ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 64.

An Act for reviving the Term, and continuing, altering, and enlarging the Powers of Two Acts, passed in the Thirty-second Year of His late Majesty, and in the Third Year of His present Majesty, so far as the same relate to repairing and widening the Road from the Town of *Derby* to the Town of *Uttoxeter*, in the County of *Stafford*. [29th *June* 1804.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing and widening the Road from the Town of* Derby *to the Town* of Newcastle under Lyne, *in the County of* Stafford, whereby the several Roads therein described were divided into Two Districts, and the Road leading from the Town of *Derby* to the Town of *Uttoxeter*, in the said County of *Stafford*, is thereby declared to be the First District of the said Roads: And whereas another Act was passed in the Third Year of the Reign of His present Majesty, for continuing and enlarging the Term and Powers of the said Act: And whereas the Term granted by the said Acts expired at the End of the last Session of Parliament: And whereas the Trustees appointed by the said recited Acts for putting the same into Execution

32 G. 2.

3 G. 3.

Execution within the ſaid Firſt Diſtrict have made great Progreſs therein, and have borrowed ſeveral conſiderable Sums of Money on the Credit of the Tolls ariſing within the ſaid Diſtrict, which are ſtill due and owing, and cannot be paid off, nor can the ſaid Road be effectually amended, improved, and kept in Repair, unleſs the ſaid Acts be revived and continued for a further Term, and the Powers and Proviſions thereof in reſpect of the ſaid Diſtrict altered and enlarged, and the Tolls increaſed: 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 the ſaid recited Acts, and all and every the Clauſes, Powers, Proviſions, Authorities, Exemptions, Penalties, Forfeitures, Puniſhments, Remedies, Matters, and Things whatſoever therein contained, (except ſo far as the ſame are hereby varied, altered, or repealed, or are repugnant to any of the Proviſions contained in this Act, and alſo except ſuch of them as relate to Exemption from Stamp Duties,) ſhall, ſo far as the ſame relate to the ſaid Firſt Diſtrict of Road, be and are hereby revived, and ſhall continue in full Force and Effect, for and during the Term hereinafter expreſſed, 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; and 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 upon the Credit of the Tolls ariſing within the ſaid Firſt Diſtrict of Road, or that ſhall hereafter be borrowed or become due and owing on the Credit of the ſaid recited Acts and this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Term and Powers of the former Acts revived and continued.

II. And be it further enacted and declared, That all Receipts, Payments of Money, Acts, Matters, and Things, which ſince the Expiration of the ſaid recited Acts have been had, made, done, executed, authorized, permitted, or ſuffered by the Truſtees for executing the ſaid Acts, or either of them, or by the Leſſee or Leſſees, Collectors or Receivers of the Tolls thereby granted, or by the Clerk, Treaſurer, or any other Officer or Perſon, touching or in anywiſe relating to the repairing, widening, or amending the ſaid Firſt Diſtrict of Road, or any Part thereof, or in the Exerciſe or Execution of any of the Powers, Proviſions, Truſts, or Authorities, in or by the ſaid Acts, or either of them, given or granted, ſhall be as valid and effectual, to all Intents and Purpoſes whatſoever, as if the ſaid recited Acts had continued in full Force and Effect until the Day of the Commencement of this Act; and the ſaid Truſtees, and alſo the ſeveral Leſſee and Leſſees, Collectors, Receivers, Clerk, Treaſurer, and other Officers, and all other Perſons whomſoever who have acted under the Authority or by the Direction of the ſaid Truſtees ſince the Expiration of the ſaid Acts, ſhall be and are hereby indemnified for what they ſhall have ſo done ſince the Expiration of the ſaid Acts, in as full, effectual, and beneficial a Manner, to all Intents and Purpoſes, as they would have been if the ſaid Acts had continued in force until the Day of the Commencement of this Act.

Truſtees, etc. indemnified for having acted ſince the former Acts expired.

III. And be it further enacted, That, from and after the paſſing of this Act, the Reverend *Frederick Anſon*, *Ralph Adderley*, *Thomas Armiſhaw*, the Honourable *Charles Bagot*, the Reverend *Hugh Bailye*, *Charles Broadhurſt*,

New Truſtees appointed.

