ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. CXXXIV.

An Act for more effectually repairing the Road from *Markfield* Turnpike to the Road leading from *Loughborough* to *Ashby-de-la-Zouch* in the County of *Leicester*. [26th *May* 1826.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing and widening the Road from* Markfield *Turnpike in the County of* Leicester, *over* Charley *otherwise* Charnwood Forest, *through the Town of* Whitwick, *and from thence through* Talbot Lane *to where the Road leading from the Town of* Loughborough *to the Town of* Ashby-de-la-Zouch *in the said County comes in from* Riley Lane, *near to a Place called* Snape Gate: And whereas another Act was passed in the Twenty-third Year of the Reign of His present Majesty, intituled *An Act to revive and render more effectual an Act passed in the Thirtieth Year of the Reign of His late Majesty King* George *the Second, for repairing the Road from* Markfield *Turnpike in the County of* Leicester, *over* Charley *otherwise* Charwood Forest, *through the Town of* Whitwick, *and from thence through* Talbot Lane *to where the Road leading from the Town of* Loughborough *to the Town of* Ashby-de-la-Zouch *in the said County comes in from* Riley Lane, *near to a Place called* Snape Gate: And whereas another Act was passed in the Forty-fifth Year of the Reign of His late Majesty, intituled *An Act for enlarging the Term and Powers of Two Acts, passed in the Thirtieth Year of His late Majesty* 30 G. 2. c. 49. 23 G. 3. c. 107. 45 G. 3. c. 79.

and in the Twenty-third Year of His present Majesty, for repairing the Road from Markfield *Turnpike to the Road leading from* Loughborough *to* Ashby-de-la-Zouch *in the County of* Leicester: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads:* And whereas the Trustees appointed in and by virtue of the said Act of the Thirtieth Year of the Reign of His Majesty King *George* the Second, and the Twenty-third and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, have proceeded to put the same in execution, and considerable Sums of Money have been borrowed on the Credit of the Tolls by the said Act or some of them granted, Part of which Monies still remain due and owing, and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term granted by the said recited Acts, or some of them, be further continued; and it would be more convenient if the said recited Acts of the Thirtieth Year of the Reign of King *George* the Second, and the Acts of the Twenty-third and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, were repealed, and other Provisions and Powers granted in lieu thereof: 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 from and after the Third *Thursday* next after the passing of this Act, the said recited Acts passed in the Thirtieth Year of the Reign of King *George* the Second, and the Acts of the Twenty-third and Forty-fifth Years of His said late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and instead thereof this Act shall from thenceforth commence and take effect, and be put in execution for and during the Term hereinafter-mentioned, for the Purpose of maintaining and repairing the Road from *Markfield* Turnpike to the Road leading from *Loughborough* to *Ashby-de-la-Zouch* in the County of *Leicester*.

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

Recited Acts of 30 G. 2. and 23 and 45 G. 3. repealed, and this Act to take effect.

Powers of the recited Acts of 3, 4, and 5 G. 4. extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act, and also the said recited Acts passed in the Fourth and Fifth Years of the

Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or otherwise provided for by this Act,) shall respectively be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

New Term and Tolls liable to former Debts.

III. And be it further enacted, That this Act and the Term and Tolls hereby granted shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized by the said recited Act of the Thirtieth Year of the Reign of His Majesty King *George* the Second, and the Acts of the Twenty-third and Forty-fifth Years of His said late Majesty King *George* the Third, or any of them, to be taken at the several Turnpikes, Toll Gates, and Side Gates erected upon, across, or by the Sides of any Part of the Road aforesaid, and of all Interest due and to grow due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Money had been borrowed or become due and owing on the Credit and Security of the Tolls granted by this Act.

Bonds and Securities under former Acts to remain in force until satisfied.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities, made or entered into by any Person or Persons to or with any of the Trustees for executing the said recited Acts of the Thirtieth Year of the Reign of His Majesty King *George* the Second, and the Acts of the Twenty-third and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, or to or with any of their Officers by their Order or Direction, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully paid, satisfied, and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities duly made or entered into by the Trustees for executing the said recited Acts hereby repealed, or by any of their Officers by their Order and Direction, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, and shall be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

Books used under former Acts to be Evidence.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, or of any other Act heretofore passed relating to the said Road, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, Actions, and Proceedings whatsoever, touching any Question arising by virtue of any thing done in pursuance or under the Authority of this Act, in the same Manner as if the said recited Acts had not been repealed.

VI. And

Officers under former Acts to account to the Trustees for executing this Act.

VI. And be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts of the Thirtieth Year of the Reign of His Majesty King *George* the Second, and the Twenty-third and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Road, shall account, pay, and deliver over the same to the said Trustees in like Manner and under the like Penalties as are by the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, and this Act, or any of them, inflicted in respect of Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things by virtue of the said Acts and of this Act.

Trustees.

