ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 32.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from *Cromford Bridge* to *Langley Mill*, in the County of *Derby*.

[14th *April* 1808.]

WHEREAS an Act was passed in the Sixth Year of the Reign of his present Majesty, King George the Third, intituled, *An Act for repairing, widening, and keeping in Repair the Road leading from* Cromford Bridge, *in the County of* Derby, *to the Turnpike Road at or near* Langley Mill, *in the said County*: And whereas an Act was passed, in the Twenty-sixth Year of the Reign of his present Majesty, intituled "*An Act to enlarge the Term and Powers of an Act passed in the Sixth Year of the Reign of his present Majesty, for repairing, widening, and keeping in Repair the Road leading from* Cromford Bridge, *in the County of* Derby, *to the Turnpike Road at or near* Langley Mill, *in the said County*: And whereas great Progress hath been made in the Execution of the said Acts, and considerable Sums of Money have been borrowed upon the Credit of the Tolls thereby granted, which Money still remains due, together with a considerable Arrear of Interest, and cannot be repaid, and the said Road be effectually amended, widened, turned, altered, improved, and kept in Repair, unless the Term of the said Acts be continued, and some of the Powers thereof altered and enlarged: May it therefore please Your

6 G. 3. c. 69.

26 G. 3. c. 124.

Trustees have proceeded in the Execution of the Acts.

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 the said recited Acts, and all the Powers, Provisions, Matters, and Things therein contained, (except such as relate to Exemptions from Stamp Duties, and except such as are hereby varied, altered or repealed,) shall be and continue in full Force, and be executed for and during the Term hereinafter mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this present Act, but subject, nevertheless, to the Amendments and Alterations herein contained, and which shall commence, and take effect upon the passing of this Act; and this Act, and the additional Term hereby granted, shall be, and are hereby declared to be subject and liable to the Payment of all the respective Sums of Money, now due and owing on the Credit, or on account of the said recited Acts; and also of such other Sum or Sums of Money as may be borrowed for the Purposes of the said recited Acts, and of this Act; and of all Interest now due, and to grow due for the same respectively.

Term enlarged.

II. And be it further enacted, That *Richard Arkwright*, *Richard Arkwright*, the Younger; *Francis Agard*, *John Alsop*, *John Alsop*, the Younger; *William Aldridge*, Sir *Brook Boothby* Baronet; *John Balguy*, the Younger; *Joseph Bowmer*, *John Bowler*, *John Bacon*, *John Bourne*, *George Bownes*, *Henry Bestwick*, *Joseph Bowmer*, *Benjamin Bowmer*, *Thomas Bowmer*, *Lot Beardsley*, *William Booth*, *Joseph Bradley*, *D'Ewes Coke*, Clerk; *John Carr*, Clerk; *Thomas Carr*, Clerk; *Thomas Cornthwaite*, Clerk; *D'Ewes Coke*, the Younger; *William Coke*, *John Coke*, *John Edward Carter*, *Thomas Charlton*, *Samuel Crompton*, *John Crompton*, *Charles Clayton*, *Francis Clay*, *Joshua Debanke*, *George Evans*, *Walter Evans*, *Edmund Evans*, *John Else*, *James Fletcher*, *Henry Fletcher*, *Jonathan Fletcher*, *William Goodwin*, *William Goodale*, *Thomas Green*, *Joseph Grammer*, *George Goodwin*, Sir *Henry Harpur* Bart.; *Francis Hurt*, *Winfield Halton*, *William Hurd*, Clerk; *William Hunter Hunter*, *Charles Vicars Hunter*, *John Cressy Hall*, *James Hall*, *John Hunt*, *Thomas Hunt*, *Joseph Hunt*, *Thomas Hill*, *William Harvey*, *William Jessop*, *Josias Jessop*, *William Jessop*, the Younger; *William Kirkland*, *Henry Kirkland*, *John Lowe*, *Francis Noel Clarke Mundy*, *Edward Miller Mundy*, *Henry Case Moorwood*, Clerk; *Robert Mason*, *Samuel Morrel*, *Samuel Milward*, *John Milward*, *Thomas Moss*, *James Marshall*, the Younger; *John Norman*, *John Nuttall*, *George Nuttall*, *Edmund Outram*, Doctor in Divinity; *Joseph Outram*, the Younger; *Benjamin Pearson*, *Thomas Pearson*, *John Radford*, of *Smalley*; *John Radford* of *Holbrook*; *William Robinson*, *Samuel Roberts*, *John Redfern*, *Jacob Redfern*, *John Smith*, Clerk; *Robert Strelley*, *George Strutt*, *Thomas Saxton*, *Henry Strafford*, *Thomas Strafford*, *John Robert Sharpe*, *Benjamin Smith*, the Younger; *William Smith*, *Anthony Storer*, *John Spencer*, *John Storland*, *William Turbutt*, *William Turbutt*, the Younger; *Richard Burrow Turbutt*, Clerk; *John Toplis*, *James Turton*, of *Crich*; *Thomas Travis*, *John Topham*, *James Turton*, of *Ripley*, *Charles Upton*, Sir *Robert Wilmot*, of *Chaddesden*, Baronet; *Hugh Wood*, *John Wood*, Clerk; *Robert Wood*, *John Ward*, Clerk; *Thomas Ward*, Clerk; *Thomas Webster*, Clerk; *Richard Ward*, Clerk; *Nathaniel Wright*, *Adam Wolley*, *George Woolley*, *John Woolley*,

