ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. v.

An Act for making and maintaining a Road from *Chappel's Corner* in the Parish of *Ashcott*, to join the *Bristol* Turnpike Road at or near *Rowberrow Hill*, all in the County of *Somerset*.

[21st *March* 1827.]

WHEREAS the making and maintaining a Road commencing from a Place called *Chappel's Corner* at *Pedwell* within the Parish of *Ashcott* in the County of *Somerset*, and terminating in the *Bristol* Turnpike Road at or near a Place called *Rowberrow Hill* in the Parish of *Rowberrow* in the said County, which (with a short Line of Turnpike Road lately made from *Pick's Hill*, near *Langport* in the said County, to *Chappel's Corner* at *Pedwell* aforesaid,) will connect the Two great Western Roads passing through *Somerton* and *Langport*, and *Bristol* and *Bridgwater* respectively, and open a better, nearer, and more convenient Communication between the intermediate populous and extensive Parishes and Villages, as well as between the South and North Parts of the said County, the City of *Bristol*, and the Kingdom at large, and will also be of great public Utility; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of 3 G. 4. c. 126.

4 G. 4. c. 95. His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty,

5 G. 4. c. 69. intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads:* 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

Trustees. of the same, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Somerset*, together with *John Atkins*, *John Bath*, *Samuel Birch*, *Samuel Birch* the younger, *James Birch*, *John Hurd Clarke*, *John Cobley* Clerk, *William Edwards*, *John Fisher*, *Peter Fry*, *Samuel Lund Fry*, *Richard Gilling*, *John Gilling*, *John Glanvill*, *Joseph Hembery*, *Robert Keen*, *John Kempthorne*, *John Leacroft*, *Jeremiah Dewdney Parsons*, *Arthur Phippen*, *Charles Tynte Simmons* Clerk, *Edward Spencer*, *Levi Star*, *Henry Bull Strangways* the younger, *George Symons*, *William Robert Warry*, *George Warry*, *Hyde Whalley*, *Joseph Woollen*, and their Successors, being duly qualified according to the Directions and Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, shall be and they are hereby appointed Trustees for making, amending, altering, turning, widening, improving, and keeping in repair a Road from *Chappel's Corner* unto, on, and across the *Bridgwater* Turnpike Road as far as *Ashcott* Parish runs, from thence on the present Road by *Shapwick* Windmill, *Shapwick* Church, and through the Village of *Shapwick*, and along *Shapwick Heath*, unto and across the South Drain dividing *Shapwick* and *Westhay*, from thence through and across divers Lands and Roadways unto *Westhay Cross*, from thence along the present Road over *Westhay* and *Wedmore* Bridges, along *Blakeway*, and by *Mudgely*, into and through the Village of *Wedmore* unto and as far as a certain Place called *Pople's Gate* at *Cocklade*, from thence through and across divers Closes of Lands, Lanes, or Roadways unto the River *Axe* or *Clewer Bridge*, from thence over and along the present Road through *Chedder Moor*, over the River *Yeo* or *Hythe Bow Bridge*, unto a certain Place called *Steart Bushes*, from thence through and across divers Lands and Lanes unto and across the Road leading from *Cheddar* to *Axbridge*, and from thence unto and along the present Road called *Wood Lane*, by *Cheddar Wood*, to a certain Place called *Nipper's Corner*, from thence on and over the present Road leading into, through, and by the Church of *Shipham* unto a certain Cottage now in the Occupation of *John Wookey*, from thence on and over the present Road in the Parish of *Rowberrow* into the new *Bristol* Turnpike Road at or near *Rowberrow Hill*, in the said County of *Somerset*, and for otherwise carrying the said recited Acts and this Act into Execution.

Appointment of additional Trustees. II. And be it further enacted, That it shall be lawful for the said Trustees, at their first Meeting to be held under or by virtue of this Act, to elect, nominate, and appoint any Number of Persons, not

exceeding Three in the whole, to be Trustees for the Purposes of the said recited Acts and this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed, and being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed by this Act.

Powers of General Turnpike Acts extended to this Act.

III. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His said present Majesty King *George* the Fourth, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His said present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act,) and also the said recited Act passed in the Fourth Year of the Reign of His said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Lands not to be entered upon without first making Satisfaction.

