

ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. vii.

An Act for more effectually repairing and improving the Roads from the North-west Parts of the County of *Lincoln*, through *Nettleham Fields*, *Wragby Lane*, and *Baumber Fields*, to the North-east Part of the said County, and other Roads therein described in the said County, and in the City of *Lincoln*. [21st *March* 1827.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing the Roads from the North-west Parts of the County of* Lincoln, *through* Nettleham Fields, Wragby Lane, *and* Baumber Fields, *to the North-east Parts of the said County, and other Roads therein described, in the said County*: And whereas the Trustees appointed in and by virtue of the said recited Act have proceeded in the Execution thereof, and have raised considerable Sums of Money upon the Credit of the Tolls thereby authorized to be taken, which Money still remains due, and cannot be paid off, nor can the said Roads be effectually amended, improved, and kept in repair, unless the Term and Powers granted by the said recited Act are repealed, and further Powers and Provisions granted in lieu thereof: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An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* 46 G. 3. c. 70.

3 G. 4. c. 126.

of Great Britain *called* England: And whereas another Act was passed in the Fourth Year of the Reign of His 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 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:* 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 passing of this Act the said recited Act of the Forty-sixth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby repealed, and this Act shall from thenceforth commence and take effect, and be put in execution for and during the Term herein-after mentioned, for the Purposes of amending, widening, improving, maintaining, repairing, and keeping in repair the Roads herein-after mentioned, (that is to say,) the Road leading from the Well in *Eastgate*, in the City of *Lincoln*, through *Lincoln Fields*, *Nettleham Fields*, *Wragby Lane*, and *Baumber Fields*, to the North-west End of *Horncastle*, at or near the House now or lately in the Occupation of *Daniel Allenby*, and passing into, through, and over the several Parishes, Townships, Hamlets, and Places of *Saint Peters* in *Eastgate*, *Saint Nicholas* and *Saint John*, in the City of *Lincoln*, *Saint Margaret* in the Close of *Lincoln*, *Nettleham*, *Sudbrook*, *Langworth*, *Barlings*, *Newball*, *Stainton*, *Fonaby*, *Bullington*, *Rand*, *Goltho*, *Wragby*, *Langton*, *Hatton*, *Minting*, *Baumber*, *Edlington*, *Thimbleby*, and *Horncastle*, in the said County of *Lincoln*; and also the Road diverging from the said Road at or near the Chapel in *Wragby*, through *Hainton* Inclosure, to its Junction with a certain Turnpike Road leading from the Town of *Louth* in the said County, to the Town of *Market Rasen* in the said County, in a certain Place called or known by the Name of *Elkington Cow Pasture*, and passing into, through, and over the several Parishes, Townships, Hamlets, and Places of *West Barkwith*, *East Barkwith*, *Hainton*, *Brough-cum-Girsby* otherwise *Brough-upon-Bayne*, *Grimblethorpe*, *Calcethorpe*, *Welton*, and *South Elkington*, all in the County of *Lincoln*.

4 G. 4. c. 95.

5 G. 4. c. 69.

Recited Act of 46 G. 3. repealed, and this Act to take effect.

Powers of recited Acts of the 3d, 4th, and 5th Geo. 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 expressly altered or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or 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 said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, and Remedies therein respectively contained, (save and except such Parts thereof as are expressly altered or otherwise provided for by this Act,) shall be as good, valid, and effectual for carrying this Act into

into Execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

Term and Tolls hereby granted liable to former Debts.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all Monies heretofore borrowed, or which are now due and owing on the Credit or on account of the said first-recited Act, and of all Interest due and to grow due on the same respectively, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected.

Bonds, &c. under the former Acts to remain in force.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, Contracts, Leases, Mortgages, and Securities made or entered into by any Person or Persons to or with any of the Trustees for executing the said first-recited Act, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, and be binding on the Trustees for executing this Act, and the other Parties thereto respectively, until the same are or shall be fully satisfied and performed on account and for the Benefit of the Trusts under this Act; and all Lettings of Tolls, and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by or on account of the said Trustees for executing the said first-recited Act, with or to any Person or Persons, for any Purpose relating to the said Road, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by other respective Parties to such Lettings, Bargains, Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said first-recited Act.

