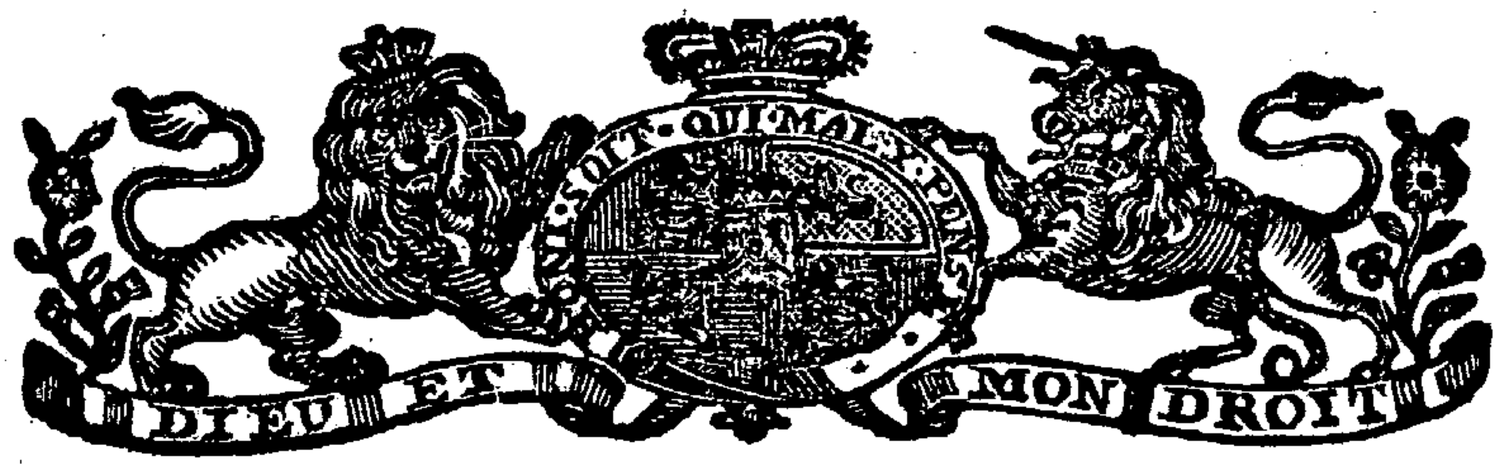


ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 153.

An Act for altering and enlarging the Powers of Two Acts passed in the Parliament of *Ireland* in the Thirtieth and Thirty-second Years of His present Majesty, and of an Act passed in the Forty-fifth Year of His present Majesty, for repairing several Roads in the Counties of *Carlow*, *Kilkenny*, and *Tipperary*; and also for more effectually repairing and maintaining the Road leading from the Town of *Clonmel*, through the County of *Waterford*, to the Cross Roads of *Knocklofty*, in the County of *Tipperary*. [9th *June* 1812.]

WHEREAS an Act was passed in the Parliament of *Ireland*, in the Thirtieth Year of the Reign of His present Majesty, intituled *An Act for amending of the Turnpike Road leading from the City of* Kilkenny *to the Town of* Clonmel, *and thence to the Bounds of the County of* Cork, *and to provide for the better Repair of the said Road*: And whereas an Act was passed in the Parliament of *Ireland*, in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act to explain and amend the several Laws for repairing and amending the Turnpike Road from* Kilkenny *to* Clogheen: And whereas an Act was passed in the Forty-fifth Year of the Reign of His present Majesty, intituled *An Act for the better amending and repairing of the Road leading from the Town* 30 G. 3. c. 44. 32 G. 3. c. 39. 45 G. 3. c. 52.