IV. And be it further enacted, That nothing in this Act or the said recited Acts contained shall extend or be construed to extend to permit or authorize the said Trustees to enter upon, take, or use any Lands, Tenements, or Hereditaments, without first making Satisfaction to the Owners and Occupiers of such Lands, Tenements, and Hereditaments respectively, such Satisfaction to be settled and ascertained in the Manner directed by the said recited Acts.

Time and Place of first Meeting.

V. And be it further enacted, That the said Trustees shall meet at the *George Inn* in the said Parish of *Wedmore*, or at some other convenient House or Place in the said Parish, on the Second *Monday* next after the passing of this Act, or so soon after as conveniently may be, between the Hours of Eleven and Twelve of the Clock in the Forenoon, and shall then and there proceed to carry the said recited Acts and this Act into Execution; and shall then and from Time to Time afterwards adjourn to and meet at such Times and Places in the Neighbourhood of the said Road as they may think proper.

Treasurer and Clerk not to be the same Person.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Clerk or other Person in the Service or Employ of the Partner of such Clerk, the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed

appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Trustees to set out and make Road.

VII. And be it further enacted, That it shall be lawful for the said Trustees to set out and make the Road herein-before described, of such Width as they may think proper, not exceeding Fourteen Yards, and for that Purpose to take and use any Lands, Tenements, and Hereditaments, first making Satisfaction to the Owners and Occupiers of such Lands, Tenements, and Hereditaments, to be settled and ascertained in manner directed by the said recited Acts; and from and after the making of the said Road, the same shall be deemed and taken to be, and shall be a Public Highway for ever, to all Intents and Purposes.

Map or Plan to remain at the Office of the Clerk of the Peace, and Road not to deviate more than 100 Yards therefrom.

VIII. And whereas a Map or Plan describing the Line of the said Road, together with a Book of Reference, containing Lists of the Names of the several Owners and Occupiers of the Lands, Buildings, Tenements, and Hereditaments through which the same Road is intended to pass, has been deposited at the Office of the Clerk of the Peace for the said County of *Somerset*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the said Clerk of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Trustees in making the said Road shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviations shall be made.

Lands marked in the Plan may be used, not-

IX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road into, through, across, or over the several Lands, Buildings, Tenements, and Hereditaments

ditaments described in the said Map or Plan and Schedule hereunto annexed, although the Name or Names of the Owner or Owners thereof may happen to be omitted or mis-stated in the said Book of Reference, or in the Schedule to this Act annexed, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

withstanding Errors in the Book of Reference.

X. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making the said Road shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any enclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned or specified in the Schedule to this Act annexed.

Trustees restrained from taking down Houses, &c. without Consent.

XI. And be it further enacted, That if the said Trustees shall not, within the Space of Five Years (to be computed from the passing of this Act), agree for, or cause to be valued and paid for, in manner directed by the said recited Acts, the several Messuages and other Buildings, Lands, Tenements, and Hereditaments which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby given them for such Purpose shall cease, determine, and be utterly void, save and except with the Consent of the Owners or Proprietors thereof.

Limiting the Term for purchasing Lands, &c.

XII. And be it further enacted, That for the Purpose of forming, making, and completing the Line of Road by this Act intended to be made and repaired, all Erections and Encroachments which shall have been made or set up on or from the Waste Lands by the Sides of the said Roads, or any of them, within the Space of Twenty Years before the passing of this Act, and within Fifteen Feet of the Centre of such Roads, shall and may be removed by the said Trustees or their Surveyor, or any Person or Persons whom they or he shall appoint, they the said Trustees giving to the Party or Parties continuing or retaining the same Erections or Encroachments One Calendar Month's previous Notice of their Intention to remove the same; and from and after the Expiration of such One Calendar Month's Notice, the Ground on which such Erections or Encroachments stood shall be deemed and considered to be Parts of the said Road respectively.

Encroachments may be removed for the Purpose of making the Road.

XIII. And be it further enacted, That in making the new Road, and in diverting the present Roads by this Act authorized to be made and diverted respectively, in all Cases where the said Trustees shall cut through or take away any Part or Parts of a Field, so as to leave any Part or Parts thereof of a less Quantity, in any one Piece, than Two Acres, they shall and are hereby authorized and required, if the Owner or Owners thereof shall desire the same, to treat for and

Trustees to purchase Lands where less than Two Acres left.

purchase all such Parts so left, and being of less Quantity than Two Acres as aforesaid; in the same Manner and under the same Regulations as are directed by the said recited Acts; and all Persons and Bodies Politic, Corporate, or Collegiate, are hereby authorized to treat for and convey the same in such Manner and under the like Regulations as are directed by the said Acts in Cases where the said Trustees are authorized to purchase Lands for the Improvement of Roads; and the said Trustees, after they shall have made such new Road or have diverted such present Roads, shall and they are hereby authorized and required to sell and convey the remaining Part or Parts of such several Lands in such Manner as they are authorized by the said Acts to sell and convey old Roads.

