



ANNO TRICESIMO NONO

GEORGII III. REGIS.

Cap. 37.

An Act for continuing, for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers, of Two several Acts, the one passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, and the other in the Fifth Year of the Reign of His present Majesty, for amending and keeping in Repair the Road leading from the North-east Corner of *Nuffield Common*, by the Parish Church of *Nuffield*, otherwise *Tuffield*, in the County of *Oxford*, through *Wallingford* to *Wantage*, and from thence to *Faringdon*, in the County of *Berks*.

[13th June 1799.]

WHEREAS an Act was passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing the Road from Wallingford, in the County of Berks, to Wantage, and from thence to Faringdon, and also from Wantage to Idson, in the said County*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, to continue the Term, Preamble.
25 Geo. II,
and
5 Geo. III,
and recited.

[Loc. & Per.]

and to vary and enlarge the Powers of the said last mentioned Act, so far as the same related to the Road leading from *Wallingford* to *Wantage*, and from thence to *Faringdon*, and for discontinuing the said Term and Powers so far as the same related to the Road leading from *Wantage* to *Idson*, and also for repairing the Road leading from the North-east Corner of *Nuffield Common*, by the Parish Church of *Nuffield*, otherwise *Tuffield*, in the County of *Oxford*, to the Commencement of the said Turnpike Road leading from *Wallingford* to *Wantage*: And whereas the Trustees appointed in or by virtue of the said Acts, have proceeded to put the same in Execution, with respect to the said Road from *Nuffield Common*, through *Wallingford* to *Wantage*, and from thence to *Faringdon*, and have for that Purpose borrowed several considerable Sums of Money on the Credit of the said Acts, and of the Tolls thereby respectively granted, and applied the same towards repairing the said Road; which Sums of Money still remain due and owing, and cannot be paid off, and the Road be effectually amended and kept in Repair, unless the Term and Powers of the said Acts be further continued 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 Acts of the Twenty-fifth Year of the Reign of His said late Majesty, and of the Fifth Year of the Reign of His present Majesty, and all the Clauses, Powers, Exemptions, Penalties, Forfeitures, and other Matters and Things therein respectively contained, (except such as relate to Exemptions from Stamp Duties, and such of the said Act of the Twenty-fifth Year of His said late Majesty, as by the said Act of the Fifth Year of His present Majesty are varied, altered, or repealed), shall be and continue in full Force and Effect, for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same, and every Part thereof, were particularly repeated and re-enacted in this present Act, but subject nevertheless to the Alterations, Additions, and Amendments herein contained, and which shall commence upon the passing of this Act; and this Act, and the Term hereby granted, shall be, and are hereby made subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said former Acts, or either of them, and of such other Sum or Sums of Money as shall be hereafter borrowed on the Credit and for the Purposes of the said former Acts and this Act, or any of them, and the Interest due and to grow due for the same respectively.

Term of the former Acts continued.

Repealing the Qualification appointed by 25 *Geo. II.*

II. And whereas, by a Clause in the said recited Act of the Twenty-fifth Year of the Reign of His late Majesty, it was enacted, that no Person or Persons, other than the Mayor and Recorder of the Borough and Corporation of *Wallingford* for the Time being, should be capable of acting as a Trustee in the Execution of that Act, unless he should be assessed and pay to the Land Tax of that or any future Year, in respect of an Estate of the Value therein particularly mentioned, under the Penalty of Fifty Pounds, to be recovered as therein also mentioned: And whereas it is expedient that the said recited Clause should be repealed, be it therefore enacted, That the said Clause shall, immediately from and after the passing of this Act, be, and the same is hereby repealed.

III. Pro-

III. Provided nevertheless, and it is hereby further enacted, That no Person, other than the Mayor and Recorder of the Borough and Corporation of *Wallingford* for the Time being, shall be capable of acting as a Trustee in the Execution of the said recited Acts and this Act, any or either of them, unless he shall, in his own Right or in the Right of his Wife, be in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear Yearly Value of Fifty Pounds; and if any Person or Persons shall presume to act contrary to the true Intent and Meaning hereof, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by Action of Debt; or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and every such Person so sued or prosecuted shall prove that he is qualified as above, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Plaintiff or Prosecutor, than that such Person hath acted as a Trustee in the Execution of this or the said recited Acts, or any of them.

Another Qualification appointed.

IV. And be it further enacted, That a Meeting of the said Trustees shall be held at *Wantage* aforesaid, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, unless either of those Days shall happen to be on a *Sunday*, in which Case the Meeting shall be held on the following Day:

Two Meetings of the Trustees to be held each Year at *Wantage*.

V. And be it further enacted, That the said Trustees, or any Nine or more of them, at any of their Quarterly Meetings, may (over and besides the Sum of Four thousand Pounds allowed to be borrowed by virtue of the said recited Act of the Fifth Year of the Reign of His present Majesty) borrow any further Sum or Sums of Money on the Credit of the Tolls which shall be collected on the said Road, not exceeding in the Whole the Sum of Five hundred Pounds, at legal or less Interest, in like Manner, and with the same Provisions in every Respect, as are directed to be observed by the said recited Acts, or either of them; with regard to the Sums thereby directed to be borrowed:

For borrowing a further Sum of Money.

