ANNO SEXTO

GEORGII IV. REGIS.

Cap. lxxxvi.

An Act for amending, improving, and maintaining the Road from *Lockwood* to *Meltham*, and the Branch of Road to *Meltham Mills*, all in the Parish of *Almondbury* in the West Riding of the County of *York*. [20th *May* 1825.]

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining a Road from* Lockwood *to* Meltham, *and a Branch of Road to* Meltham Mills, *all in the Parish of* Almondbury *in the West Riding of the County of* York: And whereas several considerable Sums of Money have been advanced or borrowed on the Credit of the said Act, for repairing and maintaining the Road and Branch comprised or mentioned in the said Act, and which Sums of Money still remain due and owing: And whereas the Powers and Provisions of the said Act have been found in some respects defective, and the Tolls received by virtue thereof have been found insufficient for the Purposes of the said Act: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating* 58 G. 3. c. 41. 3 G. 4. c. 126. 4 G. 4. c. 95.

Turnpike Roads in that Part of Great Britain *called* England: And whereas another Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas it is expedient that the said first-recited Act should be repealed, and that further Provision should be made for the Repair of the said Road and Branch, and that the Tolls should be increased: May it therefore please Your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 from and after the passing of this Act, the said recited Act of the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, shall be and the same is hereby declared to be repealed; and this Act shall from thenceforth commence and take effect, and be put in Execution for and during the Term herein-after mentioned, for the Purpose of amending, improving, and maintaining in repair the said Roads; (that is to say), the Road from the *Huddersfield* and *Woodhead* Turnpike Road at *Lockwood*, in the Parish of *Almondbury* in the West Riding of the County of *York*, to *Meltham* in the said Parish, and the said Branch of Road therefrom to *Meltham Mills* in the said Parish.

5 G. 4. c. 69.

Recited Act 58G. 3. c. 41. repealed, and this Act to take effect.

This Act and Tolls liable to Debts, &c. contracted under former Act.

II. And be it further enacted, That this Act and the Term and Tolls hereby granted or authorized to be taken shall be and the same are hereby made subject and liable to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized by the said first-recited Act to be taken on the said Road from *Lockwood* to *Meltham*, and the said Branch of Road to *Meltham Mills*, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be taken and collected; and all and every Persons and Person owing any Sums or Sum of Money to the Trustees for executing the said first-recited Act, shall be liable to the Payment thereof to the Trustees herein-after appointed or directed to be appointed for executing this Act.

Contracts, &c. under former Acts to be binding.

III. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities, made to or by or entered into by any Person or Persons to or with the Trustees for executing the said first-recited Act, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity until the same be fully satisfied and performed; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said first-recited Act, with or to any Person or Persons, for any Purpose relating to the said Road from *Lockwood* to *Meltham*, and Branch of Road to *Meltham Mills*, or to the Execution of the said first-recited Act, shall remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true Intent and Meaning thereof, notwithstanding the Repeal of the said first-recited Act.

IV. And

Books kept under former Acts to be Evidence, and to be open to Inspection.

IV. And be it further enacted, That all Books kept according to the Directions or Provisions of the said first-recited Act, or of any Act then in force, for registering Mortgages or Assignments of the Tolls arising on the said Road from *Lockwood* to *Meltham*, and the said Branch of Road to *Meltham Mills*, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and also all such Books of Accounts of Receipts and Disbursements made under the said first-recited Act, shall be preserved and kept by the Clerk for the Time being to the said Trustees, and shall at all seasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Transferring Powers of General Acts to this Act.

V. And be it further enacted, That the said recited Act, passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Trustees appointed.