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 first-recited Act, and all other Documents made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, and shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Officers under former Acts to account to Trustees appointed under this Act.

VI. And be it further enacted, That all Persons who are or have been employed, or who shall have received any Tolls or other Money, or who may owe or be subject to the Payment of any Money by virtue or in pursuance of the said first-recited Act, or who shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account, pay, and deliver over the same and every Part thereof to the Trustees for executing this Act, in the like Manner and under the like Penalties as the several Collectors and other Persons receiving any Money by virtue of this Act or by the said recited Acts are required to pay or account for the same.

Trustees.

VII. And be it further enacted, That all and every His Majesty's Justices of the Peace for the Time being acting for the Parts of *Lindsey*

Lindsey in the County of *Lincoln*, together with the Honourable and Reverend *Thomas Monson* Clerk, the Honourable *George Pelham*, the Honourable *Charles Herbert Pierrepoint*, the Honourable and Reverend *John Dymoke* Clerk, Sir *Henry Nelthorpe* Baronet, Sir *Charles Mills Lambert Monck* Baronet, Sir *John Sharpe Ainslie* Baronet, Sir *John Thorold* Baronet, *Evelyn Anderson*, *John Angerstein*, *Marmaduke Allington* Clerk, *Joseph Anningson*, *William Allison*, *Joseph Ashton*, *Robert Astey*, *Daniel Allenby*, *Ayscoghe Boucherett*, *Albermarle Bertie*, *John Burcham*, *Edward Broomhead* Clerk, *Thomas Bonson*, *William Bentley*, *John Bowman*, *John James Birch*, *Henry Bassett* Clerk, *William Burton Burton*, *Benjamin Bromhead*, *Philip Bullen*, *Thomas Brailsford*, *Charles Chaplin*, *George Chaplin*, *Francis Chaplin*, *William Chaplin* Clerk, *John Calthorp*, *Robert Cracroft*, *William Corbet*, *Charles Marshall Clerk* Doctor of Physic, *Ambrose Cookson* Doctor of Physic, *Joseph Carter* Clerk, *John Carter* Clerk, *Francis Cotcheifer*, *Thomas Chester*, *George Henry Curtois* Clerk, *James Watson Connington*, *John Dudding*, *Henry Dymoke* Clerk, *Richard Ellison*, *Henry Ellison*, *John Ellison*, *John Emeris* Clerk, *Adam Eve*, *John Eve*, *William Eve*, *George Edwards*, *Richard Elmhirst*, *Robert Epworth*, *William Elmhirst*, *Jonathan Field*, *Francis Farr*, *Edward Farr*, *John Fardell*, *Anthony Floyer*, *Robert Fowler* Clerk, *Henry Foulis* Clerk, *Grantham Grace*, *Isle Grant*, *Stephen Gray*, *William Greetham*, *Samuel Goe*, *Thomas Redding Grantham*, *Edward Gillyatt Gillyatt*, *William Goodenough*, *Thomas Grant*, *George Robert Heneage*, *Thomas Fieschi Heneage*, *George Fieschi Heneage*, *Thomas Jackson Holme* Clerk, *Henry Hutton*, *Theophilus Hameis*, *Edward Harrison* Doctor of Physic, *John Hale* Clerk, *Richard Heald*, *Samuel Hird*, *Woolley Jolland* Clerk, *Woodthorpe Johnson*, *Thomas Julian*, *William King*, *John Loft*, *William Loft*, *Matthew Bancroft Lister*, *George Lister*, *Joseph Livesey*, *George Lister* the younger, *John Mounsey* Clerk, *William Mounsey* Clerk, *William Marshall*, *Charles Mainwaring*, *Christopher Mason*, *John Mason*, *John Maddison*, *George Maddison* Clerk, *Charles Burrell Massingberd*, *Charles Mundy*, *Henry Neve*, *Paul Francis Pell*, *John Pownell*, *Samuel Carter Pettener*, *Thomas Pilley*, *John Penrose* Clerk, *John Parkinson*, *John Robinson* Clerk, *Francis Richardson*, *Thomas Roe* Clerk, *Charles Dilloch Waldo Sibthorp*, *William Smith*, *William Seagrave*, *Francis Swan* Clerk, *Charles Sutton*, *George Searle*, *Samuel Smith*, *Edmund Turnor*, *John Turnor*, *Charles Turnor* Clerk, *George Tennyson*, *George Clayton Tennyson* Clerk, *Charles Tennyson*, *Henry Trollope* Clerk, *William Thorpe*, *Richard Taylor*, *William Wilson*, *John Wilson*, *John Wood*, *John Walesby*, *Elmit Walesby*, *Francis Walesby*, *George Wilcockson*, *Oliver Walesby*, *William Walls*, *James Walter* Clerk, *William Wells*, *Dymoke Wells*, *Robert Willson*, *John Wray* Clerk, *James Young*, *Edward Young*, and their Successors, being duly qualified according to the Provisions of the said recited Acts made in the Third and Fourth and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, widening, improving, maintaining, repairing, and keeping in repair the said Roads, and for carrying the said recited Acts and this Act into Execution.