Trustees may erect Toll Gates, &c.

XIV. And be it further enacted, That the said Trustees shall and may and they are hereby authorized to erect and set up, or cause to be erected and set up, such and so many Toll Gates or Toll Bars upon or across or on the Sides of the said Road, as the said Trustees shall from Time to Time think proper; and from Time to Time remove the same, or any of them, and erect another or others in the Room or Stead thereof, or discontinue the same, as they shall think proper and expedient; and also shall and may erect and provide so many Toll Houses, with suitable Outbuildings and other Conveniences, and take in and inclose from the Sides of the said Road suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House, at or near to such Toll Gates or Toll Bars; and also so many Weighing Machines at or near to such Toll Houses as to the said Trustees shall seem expedient.

Power to take Tolls.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or their Lessee or Lessees, or any Person or Persons acting under the Authority of the said Trustees, and they are hereby authorized and empowered to demand and take at each and every of the said Toll Gates and Side Gates, before any Horse, Beast, or other Cattle shall be permitted to pass through the same, (subject and liable to the several Restrictions and Exemptions contained in this and the said recited Acts,) the several Tolls and Duties following; that is to say,

Tolls.

For every Horse, Mule, or Ass drawing any Coach, Chaise Marine, Barouche, Sociable, Landau, Berlin, Vis-a-vis, Chaise, Phaeton, Curricle, Chair, Whiskey, Calash, Caravan, Hearse, Litter, Taxed Cart, or other such like Carriage, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or Ass drawing any Waggon, Wain, Cart, Dray, or other like Carriage, the Sum of Four-pence Halfpenny:

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

For every Ox, Cow, or Neat Cattle, not drawing, the Sum of One Halfpenny:

And for every Calf, Hog, Sheep, or Lamb, the Sum of One Farthing:

Which said Tolls shall be and are hereby vested in the said Trustees, and shall be paid, levied, applied, disposed of, and assigned in manner directed by the said recited Acts and this Act.

XVI. And

Tolls to be paid but once a Day.

XVI. And be it further enacted, That in case the said Toll shall have been paid for or in respect of any Horse, Beast, or Cattle passing through any of the said Turnpikes or Toll Gates, no Toll shall be demanded or taken for or in respect of such Horse, Beast, or Cattle, for returning, passing, or repassing through the same Turnpike or Toll Gate the same Day, or through any other Turnpike or Toll Gate freed by such Payment, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, but on a Note or Ticket being produced, denoting the Payment of such Toll, the same Horse, Beast, or Cattle shall, except as herein-after mentioned, be permitted to pass through such Turnpike or Toll Gate Toll-free.

Limiting the Number of Tolls to be taken on the whole Line of Road.

XVII. And be it further enacted, That no more than Two full Tolls shall be demanded or taken on the same Day (to be computed as aforesaid) for or in respect of the passing and repassing of the same Horse, Beast, or Cattle through all the Turnpikes or Toll Gates to be erected upon the said Road, (except as herein-after mentioned,) but on a Note or Ticket, or Notes or Tickets, being produced, denoting such Payment, the same Horse, Beast, or Cattle shall be permitted to pass and repass Toll-free through all the said Turnpikes or Toll Gates on the same Day.

Stage Coaches to pay each Time of passing.

XVIII. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other such Carriage, and carrying Goods or Passengers for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day, carrying Goods or Passengers for Payment, Hire, or Reward, through any Turnpike or Toll Gate on the said Road, the Tolls hereby made payable shall be again paid for every Time of passing and repassing through such Turnpike or Toll Gate, in like Manner as if no Toll had been before paid.

Post Chaises to pay on every new Hiring.

XIX. Provided also, and be it further enacted, That the said Tolls shall be payable for and in respect of all Horses or other Beasts drawing Post Chaises and other Carriages travelling for Hire, for every Time of passing or repassing along the said Road on the same Day, to be computed as aforesaid, as often as a fresh Hiring thereof shall take place.

Exemption from Tolls.

