ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. xxvii.

An Act for more effectually repairing, widening, and improving the Road from the City of *Norwich* to *Scole Bridge*, in the County of *Norfolk*. [22d *March* 1826.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from the City of* Norwich *to* Scole Bridge, *in the County of* Norfolk: And whereas another Act was passed in the Twelfth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act for repairing and widening the Road from the City of* Norwich *to* Scole Bridge, *in the County of* Norfolk: And whereas another Act was passed in the Forty-fifth Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts, passed in the Ninth and Twelfth Years of His present Majesty, for repairing the Road from the City of* Norwich *to* Scole Bridge, *in the County of* Norfolk: And whereas another Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, 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 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

9 G. 3. c. 66.

12 G. 3. c. 76.

45 G. 3. c. 57.

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

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:* And whereas the Trustees appointed by or in pursuance of the said recited Acts of the Ninth, Twelfth, and Forty-fifth Years of the Reign of His late Majesty King *George* the Third, have proceeded in the Execution thereof, and have borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted and continued, a considerable Part of which Money now remains due and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term granted and continued by the said recited Acts of the Ninth, Twelfth, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third be further continued; and it would be more convenient if the said Three first-recited Acts were repealed, and other and more effectual Powers granted instead thereof; and it is expedient that the present Tolls should be altered and varied; but as such Purposes cannot be effected without the Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after Twelve of the Clock at Noon on the Tenth Day of *October* One thousand eight hundred and twenty-six, the said recited Acts of the Ninth, Twelfth, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed; and instead thereof this Act shall from thenceforth commence and take effect, and be put in Execution for and during the Term herein-after mentioned, for the Purpose of amending, altering, turning, widening, improving, and keeping in repair the Road leading from the End of the *Town Close* in the County of the City of *Norwich*, through the several Parishes of *Lakenham*, *Keswick*, *Markshall*, *Dunston*, *Swainesthorpe*, *Newton*, *Saxlingham*, *Tasburgh*, *Stratton Saint Michael*, *Stratton Saint Mary*, *Wacton*, *Pulham Saint Mary Magdalen*, *Tivetshall Saint Margaret*, *Tivetshall Saint Mary*, *Dickleburgh*, *Thelton*, and *Osmondeston* otherwise *Scole*, to *Scole Bridge*, in the said County of *Norfolk*; and that this Act, and the Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit or on Account of the said recited Acts of the Ninth, Twelfth, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, or any or either of them, and also of all such other Sum or Sums of Money as shall or may hereafter be borrowed for the Purposes of or become due on the Credit of this Act, and of all Interest due and to grow due for the same respectively.

Recited Acts 9, 12, and 45 G. 3. repealed, and this Act to take effect.

Tolls hereby granted liable to Debts under former Acts.

Powers of recited Acts 3, 4, & 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 expressly varied, altered, or repealed by the said recited Acts of the Fourth and Fifth Years of the Reign of His present Majesty, or varied, altered, or otherwise provided for by the said recited Act passed in the Fifth Year of the

Reign of His present Majesty, or 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, Remedies, Matters, and Things therein respectively contained, (save and except such Parts thereof as are expressly 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.

Bonds, &c. under former Acts to be good under this Act.

III. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons, or to or with any of the Trustees for executing the said recited Acts of the Ninth, Twelfth, and Forty-fifth Years of the Reign of His Majesty King *George* the Third, or any or either of them, 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 satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities duly made or entered into by the Trustees for executing the said Acts hereby repealed, 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 of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively.

Books used under former Acts to be Evidence.

IV. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Trustees.

V. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Norfolk*, together with *Ellis Burroughes* the younger, Clerk, *Walter Burroughes* Clerk, *James Brown*, *Robert Dover*, *Thomas Dyson*, *John Dyson*, *Richard Fulcher*, *Thomas Gilbank* Clerk, *Joseph Gurney*, *Richard Gwyn*, *William Gwyn*, *Thomas Howes* Clerk, *Thomas Havers*, *Henry Havers*, *William Havers*, *Frederick William Irby*, *Robert Kellett Long*, *Thomas Brooke Morris* Clerk, *Philip Hopson Stannard* Clerk, *Meadows Taylor* the elder, *Meadows Taylor* the younger, *Thomas Lombe Taylor*, *William Taylor*, *John Utting*, *John Worth*, *Robert Walpole* Clerk, *William Walford* Clerk, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby declared to be Trustees for carrying into Execution this Act, and such of the Powers and Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, as are not expressly altered, varied, or otherwise provided for by this Act.

Power to appoint additional Trustees.

VI. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, at their

their first or at any subsequent Meeting or Meetings to be holden in pursuance of this Act, 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, Fourth, and Fifth 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 and Fourth 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, as if they had been hereby nominated and appointed.