VII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Leicester*, together with *Joseph Allen*, *William Arnold*, *Francis Allsop*, *Charles Allsop*, *William Withering Arnold* Doctor of Physic, *Richard Arkwright*, *Richard Arkwright* the younger, *Robert Bond*, *Robert Buckley*, *William Burton*, *Thomas Bennett*, *George Beety*, *Joseph Bostock*, *Richard Hunter Bird*, *John Bosworth*, *Thomas Roby Burgin*, *James Bankart*, *Thomas Bankart*, *Samuel Bankart*, *Joseph Burgess*, *Thomas Babington*, *Thomas Gisborne Babington*, *Thomas Barratt*, *John Beaumont*, *William Bosworth* Clerk, *Robert Brewin*, *Thomas Burbidge*, *Thomas Burnaby* Clerk, *James Cort*, *Benjamin Cort*, *Joseph Spencer Cardale*, *Richard Chefling*, *William Casson* Clerk, *Robert Clarke*, *Francis Thomas Corrance* Clerk, *William Cox*, *Edward Dawson*, *John Dudley* Clerk, *William Everat*, *James Edmerson*, *Thomas Frisby*, *Vincent Smith Frisby*, *Richard Fox*, *William Firmadge*, *John Fox*, *Thomas Freer*, *Edward Farnham*, *John Fisher* Clerk, Sir *Frederick Gustavus Fowke* Baronet, *Joseph Gimson*, *Edward Gimson*, *John Griffin*, *John Gregory*, *Edward Greene*, the Honourable commonly called Lord *Grey*, *Thomas Gisborne*, *John Gregory*, *John Higginson*, *Nicholas Higginson*, *Isaac Hodgson*, *John Stockdale Hardy*, *Richard Hole*, Sir *Edmund Cradock Hartopp* Baronet, *Edmund Hartopp*, *Edward Hartopp*, *William Evans Hartopp* Clerk, *Samuel Hartopp* Clerk, *Richard Hardy* Doctor in Divinity, *William Harrison*, *William Herrick*, *William Herrick* the younger, *Samuel Heyrick* Clerk, *William Heyrick*, *William Hood*, *Edmund Hood*, *John Samuel Hudson*, *William Hackett*, *George Anthony Legh Keck*, *John King*, *Joseph Moore*, *John Mitchell*, *William Mitchell*, *Richard Mitchell*, *Robert Martin* Clerk, *William Martin*, *William Martin* the younger, *Robert Marston Thomas Marston*, *George Marston*, *John Miles* Clerk, *Samuel Miles*, *Thomas Miles*, *Roger Miles*, *Francis Merrewether* Clerk, Right Honourable *Robert Manners* commonly called Lord *Robert Manners*, *John Mansfield*, *George Moore*, *John Moore*, *William Moore*, *Edward Marriott*, *George Miles*, *Samuel Thomas Miles*, *Thomas Miller*, *Charles Meredith*, *John Nichols*, *Thomas Neale* Clerk, *Thomas Stanley Needham*, *John Needham* junior, *John Oldacres*, *Thomas Westley Oldham*, *Joseph Phillips*, *Thomas Pares*, *John Tylson Pares*, *John Pares*, *William Parsons*, *Charles James Packe*,

Packe, *Charles William Packe*, Sir *Charles Thomas Palmer* Baronet, *Thomas March Phillipps*, *Ambrose March Phillipps*, *George Pochin*, *John Price*, *John Finch Simpson*, *Thomas Pagett*, *Bradshaw Roby*, *John Sarson*, *John Smith*, *John Smith*, *Charles Loraine Smith*, *Samuel Stone*, *John Thorpe*, *William Varnham*, *Wist Wheldale*, *Joseph Whetstone*, *Joseph Whetstone* junior, *John Webster*, *George Webster*, *Richard Worthington*, *John Watts*, *William Kenworthy Walker*, *Richard Warner Wood*, *Henry Wood*, *Thomas Reader Wood*, *Richard Williams* Clerk, *Clement Winstanley*, *James Winstanley*, *Thomas Wright*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, shall be and they are hereby appointed Trustees for putting this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty into Execution.

Power to appoint additional Trustees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First and Second Meetings to be holden in pursuance of this Act, or either of them, to elect any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected, and being qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing this and the said recited Acts of the Third, Fourth, and Fifth Years aforesaid, as if they had been herein named and appointed.

First Meeting of Trustees.

IX. And be it further enacted, That the said Trustees shall meet at the *Duke of Wellington Inn* in *Shaw Lane* in the Parish of *Markfield*, or at some other convenient House or Place on the said Road, on the Third *Thursday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two in the Afternoon, or as soon after that Time as conveniently may be, for the Purpose of carrying this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty into Execution, notwithstanding any Adjournment may then have been made by the said Trustees under or by virtue of the said recited Acts hereby repealed, and shall and may adjourn themselves from Time to Time, and meet at the said Inn, or at such other House or Place on the said Road as they may think proper; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and Two Trustees shall be sufficient for the Purpose of Adjournment only; and in case the said Trustees or any of them shall not attend, or shall omit to adjourn, then the Clerk or Clerks to the said Trustees shall adjourn the said Meeting, and appoint the said Trustees to meet at the House or Place where such last Meeting was appointed to be held, and shall cause Notice thereof to be affixed on the several Turnpike Gates on the said Road, at least Ten Days before such Meeting; and no Adjournment of any

Meeting of the said Trustees shall be made for a longer Space of Time than Three Weeks.

