ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 4.

An Act for continuing and amending Two Acts of the Fifth and Twenty-ſeventh Years of His preſent Majeſty, for repairing the Road from *Hurſtgreen* to the Extent of the Pariſh of *Burwaſh*, in the County of *Suſſex*. [11th *March* 1808]

WHEREAS an Act was paſſed in the Fifth Year of His preſent Majeſty's Reign, intituled, *An Act for repairing, widening, and keeping in Repair the Road leading from the Turnpike Road on* Hurſtgreen, *in the County of* Suſſex, *through* Etchingham *and* Burwaſh *to the Extent of the ſaid Pariſh of* Burwaſh, *in the ſaid County*: And whereas another Act was paſſed in the Twenty-ſeventh Year of His ſaid preſent Majeſty's Reign, intituled, *An Act for continuing the Term and altering and enlarging the Powers of an Act paſſed in the Fifth Year of the Reign of His preſent Majeſty, for repairing, widening, and keeping in Repair the Road leading from the Turnpike Road on* Hurſtgreen, *in the County of* Suſſex *through* Etchingham *and* Burwaſh, *to the Extent of the ſaid Pariſh of* Burwaſh, *in the ſaid County*: And whereas the ſaid Acts are near expiring, and a conſiderable Sum of Money hath been borrowed and is now due and owing upon the Credit thereof, which Money cannot be repaid and the ſaid Road kept in good Repair, unleſs the ſaid Acts are continued for a further Term and the Tolls thereby granted increaſed, and ſome of the Powers and Proviſions contained in the ſaid Acts ſhould be amended and altered, and other Powers granted: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and

5 G. 3. c. 64.

27 G. 3. c. 78.

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 of the Fifth and Twenty-ſeventh Years of the Reign of His preſent Majeſty, and all the Powers, Proviſions, Matters, and Things therein contained and now ſubſiſting, except ſo far as the ſame relate to Exemptions from Stamp Duties, and are hereby varied, altered, or repealed, ſhall be and remain in full force for the further Term herein-after mentioned, in like Manner and as fully and effectually to all Intents and Purpoſes as if the ſame were repeated and re-enacted in the Body of this preſent Act; which ſaid additional Term, and all the Tolls, Powers, Proviſions, Matters, and Things hereby continued or granted, are hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the ſaid recited Acts, and of ſuch other Sum and Sums of Money as ſhall be borrowed for the Purpoſes of this Act, and of the Intereſt due or to grow due for the ſame reſpectively.

Former Acts continued.

II. And be it further enacted, That the Right Honourable, *George Aſhburnham* commonly called Lord Viſcount *Saint Aſaph*, *Thomas Elſley Baker*, *Henry Biſhop* Clerk, *William Biſhop*, *John Baker* of Wadhurſt, *William Baker* of Ticehurſt, *Benjamin Buſs*, *Samuel Baker*, *John Baker* of Heathfield, *Thomas Blundell*, *Samuel Blundell*, *George Courthope*, *George Courthope* junior, *William Conſtable*, *Edward Jeremiah Curteis*, *Thomas Calverley*, *William Clulow*, *Whitfeld Curteis*, *William Courthope*, *Richard Conſtable*, *John Conſtable*, *Thomas Coney*, *William Cheeſman*, *John Apſley Dalrymple*, *James Ellis*, *John Fuller* of Park Gate, *John Fuller* of Roſe Hill, *John Trayton Fuller*, *George Auguſtus Fuller*, *John Fry*, *George Fuller*, *Thomas Fuller*, *John Flurry*, *Richard Green*, *Walker Gouldſmith*, *Thomas Francis Gorringe*, *Henry Launcelot Gouldſmith*, *Richard Holliſt*, *Edward Huſſey*, *Robert Hawes*, *Edward Huſſey* junior, *William Huſſey*, *John Burrell Hayley*, *John Hodſon*, *William Hyland*, *John Hilder*, *Thomas Hilder*, *Edward Hilder*, *Edmund Hilder*, *Stephen Jenkin*, *John Kirby*, *Charles Lamb*, *Luck*, *Joſeph Langley*, *John Micklethwaite*, *William Markwick*, *Joſeph Mepham*, *John Morris*, *Francis Newbery*, *Samuel Newington*, *Henry Noakes*, *William Noakes* of Ticehurſt, *Jeſſe Newington*, *Charles Newington*, *Horatio Newington*, *John Newington*, *Joſeph Newington* of Burwaſh, *William Noakes* of Etchingham, *John Noakes*, *Joel Newington*, *Henry Playſted*, *Samuel Playſted*, *Henry Playſted* junior, *John Pattenden*, *Robert Pattenden*, *John Roberts*, *Richard Rideout*, *Samuel Rutley*, *William Richardſon*, *John Tilden Sampſon*, *William Shadwell*, *William Salmon*, *Tilden Smith*, *John Snepp*, *Hugh Totty*, *Tuttey*, *William Trivett* ſenior, *William Trivett* junior, *Robert Tournay*, Sir *Godfrey Webſter* Baronet, *John Vigor*, *James Vigor*, *William Welſit*, *Robert Watts*, and *Charles Wardroper*, and their Succeſſors, to be appointed in the Manner directed by the ſaid firſt recited Act, and qualified in the Manner therein directed, ſhall be and they are hereby appointed Truſtees for putting the ſaid former Acts and this Act in Execution; and it ſhall be lawful for the ſaid Truſtees or any Two or more of them, although they ſhall not have taken the Oath of Qualification required by Law to be taken by the ſaid Truſtees, to adminiſter ſuch Oath to all or any of the Truſtees preſent at their Firſt Meeting after the Commencement of this Act.

