ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

Cap. 36.

An Act to continue and amend Two Acts passed in the Second and Twenty-fourth Years of His present Majesty, for repairing the Road from *Castle Street*, at the End of the Town of *Hinckley* to *Lutterworth* Town's End, and from the Guide Post at *Walcot* Town's End, in the County of *Leicester*, to the Eighty Mile Stone in *Welford* Field in the County of *Northampton*. [17th *May* 1805.]

WHEREAS an Act was passed in the Second Year of the Reign of His present Majesty, intituled, *An Act for amending, widening, and keeping in Repair, the Road from* Castle Street, *at the End of the Town of* Hinckley *to* Lutterworth *Town's End, and from or near the Guide Post at* Walcot *Town's End, in the County of* Leicester, *to the Eighty Mile Stone in* Welford *Field, in the County of* Northampton: And whereas another Act was passed in the Twenty-fourth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act passed in the Second Year of the Reign of His present Majesty, for amending, widening, and keeping in Repair, the Road from* Castle Street, *at the End of the Town of* Hinckley *to* Lutterworth *Town's End, and from or near the Guide Post at* Walcot *Town's End, in the County of* Leicester, *to the Eighty Mile Stone in* Welford *Field, in the County of* Northampton: And whereas great Progress hath been

2 G. 3. c. 54.

24 G. 3. c. 28.

been made in repairing and widening the said Road, and several Sums of Money are now due and owing, on the Credit of the Tolls thereby granted, which cannot be paid off, nor the said Road kept in Repair, unless the Term of the said Acts is further continued, and the Powers thereof altered and enlarged: 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 the Powers, Provisions, Matters, and Things therein contained (except such as relate to Exemptions from Stamp Duties, and as are hereby repealed), shall be, and continue in full Force, and shall be executed, for and during the Time hereinafter mentioned, as fully and effectually, to all Intents and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 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 said Road, and of such other Sum and Sums of Money as shall or may be borrowed for the Purposes of the said Acts, or of this Act, and of all Interest now due, and to grow due, for the same respectively.

Acts further continued.

II. And be it further enacted, That *Richard Arkwright*, *Thomas Boultbee*, *Dudley Baxter*, Junior, *John Fisher*, Clerk, *Richard Jervis*, Clerk, *Thomas Noel*, Clerk, *George Mettham*, Clerk, *Hugh Hughes*, Clerk, *Peter Lievre*, Clerk, *John Miller*, *John Adcock*, *William Brown*, *John King*, *James Cooper*, *Henry Townsend*, Junior, *Thomas Clarke*, and *William Neate* (being qualified according to the Directions of the said first recited Act), shall be, and are hereby appointed Trustees, and added to, and joined with the Trustees appointed, or elected by, or in pursuance of the said recited Act for putting in Execution the said Act, and this Act, and all the Powers thereby and hereby given and granted.

Additional Trustees.

III. And whereas the Tolls by the said Act granted have been found insufficient for the Improvement and Repair of the said Road, be it therefore enacted, That the said Tolls shall, from and after the passing of this Act, cease and determine, and that instead thereof the respective Tolls following shall be demanded and taken at the several and respective Gates or Turnpikes which have been, or shall be erected upon, or on the Sides of the said Roads: that is to say,

New Tolls.

For every Coach, Berlin, Landau, Calash, Chariot, Chaise, Chair, Hearse, or Litter, drawn by Six Horses, Mules, or other Beasts of Draught, the Sum of Two Shillings and Three-pence; and drawn by Four Horses, Mules, or other Beasts of Draught, the Sum of One Shilling and Six-pence; and drawn by Two Horses, Mules, or other Beasts of Draught, the Sum of Nine-pence.

For every Calash, Chaise, or Chair, drawn by One Horse only, the Sum of Six-pence.

For every Waggon, Cart, Wain, Car, or other Carriage, with Wheels of less Breadth than Six Inches, drawn by Two, Three, or Four Horses, or other Beasts of Draught, the Sum of One Shilling and Six-

Six-pence; and for every additional Horſe, or Beaſt of Draught, drawing the ſame, the Sum of Four-pence Halfpenny.

For every ſuch Waggon, Cart, Wain, Car, or other Carriage, drawn by One Horſe only, the Sum of Six-pence.

