



ANNO QUADRAGESIMO TERTIO

GEORGI III. REGIS.

Cap. 95.

An Act for further continuing the Term, and enlarging the Powers, of an Act made in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, for repairing and widening the Roads from *Haleworthy* in the Parish of *Davidstow*, in the County of *Cornwall*, to the East End of *Wadebridge*, and from the West End of *Wadebridge* into and through the Borough of *Mitchell* in the said County. [24th June 1803.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing and widening the Roads from Haleworthy in the Parish of Davidstow in the County of Cornwall, to the East End of Wadebridge in the said County, and from the West End of Wadebridge aforesaid into and through the Borough of Mitchell in the said County*: And whereas an Act was passed in the Twenty-second Year of the Reign of His present Majesty King *George* the Third, for continuing and enlarging the Term and Powers of the said recited Act: And whereas the Trustees
[Loc. & Per.] 19 I appointed

appointed in or by virtue of the said recited Acts have proceeded to put the same in Execution, and several Sums of Money have been borrowed on the Credit of the Tolls granted by the said recited Acts, great Part of which Sums now remains due, and the same cannot be discharged and the Roads properly amended and kept in good Repair, unless the Tolls granted by the said recited Acts be increased, and the Term and Powers of the said Acts be further 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 Acts, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Privileges, Penalties, Forfeitures, Matters, and Things therein contained (except such as relate to Exemptions from Stamp Duties, and as are hereby altered, varied, and repealed), together with this present Act and all the Clauses, Powers, Authorities, Provisions, Exemptions, Privileges, Penalties, Forfeitures, Matters, and Things herein contained, shall be in full Force and have Continuance from the Expiration of the Term granted by the said recited Acts for the Term herein-after mentioned; and that the said former Acts (except so far as the same are hereby altered and varied) and this present Act shall be put in Execution for the Purposes expressed and contained in the said former Acts, and this present Act, as fully and effectually to all Intents and Purposes as if the said former Acts were repeated and re-enacted in the Body of this present Act.

Acts continued.

Additional Trustees.

II. And be it further enacted, That, from and after the passing of this Act, the Reverend Sir *Harry Trelawney* Baronet, Sir *Arscott Ourry Moleworth* Baronet, *Francis Gregor*, *John Moleworth*, *William Adam*, *Edmund Prideaux*, *Thomas Prideaux*, *John Phillips Carpenter*, *Thomas Phillips*, *Thomas Rawlings*, *Robert Adair*, *Charles Carpenter*, *William Clode*, *John Werry*, *Thomas Avery*, *Thomas Broad*, *John Braddon*, *Charles Hellyar*, *John Thomas*, *John James*, *John Hoskyn*, *Henry Badcock*, *John Colwill*, *William Morshead*, *John Hearle Rodd*, *Henry Peter*, *Hoblyn Peter*, *William Peter*, *Samuel Peter*, *Charles Peter*, *William Bennet*, *Samuel King*, *Abraham Hambly*, and *Joseph Hosken*, Esquires, *John Moleworth*, *John Trefusis*, *Charles Dayman*, *Edward Marshall*, *Edward Baynes*, *William Rawlings*, *John Russel*, *John Mably*, *Edmund Gilbert*, *John Kemp*, *Henry Vyvyan*, *Robert Hoblyn*, *William Sandys*, *John Bennet*, *Richard Paul*, *John Arthur*, *William Hosken*, and *William Hocker Junior*, Clerks; *John Peter*, *Joseph Hosken Hawkey*, *Henry Mitchell*, *Francis Paynter*, *Henry Braddon*, *Hugh Mallett*, *David Palmer*, *Edward Bray*, *John Gill*, *Phillip Thorne*, *William Dinham*, *John Rosevear*, *William Drew*, *Robert Drew*, *James Drew*, *William West*, *William Radford the younger*, *Edward Arthur*, *John Lawrence*, *John Dayman*, *John Oliver*, *Michael Baseley*, *Henry Hawkey*, *Peter Day*, *George Borlase*, *Peter Clements*, *Nevell Norway*, *Nevell Norway Junior*, *John Arthur Norway*, *Joseph Norway*, *William Norway*, *William Burgess*, *John Furnis*, *Samuel Symons of Saint Minwe*, *Francis Hearle*, *John Hoskyn Junior*, and *Richard Hosken*, Gentlemen; being qualified according to the Directions of the said first recited Act shall be, and they are hereby added to and joined with the Trustees appointed by the said former Acts for putting the said Acts in Execution, and shall have the like Powers in all Respects as if they had been named and appointed Trustees

Trustees in and by the said former Acts, with Power to subdivide themselves in the Manner authorized by the said former Acts.