VIII. And

Power to appoint additional Trustees.

VIII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings to be holden in pursuance of this Act, to elect and appoint any Number of Persons, being duly qualified as directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed, to be Trustees for the Purposes of this Act and the said recited Acts; and such Persons so elected and appointed shall, having taken and subscribed the Oaths, or, being a Quaker, having made and subscribed the Affirmations in the said Acts mentioned, be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

First Meeting of Trustees.

IX. And be it further enacted, That the Trustees for executing this Act shall hold their first Meeting at the *Nags Head* in the Town of *Wragby* aforesaid, or some other convenient Place in the Neighbourhood of the said Roads, on the Third *Thursday* next after the passing of this Act, or as soon after as conveniently may be; and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Roads, as they may think proper, for the Purpose of putting the said Acts of the Third and Fourth and Fifth Years of the Reign of His present Majesty and this Act into Execution.

Officers under former Act (except the Treasurer) to be continued until removed by Trustees.

X. And be it further enacted, That each and every Clerk, Collector of the Tolls, Surveyor, and other Officers, (except the Treasurer,) who have been appointed under and employed in the Execution of the said recited Act hereby repealed, shall respectively continue to hold and exercise their respective Offices and Employments until they shall respectively die, resign, or be displaced or removed by the said Trustees, or become incapable of executing their said respective Offices, and shall have the like Powers and Authorities for carrying the said recited Acts of the Third and Fourth and Fifth Years of the Reign of His present Majesty and this Act into Execution, and shall be subject to the like Rules and Regulations, Pains and Penalties, in all respects, as if they had been severally appointed under or by virtue of this Act, or of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty.

Clerk not to act as Treasurer, and vice versâ.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint any Person or Persons who has or have been or 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 any other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of the Partner or Partners of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has 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 any other Person in the

Service or Employ of any such Treasurer or Treasurers, or of the Partner or Partners of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or any other Person in the Service or Employ of any such Clerk, or of the Partner or Partners of any such Clerk or Clerks, shall act as Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or any other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his Partner or Partners, shall accept the Office of Clerk or Clerks in the Execution of this Act, or if any such Treasurer shall, after the passing of this Act, hold 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 or Persons 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, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to erect Toll Gates, Weighing Machines, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees to continue, remove, or alter all or any of the Turnpikes, Toll Gates, Side Bars, or Chains, and Toll Houses and Weighing Machines, erected by the Trustees acting under the said Act hereby repealed, and from Time to Time to erect any other Turnpikes, Toll Gates, Side Bars, Chains, and Weighing Machines, and also such Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, if they shall think fit, upon, across, or by the Sides of the said Roads by this Act authorized to be repaired and maintained, and to take in and inclose on the Sides of the said Roads such suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre each, when, where, and as they shall think necessary; and from Time to Time to remove, alter, or discontinue, and afterwards replace the same, or any of them, as they shall think proper and direct.