For every Waggon, Cart, Wain, Car, or other Carriage, with Wheels of the Breadth of Six Inches and upwards, drawn by Two, Three, or Four Horſes, or other Beaſts of Draught, the Sum of One Shilling and Six-pence; and for every additional Horſe, or Beaſt of Draught, drawing the ſame, the Sum of Four-pence Halfpenny; for every ſuch Waggon, Cart, Wain, Car, or other Carriage, drawn by One Horſe only, the Sum of Six-pence.

For every Score of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence, and ſo in proportion for any greater or ſmaller Number.

For every Score of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence, and ſo in proportion for any greater or ſmaller Number.

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of One-penny Halfpenny; which ſaid ſeveral Tolls, by this Act authorized to be taken, ſhall be, and are hereby veſted in the Truſtees for executing the ſaid Acts, and this Act; and the ſame, and every Part thereof, ſhall be collected, recovered, levied, paid, applied, aſſigned, leſſened, varied, and diſpoſed of, in ſuch and the ſame Manner, and by ſuch and the ſame Ways and Means, and with ſuch Remedies for Non-payment or Evaſion thereof, and with ſuch Powers, Proviſions, and Reſtrictions, as are contained in the ſaid recited Acts reſpecting the Tolls thereby authorized to be taken.

Increaſed Toll on Sundays.

IV. And be it further enacted, That it ſhall and may be lawful to and for the reſpective Toll Gatherers, or Collectors on the ſaid Road, and they are hereby authorized and empowered, on each and every *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night) in each and every Year, to demand and take, for and in reſpect of every Horſe, Beaſt, and other Cattle whatſoever, paſſing through any Gate or Turnpike upon the ſaid Road, double the Toll or Sum which may be demanded and taken for the ſame reſpectively on any other Day, by virtue of this Act, before ſuch Horſe, Beaſt, or other Cattle ſhall be permitted to paſs through any ſuch Gate or Gates, Turnpike or Turnpikes.

Truſtees may reduce the Tolls, &c. with the Conſent of the other Creditors.

V. Provided always, and be it enacted, That it ſhall and may be lawful, to and for the ſaid Truſtees, and they are hereby empowered, at any Meeting to be holden for that Purpoſe, of which One Calendar Month's Notice ſhall be affixed on all and every the Turnpikes that ſhall be ſtanding on the ſaid Road, from Time to Time, to leſſen or reduce, all or any Part or Parts of the Tolls granted by this Act, which ſhall be payable at any Side Gates, in ſuch Manner as to them ſhall ſeem fit and convenient; for and during ſuch Time as they the ſaid Truſtees ſhall think proper; and afterwards, at any Meeting to be holden as aforeſaid, from Time to Time, if they ſhall ſee Occaſion, to advance, all or any Part of the Tolls ſo leſſened or reduced, to any Sum or Sums of Money, not exceeding the ſeveral Rates granted by this Act: Provided nevertheleſs, That when the whole Money charged and

and borrowed on the Credit of the ſaid recited Acts, and of this Act, or of any of them, ſhall not have been paid and diſcharged, the Tolls hereby granted ſhall not be leſſened, or reduced, at ſuch Side Gates, without the Conſent of the Perſon or Perſons entitled to Five-ſixths of the Money remaining due upon the Credit of the ſaid Acts, and of this Act, or of any of them.

Repeal of Reſtriction againſt erecting a Turnpike on the Watling Street Road.

VI. And whereas the Truſtees for executing the ſaid Acts are reſtrained from erecting any Turnpike, Side Bar, or other Gate, on any Part of the ancient Road, called the *Watling Street Road*, and the ſaid Reſtriction has been found very injurious to the ſaid Roads, and has been the Means of the Tolls payable thereon being greatly evaded; be it therefore enacted, That the ſaid Reſtriction ſhall be, and the ſame is hereby repealed.

General Exemptions.