of Carlow *to the City of* Kilkenny: And whereas the Commiſſioners and Truſtees under the ſaid recited Acts, have proceeded in the Execution of the ſeveral Powers thereby veſted in them: And whereas the Road deſcribed in the ſaid Two firſt recited Acts cannot be effectually maintained and kept in Repair under the Powers and Proviſions thereby granted; and it is expedient that for the future Amendment and Preſervation thereof, that the Powers and Proviſions of the ſaid Acts ſhould be amended and enlarged, and that the Tolls thereby authorized to be taken ſhould be increaſed: And whereas it would be of great public Utility, as alſo highly beneficial to the Truſts of the ſaid Three ſeveral recited Acts, if the Commiſſioners under the ſaid Two firſt recited Acts were diſcharged from the Care and Management of the Road ſituate between the City of *Kilkenny*, and the Bounds of the Counties of *Kilkenny* and *Tipperary*, and that the ſame, together with the ſaid Road from the Town of *Carlow* to the City of *Kilkenny*, ſhould be placed under the Care and Management of Truſtees as herein-after mentioned; and it would alſo be of great public Utility, if a ſmall Branch of Road lately made, leading from the Bridge now building at or near the Houſe of Induſtry in the Town of *Clonmel*, through the County of *Waterford*, to the Croſs Roads of *Knocklofty*, in the County of *Tipperary*, were made a Part of the Road to be put under the Care and Management of the Commiſſioners of the ſaid Two firſt recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty; but as the beneficial Purpoſes aforeſaid cannot be effected without the Aid and Authority of Parliament: 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 ſo much of the ſaid Two firſt recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty as relates to the Road ſituate between the City of *Kilkenny* and the Bounds of the Counties of *Kilkenny* and *Tipperary*, and all and every the Powers, Authorities, Tolls, Proviſions, Regulations, Penalties, Forfeitures, Matters, and Things therein reſpectively contained, ſo far as the ſame relate to ſuch Road, ſhall be and the ſame is and are hereby repealed, and declared to be null and void to all Intents and Purpoſes whatſoever.

Part of the Two firſt Acts repealed.

Part of Road under the Two firſt recited Acts and Carlow and Kilkenny Road, placed under the Management of Truſtees.

II. And be it further enacted, That the Honourable *James Butler*, *George Rothe*, *William Browne*, *Phillip Newton*, *Ralph Gore*, *John Stewart*, *John Alexander*, *William Barton*, *Nicholas Aylward*, *Henry Baker*, *Robert Flood*, *Edward Smyth*, Eſquires, and no other Perſons than their Succeſſors, to be elected in Manner and Form as preſcribed by the ſaid recited Act of the Forty-fifth Year of His preſent Majeſty, ſhall be and they are hereby declared to be Truſtees for amending, repairing, altering, widening, and improving the Road leading from the Town of *Carlow* to the Bounds of the Counties of *Kilkenny* and *Tipperary*, and for otherwiſe carrying the ſaid recited Act of the Forty-fifth Year of His preſent Majeſty and this Act, ſo far as regards the ſaid Road from the Town of *Carlow* to the Bounds of the Counties of *Kilkenny* and *Tipperary*, into Execution; and that the ſaid Act, and all and every the Clauſes, Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Matters, and Things therein contained, (ſave and except ſuch Part or Parts of the ſame as is or are hereby altered, varied, or repealed), ſhall be and the ſame is and

are hereby declared to be in full Force and Effect, and ſhall be as good, valid, and effectual for making, completing, preſerving, and maintaining the ſaid Road ſituate between the ſaid City of *Kilkenny* and the Bounds of the ſaid County of *Kilkenny* and *Tipperary*, and for carrying the ſeveral Purpoſes of this Act into Execution, ſo far as regards ſuch Road, in as full, ample, and beneficial a Manner to all Intents and Purpoſes whatſoever, as if the ſame were repeated and re-enacted in the Body of this Act.

Tolls to be taken on the Road.

