ANNO QUADRAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. 2.

An Act to continue and amend Two Acts, passed in the Fourth and Twenty-fifth Years of His present Majesty, for repairing and widening several Roads, leading from the Town of *Bideford*, in the County of *Devon*. [17th *March* 1807.]

WHEREAS an Act was made in the Fourth Year of the Reign of His present Majesty, intituled "An Act for repairing and "widening several Roads leading from the Town of *Bideford* in the "County of *Devon*:" And whereas another Act was made in the Twenty-fifth Year of the Reign of His present Majesty, intituled "An Act for "continuing the Term, and altering and enlarging the Powers of an Act "of the Fourth Year of His present Majesty, for repairing and widening "several Roads leading from the Town of *Bideford* in the County of "*Devon*:" And whereas great Progress hath been made in repairing and widening the said Roads, and several considerable Sums of Money are now due and owing on the Credit of the Tolls granted by the said Acts, which cannot be paid off, nor the Roads kept in Repair, unless the Terms of the said Acts are further continued, and the Powers 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 Acts, and all the Powers, Provisoes, Matters, and Things therein contained, (except such as relate

4 G. 3. c. 87.

25 G. 3. c. 119.

Acts further continued.

to Exemptions from Stamp Duties, and as are hereby varied or repealed), shall be and continue in full Force, and shall be executed for and during the Term hereafter mentioned, for the Purpose of repairing, improving, and keeping in Repair the Roads therein mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; and the additional Term hereby granted shall be, and is hereby declared to be, subject and liable to the Payment of all the respective Sums of Money now due and owing on the said Roads, and of such other Sum or Sums of Money as shall or may be borrowed for the Purposes of the said Acts, or of this Act, and of all Interest now due and to grow due for the same respectively.

Additional Trustees.

II. And be it further enacted, That *William Allin*, *Lewis William Buck*, *James Burke*, *William Bartlett*, *Robert Barton*, *John Boger*, *Thomas Burnard*, *Thomas Burnard*, Junior, *Nathaniel Edward Burnard*, *William Henry Burnard*, *John Benson*, *John Peter Benson*, *Thomas Benson*, *Culverhouse Benson*, *John Denis Burdon*, *George Burdon*, *George Burdon*, Junior, Sir *William Call*, Bart. *Richard Pine Coffin*, the Reverend *John Pine Coffin*, *John Thomas Pine Coffin*, *Richard Pine Coffin*, Junior, the Reverend *Charles Pine Coffin*, *John Pine Coffin*, Junior, *Edward Pine Coffin*, *John Clyde*, Junior, *Thomas Cutcliffe*, the Reverend *William Holland Coham*, *William Michael Coham*, *William Bickford Coham*, *George Lewis Coham*, *Stephen Coham*, *Holland Coham*, *Arthur Coham*, the Reverend *William Chanter*, the Reverend *Thomas Clack*, *Thomas Edward Clack*, *William George Sadler Clack*, *Moses Chanter*, *John Chanter*, *Charles Carter*, Junior, *Samuel Cory*, *John Cory*, *John Caddy*, Junior, *Richard Carter*, *George Cooke*, *Michael Cooke*, the Right Honourable *Hugh Fortescue* Viscount *Ebrington*, the Reverend *John Edgcomb*, *John Exter*, *Thomas Elbis*, *John Inglett Fortescue*, the Reverend *Peter Glubb*, *John Galsworthy*, *William Galsworthy*, *James Hamlyn*, *Charles Hamlyn*, *Orlando Hamlyn*, *Robert Hamlyn*, Junior, *John Hamlyn*, *George Hole*, *George Hole*, Junior, the Reverend *Richard Keats*, *James Kirkman*, *James Kirkman*, Junior, *Thomas Kingdon*, *William Kelly*, *Benedictus Marwood Kelly*, *Edward Lee*, the Reverend *Lewis Lewis*, *James Smith Ley*, *Elias Leach*, the Reverend *Nicholas Mill*, the Reverend *Thomas Mill*, *Nicholas Mill*, Junior, *William May*, *Thomas May*, Junior, *John Norman*, Junior, *William Norman*, *Richard Preston*, the Reverend *Joseph Prust*, Junior, *Bartholomew Prust*, *John Silke Prust*, *John Partridge*, *Francis Painter*, *John Pearse*, the Reverend *John Rowe*, the Reverend *Samuel Rooker*, *Thomas Reed*, *William Smith*, *Montague Edward Smith*, *Henry Stoneman*, Junior, the Reverend *John Torr*, *William Short Tyeth*, *William Tucker*, *Anthony Tucker*, *William Tardrew*, *John Tribble*, *Robert Studley Vidal*, *John Vowler*, Junior, *James Hamlyn Williams*, the Reverend *Richard Walter*, the Reverend *William Walter*, *Edward Walter*, *William Walter*, Junior, *Richard Walter*, *John Walter*, Junior, *Hugh Oxenham Walter*, *Richard Walter*, of *Bradworthy*, *William Walter*, of *Bradworthy*, *John Willcock*, Junior, *George Willcock*, *Thomas John Willcock*, *Leonard Wood*, and *William Wood*, (being qualified according to the Directions of the said recited Acts) shall be, and are hereby appointed Trustees, and added to and joined with the Trustees appointed or elected, by or in pursuance of the said recited Acts, for putting in Execution the said Acts, and this Act, and all the Powers thereby and hereby given and granted.