New Trustees.

ley; *John Woolley*, the Younger; *James Woolley*, *Daniel Woolley*, *William Wilson*, *Joseph Wilson*, *John Wathey*, *Charles Walker*, *John Walker*, *Joseph Wass*, *Jasper Wager*, *Joseph Wildsmith*, *William Wass*, *John White*, *George Young*, and *William Young*, shall be, and they are hereby added to and joined with the Trustees appointed by or elected in pursuance of the said former Acts, or either of them, for putting the same and this present Act in Execution; and that the said Trustees hereby appointed, and their Successors, (being qualified according to the Directions of the said first recited Act,) shall be and are hereby empowered to act in the Execution of the said former Acts and this Act, as fully and effectually, to all Intents and Purposes, as if they had been named in or appointed by virtue of the said former Acts, or either of them.

Clause that no more than Two Tolls shall be taken for passing through all the Toll Gates, repealed, and Three Tolls allowed to be taken.

III. And whereas the Tolls now authorized to be taken on the said Road are found insufficient for the Purposes of the said Acts, and this Act, be it therefore further enacted, That so much of the said first recited Act as enacts that no more than Two full Tolls shall be demanded or taken of any Person or Persons for passing the same Day with the same Carriage or Cattle through all the Turnpikes to be erected by virtue of the said Act, shall be, and the same is hereby repealed; and instead thereof it shall be lawful for the said Trustees, or any Five or more of them, at any Time to demand and take, or cause to be demanded and taken, Three full Tolls, and no more, in the same Day from all Persons who shall travel with any Horse, Cattle, or Carriage between *Cromford Bridge* and *Langley Mill* aforesaid.

Preventing Stones and Timber being drawn otherwise than on Wheel Carriages.

IV. And whereas great Detriment has been done to the said Road by drawing Timber and Stones upon Sledges, Be it therefore enacted, That so much of the said first recited Act as permits the haling or drawing of Timber and Stones (except Mill Stones) on Sledges shall be, and the same is hereby repealed; and that if any Person or Persons shall, after the passing of this Act, hale or draw, or cause to be haled or drawn upon or along any Part of the said Road any Tree or Trees, Piece or Pieces of Timber, or any Stone or Stones, (other than and except Mill Stones), otherwise than upon Wheel Carriages, every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

General Exemptions.

