



ANNO TRICESIMO NONO

# GEORGI II. REGIS.

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## Cap. 77.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and enlarging the Powers of Three Acts, passed in the Fourth and Twenty-fourth Years of the Reign of His late Majesty King *George* the Second, and in the Seventeenth Year of the Reign of His present Majesty, for repairing the Roads leading from the most Southern Part of *Butt Lane*, in the Parish of *Lawton*, in the County Palatine of *Chester*, to *Lawton*, and from thence to *Henshall's Smithy*, upon *Cranage Green*, in the said County. [12th July 1799.]

**W**HEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing the Roads leading from the most Southern Part of Butt Lane, in the Parish of Lawton, in the County Palatine of Chester, to Lawton, and from thence to Henshall's Smithy, to Cranage Green, in the said County:* And whereas another Act was passed in the Twenty-fourth Year of the Reign of His said late Majesty, for continuing and enlarging the Term and Powers of the said Act, which Term was further continued for Five Years, by an Act passed in the Twenty-eighth Year of His said late Majesty, relating to the publick Highways and Turnpike Roads of this Kingdom: And whereas an Act was passed in the Seventeenth Year of the Reign of His present Majesty, for continuing the

Preamble: 4 Geo. II;

24 & 28 Geo. II, and

17 Geo. III, recited.

[Loc. & Per.]

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Term

Acts further  
continued.

Term of the said Acts: And whereas the Trustees appointed in or by virtue of the said Acts 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 remains due, and cannot be repaid, nor can the said Road be properly amended, improved, 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, passed in the Fourth and Twenty-fourth Years of the Reign of His said late Majesty King *George* the Second, and in the Seventeenth 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), shall be and continue in full Force, and be executed for and during the Term herein-after 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 from and after the passing of this Act; and this Act, and the Tolls, and the additional Term hereby granted, shall be and are hereby made subject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the said former Acts, or either of them, or hereafter to be borrowed or become due on the Credit of the said former Acts 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 second mentioned 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; 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 Side of the said Road; (that is to say),

Tolls.

For every Horse, Mare, Gelding, Mule, or other Beast, drawing any Carriage whatever, the Sum of Three-pence:

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:

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 of the said Road; and the same, and every Part thereof, shall be collected, recovered, levied, paid, applied, assigned, lessened, varied, and disposed of in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions, as are contained in  
the

the said former Acts, or either of them, respecting the Tolls thereby authorized to be taken.

III. And be it further enacted, That in case any Money or Recompence shall be to be paid for any Lands, Tenements, 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, to any Corporation, Feme Covert, Infant, Lunatick, or Person under any other Disability or Incapacity as in the said first recited 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 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, 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

For disposing  
of Purchase  
Monies:

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 said 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.

Paying Expences of the Act.

IV. 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 former Acts, or either of them, or out of the first Monies to arise by virtue of the said former Acts and this Act, in preference to all other Payments whatsoever.

Publick Act.

V. 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.

Term of the Act.

VI. 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 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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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1799.