VI. And whereas there have been some Irregularities in the Appointments of some Persons to be Trustees of the said Road, be it therefore enacted, That no Person or Persons who, at any Time or Times previous to the passing of this Act, shall have acted as a Trustee or Trustees by virtue of any such Appointment, shall be liable to any Action, Suit, or Prosecution whatsoever, for his or their having so acted, notwithstanding any Defect or Irregularity in the Appointment or Appointments of such Person or Persons to be a Trustee or Trustees; and that all Appointments of, and Acts done or to be done by such Person or Persons, or by Authority derived from him or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons had been regularly appointed a Trustee or Trustees of the said Road.

Trustees indemnified from any Penalty for having acted, although there were some Irregularities in their Appointment.

VII. And be it further enacted, That the Property of all Tools, Implements, Stones, Gravel, and other Materials; purchased, gotten, or had,

Property of all the Implements, &c.

vested in the Trustees.

had, or to be purchased, gotten, or had, by the Trustees for the Time being of the said Road, or their Surveyor, and applicable to the Use or Benefit of the same Road, shall be, and the same is and are hereby vested in the Treasurer for the Time being to the said Trustees, in which said Treasurer, upon any Action or Indictment to be commenced or prosecuted, such Property may (if required) be laid.

For disposing of Purchase Monies.

VIII. And be it further enacted, That in case any Money or Re-compence shall be paid for any Lands, Grounds, or Hereditaments, which shall be purchased, taken, or used, by virtue of the Powers of the said Acts and this Act, for the Purposes thereof, (so far as relates to the said Road from *Nuffield* to *Farringdon*), to any Corporation, or Person under any Disability or Incapacity, or any Trustee, Feoffee, or other Person, as in the said Act of the Fifth Year of His present Majesty's Reign particularly mentioned, such Monies shall, in case the same be not less than the Sum of One hundred Pounds, with all convenient Speed be invested in the Purchase of other Lands, Grounds, or Hereditaments, which shall be conveyed and settled upon and subject to the like Uses, Trusts, and Limitations, as the said Lands, Grounds, or Hereditaments belonging to such Corporation or other Person as aforesaid, so to be purchased, taken, or used, were settled, limited, or assured; and in the mean Time and until such Purchase can be made, such Money shall 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, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills; and the Interest arising from the Money laid out in such Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills, or Exchequer Bills; all which said Navy and Victualling Bills and Exchequer Bills shall be deposited in the Bank, in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the said Trustees, or any Five or more of them, and until the same shall, upon a Petition setting forth such Approbation, (to be preferred to the Court of Chancery in a summary Way, by the Person or Persons who would be entitled to the Rents and Profits of any of the Lands, Grounds, or Hereditaments to be purchased therewith, if the same were purchased and settled), be ordered to be sold by the said Accountant General, for the completing such Purchase, in such Manner as the said Court shall think just and direct, and it shall and may be lawful for the said Court to make such Order or Orders in a summary Way, touching the Payment or Application of the Monies so to be paid into the Bank, and touching such Navy, Victualling, or Exchequer Bills, and the Interest thereof, in pursuance of the Directions of this Act, as the said Court shall think fit; but in case any such Money shall be less than the Sum of One hundred Pounds, and not less than the Sum of Twenty Pounds, then such

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Money

Money shall be paid to such Person or Persons as the Party or Parties entitled thereto shall respectively nominate to receive the same, in Trust, with all convenient Speed, to be reinvested in the Purchase of other Lands, Grounds, or Hereditaments, which shall be conveyed, and settled to, upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Grounds, or Hereditaments, which shall be purchased from them respectively by the said Trustees, were respectively settled, limited, or assured to, upon, or subject to, at the Time of purchasing the same, or such of them as at the Time of making such Conveyances and Settlements shall be existing and capable of taking Effect; and in the mean Time and until such Purchase or Purchases shall be made, the said Money shall be placed out by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons as aforesaid, in some of the Publick Funds, or on Government or Real Securities, in the Names of Two or more Persons, to be nominated by the Party or Parties interested therein, and to be approved of by the Trustees, or any Five or more of them; and the Dividends or Interest arising or to be produced from such Funds or Securities shall be paid to such Person or Persons respectively as would for the Time being be entitled to the Rents and Profits of such Lands, Grounds, or Hereditaments, so to be purchased, conveyed, and settled, by virtue of this Act; and in case any such Money shall be less than the Sum of Twenty Pounds, then the same shall be paid to the Person or Persons, Party or Parties respectively, entitled thereto.

IX. And, for the more easy and speedy Conviction of Offenders against the said former Acts and this Act, be it further enacted, That all and every Justice and Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against the said former Acts and this Act, or any or either of them, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (*videlicet*),

‘ **B**E it remembered, That on the Day of
 ‘ in the Year of our Lord A. B. is convicted Form of Conviction.
 ‘ before me C. D. One of His Majesty’s Justices of the Peace for the
 ‘ County of [or, Borough of] [*specifying*
 ‘ *the Offence, and the Time and Place when and where the same was com-*
 ‘ *mitted, as the Case shall be*]. Given under my Hand and Seal, the
 ‘ Day and Year first above mentioned.’

X. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, shall be paid in the first Place out of the Monies now in the Hands of the Treasurer to the said Trustees, or out of the first Monies to be collected, borrowed, or received by virtue of the said recited Acts and this Act, or any of them, in Preference to all other Payments whatsoever. Expences of the Act to be paid.

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

[*Loc. & Per.*]

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XII. And

Term of the
Act.

XII. 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 aforesaid) 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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