V. And be it further enacted, That no Toll shall be demanded or taken for any Waggons, Wains, Carts, Carriages, Horses, or other Beasts employed in carrying or conveying, or going to carry or convey, or returning empty from carrying or conveying, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the said Road, or any of the Roads in the Townships or Parishes in which any Part of such Road doth lie, or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses, or on the Lands of the Owners thereof; or for any Waggons, Wains, Carts, Carriages, Horses, or other Beasts employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Compost, or Manure (Lime excepted) employed in Husbandry for manuring or improving Lands, or

for

for any other Thing employed in the Management of any Farm or Lands, (except as aforesaid); or for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to be, or returning from being shod or farried; or from any Person going to or returning from his proper Parochial Church, Chapel, or other Place of religious Worship, tolerated by Law on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Curate going to or returning from visiting any sick Person, or upon other his Ministerial Duty, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horses, Cattle, or Carriages of whatsoever Description employed, or to be employed, in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Post Master General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horses, Carts, or Waggons attending any Soldiers upon their March, or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by them in going to or returning from the Place of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; or for any Horses, Carts, or Waggons employed in the Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast drawing any Coach, Landau, Berlin, Chariot, Calash, or Chair, or any Passenger on horseback going to or returning from any Election of a Knight or Knights of the Shire, to serve in Parliament for the said County of *Derby*; and if any Person or Persons shall claim or take the Benefit of any of the aforesaid Exemptions, not being legally entitled thereto, every such Person or Persons shall for every Offence forfeit and pay any Sum not exceeding Forty Shillings.

Meetings on Emergencies.

VI. And be it further enacted, That if after any Adjournment of the said Trustees it shall at any Time be thought necessary that there shall be an earlier Day of Meeting than the Day appointed by such Adjournment, in that Case the Clerk or Clerks of the said Trustees, by an Order in Writing, signed by Five or more of the acting Trustees, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice by Writing affixed on all the Toll Gates then erected by virtue of the said Acts, and this Act, or by Advertisement in some Newspaper printed and circulated in the Neighbourhood thereof, of the Time, Place, and Purpose of such Meeting, which shall be mentioned in the Order of the said Trustees, (such Time not being less than Ten Days after such Notice,) and such earlier Meeting shall and may be held accordingly; and all Proceedings of the Trustees at all such Meetings shall be as valid and effectual as if such Meetings had been held in pursuance of Adjournments.

No Order to be revoked without Notice of Meetings.

VII. And be it further enacted, That no Order made by the said Trustees at any of their Meetings shall be revoked or altered, unless at some Meeting to be held for that Purpose, (of which Notice shall be given

given by Advertiſement in ſome Newſpaper printed and circulated in the Neighbourhood of the ſaid Road Ten Days at leaſt before ſuch Meeting, ſignifying the Occaſion of ſuch Meeting,) nor unleſs a greater Number of Truſtees ſhall attend at ſuch Meeting to revoke and alter the ſame, and concur in the Revocation or Alteration thereof, than were preſent and made ſuch Order.

For erecting Weighing Machines.

VIII. And be it enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, at any Meeting (if they ſhall think proper) to order and cauſe to be built, upon any Parts of the ſaid Road, as to them ſhall ſeem moſt eligible and expedient, a Crane, Machine or Engine, with ſuitable Buildings thereto, proper for the weighing of Carts, Waggons, or Carriages conveying any Goods, Wares, or Merchandize whatſoever, and by Writing ſigned by them, or any Five or more of them, to order all and every, or any ſuch Carriage or Carriages, which ſhall come upon any Part of the ſaid Road, within the Diſtance of Fifty Yards from any ſuch Crane, Machine or Engine, (whether the ſame ſhall have paſſed through any Toll Gate or Toll Bar or not), to be weighed, together with the Loading thereof; and that all Clauſes, Powers, Privileges, Exemptions, Reſtrictions, Penalties, and Forfeitures, contained in an Act paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, intituled "An "Act to explain, amend, and reduce into One Act of Parliament the "general Laws now in being for regulating the Turnpike Roads in "that Part of *Great Britain* called *England*," and for other Purpoſes," applicable to Weighing Machines, ſhall in all Caſes extend to and operate upon all Cranes, Machines, and Engines whatſoever to be erected by virtue of this Act, any Thing herein contained to the contrary notwithſtanding.