Truſtees.

III. And

III. And be it further enacted, That inſtead of the Tolls and Duties granted and made payable by the ſaid recited Acts, the Tolls and Duties following ſhall, from and after the Commencement of this Act, be demanded and taken at every Turnpike Gate erected or to be erected upon or acroſs and on the Sides of the ſaid Road by virtue of the ſaid recited Acts or of this Act, before any Cattle or Carriage whatſoever, upon which any Toll is hereby impoſed, ſhall be permitted to paſs through the ſame or any of them; (that is to ſay,) Tolls.

For every Coach, Chariot, Landau, Berlin, Hearſe, Chaiſe, or Calaſh, drawn by Four or more Horſes, Mares, Geldings, or Mules, the Sum of One Shilling and Sixpence; and drawn by Two or Three Horſes, Mares, Geldings, or Mules, the Sum of One Shilling; and drawn by One Horſe, Mare, Gelding, or Mule, the Sum of Sixpence:

For every Waggon, Wain, Cart, or other ſuch Carriage drawn by Three or Four Horſes, Mares, Geldings, Pairs of Oxen, or Mules, the Sum of One Shilling and Sixpence; and drawn by Two Horſes, Mares, Geldings, Pairs of Oxen, or Mules, the Sum of Nine-pence; and drawn by One Horſe, Mare, Gelding, or Mule, or One Pair of Oxen, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt of Draught, laden or unladen, and not drawing, the Sum of Two-pence:

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

For every Carriage laden with Timber, Wood, Faggots, Hop Poles, Chalk, Lime, Marle, Bricks, Tiles, Mine Charcoal, Sea Coal, Iron Guns, or other Iron, paſſing through any of the ſaid Gates or Turnpikes between the Tenth Day of *October* and the Fifth Day of *April*; and for every Coach, Chariot, Landau, Berlin, Hearſe, Chaiſe, or Calaſh, and for every Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt of Burthen, laden or unladen, and not drawing; and for every Drove of Calves, Hogs, Sheep, or Lambs, which ſhall paſs through any of the ſaid Gates on a *Sunday*; Double the Tolls herein-before mentioned for the paſſing of every ſuch Carriage, Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt of Burthen, Calves, Hogs, Sheep, or Lambs:

Which ſaid reſpective Tolls herein-before mentioned ſhall be and are hereby declared to be veſted in the Truſtees for executing this Act for the Time being, and they or any Five or more of them ſhall have ſuch and the ſame Powers, Authorities, and Remedies for varying, mortgaging, transferring, leaſing, and compounding for the Tolls and Duties hereby granted or made payable, and the ſame ſhall and may be collected, levied, recovered, and paid in the ſame Manner and Form as in and by the ſaid recited Acts are given and expreſſed with reſpect to the Tolls thereby granted or made payable.

IV. Provided always, and it is hereby enacted, That every Perſon or Perſons having paid the Tolls or Duties by this Act granted at one of the ſaid Toll Gates or Turnpikes erected by virtue of the ſaid recited Acts, or to be erected by virtue of this Act upon, acroſs, or on the Sides of the ſaid Road through which ſuch Perſon or Perſons ſhall have paſſed with any Limiting the Number of Tolls to be taken.

