ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 13.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Tenth and Twentieth Years of His present Majesty, for repairing and widening several Roads leading from the Town of *Louth*, in the County of *Lincoln*. [21st *March* 1810.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for repairing and widening several Roads leading from the Town of* Louth, *in the County of* Lincoln: And whereas an Act was passed in the Twentieth Year of the Reign of His said present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act, made in the Tenth Year of the Reign of His present Majesty, intituled,* 'An Act for repairing 'and widening several Roads leading from the Town of Louth, in the County 'of Lincoln: And whereas the Trustees appointed in and by virtue of the said recited Acts have made great Progress in the Execution thereof, and have borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted and continued, which Money still remains due and owing and cannot be paid off, nor can the said Roads be effectually amended, widened, improved, and kept in Repair, unless the Term granted by the said Acts be further continued, and some of the Powers and Provisions thereof altered, amended, and enlarged; and it is expedient that the Tolls granted by the said first recited Act should be increased; but the several 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

10 G. 3. c. 109.

20 G. 3. c. 94.

by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Authorities, Powers, Privileges, Provisoes, and Clauses therein contained, (except such of them as relate to Exemption from Stamp Duties, and also except such Part or Parts of the said Acts as are hereby varied, altered, or repealed,) shall be and the same is and are further continued for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were herein particularly repeated and re-enacted; and that the additional Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Monies now due or that shall hereafter become due upon the Credit of the said recited Acts and this Act, and of all Interest due and to grow due for the same respectively.

The said Acts further continued.

II. And be it further enacted, That the Right Honourable *William Beauclerk*, commonly called Lord *William Beauclerk*, the Reverend Sir *Charles Anderson* Baronet, Sir *Henry Nelthorpe* Baronet, *John Francis Bateman Dashwood*, *Charles Winnday*, *John Nelthorpe*, *George Lister*, *Charles Thorold Wood*, *Marmaduke Alington* Clerk, *George Alington*, *George Lister* the younger, *John Maddison* the younger, *John Emeris* the younger, Clerk, *John Fytche*, *Christopher Taylor*, *William Teale Welfitt*, *Henry Neave*, *Thomas Oldham*, *Thomas Henry Cave Orme* Clerk, *David Lloyd*, *John Waite* Clerk, *Samuel Hardy Inett*, *Stephen Gray*, *George Gray*, *Edward Gray*, *Edward Allison*, *Thomas Bogg*, *William Cross* the younger, *Charles Marshall Clarke* Doctor of Physick, *John Thory Chapman*, *Robert Rashdale*, *William Eve*, *Thomas Espin*, *John Jackson*, *Sapsford Harold*, *William King*, *Matthew Bancroft Lister*, *Matthew Henry Lister*, *John Loft*, *William Loft*, *Henry Lucas*, *Samuel Caley*, *John Naull* the younger, *Stephen Preston* Clerk, *John Michael Philips*, *John Robinson* Clerk, *George Clayton Tennyson* Clerk, *John Beby Sharpe* Clerk, *Robert Paddison*, *Richard Bellwood*, *William Wilson*, *John Nicholson*, *Francis Walesby*, *Robert Uvedale* Clerk, *Richard Luck*, *Francis Overton*, *William Trolove*, *William Hardy*, *Samuel Allenby*, *Timothy Allison*, *Henry Holland*, *Edward Holland*, and *Barnardiston Forester Fowler* Clerk, shall be added to and joined with the Trustees appointed in and by virtue of the said recited Acts, for putting the same and this Act into Execution; and the Trustees hereby nominated and appointed, and their Successors respectively, being qualified according to the Directions of the said first recited Act, are hereby empowered to act in the Execution of the said recited Acts and this Act, as fully and effectually to all Intents and Purposes as if they had been nominated or appointed Trustees in and by the said recited Acts.

For appointing new Trustees.