Old Officers (except the Treasurer) may continue until removed by Trustees.

X. Provided always, and be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer or Officers, (except the Treasurer,) nominated and appointed under and by virtue of the recited Acts hereby repealed, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty or this Act.

Treasurer and Clerk not to be the same Person.

XI. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who hath or have been or who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who hath or have been or who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and if any Person shall continue in or accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or if any Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Trustees may continue or alter Turnpike Gates.

XII. And be it further enacted, That the said Trustees shall and may either continue or remove all or any of the present Turnpikes and Toll Gates which now stand across or on the Side or Sides of the said Road, and set up in lieu thereof or in addition thereto respectively

One or more Turnpike or Turnpikes, Toll Gate or Toll Gates, and Weighing Machine or Weighing Machines, in, upon, across, or on the Side or Sides of any Part of the said Road, and erect or cause to be erected such Toll Houses, with suitable Outbuildings thereto, and inclose from any Grounds adjoining thereto such Garden Plots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre for each Toll House, as they may judge proper, and shall and may cause all or any of such Turnpikes or Toll Gates, Toll Houses, and Weighing Machines, from Time to Time to be taken down and set up again, and to be removed, altered, and placed in such other Situations as they shall judge proper, subject nevertheless to such Regulations, Restrictions, and Directions as in this Act or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty are contained or mentioned concerning the placing or erecting of such Toll Gates or Weighing Engines.

Power to take Tolls.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or of this Act, Collector or Collectors of the Tolls herein-after specified, and they are hereby authorized and required to demand, receive, and take, (subject to the Restrictions and Exemptions herein-after mentioned,) at each and every of the Toll Gates erected or to be erected on the said Road, from all Persons not producing a Ticket from any one of the other Gates continued or to be erected by virtue of this Act on the said Road, before any Horse, Mule, Ass, Beast, or other Cattle, or any Coach, Chaise, Waggon, Cart, or other Carriage, shall be permitted to pass through such Gates, the several Tolls and Duties following; (that is to say),

Tolls.

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

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

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

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

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

Tolls vested in Trustees.

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

Tolls to be paid but Once a Day.

XIV. Provided always, and be it further enacted, That in case the Toll shall have been paid for or in respect of any Horse, Beast, or Cattle passing through any of the Turnpikes or Toll Gates hereafter to be erected upon, across, or on the Sides of the said Road, no Toll shall be demanded or taken for or in respect of such Horse, Beast, or Cattle, for returning, passing, or repassing through the same Turn-

Turnpike, Toll Gate, or Side Gate the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night; but that every Person, on producing a Note or Ticket denoting the Payment of such Toll, shall (except as hereinafter mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Gate, with such Horse, Beast, or Cattle, Toll-free.

Number of Tolls limited.

XV. Provided nevertheless, and be it further enacted, That no more than Two full Tolls shall be demanded or taken for or in respect of the same Horse, Beast, or Cattle, for passing on the same Day through the whole Line of the said Road.

Stage Coaches to pay each Time of passing;

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

Post Chaises on every new Hiring.

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

Exemption of Lime from Toll in certain Cases.

XVIII. Provided always, and be it further enacted, That no Toll shall be demanded or taken upon the said Road of or from any Person or Persons for any Horse or Horses, or other Beasts or Cattle, or for any Waggon, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying any Lime for manuring or improving Land, between the First Day of *May* and the First Day of *October* in every Year.

Application of the Tolls and Money borrowed.

XIX. And be it further enacted, That out of the Monies which shall arise or be received from the Tolls by the said recited Acts and this Act granted, or out of such Money as shall be borrowed on the Credit thereof, the said Trustees shall in the first place pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act; and such Monies shall in the second place be applied in keeping down the Interest of the Principal Monies which may be borrowed on the Credit of this Act, and in erecting Turnpikes and Toll Houses, and amending, improving, and keeping in repair the said Road, and in otherwise putting this Act into Execution; and lastly, in repaying the Principal Monies to be borrowed by virtue of the said recited Acts.

Application of Compensation Money

XX. 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 this Act, which shall belong to any

any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffee in Trust, Guardian, Committee, Trustee, Feme 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or the 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 meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

when amounting to 200*l.*

1 G. 4. c. 35.

XXI. 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 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 the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option

Application where under 200*l.* and exceeding 20*l.*

Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 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 and Interest arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application where not exceeding 20*l.*

XXII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Corporation or 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, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then to his 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 Title, or Persons entitled not being found.

XXIII. And be it further enacted, That in case the Corporation or Person or Persons to whom the Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be so 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 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 said 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 Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; 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 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 thereto, 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 Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession presumptively entitled.

XXIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Corporation, or 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 Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest thereof, of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or 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 Exchequer; 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.

XXV. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Corporation, or Person or Persons 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, Tenements, 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 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.

Public Act.

XXVI. 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.

XXVII. And

Commencement and Continuance of this Act.

XXVII. And be it further enacted, That this Act shall commence upon and have Continuance from and after the Third *Thursday* next after the passing of this Act, 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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