All Clauſes, &c. in General Turnpike Acts, reſpecting Weighing Engines to extend to this Act.

For letting Weighing Engines.

IX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, at any Meeting, whereof Twenty-one Days' Notice ſhall have been given, in Writing, affixed upon all the Toll Gates or Turnpikes then erected by virtue of the ſaid recited Acts, and this Act, and by Advertiſement inſerted in ſome Newſpaper circulated in the Neighbourhood of the ſaid Road from Time to Time, by Writing under their Hands, to let and demiſe, or agree to let and demiſe, either with or without the Tolls by the ſaid recited Acts, and this Act, authorized to be taken, the Weighing Cranes, Machines, and Engines, which may be erected by virtue of the ſaid recited Act, paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, and this Act, and the additional Tolls or Duties granted, and made payable thereat, for any Carriage which, with its Loading, ſhall weigh more than the Weight allowed by Law, provided that the ſaid additional Tolls be let in the ſame Manner as the Tolls ariſing at the Toll Gates or Turnpikes, are by the ſaid recited Acts directed or preſcribed to be let.

Old Mortgages may be called in.

X. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, (if they ſhall think it convenient,) call in, and cancel all or any of the preſent Mortgages, now ſtanding out, and made by virtue of the ſaid former Acts, and give and execute freſh Mortgage or Mortgages in lieu thereof reſpectively.

Penalty on damaging Cauſeways or Footpaths.

XI. And be it further enacted, That if any Perſon or Perſons ſhall ride upon any Cauſeway or Footpath, now made, or hereafter to be made on the Side of the ſaid Road, or any Part thereof, or ſhall drive any Horſe, or other Cattle, or any Swine, or any Cart, or other Carriage thereon, or ſhall wilfully cauſe any Damages whatſoever to be done thereto, every ſuch Perſon, for every ſuch Offence, ſhall forfeit and pay any Sum not exceeding Forty Shillings, to be levied and recovered in ſuch and the ſame Manner as is directed for the Recovery of Penalties and Forfeitures in and by the ſaid recited Acts, or either of them.

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

XII. And be it further enacted, that the ſaid Truſtees may ſue and be ſued for, or concerning any Thing to be done by virtue, or in purſuance of the ſaid recited Acts, and this Act, in the Name of their Clerk or Treaſurer, for the Time being; and that no Action or Suit, to be brought or commenced by the Direction of, or againſt the ſaid Truſtees, in the Name of their Clerk or Treaſurer, ſhall abate, or be diſcontinued by the Death or Removal of any ſuch Clerk or Treaſurer, nor by the Act of ſuch Clerk or Treaſurer, without the Conſent of the Truſtees, or any Five or more of them, but that the Clerk or Treaſurer, for the Time being, to the ſaid Truſtees, ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in evey ſuch Action.

Clerk or Treaſurer to be paid his Expences.

XIII. Provided always, That every ſuch Clerk or Treaſurer, in whoſe Name any Action or Suit ſhall be commenced, proſecuted or defended, in purſuance of this Act, ſhall be fully reimburſed and paid out of the firſt Money, to ariſe by virtue of the ſaid recited Acts, and this Act, after ſuch Action or Suit ſhall be commenced or diſcontinued, all ſuch Coſts, Charges, Damages, and Expences, as by the Event, or in conſequence of any ſuch Action or Proceeding he ſhall bear, pay, expend, or be put unto, or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant as aforeſaid.

Statute-Work.