Broadhurſt, *John Broadhurſt*, *Thomas Bainbrigge*, *Joſeph Bainbrigge*, *Dewhurſt Bilſborrow* Doctor of Phyſick, *Francis Bruckfield*, *John Bingham* the Younger, *Thomas Borrow*, *John Borrow*, *James Bellairs*, *Henry Browne*, *Thomas Brown*, *Robert Battelle*, *Thomas Barber*, *James Blair*, *William Blurton*, *Robert Blurton*, *John Blurton*, *Thomas Buckſtone*, *Samuel Bridden*, *Richard Bridden*, *Richard Brown*, *Richard Brown* the Younger, the Right Honourable *George Auguſtus Henry Cavendiſh* commonly called *Lord George Auguſtus Henry Cavendiſh*, *William Cavendiſh*, the Honourable *Richard Cavendiſh*, the Honourable and Reverend *David Curzon*, *Daniel Parker Coke*, *John Crompton*, *John Crompton* the Younger, *Edward Coke*, *John Cox*, *Thomas Cox*, *Roger Cox*, *Robert Cheney*, the Reverend *John Clarke*, the Reverend *Lawrence Dundas*, *Henry Cokburne*, *John Curzon*, *Francis Calvert*, the Reverend *Charles Benjamin Charlewood*, the Reverend *Joſeph Clowes*, *Richard Chamberlain*, *George Chawner*, *John Chatterton*, the Town Clerk of *Derby* for the Time being, *John Drewry*, *John Dethick*, *William Dueſbury*, Sir *Henry Every* Baronet, *Edmund Evans*, *Walter Evans*, the Reverend *William Edwards*, *Nathaniel Edwards*, *Samuel Fox*, *Richard Foreſter Foreſter* Doctor of Phyſick, *Francis Fox* Doctor of Phyſick, *Edward Fox*, *William Fowler*, *John Froſt*, the Reverend *Thomas Giſborne*, *John Giſborne*, *William Bennet Garlike* Doctor of Phyſick, *Thomas Gardiner*, *Francis Greaſley*, *John Gamble*, *Thomas Hart*, *Thomas Hart* the Younger, *Thomas Lee Higgot*, *Robert Hervey*, *Thomas Hervey*, *Enoch Hand*, *Brian Hodgſon*, *John Heacock*, *Thomas Hunt*, *John Hunt*, *John Hunt* the Younger, *Thomas K. Hall*, *Joſeph Heacock*, *Bache Heathcote*, *John Harriſon*, *John Harriſon* the Younger, the Reverend *Charles Stead Hope*, *Robert Holden* the Younger, *Thomas Haden*, *Henry Hadley*, *Michael Kean*, *Clement Kinnerſley*, *William Jeffery Lockett*, *Thomas Lowe*, *Richard Leaper*, *Lewis Lattuffiere*, *William Locker*, *Edward Miller Mundy*, *Edward Mundy*, *Francis Noel Clarke Mundy*, *Francis Mundy*, *Charles Mundy*, *Aſhton Nicholas Moſeley*, *John Maſſey*, *John Matchett*, *Francis Meynell*, the Reverend *Clement Madely*, *John Bailey Madely*, *Thomas Madely*, *Thomas Mallabor*, *John Marſton*, *William Towers Miners*, *Simon Mountfort*, *Simon Mountfort* the Younger, *John Leaper Newton*, *Robert Newton*, *William Noble*, *James Oakes*, *Henry Orton*, *Sacheverell Pole*, the Reverend *Edward Pole*, the Reverend *Henry Peach*, *Humphry Pipe*, *John Phillips*, *John Phillips* the Younger, *Thomas Phillips*, *Thomas Pickering*, *Henry Pilkington*, *Robinſon* Doctor of Phyſick, *Henry Richardſon*, *Samuel Richardſon*, *Samuel Rowland*, *John Radford*, *Francis Radford*, *James Rawlinſon*, *John Rowbotham*, *Thomas Rowbotham*, *Anthony Rhudde*, *Thomas Sheppeard*, the Honourable *Henry Sedley*, *George Charles Sedley*, *William Strutt*, *George Benſon Strutt*, *Joſeph Strutt*, *William Snowden*, *William Simpſon* Doctor of Phyſick, *Edward Sacheverell Sitwell*, *Thomas Saxelbye*, *John Saxelbye*, *Thomas Sale*, *James Simpſon*, *Robert Simpſon*, *Thomas Ward Swinburne*, *John Smith*, *John Smith* the Younger, *Charles Smyth*, *Francis Spencer*, *John Spencer*, *William Sneyd*, *Ralph Sneyd*, *Thomas Sneyd*, *Robert Stone*, the Reverend *Henry Stokes*, the Honourable *George Talbot*, the Reverend *Thomas Francis Twigge*, *James Taylor*, the Reverend *Henry Thomas*, *Robert Tunally*, *Charles Upton*, *George Walpole*, Sir *Robert Wilmot* Baronet, Sir *Robert Wilmot* Baronet, of Oſmaſton, *Robert Wilmot*, the Reverend *Edward Sacheverell Wilmot*, the Reverend *John Ward*, the Reverend *Richard Rowland Ward*, the Reverend *Benjamin Ward*, *Paul Webſter*, *George Wheeldon*, *Trevor Wheeler*, *Roger Warner*, *John Wetton*, and *Harry Yates*, ſhall be added to and joined with the Truſtees appointed by or in purſuance