VI. And be it further enacted, That all His Majesty's Justices of the Peace acting for the West Riding of the County of *York* for the Time being, together with Sir *George Armytage* Baronet, *Thomas Allen*, *Benjamin Haigh Allen*, *John Allen*, *John Armitage*, *Joseph Green Armytage*, *Benjamin Green Armytage*, *James Green Armytage*, *William Green Armytage*, *Joseph Armitage*, *George Armitage*, *Joseph Armitage* the younger, *Edmund Armitstead* Clerk, *Thomas Armitstead*, *Alexander Alexander*, *Henry Alexander*, *William Armitage* of *Almondbury*, *Joseph Atkinson*, *Thomas Atkinson*, *Joseph Armitage*, *Enoch Armitage*, *David Armitage*, *William Armitage Archbell*, *John Archbell*, *John Beaumont*, *Timothy Bentley*, *Benjamin North Rockley Batty*, *Walter Beaumont*, *John Beaumont* of *Netherton*, *Richard Battye*, *William Walker Battye*, *John Battye*, *James Brook*, *Joseph Brook*, *Jonas Brook*, *Charles Brook*, *William Leigh Brook*, *Richard Brook*, *William Brooke*, *John Brooke* of *Almondbury*, *John Brooke* of *Lockwood*, *Thomas Brooke*, *Edward Brooke*, *James Bower*, *Edward Bower*, *Joseph Bradley*, *Robert Bentley*, *James Bennett*, *Green Bentley*, *William*

William Battley, John Bell, John Booth of *Huddersfield, James Crossland, Richard Clay, Bradley Clay, Joseph Clegg, Francis Downing, Timothy Dyson, Nathaniel Dyson, John Dyson, James Dawson, Elihû Dickinson, Richard Dickinson, John Dickinson* of *Holmfirth, John Dobson, William Beevers Dobson, John Richard Dobson, William Eastwood, James Eastwood, John Eastwood* of *Huddersfield, Joseph Eastwood, Robert Firth, Thomas Firth, John Firth* the younger, *Lewis Fenton, John Fisher, John Firth* the younger, *Christopher Green, Anthony Green, James Green, John Garlick, James Garlick, John Graham, Charles Graham, William Greenwood, Joseph Haigh, Thomas Holroyd, John Horsfall, John Horsfall* the younger, *Abraham Horsfall* Clerk, *John Hawxby, Edward Hawxby, John Haigh, John Hinchliffe, Jonas Hobson, John Haigh, John Harrop, Thomas Hamer, John Harrison, David Harrison, Thomas Hardy, Joseph Haigh* of *Almondbury, John Jessop, George Jessop*, Sir *John Lister Kaye* Baronet, *John Kaye, Thomas Leigh* the younger, *Daniel Ledgard, William Edward Ledgard, William Leigh, Thomas Leigh, Joseph Leigh, John Littlewood, James Lees, Thomas Lockwood, Abraham Lockwood, Thomas Marshall, Jeremiah Marshall, Henry Nelson, George Needham, John Oldfield, William Priestley, John Peace*, Sir *Joseph Radcliffe* Baronet, Sir *John Ramsden* Baronet, *John Charles Ramsden, John Rawcliffe, George Robinson, Joshua Robinson, Edward Taylor Roberts, Jonathan William Roberts, Walter Williams Stables, Henry Stables, Walter Williams Stables* the younger, *Robert Smith* Clerk, *William Stocks, Samuel Stocks, John Sykes, William Shaw, Cookson Stephenson, William Stephenson, Joseph Smith, Thomas Shaw, Joseph Scott, Thomas Shearron* of *Almondbury, John Sutcliffe, John Sutcliffe* the younger, *Uriah Tinker, George Taylor* of *Thickhollins, Francis Vickerman, George Taylor* of *Meltham, John Townsend, Joseph Thomas Tuit, John Tinker* of *Carr, Joseph Walker, Samuel Walker, John Whitacre, John Wrigley, Joseph Wrigley, Robert Wrigley, Robert Wrigley* the younger, *Matthew Woodhead, John Woodhead*, and *Robert Wakler Waddington*, and their Successors, being duly qualified according to the Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, improving, and maintaining in Repair the said Road from *Lockwood* to *Meltham*, and the said Branch of Road to *Meltham Mills*.

Power to appoint additional Trustees.

