



ANNO QUADRAGESIMO TERTIO

GEORGI III. REGIS.

Cap. I.

An Act for continuing the Term, and altering and enlarging the Powers of an Act, passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for amending, widening, and keeping in Repair, the Road from Spann Smithy in the County of Chester, to Talk in the County of Stafford.*

[17th December 1802.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for amending, widening, and keeping in Repair, the Road from Spann Smithy in the County of Chester, to Talk in the County of Stafford*: And whereas the Trustees appointed in or by virtue of the said Act 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 effectually amended, improved, and kept in Repair, unless the Term of the said Act be further continued, and some of the Powers and Provisions thereof altered and enlarged; and it is necessary that the Tolls by the said Act authorized to be taken on the said Road should be repealed, and others granted instead thereof: May it therefore please Your Majesty that

[Loc. & Per.]

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Former Act
continued.

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, passed in the Twenty-eighth 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Things therein contained (except such as relate to Exemptions from Stamp Duties, or as are hereby varied, altered, or repealed), shall be and continue in full Force, and be executed for and during the Term hereinafter mentioned, as fully and effectually to all Intents and Purposes as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 upon the passing of this Act; and this Act, and the additional Term and the Tolls hereby granted shall be and are hereby made subject and liable to the Payment of all Money now due and owing on the Credit or on Account of the said recited Act, or hereafter to be borrowed or become due on the Credit of the said recited Act and this Act, and of all Interest due and to grow due for the same respectively.

Repealing
former Tolls,
and granting
new Ones.

II. And whereas the Tolls by the said Act granted, have been found insufficient for the proper Improvement and Repair of the said Road; be it therefore enacted, That the said Tolls shall, from and after the passing of this Act, cease, determine, and be no longer paid or payable; and that instead thereof the respective Tolls following shall be demanded and taken at the several and respective Gates or Turnpikes which have been or shall be erected in, upon, or on the Sides of the said Road; that is to say,

Tolls.

For every Horse, Mare, or Gelding, drawing any Coach, Chariot, Landau, Berlin, Phaeton, Chaise, Curricle, Hearse, Calash, Chaise Marine, or other such like Carriage (except Post Chaises drawn only by Two Horses, Mares, or Geldings), the Sum of Three-pence:

For every Post Chaise drawn only by Two Horses, Mares, or Geldings, the Sum of Eight-pence:

For every Horse, Mare, Gelding, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage, having the Soles of the Fellies of the Wheels of the Breadth or Gauge of Six Inches or upwards, the Sum of Three-pence:

For every Horse, Mare, Gelding, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage, having the Soles of the Fellies of the Wheels of less Breadth or Gauge than Six Inches, the Sum of Four-pence Half-penny:

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

For every Drove of Oxen or other 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, Sheep, Lambs, or Swine, the Sum of Five-pence *per* Score; and so in Proportion for any greater or less Number:

Which said several Tolls by this Act authorized to be taken, shall be and the same are hereby vested in the Trustees for executing the said Act and this Act; and the same and every Part thereof, shall be collected, recovered, levied, paid, applied, assigned, lessened, varied, and disposed of
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in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Nonpayment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions, as are contained in the said recited Act, respecting the Tolls thereby authorized to be taken.

III. And whereas it is in and by the said recited Act enacted, that the Principal Money to arise from the Sale of any Lands, Tenements, Hereditaments, or Premises, which should be purchased for the Purposes thereof, of any Body Corporate or Ecclesiastical, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Femes Covert or Feme Covert, or other incapacitated Person or Persons, should be paid to such Person as they should nominate to receive the same in Trust, as in the said recited Act particularly mentioned: And whereas such Power has been found inconvenient; be it therefore enacted, That the same shall be and is hereby declared to be repealed.

Repealing the Power in said Act for re-investing Purchase Monies belonging to incapacitated Persons.

IV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act or 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 Privy 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 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, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, 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, Tenements, 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, Tenements, 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 said Court, 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

Application of Compensation where amounting to 200^l.

A [Loc. & Per.]

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Court,

Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application when the Compensation is less than 200 *l.* and exceeds 20 *l.*

V. Provided always, and be it further enacted, That if any Money so agreed, or awarded to be paid for any Lands, Tenements, or 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, Tenements, 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 in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General, 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 any 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, Tenements, or 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.

For paying Expences of the Act.

VII. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid and discharged by the said Trustees 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 of the said recited Act and this Act, in Preference to all other Payments whatsoever.

Publick Act.

VIII. 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.

IX. And

43° GEORGI II. Cap. I.

IX. And be it further enacted, That the Term granted by the said re-
cited Act shall, from and after the passing of this Act, cease and deter-
mine; and that the said Act (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.

Term of this
Act.

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