged, 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.

IX. 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 as 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.