of the ſaid recited Acts, or either of them, for putting the ſaid recited Acts, ſo far as relates to the ſaid Diſtrict of Road, and this preſent Act into Execution; and the Truſtees herein nominated, and their Succeſſors, being qualified according to the Directions of the ſaid firſt-recited Act, are hereby empowered to act in the Execution of ſo much of the ſaid former Acts as relates to the ſaid Diſtrict of Road, and of this preſent Act, as fully and effectually, to all Intents and Purpoſes, as if they had been appointed Truſtees in and by the ſaid recited Acts, or either of them.

Additional Half Toll granted.

IV. And whereas the Tolls by the ſaid recited Acts authorized to be taken on the ſaid Firſt Diſtrict of Road, have been found inſufficient effectually to maintain and repair the ſame, and pay the Intereſt of the Money borrowed on the Credit of the ſaid Tolls, be it therefore further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered to demand and take, or cauſe to be demanded and taken, over and above the reſpective Tolls granted by the ſaid recited Acts, or either of them, One further Half Toll in addition to ſuch reſpective Tolls, of all Perſons who ſhall paſs with any Horſe, Cattle, Beaſt, or Carriage through any Turnpike erected or to be erected by virtue of the ſaid recited Acts and this Act, and at which a ſingle Toll was heretofore payable; and that Double the Tolls impoſed by the ſaid recited Acts and this Act ſhall be demanded and taken for all Horſes, Cattle, Beaſts, and Carriages upon every Sunday in the Year (to be reckoned from Twelve of the Clock in every Saturday Night to Twelve of the Clock in the next ſucceeding *Sunday* Night), which ſaid additional Tolls ſhall be, and the ſame are hereby veſted in the Truſtees for executing the ſaid recited Acts and this Act, and the ſame ſhall and may be demanded, levied, recovered, applied, and diſpoſed of, in the ſame Manner, and to and for the ſame Uſes, Intents, and Purpoſes, as in and by the ſaid recited Acts is and are mentioned and declared with reſpect to the Tolls thereby granted or continued within the ſaid Diſtrict of Road: Provided always, that the additional Half Toll hereby granted ſhall not be taken from any Inhabitant or Inhabitants of the Village of *Dovebridge*, for or in reſpect of any Horſe, Cattle, Beaſt, or Carriage, being his, her, or their Property, paſſing or repaſſing on that Part of the ſaid Road which leads from *Dovebridge* to *Uttoxeter* aforeſaid.

Double Toll on Sunday.

Additional Half Toll not to be taken from the Inhabitants of *Dovebridge*.

For allowing certain Exemptions from Toll.

V. And be it further enacted, That no Toll ſhall be demanded or taken for any Horſe, Cattle, or Beaſt, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, 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 lies; 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; or for any Horſe, Cattle, or Beaſt employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry; or any Mould, Dung, Compoſt, or Manure employed in Huſbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horſes or Cattle going to or returning from Paſture or Watering

ing Places, or going to be or returning from being ſhoed or farried; or from any Perſon going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worſhip tolerated by Law, on a *Sunday* or 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 Clergyman going to or returning from viſiting any ſick Perſon, or upon other his Parochial or Miniſterial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horſe, Cattle, or Carriage, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for any Horſe, Cattle, or Beaſt, attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horſe, Cart, Cattle, or Beaſt employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; or for any Horſe, Cattle, or Beaſt, carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Derby* or *Stafford*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall, in any fraudulent or colluſive Manner whatſoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, one Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Collectors may be Witneſſes.

