



ANNO TRICESIMO NONO

# GEORGI III. REGIS.

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## *Cap. 62.*

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 an Act, passed in the Thirteenth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for enlarging the Term and Powers of Three Acts, passed in the First, Ninth, and Twenty-second Years of the Reign of His late Majesty King George the Second, for repairing and enlarging the Road leading from the House called The Sign of the Bells, in the Parish*

[*Loc. & Per.*]

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*of*

of Saint Margaret, in Rochester, to Maidstone, and other Roads therein mentioned, in the County of Kent. [1st July 1799.]

Preamble.

13 Geo. III,  
recited.

WHEREAS an Act was passed in the Thirteenth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for enlarging the Term and Powers of Three Acts, passed in the First, Ninth, and Twenty-second Years of the Reign of His late Majesty King George the Second, for repairing and enlarging the Road leading from the House, called The Sign of the Bells, in the Parish of Saint Margaret, in Rochester, to Maidstone, and other Roads therein mentioned, in the County of Kent*; whereby the said Acts made in the First, Ninth, and Twenty-second Years of His said late Majesty, (except so far as related to the Term thereby granted and continued), were repealed, and instead thereof the said recited Act made in the Thirteenth Year of His said present Majesty, was to take place and effect, and be executed, for the Purposes of repairing, widening, and keeping in Repair the said Road: And whereas the Trustees appointed in or by virtue of the said several Acts respectively, have from Time to Time proceeded to put the same in Execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Roads; which Monies, together with the said Tolls, have been duly applied according to the Directions of the said Act: And whereas the said Monies so borrowed and still remaining due, cannot be repaid, nor the said Roads be properly amended and kept in Repair, unless the Term granted by the said Act of the Thirteenth Year of His present Majesty is continued, and some of the Powers and Provisions thereof altered 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 of the Thirteenth Year of the Reign of His said present Majesty, and all the Clauses, Powers, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things, therein contained, (except such as relate to Exemptions from Stamp Duties), shall be, and they are hereby declared to be in full Force and Effect, and shall have Continuance 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 herein particularly repeated and re-enacted, 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 and Tolls hereby granted, shall be, and are hereby made subject to the Payment of all Money now due and owing upon the Credit or upon Account of the said former Acts, or either of them, and of all Interest due and to grow due for all such Money respectively.

Former Act  
continued.

Additional  
Trustees.

II. And be it further enacted, That *Finch Hollingworth, John Seager, Stephen Page Seager, Edward Homewood, John Spong, Edward Penfold,* and



and *Thomas Robert Hollingworth*, (being qualified according to the Directions of the said Act), shall be, and are hereby appointed Trustees, and shall be added to and joined with the Trustees appointed in, or by virtue of the said Act, for putting in Execution the said Act and this Act, as fully and effectually, to all Intents and Purposes, as if the several Persons herein-before named had been appointed Trustees by virtue of the said Act.

III. And whereas by a Clause in the said Act it is enacted, That if any Person or Persons shall have paid the Tolls thereby granted for the passing of any Cattle or Carriage through any Gate or Turnpike erected or continued by virtue thereof, the same Person or Persons, upon producing a Note or Ticket of the Day denoting such Payment, should be permitted to pass and repass through the same Gate or Turnpike, and also through all other Gates or Turnpikes continued or erected by virtue of the said Act, Toll free, as therein particularly mentioned: And whereas the Tolls by the said Act authorized to be taken, have been found inadequate to the proper Execution thereof; be it therefore further enacted, That the said Clause shall be, and the same is hereby declared to be repealed.

Clause in the former Act, enacting that Tolls shall be paid but Once a Day, recited and repealed.

IV. Provided nevertheless, and be it further enacted, That nothing in the said Act nor this Act contained shall extend, or be construed, deemed, or taken to extend, to authorize or empower the said Trustees to cause more than Two full Tolls to be demanded or taken for the passing of any Cattle or Carriage through all the Gates or Turnpikes continued or erected by virtue of the said Acts and this Act; but that if any Person or Persons shall have paid the respective Tolls by the said Act granted, at Two of such Gates or Turnpikes, for the passing of any Cattle or Carriage through the same, such Person or Persons shall be permitted to pass and repass through the same Gates or Turnpikes, or either of them, and also through all other Gates or Turnpikes continued or erected by virtue of the said Acts and this Act, with the same Cattle or Carriage, Toll free, at any Time or Times during the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night; which said Note or Ticket the Collectors or Receivers of the Tolls are hereby required to deliver *gratis* (if demanded) on Receipt of such Tolls.

Tolls to be paid only Twice a Day.

V. And be it further enacted, That the Tolls hereby 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 shall be collected, recovered, levied, paid, applied, assigned, varied, and disposed of, in such and the same Manner, and by such Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisoos, Penalties, Forfeitures, Exemptions, and Restrictions, as are within the said recited Act contained with respect to the Tolls thereby granted and made payable.

Additional Tolls to be collected, levied, and disposed of, as the former Tolls.

VI. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Treasurer or Clerk; and no Action or Suit

Trustees may sue and be sued in the Suit



Name of their  
Treasurer or  
Clerk.

Suit to be brought or commenced by or against the said Trustees, or any of them, by virtue of this Act, in the Name of their Treasurer or Clerk, shall be abated or discontinued by the Death or Removal of such Treasurer or Clerk; or by the Act of such Treasurer or Clerk, without the Consent of the said Trustees, or any Five or more of them; but the Treasurer or Clerk for the Time being to the said Trustees, shall always be deemed the Plaintiff or Defendant in such Action or Suit, as the Case shall be: Provided always, That every Treasurer or Clerk, in whose Name any Action or Suit shall be commenced; prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid out of the Monies to be raised on the said Road by virtue of the said recited Act and this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put unto or become chargeable with by Reason of his being so made Plaintiff or Defendant therein; and also the Costs and Charges of prosecuting any Indictment or Indictments, or other Proceedings, against any Person or Persons whomsoever, that shall or may be commenced or prosecuted by the Order or Consent of the Trustees.

For re-invest-  
ing Purchase  
Monies.

VII. And be it further enacted, That in case any Money or Recompence shall be paid for any Lands, Tenements, or Hereditaments, which shall be purchased, taken, or used, by virtue of the Powers of the said Act, and this Act, for the Purposes thereof, to any Corporation, Feme Covert, Infant, Lunatick, or Person under any other Disability or Incapacity as in the said Act particularly mentioned, 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, Tenements, or Hereditaments, which shall be conveyed and settled upon and subject to the like Uses, Trusts, and Limitations, as the said Lands, Tenements, 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 Act 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 Appro-  
bation



bation, (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, Tenements, 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 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, Tenements, or Hereditaments, which shall be conveyed and settled to, upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, Hereditaments, and Premises, 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, Tenements, or Hereditaments so to be purchased, conveyed, and settled, by virtue of this Act.

VIII. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, shall be paid out of any Monies already received by virtue of the said former Act, or out of the first Monies to be received by virtue of the said Act and this Act, in Preference to all other Payments whatsoever. Expences of this Act how to be paid.

IX. And be it further enacted, That this Act shall be deemed, taken, and adjudged 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.

X. And be it further enacted, That the Term granted and continued by the said recited Act shall, from and after the passing of this Act, Term of the Act.  
[Loc. & Per.] 10 S. cease

cease and determine, and that the said Act 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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