



ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 99.

An Act for continuing the Term, and altering and enlarging the Powers of an Act, passed in the Thirty-third Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for repairing and widening the Road from the Moot Hall in Wirksworth, to the Turnpike Road leading from Derby to Brassington, at or near to a Place called The Cross in the Hand on Hulland Ward; and also the Road from the said Moot Hall to another Turnpike Road leading from the Cross Post on Wirksworth Moor to Matlock Bath, at or near to a Place called The Steeple House, in the Township of Wirksworth aforesaid, all in the County of Derby.*

[22d June 1802.]

[*Loc. & Per.*]

19 K

WHEREAS

33 Geo. 3.

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road from the Moot Hall in Wirksworth, to the Turnpike Road leading from Derby to Brassington, at or near to a Place called The Cross in the Hand on Hulland Ward; and also the Road from the said Moot Hall, to another Turnpike Road leading from the Cross Post on Wirksworth Moor to Matlock Bath, at or near to a Place called The Steeple House, in the Township of Wirksworth aforesaid, all in the County of Derby*: And whereas the Trustees appointed in or by virtue of the said Act, have made great Progress in the Execution thereof, and have for that Purpose borrowed considerable Sums of Money upon the Credit of the Tolls or Duties thereby granted, which still remain due, together with the Whole of the Interest due thereon from the passing of the said Act, which cannot be repaid, nor the said Roads effectually amended, improved, and kept in Repair, unless the Term granted by the said Act be continued, and some of the Powers and Provisions thereof altered, amended, and enlarged: 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 Act, 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 herein-after 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 Act, 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.

Act further continued.

Additional Trustees.

II. And be it further enacted, That *Richard Arkwright, John Bower, the Right Honourable David Curzon Clerk, Robert Cock, William Fox, Francis Green Goodwin, Philip Gell of Hopton, Philip Gell the younger, of Wirksworth, the Reverend Robert Greville, Francis Hurt, Charles Hurt the younger, the Reverend Nathan Hubbersty, George Mason, John Port the younger, James Swettenham the younger, Gervas Spendlove, Robert Spendlove, and the Reverend John Wood*, being qualified according to the Directions of the said recited Act, shall be added to and joined with the Trustees appointed by or in pursuance of the said recited Act, for putting the said Act and this Act in Execution; and the Trustees herein-before nominated are hereby empowered to act in the Execution of the said Act and this Act, as fully and

and effectually, to all Intents and Purposes, as if they had been appointed Trustees by the said recited Act.

III. And whereas the Tolls granted and now authorized to be taken by the said recited Act, are found insufficient for the Purposes thereof; be it therefore enacted, That the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, over and above the respective Tolls by the above recited Act authorized to be taken One further Half Toll, in Addition to each of such respective Tolls, at the Turnpike or Toll Gate now erected or hereafter to be erected under the Powers of the said recited Act, in the North Town End, or North of the Town of *Wirksworth*.

Authorizing Trustees to take a further Half Toll in Addition at North End Gate.

IV. And be it further enacted, That, from and after the passing of this Act, the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and empowered to erect and set up, or cause to be erected and set up; a Turnpike, or Toll Gate and Toll House, upon and across the said Road, between the Liberty of *Alton* and the Southern Termination of the said Roads; and the same Tolls and Duties as are granted and made payable by the said former Act, shall be demanded and taken at each and every of the Turnpikes or Toll Gates erected or to be erected by virtue and in pursuance of the said recited Act or this present Act; any Thing in the said recited Act contained to the contrary thereof notwithstanding.

Clause empowering Trustees to erect new Toll Gate and House.

V. And be it further enacted, That, from and after the passing of this Act, so much of the said recited Act as enacts that nothing therein shall extend to empower the said Trustees to demand or take more than One full Toll in any One Day, from any Person or Persons travelling upon the said Roads, shall be and the same is hereby declared to be repealed.

Clause restraining more than One full Toll to be taken, repealed.

VI. And be it further enacted, That, from and after the passing of this Act, so much of the said former Act as enacts that Half the full Toll thereby authorized to be taken, and no more, shall be demanded and taken for the Passage of any Cattle or Carriage which should be going unladen or empty for, or which should be laden with, or returning after having been laden with Lime, to be used within any of the Townships or Places in which the said Roads, or any Part thereof, shall lie, shall be and the same is repealed, so far as relates to the Carriage of Lime only, between the Thirty-first Day of *August* and the First Day of *March* in each and every Year, and that a full Toll for the Passage of any Cattle or Carriage going for or returning with Lime as aforesaid, shall be demanded and taken for the same, between the Thirty-first Day of *August* and the First Day of *March* in each and every Year.

Lime to pay Half Toll between certain Periods.

VII. Provided always, and be it further enacted, That no more than One Toll shall be demanded or taken from any Person or Persons for passing

One Toll to be paid in One Day.

passing and repassing the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, with the same Horses, Beasts, Cattle, or Carriages, through all or any of the Toll Gates erected or to be erected by virtue of the said former or this present Act.

Application of
Compensation
Money where
amounting to
200/.

VIII. 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 Act 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 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
where the
Compensation
is less than
200/, and
above 20/.

IX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased,

chased, 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 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.

X. 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.

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

XI. 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 recited Act, or out of the First Monies to arise by virtue thereof and of this Act, in Preference to all other Payments whatsoever.

For paying the Expences of this Act.

XII. 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.

Publick Act.

XIII. 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 Act (subject to the Alterations and Additions

Term of this Act.

[*Loc. & Per.*]

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ditions

ditions 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.

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