Horſe, Mare, Gelding, Mule, Aſs, Cattle, or Carriage, and producing a Note or Ticket denoting ſuch Payment at the next Toll Gate or Turnpike erected upon, acroſs, or on the Sides of the ſaid Road through which ſuch Perſon or Perſons ſhall have Occaſion to go or paſs (which ſaid Note or Ticket the Collector is hereby required upon Demand to give) ſhall be exempt from the Payment of any Toll for ſuch Horſe, Mare, Gelding, Mule, Aſs, Cattle, or Carriage paſſing through ſuch next Toll Gate or Turnpike, and returning or going at any Time through the ſame Toll Gate or Gates, Turnpike or Turnpikes, before Twelve of the Clock at Night on the ſame Day, with the ſame Horſe, Mare, Gelding, Mule, Aſs, Cattle, or Carriage, unleſs ſuch Carriage ſhall be laden with Wood, Faggots, or Hop Poles, in which Caſe every Waggon, Wain, Cart, or other Carriage ſo laden with Wood, Faggots, or Hop Poles, which has not paid the Toll after being ſo laden, ſhall be ſubject and liable to the Payment of the Toll granted by this Act for paſſing through any Toll Gate or Gates, Turnpike or Turnpikes, after being ſo laden, any Thing in the ſaid firſt recited Act contained to the contrary thereof notwithſtanding; but if any Perſon or Perſons ſhall paſs the ſame Day through the ſame Toll Gate or Toll Gates, Turnpike or Turnpikes a Third Time with any Carriage whatſoever, then ſuch Perſon or Perſons ſhall be liable and compellable to pay the ſaid Toll or Duty hereby impoſed on ſuch reſpective Carriage, and to receive another Note or Ticket, which the Collector is hereby required to deliver as aforeſaid, and which ſhall entitle him, her, or them, to return through the ſame Toll Gate or Turnpike with the ſame Carriage upon the ſame Day Toll free, and ſo *toties quoties* for every Third Time the ſaid Perſon or Perſons ſhall paſs and repaſs the ſame Day through the ſame Toll Gate or Turnpike on the ſaid Road with any Carriage or Carriages as aforeſaid.

Exemptions from Toll.

V. And be it further enacted, That no Perſon ſhall be charged with any of the Tolls or Duties aforeſaid for any Materials for repairing any Road or Highway in any Pariſh or Place through which the ſaid Road leads, or for any Hay or Corn in Time of Harveſt carrying to the Barns of the Proprietors, or for any Corn in Straw, Hay or Straw, to be laid up or houſed in any Barns or Outhouſes, or upon the Lands and Premiſes of and belonging to any of the Inhabitants of the reſpective Pariſhes in which the ſaid Road doth lie (except ſuch Corn, Hay, or Straw be ſold or for Sale); or for any Ploughs, Harrows, or other Implements of Huſbandry; or for any Horſe, Mare, Gelding, Mule, or Aſs that ſhall be rode or drove or led with a Halter only to any one of the Blackſmith's Shops or Traviſes in the Town or Village of *Burwaſh* aforeſaid for the Purpoſe of being ſhod, and ſhall return in like Manner without being laden and not drawing; or for any Hop Poles which ſhall grow and be uſed in the Pariſhes in which the ſaid Road doth lie by the Occupiers of Lands in the ſaid Pariſhes of *Burwaſh* and *Etchingham* or either of them (except the ſame be ſold or for Sale); or for any Dung, Mould, Marle, Compoſt or other Materials to be uſed in amending or manuring of Land (except Chalk and Lime); nor ſhall any of the Tolls or Duties hereby laid be demanded or taken from the Rector, officiating Miniſter, or other Perſon or Perſons reſiding in the ſaid Pariſhes in which the ſaid Road lies, who ſhall on *Sundays* or other Days on which Divine Service is celebrated, paſs through any of the ſaid Toll Gates or Turnpikes to and from any Church, Chapel, or other Place

Place of religious Worſhip within the ſaid Pariſhes or One of them; or when attending the Funeral of any Perſon who ſhall die and be buried in the ſaid Pariſhes; nor for any Horſes, Mares, Geldings or other Cattle or Beaſts going to or returning from Water or Paſture, belonging to any of the Inhabitants of the ſaid Pariſhes; nor for any Horſes or Carriages of whatſoever Deſcription employed in conveying or guarding the Mails of Letters and Expreſſes, under the Authority of His Majeſty's Poſtmaſter General, or when returning from conveying the ſame; nor for the Horſes of Soldiers upon their March or on Duty; nor for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture and Accoutrements according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming Exemption, or for Carts, Carriages, or Waggons attending them or laden with their Arms or Baggage; nor for Horſes, Carts, or Waggons travelling with Vagrants ſent by Paſſes; nor for any Horſe, or other Beaſt or Carriage conveying any Elector or Electors going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Suſſex*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded.