III. And

III. And whereas the Tolls granted by the said first recited Act, have been found insufficient, Be it therefore enacted, That from and after the passing of this Act the said Tolls shall be, and the same are hereby repealed; and that instead thereof, there shall be demanded and taken, before any Horse, Cattle, or Carriage shall be permitted to pass through any Gate, or Turnpike erected, or to be erected on the said Roads, or on any Part thereof, such Tolls as the said Trustees, or any Nine or more of them shall from Time to Time appoint, not exceeding the several and respective Sums following: (that is to say) Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Curricle, Calash, Chair, Caravan, Hearse, Litter, or Taxed Cart, drawn by Six or more Horses, Mares, Geldings, or Mules, the Sum of One Shilling and Sixpence, and drawn by Four Horses, Mares, Geldings, or Mules, the Sum of One Shilling, and drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Nine-pence, and drawn by One Horse, Mare, Gelding, or Mule, the Sum of Four-pence Halfpenny.

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

For every Waggon, Wain, Cart, or other such like Carriage, drawn by Five or more Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling, and drawn by Three or Four Horses, Oxen, or other Beasts of Draught, the Sum of Eight-pence, and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Four-pence, and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Two-pence.

For every Drove of Oxen, Cows, or neat Cattle, the Sum of Ten-pence per Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five pence per Score, and so in proportion for any greater or less Number:

For every Carriage used for the Purpose of drawing or carrying Timber, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which shall be straight, drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of Four Shillings, and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, Oxen, or other Beasts of Draught, the Sum of Sixteen Shillings.

For every such Carriage having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which shall be straight, drawn by Seven Horses, Oxen, or other Beasts of Draught, the Sum of Three Shillings and Sixpence; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, Oxen, or other Beasts of Draught, the Sum of Fourteen Shillings.

For every such Carriage having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface

face, and the Axletrees of which ſhall be ſtraight, drawn by Five or Six Horſes, Oxen, or other Beaſts of Draught, the Sum of Three Shillings; and having the Fellies of any of the Wheels of a leſs Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which ſhall not be ſtraight, drawn by the like Number of Horſes, Oxen, or other Beaſts of Draught, the Sum of Twelve Shillings.