III. And be it further enacted, That there ſhall be demanded and taken by ſuch Perſon or Perſons as the ſaid Truſtees, or any Seven or more of them, ſhall from Time to Time authorize for that Purpoſe, before any Horſe or other Beaſt, or Cattle, Coach, Chaiſe, Waggon, Cart, or other Carriage ſhall be permitted to paſs through any Turnpike or Turnpikes, Toll Gate or Toll Gates, now erected and ſet up, or hereafter to be erected and ſet up, by virtue of the ſaid recited Act of the Forty-fifth Year of the Reign of His preſent Majeſty, and of this Act, for or in reſpect of the ſaid Road ſituate between the ſaid City of *Kilkenny* and the Bounds of the Counties of *Kilkenny* and *Tipperary* aforeſaid, the ſeveral and reſpective Tolls or Sums of Money next herein-after mentioned; (that is to ſay),

Tolls.

For every Coach, Berlin, Landau, Vis-a-Vis, Chariot, Chaiſe, Phaeton, Cabriolet, Calaſh, Chair, Caravan, Hearſe, and Litter, drawn by Six or more Horſes, or other Beaſts of Draught, the Sum of Three Shillings and Three-pence:

For every Carriage of the ſame or a like Deſcription drawn by Four or Five Horſes, or other Beaſts of Draught, the Sum of Two Shillings and Two-pence:

For every Carriage of the ſame or a like Deſcription drawn by Two or Three Horſes, or other Beaſts of Draught, the Sum of One Shilling and Seven-pence Halfpenny:

For every Carriage of the ſame or a like Deſcription drawn by One Horſe, or other Beaſt of Draught, the Sum of Nine-pence:

For every Horſe and other Beaſt of Draught drawing any Waggon, Wain, Dray, or other ſuch Carriage, (not being a Cart or Car), having the Streaks or Shoeings of all the Wheels thereof reſpectively of the Breadth of Five Inches or more, and having all ſuch Streaks or Shoeings ſet on or faſtened with Nails, Bolts, or Screws, ſo counterſunk and flat-headed that no Nail, Bolt, or Screw therein ſhall project beyond the Surface of ſuch Streaks or Shoeings reſpectively, the Sum of Two-pence:

For every Horſe and other Beaſt of Draught drawing any Waggon, Wain, Dray, or other ſuch Carriage, (not being a Cart or Car), having the Streaks or Shoeings of all the Wheels thereof reſpectively of the Breadth of Four Inches, and leſs than Five Inches, and having all ſuch Streaks or Shoeings ſo ſet on or faſtened as aforeſaid, the Sum of Four-pence:

For every Horſe and other Beaſt of Draught drawing any Waggon, Wain, Dray, or other ſuch Carriage, (not being a Cart or Car), having the Streaks or Shoeings of all the Wheels thereof reſpectively of the Breadth of Three Inches, and leſs than Four Inches, and having all ſuch Streaks or Shoeings ſo ſet on or faſtened as aforeſaid, the Sum of Sixpence;

For

For every Horſe and other Beaſt of Draught drawing any Waggon, Wain, Dray, or other ſuch Carriage, (not being a Cart or Car), having any Streak or Streaks, Shoeing or Shoeings, of any Wheel or Wheels thereof reſpectively, of a leſs Breadth than Three Inches, or having any ſuch Streak or Streaks, Shoeing or Shoeings, not ſo ſet on or faſtened as aforeſaid, the Sum of One Shilling:

For every Horſe and other Beaſt of Draught drawing any Cart or Car, having the Streaks or Shoeings of all the Wheels thereof reſpectively of the Breadth of Three Inches or more, and having ſuch Streaks or Shoeings ſet on or faſtened with Nails, Bolts, or Screws, ſo counterſunk and flat-headed that no Nail, Bolts, or Screw therein ſhall project beyond the Surface of ſuch Streaks or Shoeings reſpectively, the Sum of Two-pence:

For every Horſe and other Beaſt of Draught drawing any Cart or Car, having any Streak or Streaks, Shoeing or Shoeings of any Wheel or Wheels thereof reſpectively, of a leſs Breadth than Three Inches, and having all ſuch Streaks or Shoeings ſo ſet on or faſtened as aforeſaid, the Sum of Two-pence Halfpenny:

For every Horſe and other Beaſt of Draught drawing any Cart or Car, having any Streak or Streaks, Shoeing or Shoeings of any Wheel or Wheels thereof reſpectively, not ſo ſet on or faſtened as aforeſaid, the Sum of Three-pence:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, the Sum of Three-pence:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Three Shillings and Four-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 One Shilling and Eight-pence *per* Score, and ſo in Proportion for any greater or leſs Number; and for every Mill Stone, Three Shillings and Nine-pence.