III. And be it further enacted, That all Actions, Suits, Prosecutions, Informations, Appeals, or other Proceedings whatsoever, to be had, taken, prosecuted, or defended by or against the said Trustees, shall be had, taken, prosecuted, or defended in the Name of their Treasurer or Clerk; and that no Action, Suit, Prosecution, Information, Appeal, or other Proceeding, to be had, taken, prosecuted, or defended by or against the said Trustees, or any of them, by virtue of this or the said recited Acts or any of them, shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk, but that the Treasurer or Clerk for

Trustees may sue and be sued in the Name of their Treasurer or Clerk.

for the Time being to the ſaid Truſtees ſhall always be deemed the Plaintiff, Proſecutor, Informant, Appellant, Defendant, or Reſpondent, in any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceeding, as the Caſe ſhall be; Provided always, that ſuch Treaſurer or Clerk in whoſe Name any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceeding ſhall be had, taken, proſecuted, or defended, in purſuance of this Act, ſhall be fully reimburſed and paid, out of the Monies ariſing or to ariſe by virtue of this or the ſaid recited Acts, all ſuch Coſts, Charges, Damages, and Expences, as by the Event or in conſequence of any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceeding, he ſhall bear, ſuſtain, expend, or be put unto or become chargeable with or liable to or be fairly entitled to, by reaſon of his being ſo made Plaintiff, Defendant, Informant, Appellant, or Reſpondent as aforeſaid.

For repealing former Tolls and granting others.

IV. And whereas the Tolls granted by the ſaid firſt recited Acts have been found inſufficient for amending, improving, and keeping in Repair the ſaid Roads, and it is expedient that the ſame ſhould be repealed, and that further and other Tolls ſhould be granted inſtead thereof, be it therefore further enacted, That from and after the Second *Monday* next after the paſſing of this Act, the Tolls granted and made payable under and by virtue of the ſaid recited Act, ſhall ceaſe, determine, and be no longer paid or payable; and that inſtead thereof, the following Tolls ſhall be demanded and taken before any Horſe, Mare, Gelding, Mule, Aſs, Beaſt, or other Cattle, Coach, Waggon, Cart, or other Carriage whatſoever, ſhall be permitted to paſs through any Turnpike or Toll Gate, Side Bar or Side Gate, now erected or hereafter to be erected by virtue of the ſaid recited Acts or this Act, upon and acroſs the ſaid Roads, or any Lane or Way leading into the ſame; (that is to ſay),

Tolls.

For every Coach, Berlin, Chariot, Calaſh, Chaiſe or Chair, drawn by Six or more Horſes, or other Beaſts of Draught, the Sum of Three Shillings:

For every Coach, Berlin, Chariot, Calaſh, Chaiſe or Chair, drawn by Four Horſes or other Beaſts of Draught, the Sum of Two Shillings:

For every Coach, Berlin, Chariot, Calaſh, Chaiſe or Chair, drawn by Three or Two Horſes, or other Beaſts of Draught, the Sum of One Shilling:

For every Two or more Horſes, Mares, Geldings, Mules, Aſſes, Oxen, Bullocks, or other Beaſts, drawing in any Waggon, Wain, Car, Cart, Caravan, or other Carriage, the Sum of Four-pence Halfpenny each:

For every Chaiſe or Chair, Waggon, Wain, Car, Cart, Caravan, or other Carriage, drawn by One Horſe or other Beaſt of Draught only, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, Aſs, Bullock, Beaſt or Ox not drawing, the Sum of One Penny Halfpenny:

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

And for every Drove of Calves, Swine, Sheep or Lambs, the Sum of Five-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

Double Tolls on a Sunday.

And that on every *Sunday* during the Continuance of the Term hereby granted, Double the Tolls by this Act granted and made payable ſhall be demanded

demanded and taken, such *Sunday* to be computed from Twelve of the Clock on the *Saturday* Night to Twelve of the Clock of the next ſucceeding Night:

Which ſaid reſpective Tolls ſhall be and are hereby veſted in the Truſtees for executing this and the ſaid recited Acts; and the ſame and every Part thereof ſhall be collected, recovered, paid, applied, and diſpoſed of in ſuch Manner and by ſuch and the ſame Ways and Means, and with ſuch Remedies and Powers for recovering, levying, varying, aſſigning, tranſferring, and leaſing or letting the ſame, as is and are mentioned and given in and by the ſaid recited Acts, or either of them, with reſpect to the Tolls thereby granted and continued.