III. And be it further enacted, That, from and after the passing of this Act, the Tolls or Duties given and granted by the said first recited Act, and so continued by the said last recited Act as aforesaid, shall end, determine, and cease to be collected, and that, in lieu thereof the Trustees appointed by the said former Acts and this Act, or in pursuance thereof respectively to be appointed, or any Five or more of them, or such Person or Persons as they or any Five or more of them shall appoint, shall and may demand, receive, and take at the several Turnpikes or Gates erected or to be erected upon the several Divisions of the said Road mentioned and set forth in the first recited Act, the following Tolls or Duties on each of such Divisions of the said Road, before any Horse, Mare, Gelding, Ox, Mule, Ass, or other Cattle, Coach, Chariot, Landau, Berlin, Phaeton, Chaise, Chaise Marine, Car, Calash, Chair, Hearse, Litter, Waggon, Wain, Caravan, Cart, Dray, or other Carriage whatsoever, shall pass or be permitted to pass through the same Gates or Turnpikes, that is to say,

Repealing
Tolls and
granting
new Ones.

For every Horse, Mare, Gelding, Mule, or other Beast, drawing in any Carriage, the Sum of Four-pence on every Day except *Sunday*, and on every *Sunday* the Sum of Eight-pence :

The Tolls:

For every Horse, Mare, Gelding, Mule, or other Beast, laden or unladen, and not drawing, the Sum of One-penny on every Day except *Sunday*, and on every *Sunday* the Sum of Two-pence :

For every Drove of Oxen, Cows, or Neat Cattle the Sum of One Shilling and Eight-pence *per Score*, on every Day except *Sunday*, and on every *Sunday* the Sum of Three Shillings and Four-pence *per Score*, and so in Proportion for a greater or less Number :

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence *per Score* on every Day except *Sunday*, and on every *Sunday* the Sum of One Shilling and Eight-pence *per Score*, and so in Proportion for any greater or less Quantity :

Which said respective Sum or Sums of Money shall be demanded and taken in the Name of or as a Toll or Duty, and the Money so thereby to be raised and collected shall be, and is hereby vested in the Trustees by the said former Acts and this Act appointed, or in pursuance thereof respectively to be appointed ; and the same and every Part thereof shall be paid, applied, disposed of, and assigned, to and for the several Uses, Intents, and Purposes, and in such Manner as is mentioned and directed in the said first recited Act with respect to the Tolls and Duties thereby directed to be demanded ; and it shall and may be lawful to and for the said Trustees, or any Five or more of them, or such Person or Persons as they or any Five or more of them shall under their Hands and Seals from Time to Time authorize and appoint, to take the Tolls hereby granted and made payable, and to levy such Tolls, by such Ways and Means as are mentioned and directed in and by the said first recited Act.

IV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands and Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts or this Act,

Directing the
Application
of Money

for

paid for Com-
pensation for
Lands, &c.
when amount-
ing to or ex-
ceeding 200/.

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 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 *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 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 and Hereditaments, or affecting other Lands and 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 Messuages, Lands, and 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 and 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 said Lands and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less
than 200/. and
exceeding 20/.

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

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 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.

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 and 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.

Where less than 20^l.

VII. Provided always, and be it further enacted, That nothing in either of the above-recited Acts or in this present Act contained, shall authorize the erecting of any Gate or Gates, or the collecting of any Toll or Tolls, within the Parish of *Saint Columb Major* in the said County of *Cornwall*, any Thing in either of the said recited Acts or in this Act contained to the contrary thereof in anywise notwithstanding.

No Toll within the Parish of *Saint Columb Major*.

VIII. Provided also, and be it further enacted, That nothing in either of the said former Acts or in this present Act contained, shall authorize the erecting of any Gate or Gates upon any Part of the said Road within Two Miles of the said Borough of *Mitchell*.

No Gate to be erected within two Miles of the Borough of *Mitchell*.

IX. And be it further enacted, That the Expences of obtaining and passing this Act shall be forthwith paid out of the Tolls which have arisen or shall arise by virtue of the said former Acts, and this present Act; and the Money already borrowed, or to be borrowed on the Credit of the said former Acts, or this present Act, in such and the same Manner, and in the like Proportions, as the Expences of obtaining and passing the said former Acts were paid and defrayed.

Expences of obtaining the Act.

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

Publick Act.

Continuance
of the Act.

XI. And be it further enacted, That the Term of the said recited Acts shall immediately upon the passing of this Act cease and determine; and that the said recited Acts 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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