For every ſuch Carriage having the Fellies of all the Wheels of the Breadth of Six Inches, or more, with a cylindrical and even Surface, and the Axletrees of which ſhall be ſtraight, drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of Two Shillings and Sixpence; and having the Fellies of any of the Wheels of a leſs Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which ſhall not be ſtraight, drawn by the like Number of Horſes, Oxen, or other Beaſts of Draught the Sum of Eight Shillings.

For every ſuch Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which ſhall be ſtraight, drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Sixpence; and having the Fellies of any of the Wheels of a leſs Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which ſhall not be ſtraight, drawn by the like Number of Horſes, Oxen, or other Beaſts of Draught, the Sum of Five Shillings.

For every ſuch Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, the Axletrees of which ſhall be ſtraight, drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling; and having the Fellies of any of the Wheels of a leſs Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which ſhall not be ſtraight, drawn by the like Number of Horſes, Oxen or other Beaſts of Draught, the Sum of Three Shillings.

And for every ſuch Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, the Axletrees of which ſhall be ſtraight, drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Eight-pence; and having the Fellies of any of the Wheels of a leſs Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which ſhall not be ſtraight, drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of One Shilling and Sixpence.

For every Coach, Chariot, Landau, Berlin, Chaiſe, Curricle, Calaſh, Chair, Caravan, Hearſe, Litter, or Taxed Cart, and for every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, which ſhall paſs on a *Sunday* through any Gate or Turnpike erected, or to be erected, on the ſaid Roads, a Toll equal to One Third more of the Tolls hereinbefore made payable; and for all other Carriages, Horſes, Mares, Geldings, Mules, Aſſes, Oxen, or other Cattle whatſoever, ſo paſſing on a *Sunday* double the Tolls herein made payable; which ſaid ſeveral and reſpective Tolls hereby granted, ſhall be and the ſame are hereby veſted in the ſaid Truſtees for executing the

the ſaid Acts, and this Act; and the ſame and every Part thereof ſhall be collected, recovered, levied, paid, applied, aſſigned, and diſpoſed of in ſuch and the ſame Manner, and by ſuch and the ſame Ways and Means, and with ſuch Powers, Proviſions, Remedies, and Reſtrictions as are contained in the ſaid recited Acts, or either of them, reſpecting the Tolls thereby authorized to be taken.

General Exemptions.

IV. And be it further enacted, That from and after the paſſing of this Act the Exemptions granted by the ſaid recited Acts ſhall be repealed, and that no Toll ſhall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horſes employed in carrying or conveying only, or going empty, to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing the ſaid Roads, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Roads lie; or any Hay, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Out-houſes, or on the Lands of the Owners thereof; or for any Waggons, Wains, Carts, Carriages, or Horſes employed in carrying or conveying only, or going empty to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Lime, Marl, Sullage, Compoſt, or other Manure, employed in Huſbandry, for manuring or improving Land; or any Stone, Bricks, or other Materials for draining Land, or for any other Thing employed in the Management of any Farm or Land, or for any Waggons, Wains, Carts, Carriages, or Horſes employed in carrying or conveying only, or going empty, to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any Bricks, Lime, Stone, Plaſter, Timber, or other Materials to be uſed for building or repairing any Church, Chapel, Houſe, Out-houſe, Barn, Stable, or Hovel, within the ſame Pariſh where ſuch Bricks, Lime, Stone, Plaſter, Timber, or other Materials ſhall be made, got, or cut down; or for any Horſes, or Cattle going to or returning from Paſture, or Watering Places, or for any Horſes going to be, or returning from being ſhoed, or from any Perſon going to, or returning from his or her proper Parochial Church, Chapel, or other Place of religious Worſhip, tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Perſon that ſhall die and be buried in any of the ſaid Pariſhes, or from any Clergyman going to, or returning from viſiting any ſick Perſon, or upon other his parochial or miniſterial Duty, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horſes, Cattle, or Carriages, of whatever Deſcription, employed, or to be employed in conveying the Mails of Letters and Expreſſes, under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, guarding, or fetching ſuch Mails, or Expreſſes, or in returning back from conveying the ſame, or for any Horſes, Carts, or Waggons attending upon Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage, or for any Horſes furniſhed by, or for any Perſons belonging to any