Old Officers (except the Treasurer,) to continue until removed.

VII. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officers nominated and appointed under and by virtue of the said first-recited Acts hereby repealed (save and except the Treasurer), 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, Treasurer, Collector, Surveyor, or other Officer shall have the like Powers and Authorities for carrying the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said 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 this Act.

Treasurer and Clerk not to be the same Person.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has 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 other Person or Persons in the Service or Employ 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 been or 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, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices 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 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 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, shall accept the Office of Clerk in the Execution of this Act, 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

IX. And

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

IX. And be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Monies by virtue or in pursuance of the said recited Acts, 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 and Fourth Years of the Reign of His said present Majesty, and this Act, or any of them, inflicted in respect to the several 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.

First Meeting of the Trustees.

X. And be it further enacted, That the Trustees for executing this and the said recited Acts made in the Third, Fourth, and Fifth Years of the Reign of His present Majesty shall and may, and they are hereby required to meet together at some convenient House or Place in *Stratton Saint Mary* in the said County, or at some other convenient Place or Places on or near the said Road, on the Second *Monday* next after the Commencement of this Act, or as soon after as conveniently may be, and proceed to the Execution of this and the said last-recited Acts.

General Annual Meeting.

XI. And be it further enacted, That the said Trustees shall hold a General Annual Meeting in the Month of *July*, of which Meeting Notice shall be given, by inserting the same in some Newspaper usually circulated in the said County of *Norfolk*, the Two Weeks preceding such Meeting; and at such Meeting the Trustees assembled shall elect a Chairman for the Purposes thereof, and shall also audit their Accounts, and report the State of the Road or Roads under their Care and Superintendence.

Power to continue the present Gates, and erect others.

XII. And be it further enacted, That the said Trustees shall and may, as they shall think proper, continue or remove all or any of the Toll Gates erected by virtue of the said recited Acts hereby repealed, or which shall or may be erected by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and of this Act, or any or either of them, and shall and may erect and set up, or cause to be erected and set up, any other Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Road, or upon the Sides thereof respectively; and shall and may also continue, erect, or provide a Toll House, with suitable Outbuildings or Conveniences at or near each Toll Gate or Bar, and shall and may from Time to Time remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees shall think expedient; and also shall and may take in and inclose from the said Road, or from any Common or Waste Land adjoining such Toll Gates or Toll Houses, convenient Garden Plots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House.

Lamps to be lighted at Toll Houses.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time to order and direct One or more Lamp or Lamps to be placed and erected on, or against, or in front of each and every of the Toll Houses erected on the said Roads, as they the said

Trustees shall think proper; and also to order and direct at what Time of the Year and during what Hours such Lamps shall be kept lighted; and the Collectors or Collector of the Tolls to be employed at such Gates or Gate respectively, neglecting or omitting to observe and fulfil the Orders of the said Trustees in respect to keeping and lighting of such Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every Neglect or Omission; and if any Person shall wilfully break, throw down, or destroy any of the said Lamps, or the Lamp Posts or Irons, or take the Oil from or extinguish any of such Lamps, every Person so offending shall, over and above the Damages occasioned thereby, forfeit and pay the Sum of Forty Shillings, One Moiety whereof shall be paid to the Treasurer to the said Trustees, to be applied by him towards the Purposes of this Act, and the other Moiety to the Informer or Person suing for and recovering the same.

Power to take Tolls.

XIV. And be it further enacted, That from and after Twelve of the Clock at Noon of the Tenth Day of *October* One thousand eight hundred and twenty-six, the several Tolls following shall and may be demanded and taken, collected and paid, at each and every Toll Gate, Turnpike, and Side Gate now erected or to be erected upon, across, or on the Sides of the said Road, before any Horse, Beast, Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

Tolls.

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

For a Horse, Mule, Ass, or other Beast, where there is only One, drawing any Chaise, Chair, Whiskey, Gig, Curricle, Cabriolet, Taxed Cart, Essex Cart, or other such Carriage, with not more than Three Wheels, the Sum of Four-pence; and where there are more than One Horse, Mule, Ass, or other Beast, the Sum of Three-pence for each:

For every Horse, Mule, Ass, or other Beast, where there are not more than Two, drawing any Coach, Machine, Landau, Berlin, Chariot, Phaeton, Chaise, Chair, Curricle, Cabriolet, Caravan, Van, Calash, Hearse, or other such Carriage, with Four or more Wheels, the Sum of Four-pence Halfpenny; and where there are more than Two Horses, Mules, Asses, or other Beasts, the Sum of Three-pence and Three Farthings:

For a Horse, Mule, Ass, or other Beast, where there is only One, drawing any Two-wheeled Waggon, Wain, Cart, Dray, or other such Carriage, the Sum of Three-pence:

For every Horse, Mule, Ass, or other Beast, where there are Two, and no more, drawing any such last-mentioned Carriage, not having the Fellies of the Wheels of the Breadth of Four Inches and an Half, the Sum of Four-pence Halfpenny; where there are Three Horses, Mules, Asses, or other Beasts, and no more, the Sum of Three-pence; and for every additional Horse, Mule, Ass, or other Beast, above Three, the Sum of Three-pence:

For every Horse, Mule, Ass, or other Beast, where there are Two, and no more, drawing any such last-mentioned Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and an Half, and under Six Inches, the Sum of Three-pence; and where there are Three, and no more, Horses, Mules, Asses, or other Beasts, the Sum of Two-

pence; and for every additional Horse, Mule, Ass, or other Beast, above Three, the Sum of Three-pence:

For every Horse, Mule, Ass, or other Beast, drawing any such last-mentioned Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or more, where there are Two Horses, Mules, Asses, or other Beasts, and no more, the Sum of Three-pence; where there are Three Horses, Mules, Asses, or other Beasts, and no more, the Sum of Two-pence; where there are Four Horses, Mules, Asses, or other Beasts, and no more, the Sum of One Penny Halfpenny; and for every additional Horse, Mule, Ass, or other Beast, above Four, the Sum of Three-pence:

For a Horse, Mule, Ass, or other Beast, where there is only One, drawing any Waggon, Wain, Cart, Dray, or other such Carriage, with Three or more Wheels, the Sum of One Shilling:

For every Horse, Mule, Ass, or other Beast drawing any such last-mentioned Carriage, not having the Fellies of the Wheels of the Breadth of Four Inches and an Half, where there are Two Horses, Mules, Asses, or other Beasts, and no more, the Sum of Nine-pence; where there are Three Horses, Mules, Asses, or other Beasts, and no more, the Sum of Sixpence; and where there are Four or more Horses, Mules, Asses, or other Beasts, the Sum of Four-pence Halfpenny:

For every Horse, Mule, Ass, or other Beast drawing any such last-mentioned Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and an Half, or more; where there are Two Horses, Mules, Asses, or other Beasts, and no more, the Sum of Sixpence; where there are Three Horses, Mules, Asses, or other Beasts, and no more, the Sum of Four-pence; where there are Four Horses, Mules, Asses, or other Beasts, and no more, the Sum of Three-pence; and for every additional Horse, Mule, Ass, or other Beast, above Four, the Sum of Three-pence:

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

And for every Drove of Calves, Pigs, Sheep, Lambs, or Fowls, the Sum of Ten-pence *per* Score; and so in proportion for any less Number:

Which said respective Tolls, and all other Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act imposed, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be paid, applied, and disposed of, and assigned in such Manner as herein-after mentioned.

Limiting the Number of Tolls to be paid in One Day between Norwich and Stratton St. Mary.

XV. Provided always, and be it further enacted, That no more than One Toll shall be demanded or taken for or in respect of any Horses, Cattle, Beast, or Carriage, for Once passing and repassing on the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night, through all or any Turnpikes or Toll Gates, Side Bars or Side Gates, erected or to be erected upon any Part of the Road, or on or near the Side or Sides thereof, or across any Roads, Lanes, or Ways leading out of the same, between the said City of *Norwich* and the Street of *Stratton Saint Mary* in the said County of *Norfolk*; but that all and every the same Horses, Cattle, Beasts, and Carriages, in respect

respect of which a Toll shall have been paid at any of the said Turnpikes or Toll Gates, Side Bars or Side Gates, and denoting which Payment a Note or Ticket, Notes or Tickets, shall be produced (which Note or Ticket, Notes or Tickets, the Collectors are hereby required to deliver *gratis*), shall Once pass and repass on the same Day Toll-free through all the said Turnpikes or Toll Gates, Side Bars or Side Gates, erected or to be erected on the said Road and Sides thereof, between the said City of *Norwich* and the Street of *Stratton Saint Mary* aforesaid; but if any Horse, Cattle, Beasts, or Carriages, in respect of which a Toll shall have been paid as aforesaid, shall pass a Third Time through any of the said Turnpikes or Toll Gates, Side Bars or Side Gates, then and in such Case the said Toll shall be again payable in respect of such Horses, Cattle, Beasts, and Carriages; and so *toties quoties* for every other Time after the Third Time such Horses, Cattle, Beasts, or Carriages shall pass on the same Day through the same Turnpike or Toll Gate, Side Bar or Side Gate, as aforesaid.

Stage Coaches to pay every Time of passing.

