ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

Cap. 80.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts, passed in the Third and Twenty-third Years of His present Majesty, for repairing the Road from *Lawton*, in the County of *Chester*, to *Burslem* and *Newcastle-under-Lyme*, in the County of *Stafford*, and other Roads therein mentioned. [27th *June* 1805.]

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road from* Lawton, *in the County of* Chester, *to* Burslem *and* Newcastle-under-Lyme, *in the County of* Stafford, *and other Roads therein mentioned*: And whereas an Act was passed in the Twenty-third Year of the Reign of His said Majesty, to enlarge the Term and Powers of the said Act: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded in the Execution thereof, and have borrowed a considerable Sum of Money upon the Credit of the Tolls thereby granted, the greatest Part of which still remains due and owing and cannot be paid off, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term of the said Acts be further continued, and the Powers and Provisions thereof altered and enlarged; May it therefore please Your Majesty that it may be enacted; and

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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 Clauſes, Powers, Proviſions, Orders, Regulations, Reſtrictions, Matters, and Things, therein contained (except ſuch Parts thereof as are hereby varied, altered, or repealed, and except alſo ſuch Parts thereof as relate to Exemption from Stamp Duties) ſhall be and the ſame are hereby further continued for and during the Term herein-after mentioned, in as full, ample, and beneficial Manner, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Amendments, Alterations, Variations, and Additions herein contained, and which ſhall commence and take Effect upon the paſſing of this Act, and ſhall continue in force during the Term hereby granted; and this Act, and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on account of the ſaid Acts or either of them, and of ſuch other Sum and Sums of Money as ſhall be borrowed or become due and owing on the Credit thereof reſpectively, and of this Act, and of the Intereſt due and to grow due for the ſame.

Said Acts further continued.

II. And be it further enacted, That *William Adams* the younger, *John Adams*, *Thomas Adams*, *Thomas Allen*, *Benjamin Adams* Clerk, *Edward Bourne*, *John Breeze*, *Jeſſe Breeze*, *Thomas Byerley*, *Joſiah Byerley*, *John Bagshaw*, *Thomas Broad*, *Thomas Breck*, *William Bent*, *John Blunt* Clerk, *Samuel Bagshaw*, *John Brown*, *Hugh Booth*, *Joſeph Booth*, *John Bill*, *Luke Bennett*, *Thomas Cartlich*, *Samuel Cartlich*, *William Clowes* the younger, *John Cartlich*, *John Child*, *Smith Child* the younger, *Rylance Child*, *Cheſter* Clerk, *Baddeley Child*, *Caleb Cole*, *John Cole*, *Robert Clownam*, *John Catlow* Clerk, *John Clowes*, *John Davenport*, *James Davenport*, *James Daniel*, *James Dix*, *Thomas Ford*, *Thomas Fenton*, *Robert Fenton*, *John Fenton Fletcher*, *Edward Ford*, *Thomas Ford*, *James Godwin* the younger, Sir *John Edenſon Heathcote* Knight, *Richard Edenſon Heathcote*, *John Hall*, *Ralph Hall*, *Gregory Hickman*, *John Hales*, *Enoch Keeling*, *William Kenwright*, *William Shepherd Kinnerſley*, *Thomas Kinnerſly* the younger, *Clement Leigh* Clerk, *Joſeph Machin*, *Joſeph Marſh*, *Joſeph Mellard*, *Thomas Mellard*, *William Marſh*, *William Nickiſſon*, *John Nickiſſon*, *James Paol*, *Robert Parker*, *George Plant*, *John Spencer Rogers*, *John Riley*, *Richard Riley*, *John Robiſon*, *William Robiſon*, *John Robinſon* the younger, *Chriſtopher Robinſon*, *William Robinſon* Clerk, *Walter Sneyd*, *William Sneyd*, *William Sneyd* of Barlaſton, *Joſiah Spode*, *Samuel Spode*, *John Sneyd* Clerk, *Thomas Stanier*, *John Smith*, *William Scragg*, *Thomas Shirwin*, *John Sherwin*, *Daniel Steele*, *John Tomlinſon*, *John Turner* Maltſter, *Randle Wilbraham*, *John Wedgwood*, *Joſiah Wedgwood*, *Daniel Whalley*, *Daniel Whalley* the younger, *John Wood*, *Robert Williamſon*, *Hugh Williamſon*, *Enoch Wood*, *James Wright*, *Randle Wilkinſon*, *Alexander Wilſon*, and *John Wilſon*, ſhall be and they are hereby nominated and appointed Truſtees for executing the ſaid Acts and this Act, and they and their Succeſſors (being qualified according to the Directions of the ſaid firſt recited Act) are hereby empowered and authorized to act in the Execution of the ſaid recited Acts and of this Act, as fully and effectually, to all Intents and Purpoſes, as if they had been named in or appointed by virtue or in purſuance of the ſaid Acts, or either of them.

Additional Truſtees.