any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to, or returning from the Place appointed for, or on the Days of Exercise, provided that such Persons be dressed in the Uniform of their respective Corps, and have the Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption, or for any Horses, Carts, Waggons, or other Carriages employed in the Conveyance of Vagrants sent by legal Passes, or for any Coach, Landau, Berlin, Chariot, Calash, Chair, or other Carriage, or for any Horse or other Beast, conveying any Person or Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Devon*, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded; And if any Person or Persons shall, in any fraudulent or colluſive Manner whatsoever, claim or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay, for every such Offence, any Sum not exceeding Forty Shillings; One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Particular Exemption.

V. Provided always, and be it enacted, That *Paul Orchard*, Esquire, or his Heirs or Assigns, or his or their Servants, shall not be chargeable with, or compellable to pay, any of the Tolls or Duties made payable by this Act, at any Gate to be erected in or within One Mile of *Stoke*, in the Parish of *Hartland*, for any Waggon, Wain, Cart, or Dray, or other Carriage, or for any Horse, Mare, Gelding, Ox, Mule, Ass, or other Beast of Draught, drawing or not drawing, belonging to the said *Paul Orchard*, or his Heirs or Assigns, which shall be used or employed upon any of the Farms of the said *Paul Orchard*, in the said Parish of *Hartland*, or for any Horse, Mare, Gelding, Ox, Mule, or Ass, or other Beast or Cattle going to or returning from the same.

For the Payment of Creditors.

VI. And be it further enacted, That at any Time or Times when it shall appear to the said Trustees, or any Nine or more of them, that the said Roads are in good Repair, and that the clear unappropriated Sum of Fifty Pounds, or more, after reserving the Amount of the Interest that shall be then due on the Money owing on the said Roads, is in the Hands of the Treasurer to the said Trustees, it shall be lawful for the said Trustees, or any Nine or more of them, to cause the Number of all Deeds Poll granted by virtue of the said Acts, or either of them, for securing the principal Monies lent upon the Credit of the Tolls thereby granted, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper, of an equal Size; and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box or Wheel, and the Number or Numbers of as many of the said Deeds Poll, as are intended to be paid off, shall be drawn separately out of the said Box or Wheel by the Clerk to the said Trustees; and, after every such Ballot, the said Trustees shall cause Notice, signed by their Clerk, to be given to or left at the last, or usual Place of Abode, of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot; and every such Notice shall express the Sum to be paid off, together with the Interest

Intereſt due thereon, and that the ſame ſhall be paid on a Day, and at a Place to be ſpecified in ſuch Notice, ſuch Day not being ſooner than Three Calendar Months after the Day of giving or leaving ſuch Notice as aforeſaid; and the Intereſt of the principal Money to be ſo paid off, ſhall, from and after the Day ſo ſpecified, ceaſe, and be no longer paid or payable, unleſs ſuch Money ſhall be demanded, purſuant to ſuch Notice, and not paid; but the principal Money, in reſpect whereof ſuch Notice ſhall be given, and alſo the Intereſt thereof, to the Day to be ſo ſpecified, ſhall nevertheleſs be payable on Demand.

Statute Work.