VI. And be it further enacted, That in caſe any Diſpute, Suit, Action, Proſecution, or Litigation, ſhall ariſe touching or in anywiſe relating to the Tolls, granted or made payable by the ſaid recited Acts and this Act, the Perſon or Perſons appointed or employed to collect the ſame, or any Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall be, and they and each of them are and is hereby declared not to be incompetent to give Evidence in any ſuch Diſpute, Suit, Action, Proſecution, or Litigation, by Reaſon of his or their being ſuch Collector or Collectors.

Meetings on Emergencies;

VII. And be it further enacted, That if it ſhall at any Time be thought neceſſary for the better Execution of the ſaid recited Acts or this Act, that the Truſtees ſhould meet before the Time to which any Meeting ſhall be adjourned, or in caſe no Adjournment ſhall have been made as directed by the ſaid firſt recited Act, the Perſon acting as Clerk to the ſaid Truſtees upon an Order in Writing, ſigned by any Five or more of them (although not aſſembled at a Meeting) mentioning the Time and Place of ſuch Meeting, ſhall as ſoon as may be give Notice thereof, by Advertiſement in ſome Newſpaper printed and circulated in the Neighbourhood of the ſaid Road, and in ſuch Notice appoint a Meeting of the Truſtees to be held at ſuch Time and Place as ſhall be directed by ſuch Order, ſuch Time not being leſs than Ten Days after Publication of the ſaid Notice, and all the Acts, Orders, and Proceedings of the Truſtees at ſuch

Meetings shall be as valid and effectual as if such Meetings had been held in pursuance of Adjournment.

No Order of the Trustees to be revoked, but at a Meeting called for that Purpose, nor unless a greater Number attend than made the Order, nor if less than Nine attend.

VIII. And be it further enacted, That no Order or Determination made by the 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 by Advertisement in some Newspaper printed and circulated in the Neighbourhood of the said Road, Fourteen 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 than were present when such Order was made, nor then if less than Nine Trustees attend.

Power to make Footpaths; Penalty on Persons injuring them, or laying Timber, Dung, *etc.* on the Road, or injuring it in other Instances.

IX. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to cause Footpaths or Causeways to be made on the Side of the said Road, or any Part or Parts thereof; and if any Person or Persons shall ride upon any such Footpath or Causeway, or shall drive any Horse, Mule, Ass, Cattle, Beast, Pig or Swine, Cart or other Carriage, or wheel any Wheelbarrow or Hand Cart thereon, or shall wilfully cause any Damage whatsoever to be done thereto, or shall lay any Timber, Hay, Straw, Dung, Compost, Ashes, Rubbish, or any other Matter or Thing whatsoever, upon the said Road, or any Part thereof, or shall obstruct or impede the Passage upon the said Road, or any Part thereof, or shall turn out any Horse, Cow, or other Cattle, Mule, Ass, or Swine, upon the said Road, or any Part thereof, or into any Lane or Highway leading into the same (except where the said Road, or any Part thereof, passes over any open Common), or without Authority from the Trustees shall dig or break up the Soil or Ground of any Part of the said Road, or scrape or carry off any of the Gravel, Materials, Mud, or Dirt, which shall be or lie upon any Part of the said Road, every such Person and Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings, to be recovered, levied, and applied in such Manner as other Penalties and Forfeitures are by the said recited Acts, or either of them, directed to be recovered, levied, and applied.

Trustees enabled to take Possession of Toll Houses in the Hands of the Lessees, Farmers, or Collectors of the Tolls;

X. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Toll Gates erected or to be erected on the said District of Road, shall at any Time or Times be demised or let to farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof shall be in Arrear and unpaid, for the Space of Ten Days next after any of the Days on which the same ought to be paid pursuant to the Contract or Agreement for letting the same, or if any Collector or Receiver of the Tolls who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Children, Family, or Representatives of any Collector or Receiver, who shall die, abscond, absent himself, or be discharged, or any other Person who shall