III. And

Meetings on Emergencies.

III. And be it further enacted, That if after any Adjournment of the ſaid Truſtees, it ſhall at any Time be thought neceſſary that an earlier Day of Meeting ſhould be appointed than the Day appointed by ſuch Adjournment, then and in that Caſe the Clerk to the ſaid Truſtees, upon an Order in Writing ſigned by any Five or more of the ſaid Truſtees (although not aſſembled at a Meeting) mentioning the Time, Place, and Purport of ſuch intended Meeting, ſhall forthwith give Notice in Writing to be affixed upon all the Turnpikes then ſtanding upon the ſaid Roads, of the Time and Place 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 the Proceedings of the Truſtees at ſuch Meetings ſhall be as valid and effectual as they would have been in caſe the ſame had been held in purſuance of Adjournment.

Five Truſtees.

Turnpikes, Toll Houſes, &c. veſted in Truſtees.

IV. And be it further enacted, That the Right and Property of all and every the Turnpikes, Toll Houſes and Buildings erected or hereafter to be erected by virtue of the ſaid Acts or this Act, and of the Materials for building the ſame, and alſo all Rails, Stiles, Poſts, and Fences, which ſhall belong to the ſaid Roads, and alſo all Tools, Implements, Stones, Gravel, and other Materials purchaſed, gotten, or had, or to be purchaſed, gotten, or had for repairing the ſaid Roads, ſhall be and are hereby veſted in the ſaid Truſtees, and they, or any Five or more of them, are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions, or to prefer or order to be preferred any Bill or Bills of Indictment or Indictments, in the Name or Names of any One or more of them, or of their Clerk or Clerks, Treaſurer or Treaſurers, againſt any Perſon or Perſons who ſhall ſteal, take, injure, or diſturb them the ſaid Truſtees in the Poſſeſſion thereof.

Collectors of Tolls not diſqualified to give Evidence in any Diſpute.

V. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the Tolls authorized by the ſaid Acts to be taken, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being ſo appointed to collect the ſaid Tolls, or acting under the Authority of the ſaid Truſtees.

General Exemptions.

VI. And be it further enacted, That no Toll ſhall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horſes 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 Roads, or any of the Roads in the Townſhips or Pariſhes in which any Part of ſuch Roads 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, or Horſes 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

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 Places, or going to be or returning from being ſhoed; 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 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; or for any Horſe, Mare, or Gelding, 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 always, that 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, Calath, Chair, or 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 *Cheſter* 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 the ſaid Acts and this Act.

Repealing certain Exemptions from Toll.

VII. And whereas by the ſaid firſt recited Act no more than Half Toll is directed to be taken for any Horſe, Beaſt, or Carriage, nor more than Three-pence for any Waggon, nor Three-Halfpence for any Cart drawn by any Number of Horſes or other Beaſts paſſing through any Gate or Turnpike between the Colliery, late of *Richard Edenſor* Eſquire, deceaſed, called *Brerefield Colliery*, ſituate in *Brereburſt*, and the *Red Bull* at *Lawton* aforeſaid, going empty for or returning loaden only with Coals from the ſaid Colliery: And whereas ſuch Exemptions have been found inconvenient; be it therefore enacted, That the ſaid Clauſe ſhall, upon, from, and immediately after the paſſing of this Act, be and the ſame is hereby repealed.

Power to compound for Toll on Carriages conveying Coal, &c.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to compound from Time to Time with any Perſon or Perſons for any Horſes, Cattle, or Carriages employed only

in the carrying of Coals through any Gate erected or to be erected by virtue of the said Acts or this Act, at or near the House called the *Red Bull* at *Lawton*, such Coals being carried not more than One Mile on the said Road, such Composition Money to be paid in Advance, and to be applied in such Manner as the Tolls for which such Composition was made are by the said Acts or this Act directed to be applied.

Penalty on Persons leaving Waggons on the Roads, laying Timber, or committing any Annoyance thereon, &c.

IX. And be it further enacted, That if any Person or Persons shall leave any Waggon, Wain, Cart, or any other Carriage longer than be necessary for loading or unloading the same, in, upon, or on the Side of any Part of the said Roads, with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stone, Hay, Straw, Dung, Soil, Rubbish, or other Matter or Thing whatsoever upon any Part of the said Roads, or on the Side or Sides thereof, to the Prejudice or Annoyance thereof, or of any Person or Persons travelling thereon; or if any Person shall ride upon any Footway adjoining to the said Roads, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall cause any Damage to be done to such Footway; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Roads, and meeting any other Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Roads, or or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him, her, or them upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care, every Person so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings, such Penalties to be recovered and applied in the same Manner as the Penalties and Forfeitures are by the said first recited Act directed to be recovered and applied.

Certain Regulations respecting Gravel and other Materials for repairing the Roads, &c.