VII. And be it further enacted, That from and after the paſſing of this Act, the Exemptions granted by the ſaid laſt recited Act, ſhall be repealed, and that no Toll ſhall be demanded or taken, for any Waggons, Wains, Carts, Carriages, or Horſes employed in carrying, or conveying only, or going empty to carry, or convey only, or returning empty 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 the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Road doth lie; or any Hay, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up, or placed in the Out Houſes, or on the Lands of the Owners thereof, ſituated within the ſame Pariſh, from which ſuch Hay, Straw, or Corn in the Straw ſhall be removed; or for any Waggons, Wains, Carts, Carriages, or Horſes, employed in carrying or conveying only, or going empty to carry, or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry for the Purpoſe only of uſing or repairing the ſame; or in carrying or conveying from Place to Place, within the ſame Pariſh, any Mould, Dung, Lime, Marl, Sullage, Compoſt, or other Manure employed in Huſbandry, for manuring or improving Land; or any Stone, Bricks, or other Materials for draining Land; or for any other Thing employed in the Management of any Farm or Land within the ſeveral Pariſhes through which the ſaid Road paſſes; or for any Waggons, Wains, Carts, Carriages, or Horſes, employed in carrying or conveying only, or going empty to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Bricks, Lime, Stone, Plaſter, Timber, or other Materials to be uſed for building or repairing any Church, Chapel, Houſe, Out Houſe, Barn, Stable, or Hovel, within the ſame Pariſh, where ſuch Bricks, Lime, Stone, Plaſter, Timber, or other Materials ſhall be made, got, or cut down; or for any Horſes or Cattle going to, or returning from Paſture or Watering Places; or for any Horſes going to be, or returning from being ſhoed; 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

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 Horſes, Cattle, or Carriages 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 Horſes, Carts, or Waggons attending any Soldiers upon their March, or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor for any Horſes furniſhed by, or for any Perſons belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for, and on the Days of Exerciſe: Provided that ſuch Perſons be dreſſed 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; or for any Horſes, Carts, Waggons, or other Carriages, employed in the Conveyance of Vagrants ſent by legal Paſſes; or for any Coach, Landau, Berlin, Chariot, Calaſh, Chair, or other Carriage, or any Horſe, or other Beaſt, conveying any Perſon or Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Leiceſter*, *Warwick*, or *Northampton*, 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.

Statute Work.

VIII. And be it further enacted, That ſo much of the ſaid recited Acts as relate 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 Road hereby directed to be made, widened, and repaired, or any Part thereof, ſhall ſtill remain liable thereto, in like Manner as heretofore; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the ſaid Counties of *Leiceſter*, *Warwick*, or *Northampton*, 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 Proportion of the 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

in order thereunto, it ſhall and may be lawful to and 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 (within Ten Days after the ſerving ſuch Summons), of the Names of the ſeveral Perſons who, within ſuch Pariſh or Place, are by Law ſubject 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 Penalties, are 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 turn off 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 in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe, or wil-

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.

For preſerving the Foot Paths.

IX. And be it further enacted, That if any Perſon or Perſons ſhall ride upon any Way or Ways made, or to be made, on the Sides of the ſaid Road, for the Uſe of Foot Paſſengers, or ſhall lead or drive any Horſe or Horſes, or Cattle, or Swine, upon any ſuch Way or Ways, or ſhall wilfully or negligently injure or damage the ſame, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum, not exceeding Forty Shillings, nor leſs than Ten Shillings; one Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of the ſaid recited Acts and this Act.

Application of Compenſation if amounting to £.200.

X. And be it further enacted, That if any Money ſhall be paid, or agreed or awarded to be paid, for the Purchaſe of any Lands, Tenements, or 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 Body Politic, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Ceſtuique* Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments, are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, 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 there, *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 or Redemption 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, or Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time, 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

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 ſaid Lands, Tenements, and Hereditaments, to be purchaſed by virtue of the ſaid recited Acts and this Act, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation if leſs than £.200. and exceeding £.20.

XI. Provided always, and be it 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 exceed or be equal 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, in caſe of Infancy, Idiotcy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by any Five or more of the ſaid 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 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 and Approbation of the Court of Chancery.

Application of Compenſation if leſs than £.20.

XII. Provided alſo, and be it 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, 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, Idiotcy, or Lunacy, then ſuch Money ſhall be paid 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 Titles;

XIII. 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

chaſed 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 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 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.

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.

XIV. 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 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 the ſaid recited Acts and this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or 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

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

fully 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.

XV. 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 out of the Monies to be received by virtue of the said recited 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 Expences of the Act.

XVI. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid by the Trustees for executing the said recited Acts and this Act, or any Five or more of them, out of any Monies already raised by virtue of the said Acts, or out of the first Monies which shall be collected or received by virtue of the said Acts and this Act, in preference to all other Payments whatsoever.

Public Act.

XVII. 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 the Act.

XVIII. And be it further enacted, That this Act shall commence upon the Expiration of the Term granted by the said recited Acts, and shall from thenceforth continue 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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