XIV. And be it further enacted, That ſo much of the ſaid firſt recited Act, as relates to the Performance of Statute Labour on the ſaid Road ſhall be, and the ſame is hereby repealed; and that all Perſons, who, by Law, are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Road, or any Part thereof, ſhall ſtill remain liable thereto, in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the County of *Derby*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Portion of Statute Work ſhall every Year be done upon the ſaid Road, by the Inhabitants of the reſpective Pariſhes or Places, in which the ſaid Road doth lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of, or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her or them paid to the ſaid Truſtees, or their Treaſurer or Treaſurers; and, in order thereunto, it ſhall be lawful for ſuch Juſtices, from Time to Time, to ſummon the Surveyor or Surveyors of the Highways, for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices, at ſome Place, to be expreſſed in ſuch Summons,

Summons, (within Fourteen Days after the ſerving of ſuch Summons,) of the Names of the ſeveral Perſons, who within ſuch Pariſh or Place are, by Law, ſubjected and liable to do Statute Work for that Year; or to the Payment of any Money in lieu of, or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done whether with Teams or Draughts, or otherwiſe; and alſo the Amount of the reſpective Sums to be paid, which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as are or may be directed by any Law or Statute, in force and effect, for the Repairs of the Public Highways; and out of ſuch Liſts, the ſaid Juſtices, ſhall and may allot, appoint, and order ſuch, and ſo many of the Perſons, who ſhall appear to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days' Statute Work, in every Year, upon the ſaid Road, as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done at ſuch Days, and at ſuch Times, (not being Hay Time or Harveſt,) and in ſuch Parts of the ſaid Road, as the ſaid Truſtees, or their Surveyor or Surveyors ſhall, from Time to Time, order, direct and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons, who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as they the ſaid Juſtices ſhall direct; and in default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode, for that Purpoſe, by any Surveyor of the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures as ſuch Perſon or Perſons may be ſubject or liable to, by any Law or Statute in force or effect, for the Repair of the Public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſcharge the Perſon who ſhall be found idle, or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and if any Surveyor of the Highways for any of the ſaid Pariſhes or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

XV. And

Application of Compensation where exceeding 200l.

XV. 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 first recited Act, and this Act, for the Purpose thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, as in the said first recited Act 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 High Court of Chancery, to be placed to his Account, *ex parte* the Trustees for executing the said recited Acts, and this Act, 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 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, 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 Court of Chancery, upon Application thereto, be invested by the said Accountant-General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated; or Three Pounds *per Centum* Reduced Bank Annuities, and in the 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.

Application where the Compensation does not exceed 200l. nor less than 20l.

XVI. Provided always, and be it further enacted, That if any Money, so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to 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, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees,

mittees, 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 Account-General of the high Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees, (such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the said Court of Chancery.

Application where the Money is less than 20*l.*

XVII. Provided also, and be it further enacted, That where such Money, so agreed or awarded to be paid as next beforementioned, 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, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts, and 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 Title,

or if Person cannot be found, Purchase Money to be paid into the Bank.

XVIII. 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, 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 any Five or more of them; 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 and may be lawful to and for the said Trustees, or any Five or more of them, 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 Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the 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 thereunto, and to make such other Order in the Premises, as to the said Court shall seem just and reasonable; and the

Subject to the Order of the Court of Chancery, on Motion or Petition.

Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what, and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in the Poſſeſſion of the Lands at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto.

XIX. Provided always, and be it 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 Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Acts, and this Act; or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſts 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 ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſts 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 Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XX. Provided alſo, and be it enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of the ſaid recited Acts, and this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, 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 and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes, from Time to Time to be made in purſuance of the ſaid recited Acts, and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable to be paid by the ſaid Truſtees, or any Five or more of them, out of the Monies to be received by virtue of the ſaid Acts, and this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

For paying the Expences of this Act.

XXI. And be it further enacted, That all the Charges and Expences of obtaining and paſſing this Act ſhall be paid out of any Monies already raiſed by virtue of the ſaid recited Acts, or out of the firſt Monies to ariſe by virtue of the ſaid Acts, and this Act, in preference to all other Payments whatſoever.

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

XXIII. And be it further enacted, That the said recited Acts (subject to the Alterations and Amendments herein contained) shall continue and be in force, and be executed for and during the Residue now to come and unexpired of the Term granted by the said recited Acts, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament. Continuance of this Act.

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