XX. And be it further enacted, That no Toll shall be demanded or taken by virtue of this or the said recited Acts for any Horse, Beast, or other Cattle carrying or conveying, or going for, or returning after having been only employed in carrying or conveying, on the same Day, any Dung, Mould, Compost, or any Lime or other Matter or Thing to be used for Manure only for improving Lands, or Stones or other Materials for Bridges, or the guttering, tunnelling, or draining of Lands, or any Turf, Milk, Hay, Straw, Fodder for Cattle, Corn, Apples, Timber, or Wood, or any Potatoes, Carrots, Turnips, or other Roots or Vegetables or Vegetable Productions which has or have arisen or grown on the Lands or Grounds in the Occupation of the Owner of any such Turf, Milk, Hay, Straw, Fodder, Corn, Apples, Timber,

Timber, Wood, Potatoes, Carrots, Turnips, or other Roots or Vegetables or Vegetable Productions, carried to the House, Barn, Barton, Granary, or Stable of the Owner of such Turf, Milk, Hay, Straw, Fodder, Corn, Apples, Timber, Wood, Potatoes, Carrots, Turnips, Roots, Vegetables or Vegetable Productions, or from any Part of the Lands and Premises in his Occupation to any other Part of such Lands and Premises, such Turf, Milk, Hay, Straw, Fodder, Corn, Apples, Timber, Wood, Potatoes, Carrots, Turnips, Roots, Vegetables or Vegetable Productions, not having been bought, sold, or disposed of, or not going to be sold or disposed of, but to be laid up on the Premises of such Owner, nor being carried a greater Distance than Three Miles on the said Turnpike Road.

Application of the Tolls and Money borrowed.

XXI. And be it further enacted, That out of the Monies which shall arise or be received from the Tolls by the said recited Acts and this Act granted, or out of such Monies as shall be borrowed on the Credit thereof, the said Trustees shall, in the first place, pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act; and such Monies shall, in the second place, be applied in keeping down the Interest of the Principal Monies which may be borrowed on the Credit of this Act, and in erecting Turnpike Gates, Weighing Engines, and Toll Houses, and in making and amending, altering, turning, widening, improving, and completing the said Roads, and in otherwise putting this and the said recited Acts into Execution, and in repaying the Principal Monies to be borrowed by virtue of the said recited Acts.

Application of Compensation Money when amounting to 200*l.*

XXII. 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 Acts or of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Acts 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing the said recited Acts and this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His said present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, 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, and Hereditaments, in the Purchase of the Land Tax, or in Discharge of any Debt or Debts, or other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements,

1 G. 4. c. 35.

Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, 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 or Settlement shall be existing undetermined and capable of taking effect; and in the meantime, 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 meantime, 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, Tenements, or Hereditaments by the said recited Acts or this Act authorized to be purchased, in case such Purchase or Settlement were made.

Where less than 200*l.* and amounting to 20*l.*

XXIII. 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 Two hundred Pounds, and shall amount to or 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 of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, to be placed to his Account as aforesaid, in order to be applied in the 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 the Trustees for executing this Act, (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 may be applied, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When under 20*l.*

XXIV. And be it further enacted, That when such Money so agreed or awarded to be paid as before-mentioned shall be less than Twenty

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 recited Acts and this Act, in such Manner as the said Trustees shall think fit; and 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.

In case of not making out Titles, &c. Purchase Money to be paid into the Bank of England.

XXV. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Titles or Interests of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

In case of disputed Titles.

XXVI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Monies, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in the Possession of such Lands, Tene-

ments, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons respectively, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Exchequer may order Expences of Purchases to be paid by the Trustees.

XXVII. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct, out of the Monies to be received by virtue of this Act.

Public Act.

XXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of Act.

XXIX. And be it further enacted, That this Act shall commence and take effect upon the passing thereof, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE to which the aforegoing Act refers.

Description of Property.	Parish.	Owners or reputed Owners.	Occupiers.
Garden - -	Shapwick -	Reverend E. Taylor -	Thomas Crossman.
Orchard - -	Meare - -	Robert Phippen, Esquire	Stephen Laver.
Part of a Shop and Dwelling House -	Wedmore -	John Billinge - - -	John Billinge.
Garden - - -	Wedmore -	Joseph Richards - -	Joseph Richards.
Orchard - -	Cheddar -	John Brooks - -	John Brooks.
Orchard - - -	Cheddar -	Jeremiah Tutton - -	Jeremiah Tutton.

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