Powers veſted in Truſtees to regulate and remedy Evaſion of Tolls.

IV. And be it further enacted, That the ſaid ſeveral and reſpective Tolls herein-before granted ſhall be and the ſame are hereby veſted in the ſaid Truſtees, and the ſame and every Part thereof 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 Nonpayment or Evaſion thereof, and with ſuch Powers as are contained in the ſaid recited Act of the Forty-fifth Year of the Reign of His preſent Majeſty with reſpect to the Tolls thereby authorized to be taken, but ſubject nevertheleſs to this Act and the Proviſions, Regulations, and Reſtrictions herein contained, ſo far as regard the ſaid Road hereby placed under the Care and Management of the ſaid Truſtees.

Tolls granted by this Act not liable to Monies due by 45 G. 3.

V. Provided always, and be it enacted, That nothing herein contained ſhall extend or be deemed or conſtrued to extend, ſo as to charge, or to make or ſubject the Tolls herein-before granted to the Payment of any Sum or Sums of Money now due and owing in any Manner upon the Credit or on Account of the ſaid recited Act of the Forty-fifth Year of the Reign of His preſent Majeſty.

VI. And

Trustees to compound for Debt.

VI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, from Time to Time and at all Times hereafter, to compound for and agree with any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any Debenture, Bond, Mortgage, Assignment, Conveyance, or other Security, to which they are or may be entitled, for any Sum or Sums of Money due on or out of the Tolls granted or made payable by the Act of the Forty-fifth Year of His present Majesty, for such Sum or Sums of Money as they shall think proper, so as the Sum so compounded or agreed for be not more than the Principal Sum in such Debenture, Bond, Mortgage, Assignment, Conveyance, or Security; any Thing in the said recited Act to the contrary thereof notwithstanding.

Trustees may increase Salaries of Officers.

VII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered from Time to Time to increase the Salaries of all or any of their Officers for the Time being acting in the Execution of the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, and of this Act, provided that such Increase does not exceed in the Whole the Sum of Fifty Pounds to the Treasurer, or the Sum of Fifty Pounds to their Surveyor; any Thing in the said Act to the contrary thereof notwithstanding.

First Meeting of Trustees.

VIII. And be it further enacted, That the First Meeting of the said Trustees for putting this Act into Execution, shall be held at the *Thosel*, in the City of *Kilkenny*, on the Fourth *Monday* after the passing of this Act.

Certain Parts of Road placed under Commissioners of Acts of 30 & 32 G. 3.

IX. And be it further enacted, That the Commissioners under the said Two several recited Acts of the Thirtieth and Thirty-second Years of the Reign of His present Majesty, shall be and they are hereby declared to be Commissioners for amending, repairing, altering, widening and improving, the Road described in the said Act, from the Bounds of the said County of *Tipperary*, to the Bounds of the County of *Cork*, and shall, from and after the passing of this Act, be denominated, the Commissioners for making, completing, preserving and maintaining the said Road, from the Bounds of the said County of *Tipperary* to the Bounds of the said County of *Cork*; and that the said recited Acts, and all and every the Clauses, Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Matters, and Things therein contained, (save and except such Part or Parts of the same as is or are hereby altered, varied, or repealed), shall be, and the same is and are hereby declared to be in full Force and Effect, and shall be as good, valid, and effectual for making, completing, preserving and maintaining such Road, and for carrying the several Purposes of this Act into Execution so far as regards the same, in as full, ample, and beneficial a Manner to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted in the Body of this Act.