Power to take Tolls.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, or such Person or Persons as they shall from Time to Time appoint for that Purpose, to demand and take, at the several Turnpikes, Toll Gates, and Toll Bars, Side Bar or Chain, already erected or which may be erected upon, across, or on the Sides of the said Roads, before any Horse, Beast, or other Cattle, Coach, Waggon, Chaise, Cart, or other Carriage, shall be permitted to pass through the same, the several Tolls or Sums of Money following; (that is to say,)

Tolls.

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

For every Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, the Sum of Three-pence:

For every Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Six Inches, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or Ass, or other Beast of Burthen not drawing, the Sum of One Penny Halfpenny:

For every Score of Oxen, Cows, or Neat Cattle, the Sum of Tenpence, and so in proportion for any greater or less Number: And,

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Fivepence, and so in proportion for any greater or less Number:

Tolls vested in Trustees.

Which said several and respective Tolls hereby granted shall be and the same are hereby vested in the Trustees for carrying this Act into Execution; and the same and every of them shall be levied, collected, paid, applied, and disposed of in the Manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act.

Tolls to be paid only once a Day, except as after mentioned.

XIV. Provided always, and be it further enacted, That in case Toll shall have been paid for or in respect of any Horse, Beast, or Cattle passing through any of the Turnpikes, Toll Gates, Side Bars, or Chains now erected or hereafter to be erected and continued by virtue of this Act, no Toll shall be demanded or taken for or in respect of the same Horse, Beast, or Cattle, for returning, passing, or repassing through the same Turnpike, Toll Gate, Side Bar, or Chain, erected or hereafter to be erected and continued on the said Road, on the same Day, before Twelve of the Clock at Night; but that every Person, on producing a Note or Ticket denoting the Payment of Toll, (which Note or Ticket the Collector of the Tolls is hereby required to deliver *gratis* on the Receipt of the Toll,) shall (except in Cases herein-after mentioned) be permitted to pass through such Turnpike, Toll Gate, Side Bar, or Chain, with such Horse, Beast, or Cattle, on the same Day, Toll-free.

Limiting the Amount of Tolls.

XV. Provided always, and be it further enacted, That no more than Three full Tolls shall be taken for or in respect of any Horses, Cattle, Beasts, or Carriages for Once passing and repassing on the same Day, to be computed as aforesaid, through all or any of the Turnpikes or Toll Gates, Side Bar or Side Gates, erected or to be erected on the said Road between the *Leaden Well* in the County of the City of *Lincoln* and *Horncastle* aforesaid; and that no more than Three full Tolls shall be taken for or in respect of any Horses, Cattle, Beasts, or Carriages, for Once passing and repassing on the same Day, to be computed as aforesaid, through all or any of the Turnpikes or Toll Gates, Side Bar or Side Gates, erected or to be erected on the said Road between the *Leaden Well* in the County of the City of *Lincoln*, and its Junction with a certain Road leading from the Town of *Louth* in the said County, to the Town of *Market Rasen* in the said

said County, in a certain Place called or known by the Name of *Elkington Cow Pasture*: Provided always, that it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls hereby granted, or any Part or Parts thereof, in or towards repairing or lighting any of the Streets in the City of *Lincoln* aforesaid.

Stage Coaches, &c. to pay each Time of passing.

XVI. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, shall for every Time of passing or repassing along the said Road, in like Manner as if no Toll had been before paid thereat.

Post Chaises to pay each Time of fresh Hiring.