Pariſhioners and Occupiers of Lands in the Pariſh of Weſt Aſhby liable to the Tolls.

V. And be it further enacted, That the Pariſhioners and Occupiers of Land in the Pariſh of *Weſt Aſhby* ſhall always be liable to the above Tols whenever and as often as they go or travel more than One hundred Yards upon the ſaid Turnpike Road out of the ſaid Pariſh of *Weſt Aſhby* aforeſaid; and in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the ſaid Tolls, or any or either of them, or to any other Matter or Thing done or to be done in the Execution of this or the ſaid recited Acts and this Act, or any or either of them, the Perſon or Perſons appointed to collect the ſaid Tolls, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being ſo appointed to collect the ſaid Tolls or acting under the Authority of the ſaid Truſtees.

Allowing certain Exemptions from Tolls.

VI. And be it further enacted, That none of the Tolls by this Act granted ſhall be demanded or taken for any Horſe, Cattle, or Beaſt employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying in 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 ſuch Roads lie; nor for any Hay, Straw, or Corn in the Straw only, not ſold or diſpoſed of but paſſing to be laid up or be placed in the Out-houſes or on the Lands of the Owners thereof, nor for any Horſe, Cattle, or Beaſt employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry; nor for any Lime, Mould, Dung, Compoſt, or Manure employed in Huſbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; nor for any Horſe or Cattle going to or returning from Paſture or Watering Places, or going to be or returning from being ſhoed or farried, nor 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 upon 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 Townſhips or Pariſhes, nor for any Clergyman going to or returning from viſiting any ſick Perſon, or upon any 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;

celebrated; nor for any Horſe, Cattle, or Carriage 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, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; nor for any Horſe, Cattle, or Beaſt attending any Soldiers upon their March or upon Duty, or drawing any Carriage attending them laden with their Arms or Baggage, nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat, or other publick Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor for any Horſe, Cattle, Beaſt, or Cart employed in the Conveyance of Vagrants ſent by legal Paſſes or returning therefrom; nor for any Horſe, Cattle, or Beaſt carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Lincoln* on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; nor ſhall any Toll be demanded or taken for any Horſe, Mare, or Gelding furniſhed by or for any Perſon or Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him or them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſon or Perſons ſhall be dreſſed in the Uniform of his or their reſpective Corps, and hath or have his or their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively at the Time of claiming ſuch Exemption as aforeſaid; and if any Perſon or Perſons ſhall in any fraudulent or colluſive Manner whatſoever claim and take the Benefit of any of the Exemptions aforeſaid not being entitled to the ſame, every ſuch Perſon or Perſons ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, One Moiety thereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act.

Carriages employed in the publick Service not to be ſubject to Penalties for Overweight, or for additional Number of Horſes.

VII. And be it further enacted, That no Perſon owning on driving or cauſing to be driven any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, or Commiſſariat, or other publick Stores of or belonging to His Majeſty or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage, be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the ſaid recited Acts contained to the contrary notwithſtanding.

Eſtabliſhing certain Regulations as to the Performance of the Statute Duty.

VIII. 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 Roads, 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 *Lincoln*, and

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 Portion 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 do 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, 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, Draught, 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 or 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 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 on ſuch Days and at ſuch Times (not being Hay-time or Harveſt), *videlicet*, One Month in the Spring called *the Seed Month*, One Month in the Summer for the Hay Harveſt, and One Month in the Summer for the Corn Harveſt, and on 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 think proper to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as 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 Penalty is by the ſaid recited Acts, or either of them, 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 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 and 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 who ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered

empowered to remove and diſmiſs the Perſon who ſhall be found ſo idle or negligent as aforeſaid; and in that Caſe, every ſuch Perſon ſhall be ſubject and liable to the reſpective Payments and Forfeitures 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, and applied towards amending the ſaid Roads; and in caſe the 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 Forty Shillings; and if any Statute Work ſhall not be performed within the Year in which the ſame is due, the ſame ſhall be performed in the Courſe of the next ſucceeding Year.