Road divided into Districts.

X. And be it further enacted, That the said Road, from the Bounds of the said County of *Tipperary* to the Bounds of the said County of *Cork*, shall be divided into Two Districts or Divisions, and that the First District or Division shall extend and be taken from the Bounds of the said County of *Tipperary* to the said Town of *Clonmel*; and that the Second District or Division shall extend or be taken from the said Town of *Clonmel* to the

Bounds of the ſaid County of *Cork*; and that Tolls ſhall be taken for each ſuch Diſtrict or Diviſion in Manner herein-after mentioned.

Road from the Bridge to the Croſs Roads of Knocklofty, placed under the Commiſſioners.

XI. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby declared to be Commiſſioners for making, completing, preſerving, and maintaining the ſaid Road leading from the Bridge now building at or near the Houſe of Induſtry in the ſaid Town of *Clonmel*, through the ſaid County of *Waterford*, to the Croſs Roads of *Knocklofty*, in the ſaid County of *Tipperary*; and that ſuch Road ſhall form Part of the Second Diſtrict from *Clonmel* to the Bounds of the County of *Cork*; and that the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, and all and every the Clauſes, Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Matters and Things therein contained, (ſave and except ſuch Part or Parts thereof as is or are hereby altered, varied, or repealed,) ſhall be as good, valid and effectual for making, completing, preſerving, and maintaining ſuch laſt-mentioned Road, and for carrying the ſeveral Purpoſes of this Act into Execution, as fully and beneficially to all Intents and Purpoſes whatſoever, ſo far as regards the ſame, as if the ſame had been repeated and re-enacted in the Body of this Act.

Tolls under 30 and 32 G. 3. repealed.

XII. And whereas the ſeveral Powers granted by the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, have been found inadequate to the proper Execution thereof, be it therefore further enacted, That from and after the Second *Monday* after the paſſing of this Act, all and every the Tolls granted by the ſaid Two ſeveral Acts ſhall be and they and every of them are and is hereby declared to be repealed; and that in Lieu and Stead of the Tolls by the ſame Acts granted, there ſhall be demanded and taken by ſuch Perſon or Perſons, as the ſaid Commiſſioners, or any Seven or more of them, ſhall from Time to Time authorize and appoint for that Purpoſe, before any Horſe, or other Beaſt or Cattle, Coach, Chaiſe, Waggon, Cart or other Carriage, ſhall be permitted to paſs through any Turnpike or Turnpikes, Toll-Gate or Toll Gates, now erected and ſet up, or hereafter to be erected or ſet up, by virtue of the ſaid two ſeveral Acts and of this Act, for or in reſpect of each ſuch Diſtrict or Diviſion of the ſaid Road, from the Bounds of the ſaid County of *Tipperary* to the Bounds of the ſaid County of *Cork*; and alſo for or in reſpect of the ſaid Road from the ſaid Bridge, through the ſaid County of *Waterford*, to the Croſs Roads of *Knocklofty*, in the ſaid County of *Tipperary*, the ſeveral and reſpective Tolls or Sums of Money herein-after mentioned: (that is to ſay),

Tolls.

For every Coach, Berlin, Landau, Vis-a-Vis, Chariot, Chaiſe, Phaeton, Cabriolet, Calaſh, Chair, Caravan, Hearſe, and Litter, drawn by Six or more Horſes or other Beaſts of Draught, the Sum of Three Shillings and Three-pence:

For every Carriage of the ſame or a like Deſcription, drawn by Four or Five Horſes or other Beaſts of Draught, the Sum of Two Shillings and Two-pence:

For every Carriage of the ſame or a like Deſcription, drawn by Two or Three Horſes or other Beaſts of Draught, the Sum of One Shilling and Seven-pence Halfpenny:

For

For every Carriage of the ſame or a like Deſcription drawn by One Horſe or other Beaſt of Draught, the Sum of Nine-pence:

For every Horſe or other Beaſt of Draught drawing any Waggon, Dray, Cart, or Car, the Sum of Three-pence:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, the Sum of Two-pence:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Two Shillings and Sixpence *per* Score, and ſo in Proportion for any greater or leſs Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of One Shilling and Eight-pence *per* Score, and ſo in Proportion for any greater or leſſer Number; and for every Mill Stone, Three Shillings and Nine-pence Halfpenny.