X. And whereas Powers are given by the said Acts to get Stone, Gravel, and other Materials for the Repair of the said Roads, and to enter private Grounds to get and carry away the same when and where the same cannot conveniently be found elsewhere: And whereas by virtue of an Act passed in the Sixth Year of the Reign of His present Majesty, intituled, *An Act for making and maintaining a navigable Cut or Canal from the River* Severn, *between* Bewdley *and* Titton Brook, *in the County of* Worcester, *to cross the River* Trent, *at or near* Heywood Mill, *in the County of* Stafford, *and to communicate with a Canal intended to be made between the said River* Trent *and the River* Mersey; and by another Act passed in the Sixteenth Year of His said Majesty's Reign, intituled, *An Act to enable the Company of Proprietors of the Navigation from the* Trent *to the* Mersey, *to make a navigable Canal from the said Navigation on the South Side of* Harecastle, *in the County of* Stafford, *to* Froghall, *and a Railway from thence to or near* Caldon *in the said County; and to make other Railways*; and also by another Act passed in the Twenty-third Year of His said Majesty's Reign, intituled, *An Act to amend and render more effectual several Acts passed in the Sixth, Tenth, Fifteenth, and Sixteenth Years of the Reign of His present Majesty, for making a navigable Canal from the* Trent *to the* Mersey; *and a Branch from the said Canal to* Froghall, *and a Railway from thence to or near* Caldon, *in the County of* Stafford; Powers are granted at certain Times and Seasons, and in Manner therein mentioned, to carry and convey Gravel and other Materials on the said Canal for the Repair of the

ſaid Roads free of Tonnage, but great Inconvenience hath ariſen for want of Powers to carry away the ſaid Gravel and other Materials from the Banks or Sides of the ſaid Canal; be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, or their Surveyor or Surveyors for the Time being, with Carts and Carriages to carry away the ſaid Gravel or other Materials for the Repair of the ſaid Roads from the Side of the ſaid Canal, between *Longport Wharf* and the ſaid Houſe called the *Red Bull* at *Lawton* aforeſaid, through any Lands or Grounds to the ſaid Roads, in the moſt convenient Way and Manner doing as little Damage as may be, and making Satisfaction for all Treſpaſs on and Damage done to the Lands or Grounds to be uſed for the Purpoſes aforeſaid to the Owners and Occupiers thereof; and in caſe of any Difference between the ſaid Truſtees, or their Surveyor or Surveyors, or other Perſon or Perſons to be by them employed for the Purpoſes aforeſaid, and the Owners or Occupiers of the ſaid Lands or Grounds, or any or either of them, concerning the ſaid Treſpaſs or Damage, the Juſtices of the Peace for the ſaid County of *Stafford*, at their General Quarter Seſſions, on Ten clear Days Notice thereof to be given by the ſaid Surveyor or Surveyors to ſuch Owner or Owners, Occupier or Occupiers, or to be left at his, her, or their reſpective Places of Abode, ſhall hear, ſettle, and determine the Matter of the ſaid Treſpaſs or Damage, and the Coſts attending the hearing and determining the ſame, whoſe Judgement and Order therein ſhall be final and concluſive to all Parties: Provided always, that nothing herein contained ſhall authorize or empower the ſaid Truſtees, or their Surveyor or Surveyors, or other Perſon or Perſons, to enter upon or paſs through any Orchard, Garden, or Yard, for any of the Purpoſes aforeſaid.

Statute Work.

XI. And be it further enacted, 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 Roads, 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 ſaid County of *Cheſter* or *Stafford* (as the Caſe may be) 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 Statute Work ſhall every Year be done upon the ſaid Roads 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 (within Ten Days after the ſerving of 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

ſuch Regulations and Reſtrictions, as are or may be directed by any Law or Statute in force and effect for the Repairs of the publick 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 Haytime or Harveſt) and in ſuch Parts of the ſaid Roads 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 Act 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 Publick 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 Roads, 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 Roads, all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads, and in caſe the ſaid Surveyor or Surveyors 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.

Application of Compenſation if amounting to 200l.

XII. 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 Acts and this Act for the Purpoſes thereof, which ſhall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Lunatick, 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 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 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 200l. and exceeding 20l.

XIII. 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

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 thereon, may be applied in any Manner herein before 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 then 20*l.*

XIV. 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 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;

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 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 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

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.

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 Possession of the Land, &c. at the Time of such Purchase, shall be deemed entitled thereto according to such Possession, unless, &c.

§ XVI. 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 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.

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

§ XVII. 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 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 Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Expences of the Act.

§ XVIII. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, shall be paid out of the First Money to be raised by virtue of the said Acts or this Act, in preference to all other Payments whatsoever.

Publick Act.

§ XIX. And be it 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.

XX. And be it further enacted, That the Term granted and continued by the ſaid Acts, ſhall, on the paſſing of this Act, ceaſe and determine; and that the ſaid Acts and this Act (ſubject as herein-before mentioned) ſhall from thenceforth commence, continue, and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament. Term and Continuance of the Act.

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