VII. And be it further enacted, That ſo much of the ſaid recited Acts as relates to the Performance of Statute Labour on the ſaid Roads, ſhall be, and the ſame is hereby repealed; and that all Perſons, who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the Roads hereby directed to be made, widened, and repaired, or any Part thereof, ſhall ſtill remain liable thereto as heretofore; and it ſhall and may be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Devon*, or for the ſaid Town of *Bideford*, or either of them, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of, or as a Compoſition for, ſuch Statute Work as aforeſaid, ſhall be by him or them paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers, and in order thereunto it ſhall and may be lawful to and for ſuch Juſtices, from Time to Time, to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices at ſome Place to be expreſſed in ſuch Summons, (within Ten Days after the ſerving of ſuch Summons,) of the Names of the ſeveral Perſons, who, within ſuch Pariſh or Place, are by Law ſubject to do Statute Work for that Year, or to the Payment of any Money in lieu of, or as a Compoſition for, ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as are or may be directed by any Law or Statute in Force and Effect for the Repairs of the Public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons, who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work, in every Year, upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done at ſuch Days, and at ſuch Times (not being Hay Time or Harveſt), and in ſuch Parts of the ſaid Roads as the ſaid Truſtees, or their Surveyor or Surveyors ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who, by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of, or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof, as the ſaid Juſtices

ſhall

ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as they, the ſaid Juſtices, ſhall direct; and in default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalties by the ſaid recited Acts are authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing, given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor of the ſaid Truſtees, ſhall for every Day of his or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to, by any Law or Statute in Force or Effect for the Repair of the Public Highways; or if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor of the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn-off the Perſon who ſhall be ſo found idle or negligent as aforeſaid, and in that caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments as aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees for the Time being, and applied towards amending the ſaid Roads; and in caſe the ſaid Surveyor or Surveyors of the Highways, for any of the ſaid Pariſhes or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Application of Compenſation Money, if amounting to 200l.

VIII. And be it further enacted, That if any Money ſhall be paid, or 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 and this Act, for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Ceſtique Truſt*, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to 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, there *ex parte* the Truſtees for executing the ſaid recited 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, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof,

as

as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or 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 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 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 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 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, Tenements, and Hereditaments, to be purchased by virtue of the said recited Acts and this Act, in case such Purchase or Settlement were made.

Application of Compensation, if less than 200l. and not exceeding 20l.

IX. Provided always, and be it 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 any Dilability or Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall exceed or be equal to 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, Idiotcy, 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 High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore 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 any Five or more of the said Trustees for executing the said recited Acts and 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 any Manner hereinbefore directed, so far as the Case be applicable, without obtaining, or being required to obtain the Direction and Approbation of the Court of Chancery.

Application of Compensation, if less than 20l.

X. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid as next 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 or this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid 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.

XI. And be it further enacted, That in case the 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 and 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 and may be lawful to and for the said Trustees, or any Five or more of them, 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 Court of Chancery, 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, Control, and Disposition of the said Court of Chancery, which said Court of Chancery, 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 same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest 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 such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Or, if Persons cannot be found, Purchase Money to be paid into the Bank.

Subject to the Order of the Court of Chancery, on Motion or Petition.

Where any Question shall arise, touching the Title to Money to be paid the Person who shall be in Possession at the Time of such Purchase, shall be deemed entitled there-

XII. Provided always, and be it 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 Court of Chancery, 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 the said recited Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities; the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person

or

of Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; 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. to, according to such Possession.

The Court of Chancery may order reasonable Expences of Purchases, to be paid by Trustees.

XIII. Provided also, and be it enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said recited Acts, and this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of the said recited Acts and this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases, from Time to Time, to be made in pursuance of the said recited Acts and this Act, or so much of such Expences as the said Court shall deem reasonable to be paid by the said Trustees out of the Monies to be received by virtue of the said recited Acts and this Act, who shall from Time to Time pay such Sums of Money, for such Purposes as the said Court shall direct.

For paying Expences of the Act.

XIV. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act shall be paid by the Trustees for executing the said recited Acts and this Act, or any Five or more of them, out of the Monies already raised by virtue of the said Acts, or out of the first Monies which shall be collected or received by virtue of the said Acts or this Act, in preference to all other Payments whatsoever.

Public Act.

XV. 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 the Act.

XVI. And be it further enacted, That the said recited Acts (subject to the Alterations and Amendments herein contained) shall continue and be in Force, and be executed, for and during the Residue now to come and unexpired of the Terms granted by the said recited Acts, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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Acres