ſhall refuſe to deliver up the Poſſeſſion of any Toll Houſe or Toll Houſes, with the Buildings and Appurtenances thereunto belonging for the Space of Seven Days next after Demand thereof made in Writing, ſigned by any Five of the Truſtees, or by their Clerk or Treaſurer, and left at ſuch Toll Houſe or Toll Houſes, then and in any of the ſaid Caſes it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, or their Clerk or Treaſurer, or other Perſon authorized by Writing under the Hands of any Five or more of the ſaid Truſtees, with ſuch Aſſiſtance as ſhall be thought neceſſary to enter into and upon the Poſſeſſion of ſuch Toll Houſe or Toll Houſes, and other Buildings and Premiſes in the Day Time, and to remove the Perſon or Perſons who ſhall be found therein, together with his, her, or their Goods out of the ſame, and from the Collection of the Tolls there payable, and to put the ſaid Truſtees, or any of their Officers, or any other Perſon or Perſons appointed by the ſaid Truſtees, or any Five or more of them, in Poſſeſſion thereof; and on ſuch Leſſee or Leſſees, Farmer or Farmers, or any Perſon or Perſons employed by or in Poſſeſſion under them being ſo put out of Poſſeſſion as aforeſaid, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, if they ſhall think fit, to vacate and determine the Contract or Agreement for leaſing or letting the ſaid Tolls to ſuch Leſſee or Leſſees, Farmer or Farmers, and the ſame ſhall accordingly be utterly void to all Intents and Purpoſes, as if ſuch Demiſe, Contract, or Agreement had never been made (ſave as to the Covenants and Agreements for Payment of the Rent or Rents thereby reſerved or made payable); and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, in every ſuch Caſe to demiſe or let to farm the ſaid Tolls again to any other Perſon or Perſons, in the ſame Manner as if no former Demiſe, Contract, or Agreement had been made or entered into relative to the ſame.

and to vacate Agreement for letting the Tolls, and re-let the ſame.

XI. And be it further enacted, That if any Monies ſhall be agreed or awarded to be paid for any Lands, Grounds, or other Hereditaments purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts and this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatick, or Perſon or Perſons under any Diſability or Incapacity, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid Acts and this Act, to the Intent that ſuch Monies 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, Grounds, or other Hereditaments, in the Purchaſe of the Land Tax, 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, Grounds, or other Hereditaments, or affecting other Lands, Grounds, 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, Grounds, or Hereditaments, which ſhall be conveyed

Application of Compenſation when exceeding 200*l.*

veyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Grounds, or other 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 mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Monies ſhall, by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or 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, Grounds, or other Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation Money is leſs than 200*l.*

XII. Provided always, and be it further enacted, That if any Money ſo awarded to be paid for any Lands, Grounds, 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 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, Grounds, or 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, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in the Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the Truſtees for executing the ſaid recited Acts and this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing therefrom, may be applied in any Manner herein-before directed, ſo far as the Caſe may be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

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

XIII. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall amount unto or 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, Grounds, or other Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Acts and this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or, in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee

mittee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

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

XIV. 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 Chancery, in purſuance of the ſaid recited Acts or 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 thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, 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 Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

In caſe of not making out Titles;

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank;

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

XV. 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 or this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees; or in caſe the Perſon or Perſons, to whom any 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 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 Publick Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts

for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

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

XVI. Provided always, and be it further enacted, That where, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entiled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of the ſaid Acts or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this or the ſaid Acts, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

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

XVII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing to be done againſt or by virtue or in purſuance of the ſaid recited Acts or this Act, in the Name either 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, or by any Act of any ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees, or any Five or more of them, but that the Clerk or Treaſurer for the Time being of the ſaid Truſtees ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in every ſuch Action or Suit; and 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 out of the firſt Money to ariſe by virtue of the ſaid Acts and this Act, all ſuch Coſts, Charges, Damages, and Expences as by the Event or in conſequence of any ſuch Action or Suit, or any Proceeding had thereon, he ſhall bear, pay, expend, or be put unto, or become chargeable with or liable to, by reaſon of his ſo being made Plaintiff or Defendant as aforeſaid.

who is to be reimburſed Expences.

For paying the Expences of the Act.

XVIII. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the paſſing of this Act, ſhall be paid by the ſaid Truſtees, or any Five or more of them, as ſoon as may be, out of the Monies received or to be received or borrowed by virtue of the ſaid recited Acts or this Act within the ſaid Diſtrict of Road, in preference to all other Payments whatſoever; and in caſe any Perſon or Perſons ſhall advance and pay any Money for the Expences of obtaining and paſſing this Act, ſuch Perſon or Perſons ſhall be repaid the ſame, together with lawful Intereſt thereon, from the Time of advancing the ſame.

Publick Act.

XIX. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch,

such, by all Judges, Justices, and all other Persons, without the same being specially pleaded.

XX. And be it further enacted, That this Act shall commence and take Effect on the Day of the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament. Commencement and Continuance of the Act.

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