XVII. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts of Draught travelling for Hire, drawing any Post Chaise or other Carriage, for every Time of passing or repassing along the said Roads by this Act directed to be widened, improved, and kept in repair, on the same Day, as often as a fresh Hiring thereof shall take place.

Exemption from Tolls.

XVIII. Provided always, and be it further enacted, That no Toll shall be demanded or taken at any of the Turnpikes or Toll Gates erected or to be erected on the said Roads for any Horses or other Beast drawing any Carriages loaded, or going empty to be loaded, or returning empty after having been loaded, with Tiles or Bricks to be used for the Purposes of draining only in the Parish in which the same are made.

Application of the Tolls and Money to be borrowed.

XIX. And be it further enacted, That out of the Monies already received, or which shall be received by virtue of the said recited Act hereby repealed, and which shall arise or be produced by and from the Tolls by this Act granted, or otherwise by virtue of this Act, the said Trustees shall, in the First Place, pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with lawful Interest on any Money which shall be advanced for that Purpose; in the Second Place, in Payment of all Expences for Advertisements, Books, Salaries of Officers, erecting and repairing Milestones, Posts, Turnpikes, Toll Bars, Gates, and Toll Houses, and in paying and keeping down the Interest of the Principal Monies due on the Credit or Security of the said recited Act hereby repealed or of this Act; in the Third Place, in amending, widening, improving, and keeping in repair the said Roads, and in otherwise putting this Act into Execution; and lastly, in repaying the said Principal Monies respectively.

Trustees may compound for Penalties.

XX. And be it further enacted, That in all Cases where any Action or Actions, Suit or Suits, shall be brought, commenced, or prosecuted against any Person or Persons for any Penalty or Penalties contained in this Act, or for Breach or Non-performance of any Contract or Contracts entered into, it shall be lawful for the said Trustees, or any Seven or more of them, from Time to Time to compound

compound or agree for such Sum or Sums of Money as they shall think proper, instead of receiving the whole of such Penalty or Penalties; and such Trustees, or any Seven or more of them, may also mitigate, compound, or lessen any other the Forfeitures incurred under this Act; but the Sum so compounded or agreed for shall not be less than the Injury or Damage sustained by the Breach or Non-performance of any such Contract.

Application of Purchase Money when amounting to 200*l.* and upwards.

XXI. 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 the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Collegiate or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, and there shall not be any Power in the Deed or Will by which such Lands, Tenements, or Hereditaments shall be settled, authorizing the Sale thereof, 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees of this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing 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, to the Intent that such Money may 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 towards the Discharge of any Debts or other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the said Lands, Tenements, or Hereditaments, or any others 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 and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and 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, and Hereditaments which shall be purchased for the Purposes of this Act stood and were settled and 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

1 G. 4. c. 35.

until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce thereof 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 and Settlement were then actually made.

Application when less than 200*l.* and exceeding 20*l.*

XXII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or any Person or Persons under 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 such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases 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 named by the Person or Persons making such Option, and approved of by the Trustees for executing this Act (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends to arise 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 said Court of Exchequer.

Application when less than 20*l.*

XXIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than the Sum of 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 such Lands, Tenements, or Hereditaments so to be purchased for the Purposes of this Act, in such Manner as the said Trustees shall think fit; or in any 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.

When any Question shall arise touching the Title to Money.

XXIV. 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 said 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 so purchased in pursuance of this Act, 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, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the 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.

When any Question shall arise touching the Title to Money.

XXV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of the said recited Acts and 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 the Dividends or Interest of any 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 have been lawfully entitled to such Lands, Tenements, and Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the said 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.

Expences of Purchases may be allowed by the Court.

XXVI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporations 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 of Exchequer, 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, and the said Court is hereby directed to order the Expences of all Purchases, and of all Applications to the said Court 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, to be paid by the said Trustees for executing this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXVII. And

Public Act.

XXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

XXVIII. And be it further enacted, That this Act shall commence and take effect upon the passing thereof, and shall from thenceforth continue and be in force 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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