Tolls veſted in the Commiſſioners.

XIII. And be it further enacted, That the ſaid ſeveral and reſpective Tolls laſt herein-before granted ſhall be and the ſame are hereby veſted in the ſaid Commiſſioners, and the ſame and every Part thereof 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 as are contained in the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, with reſpect to the Tolls thereby authorized to be taken; but ſubject nevertheleſs to this Act, and the Proviſions, Regulations and Reſtrictions herein contained, ſo far as regards the ſaid Roads hereby placed under the Care and Management of the ſaid Commiſſioners.

Preſent Tolls to be collected till the Second Monday after the paſſing of this Act.

XIV. Provided always, and be it further enacted, That in the mean Time, and until the ſaid Second *Monday* after the paſſing of this Act incluſively, the Tolls at preſent payable at the ſeveral Toll Gates erected on the ſaid Road, from the Bounds of the ſaid County of *Tipperary* to the Bounds of the ſaid County of *Cork*, ſhall continue due and payable at the ſeveral Gates reſpectively, and ſhall be recovered and recoverable in ſuch Manner as is provided by the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty.

No Toll-Gate within One Mile to Knocklofty Bridge.

XV. And be it further enacted, That no Toll Gate ſhall be put up or erected on that Part of the Road from *Clonmel*, through the County of *Waterford*, to the Croſs Roads of *Knocklofty*, at a nearer Diſtance than One Mile of the Bridge of *Knocklofty* aforeſaid.

Commiſſioners may increaſe Salary of Treaſurer.

XVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and empowered from Time to Time, to increaſe the Salary of their Treaſurer for the Time being, acting in the Execution of the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, and of this Act, not exceeding in the whole the Sum of Eighty Pounds; any Thing in the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty to the contrary notwithſtanding.

First and other Meetings of Commiſſioners.

XVII. And be it further enacted, That the ſaid Commiſſioners ſhall, on the Second *Monday* after the paſſing of this Act, meet in the Court Houſe

Houſe in the ſaid Town of *Clonmel*, and ſhall there proceed in the Execution of this Act, and ſhall afterwards meet at the End of every Three Months, Ten Days Notice, at the leaſt, being given in the *Clonmel* Newſpaper of every ſuch Meeting, and the Cauſe thereof; and the ſaid Commiſſioners ſhall at their ſaid Firſt Meeting, and at each and every of their Annual Meetings, to be hereafter held in the Month of *Auguſt*, or the major Part of ſuch Commiſſioners preſent at ſuch Meeting, the Number preſent not being leſs than Fifteen, and they are hereby authorized and empowered to reſolve and determine whether the ſeveral Powers and Authorities of the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, and of this Act, ſo far as regard the ſaid Road, from the Bounds of the ſaid County of *Tipperary* to the Bounds of the ſaid County of *Cork*, and the ſaid Road from the ſaid Bridge, through the ſaid County of *Waterford*, to the Croſs Roads of *Knocklofty* aforeſaid, ſhould be executed by Five Directors, or by the Commiſſioners at large; and in caſe the ſaid Commiſſioners preſent at any ſuch Meeting, or ſuch major Part as aforeſaid, ſhall reſolve and determine that the Powers and Authorities of the ſaid Directors ſhall ceaſe and determine, the ſame ſhall from thenceforth ceaſe and determine accordingly, or in caſe ſuch Commiſſioners ſhall at any ſuch Meeting reſolve and determine that ſuch Powers and Authorities ſhall continue, and be executed by Five Directors, then ſuch Commiſſioners ſhall thereupon proceed to ballot for ſuch Five Directors, and ſo *toties quoties* at each and every of their Annual Meetings.