Penalty on evading Toll.

VI. And be it further enacted, That if any Perſon or Perſons ſhall leave or cauſe to be left upon or near any Part of the ſaid Road any Waggon, Wain, Cart, Carriage, Horſe, Cattle or Beaſt, with Intent to evade the ſaid Tolls or any Part thereof, every Perſon ſo offending in each of the ſaid Caſes ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Fifty Shillings.

Eſtabliſhing certain Regulations as the Performance of Statute Duty.

VII. And be it further enacted, 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 ſaid Road or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Suſſex*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees or any Five or more of them, or by their Treaſurer, Clerk, or Surveyor, by their Order yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Road lies, 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, her, or them, paid to the ſaid Truſtees or to their Treaſurer or Treaſurers; and in order thereunto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways of 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 and liable 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 publick 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 subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being Hay Time or Harvest) and on such Parts of the said Road 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 think proper to the said Trustees or their Treasurer, at such Time or Times as the 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 Penalty is by the said Acts or either of them authorized or directed to 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 to the said Trustees, shall, for every Day of his, her, 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 publick Highways; and 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 Road shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments 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 Road; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road; 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 and wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Directions how the Trust Money shall be applied,

VIII. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said Two Acts of the Fifth and Twenty-seventh Years of the Reign of His said present Majesty or either of them, and shall be undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted or made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act, and not herein otherwise appropriated or directed to

be

be applied, shall be vested in the said Trustees for the Time being and applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; that is to say, in the First Place, in Payment of all the Costs, Charges and Expences incident to or attending the obtaining and passing of this Act; in the Second Place, in paying the Interest accruing upon the several principal Sums of Money which shall at the Time of the Commencement of this Act and from Time to Time thereafter be due and owing on Mortgage or Security of the Tolls granted by this Act at the Rate of Five *per Centum per Annum*, or at such lower Rate of Interest as shall be agreed upon between the said Trustees or any Five or more of them, and the several Persons for the Time being entitled to such Principal Sums, in the Third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houses, and other Buildings, and repairing the same, and of altering, widening, turning, repairing, and improving the said Road, and of executing the other Purposes of this Act; and lastly, in reducing, paying off, and discharging such Principal Sums as last aforesaid.

Application of Compensation Money when amounting to 200l.

IX. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the said recited Acts or this Act, which shall belong to any Body Politick, Corporate or Collegiate, Corporation, Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same 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 *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid 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 of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance 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 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 Messuages, 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 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 of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three *per Centum* Consolidated, or Three *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

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, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application when the Compenſation is leſs than 200l. and exceeds 20l.

X. Provided always, and be it further enacted, That if any Money ſo agreed or aſſeſſed to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Body Politick 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 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 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 High Court of Chancery and be placed to his Account as aforeſaid, in order to be applied in 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 Five or more of the ſaid 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 ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when the Money is leſs than 20l.

XI. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or aſſeſſed to be paid as herein-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 Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees or any Five or more of them ſhall think fit; or 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.

XII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded or aſſeſſed for any Lands, Tenements, or Hereditaments to be purchaſed by virtue of 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 any Five or more of them, or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded or aſſeſſed 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 or any Five or more of them to order the Sum or Sums of Money ſo awarded or aſſeſſed as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity

of the ſaid 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, Controul, and Diſpoſition of the ſaid Court of Chancery; 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 ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the publick 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.

Perſons in Poſſeſſion ſhall be deemed well entitled unleſs the contrary be ſhewn.

XIII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon or Perſons 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 thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities; the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, and 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 be 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.

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

XIV. 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 or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, or 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 to the Court ſhall ſeem 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.

Publick Act. XV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without the same being pleaded specially.

Commence-Continuance of the Act. XIV. And be it further enacted, That this Act shall commence on the Day the same shall receive the Royal Assent, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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