XVI. Provided also, and be it further enacted, That for or in respect of all Horses or other Beasts drawing any Stage Coach or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Toll Gate, in like Manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing and repassing along the said Road on the same Day, whenever a fresh Hiring thereof shall take place.

Limiting the Number of Tolls to be paid in One Day between Stratton St. Mary and Scole Bridge.

XVII. And be it further enacted, That no more than One Toll 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 Bars or Side Gates, erected or to be erected on the said Road between the Street of *Stratton Saint Mary* and *Scole Bridge* aforesaid; but that all and every the same Horses, Cattle, Beasts, or Carriages, in respect of which a Toll shall have been paid at any of the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates, and denoting which Payment a Note or Ticket, Notes or Tickets, shall be produced (which Note or Ticket, Notes or Tickets, the Collectors are hereby required to deliver *gratis*), shall Once pass and repass on the same Day Toll-free through the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates; but if any Horses, Cattle, Beasts, or Carriages, in respect of which a Toll shall have been paid as aforesaid, shall pass a Third Time through either of the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates, then and in that Case the said Toll shall be again payable in respect of such Horses, Cattle, Beasts, and Carriages, and so *toties quoties* for every other Time after the Third Time such Horses, Cattle, Beasts, or Carriages shall pass on the same Day through the same Turnpike or Toll Gate, Side Bar or Side Gate, as last aforesaid.

How long the present Leases shall continue in force.

XVIII. And be it further enacted, That all Leases, Demises, and Agreements for the Hire of the Tolls arising on the said Road, and all Bonds or other Securities which shall have been given for the Payment of

of the Rents reserved by such Leases, Demises, or Agreements respectively, and for the Performance of the Covenants and Conditions therein contained, shall respectively expire at Twelve of the Clock at Noon on the Tenth Day of *October* One thousand eight hundred and twenty-six; save and except such Parts and so much thereof as shall be necessary for enabling the Trustees to recover any Rent or Arrears of Rent that may be then due, or for the compelling the Performance of all and every Condition or Agreement that ought to have been performed up to that Time.

When new Leases shall commence.

XIX. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees at any Meeting or Meetings to be holden in the Months of *July*, *August*, or *September* next, or any of them, pursuant to the Directions of the said recited Acts made in the Third and Fourth Years of the Reign of His present Majesty, to be holden at any Place or Places on or near or adjoining to the said Road, to let and grant Leases of the Tolls to be collected on the same Road, such Leases to commence at Twelve of the Clock at Noon on the Tenth Day of *October* One thousand eight hundred and twenty-six, or on such subsequent Day or Days as the said Trustees shall direct and appoint, and all such Leases shall be as good, valid, and effectual as if made or granted on or after the said Tenth Day of *October* One thousand eight hundred and twenty-six; provided that the same Notices be given as are required for the Letting of Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty.

Application of the Tolls.

XX. And be it further enacted, That all the Monies and other Effects which they the said Trustees, or any of them, or any Treasurer or Treasurers, or other Person or Persons on their behalf, are or is possessed of or entitled to by virtue of the said recited Acts hereby repealed, or any of them, shall be by the said Trustees applied for the Purposes of this Act; and out of the Monies which shall arise by virtue of this Act, not herein otherwise appropriated or directed to be applied, the Expences attending the preparing, obtaining, and passing this Act shall be first paid and discharged, and the Remainder thereof shall from Time to Time be applied in paying the Interest of all Monies now due and owing upon the Credit of the said first Three recited Acts, or which may hereafter become due and owing upon the Credit of this Act, and afterwards in amending, widening, altering, diverting, turning, repairing, improving, and keeping in repair the said Road, and in erecting, repairing, and maintaining proper Turnpikes, Toll Gates, and Toll Houses; and then in reducing, paying off, and discharging the Principal Sum now due and owing on the Credit of the said Tolls, or which may hereafter become due and owing, and in defraying the Expences attending the Execution of this Act.

Application of Compensation Money if amounting to 200*l.*

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, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts particularly mentioned, such Money shall, in case the same shall 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 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 shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or in or towards 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 standing settled therewith to the same or the like Uses, Intents, and Purposes; and when 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, and 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 Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

1 G. 4. c. 35.

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

XXII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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 Lands, Tenements, and Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed;

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, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application when less than 20*l.*

XXIII. And be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees 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 good Titles, &c.

XXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, and 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 such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded 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 Persons 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 and 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the 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 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

When any Question shall arise

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

touching the Title to Money.

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, or 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.

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

XXVI. 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, Hereditaments, and Premises 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 the said recited Acts and this Act, it shall be lawful for the said Court to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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 from Twelve of the Clock at Noon on the Tenth Day of *October* One thousand eight hundred and twenty-six, and shall 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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