Commiſſioners veſted with like Powers as Directors.

XVIII. And be it further enacted, That when and as often as the ſaid Commiſſioners ſhall reſolve and determine that the Powers and Authorities of the ſaid Directors ſhall ceaſe, then and from thenceforth all and every the Powers and Authorities by the ſaid recited Act of the Thirty-ſecond Year of the Reign of His preſent Majeſty, or by this Act granted to or veſted in Five Directors, or any Two or more of them, ſhall and may, from Time to Time, be exerciſed by the major Part of the ſaid Commiſſioners who ſhall attend at any Meeting to be holden in purſuance of the ſaid laſt mentioned Act or this Act, the Number of ſuch Commiſſioners preſent at ſuch Meetings not being leſs than Seven; and all the Orders and Proceedings of the major Part of ſuch Commiſſioners preſent at ſuch Meetings, ſhall have the ſame Force and Effect as if the ſame were made or done by the ſaid Directors, or by all ſuch Commiſſioners, for the Time being.

Application of Compenſation, where it amounts to 200l.

XIX. And be it further enacted, That if any Money ſhall be paid or agreed or awarded to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, and of this Act, for the Purpoſes thereof, ſo far as the ſame regard the ſaid Roads placed under the Care and Management of the ſaid Commiſſioners as aforeſaid, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to 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 *Ceſtui que* 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

ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to his Account there *ex parte* the Truſtees for executing 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, and Hereditaments, in Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof, 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 Government Securities; and in the mean Time, and until the ſaid Government Securities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of ſuch Government Securities, 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, ſo hereby directed to be purchaſed by virtue of the ſaid laſt-mentioned Acts and this Act, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation when leſs than 200l. and exceeding 20l.

XX. Provided always, 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 any Diſability 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 *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, 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 Seven or more of the ſaid Commiſſioners, for executing the ſaid Two firſt recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, and this Act, (ſuch Nomination

tion 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 herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20*l.*

XXI. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before-mentioned shall be less than 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 of the Thirtieth and Thirty-second Years of the Reign of His present Majesty and of this Act, so far as regards the said Roads hereby placed under the Management of the said Commissioners as aforesaid, in such Manner as the said Commissioners 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 a good Title, or Persons cannot be found, the Purchase Money to be paid into the Bank, subject to the Order of Chancery on Petition.

XXII. 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 Two first recited Acts of the Thirtieth and Thirty-second Years of the Reign of His present Majesty and of this Act, so far as regards the said Roads hereby placed under the Care and Management of the said Commissioners as aforesaid, 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 Commissioners, 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 Commissioners, or any Seven or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High 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, Controul, 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 *Ireland*, 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.

In case of disputed Title.

XXIII. Provided always, 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 *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of the ſaid recited Acts of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, and 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 Two Acts and of this Act, ſo far as regard the ſaid Roads hereby placed under the Management of the ſaid Commiſſioners as aforeſaid, or to any Government Securities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Government Securities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Land, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or 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 High Court of Chancery; and the Dividends and Intereſt of ſuch Government Securities, and alſo the Capital of ſuch Government Securities 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.

Court may order reaſonable Expences to be paid by the Truſtees.

XXIV. Provided alſo, and be it further 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 of the Thirtieth and Thirty-ſecond Years of the Reign of His preſent Majeſty, and this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied to the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of the ſaid Acts and of 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 ſame Acts and of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Commiſſioners out of the Monies to be received by virtue of the ſame Acts or of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Coſts of Act.

XXV. 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 out of the Firſt Monies which ſhall be collected or received by virtue of this Act, in Preference to all other Payments whatſoever.

Continuance of Act.

XXVI. And be it further enacted, That this Act ſhall commence and take Place on the Second *Monday* after the paſſing thereof, and ſhall be in Force and have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament, and no longer.

XXVII. And

Publick Act.

XXVII. 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.

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