Riding on Foot-paths, dragging Timber or Stone, &c.

IX. And be it further enacted, That if any Perſon ſhall ride upon any Footway adjoining to the ſaid Roads, or ſhall drive any Horſe or other Cattle, or any Swine, or any Cart or other Carriage thereon, or ſhall cauſe any Damage to be done to ſuch Footway; or if any Perſon ſhall haul or draw, or cauſe to be hauled or drawn upon any Part of the ſaid Roads, any Tree or Piece of Timber, or any Stone, otherwiſe than upon wheeled Carriages, or ſhall ſuffer any Part of any Tree or Piece of Timber or Stone, which ſhall be carried upon any wheeled Carriages, to drag upon any Part of the ſaid Roads to the Prejudice thereof reſpectively; or if any Perſon driving any Pigs or Swine upon the ſaid Roads ſhall ſuffer the ſame to root up and damage the ſame, or any Part thereof, or the Fences, Hedges, Backings, or Copſes on either Side thereof; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage upon the ſaid Roads, and meeting another Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall not keep his Carriage to the Left or near Side of the ſaid Roads; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him upon the ſaid Roads, or the Coach, Chaiſe, Waggon, Cart, or other Carriage under his Care; or if any Perſon ſhall make or aſſiſt in making any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to or let off or throw any Squib, Rocket, Serpent, or Fire-work whatſoever on any Part or Parts of the ſaid Roads; or if any Perſon ſhall leave any Waggon, Wain, Cart, or other Carriage longer than may be neceſſary for loading or unloading the ſame in, upon, or on the Side of any Part of the ſaid Roads, or with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto, or ſhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever on any Part of the ſaid Roads, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice or Annoyance of Perſons travelling thereon; every Perſon ſo offending ſhall, for every or any ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Directing how the Truſt Money ſhall be applied.

X. And be it further enacted, That all Monies which before the Day of the Commencement of this Act ſhall have been raiſed and produced by virtue of the ſaid recited Acts of the Tenth and Twentieth 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 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 from Time to Time be due and owing on Mortgage or Security of the Tolls granted by this Act; in the Third Place, in defraying the Expence of erecting and providing Turnpikes, Toll Houses, and other Buildings, and repairing the same, and of altering, widening, and repairing and improving the said Roads, and of executing the other Purposes of this Act; and lastly, in reducing, paying off, and discharging such Principal Sums as last aforesaid, and to and for no other Use or Purpose whatsoever.

Application of Compensation when amounting to 200*l.*

XI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this and the said recited Acts, 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, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing this and the said recited Acts, 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 towards the 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 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 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, or capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery 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

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 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.

XII. 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 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 for 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-after 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 Three 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 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 when the Money is leſs than 20l.

XIII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as herein-before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be appointed 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 Three or more 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.

XIV. 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 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 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 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 Accountant General of the ſaid 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; 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 into the Bank as aforeſaid.

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

XV. 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 or the ſaid recited Acts, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, Title, 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.

XVI. 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 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 other 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 or the ſaid recited Acts, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

How the Expences of this Act to be paid.

XVII. And be it further enacted, That the Coſts, Charges, and Expences attending the ſoliciting, obtaining, and paſſing of this Act, and incurred preparatory thereto, ſhall be paid and defrayed out of the Firſt Monies which ſhall ariſe or be received from the Tolls to be taken by virtue of the ſaid recited Acts and this Act, or any them.

Publick Act.

XVIII. 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 others, without being ſpecially pleaded.

Term and Continuance of this Act.

XIX. And be it further enacted, That the Term granted and continued by the ſaid recited Acts ſhall, upon the paſſing of this Act, ceaſe and determine; and that the ſaid Acts (ſubject to the Alterations and Additions herein-before contained) and this Act ſhall from thenceforth continue and be in Force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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