VII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified according to the Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

VIII. And be it further enacted, That the said Trustees shall hold their First Meeting for executing this Act at *The Rose and Crown Inn*, in the Town of *Huddersfield*, or some other convenient Place within the said Town, upon the Second *Thursday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then, and from Time to Time after, adjourn to and meet at such Times and at such Place

Place and Places in the Neighbourhood of the said Road and Branch, as they shall think proper.

Old Officers to continue until new ones elected.

IX. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said first-recited Act, shall hold and enjoy such their several and respective Offices and Employments, until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Clerk not to act as Treasurer, and vice versâ.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer to give Security.

XI. And be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act, for the due and faithful Execution of his or their Office.

Trustees may remove Toll Gates, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to continue or remove all or any of the Toll Gates or Turnpikes, and any Toll Houses and Weighing Machines, now standing and being in, upon, or across the said Road, from *Lockwood* to *Meltham*, the said Branch to *Meltham Mills*, or on the Sides thereof respectively; and also to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Road from *Lockwood* to *Meltham*, and the said Branch to *Meltham Mills*, and upon the Sides thereof, or any Part or Parts thereof respectively, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Road and Branch, or either of them, suitable Garden Spots for the same respectively, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary; and from Time to Time to take down and remove or alter or discontinue the same, or any of them, and also to take down and remove any other Gate or Gates which now is or are, or which hereafter may be erected, or standing or being upon or across the said Road and Branch, or either of them, and the Posts of such Gates, as they the said Trustees shall think proper, and direct or appoint.

Power to take Tolls.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors by virtue of this Act, to demand and take the Tolls herein-after mentioned, at the several and respective Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains which are or shall be standing and being, or continued or erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road and Branch, or any Part or Parts thereof respectively, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say),

Tolls.

For every Horse or other Beast drawing any Coach, Sociable, Berlin, Phaeton, Landau, Chariot, Vis-a-vis, Chaise, Calash, Chaise Marine, Curricle, Chair, Gig, Whiskey, Hearse, Litter, Stage Coach, Caravan, Van, or other such Carriage, the Sum of Eight-pence:

For every Horse or other Beast drawing any Waggon, Cart, Dray, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Cart, Dray, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half and under Six Inches, the Sum of Seven-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Cart, Dray, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches, the Sum of Nine-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:

For

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

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

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid, before any Horse, Mule, Ass, or other Beast or Cattle whatsoever shall be entitled or be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act, in manner herein-after directed.

No more than Three full Tolls to be taken in One Day.

XIV. Provided always, and be it further enacted, That no more than Three full Tolls shall in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) be demanded or taken for or in respect of the same Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, drawing any Coach, Chariot, Chaise, Waggon, Cart, or other Carriage, or for or in respect of the same Horse, Mule, or Ass, or other Beast or Cattle, laden or unladen, and not drawing; or for or in respect of the same Drove of Oxen, Neat Cattle, Calves, Swine, Sheep, or Lambs, for passing once along the Line of the said Road and Branch.

To repass once for each full Toll.

XV. Provided also, and be it further enacted, That if any Person shall have paid such full Toll in respect of any such Horse, Beast, or Cattle, at any Gate to be erected or continued by virtue of this Act, such Horse, Beast, and Cattle shall be allowed to repass once for each such Payment Toll-free in the same Day (to be computed as aforesaid) through the same Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, on producing the Note or Ticket denoting such Payment.

Stage Coaches, &c. to pay every Time of passing.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Road and Branch, or either of them.

Post Chaises, &c. to be subject again to Toll on every new Hiring.

XVII. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let to hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Road and Branch, or either of them, whenever any new Hiring thereof shall take place.

One Horse Carts to be weighed.

XVIII. And be it further enacted, That notwithstanding the said recited Acts or any of them, or any Clause, Matter, or Thing therein contained, all Carts and other Carriages drawn by One Horse or other Beast, and having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Six Inches, shall be liable to be weighed at any Weighing Machine or Weighing Machines now erected or which may hereafter be erected

erected upon or for the Benefit of the said Road, pursuant to any Provision contained in the said recited Act of the Fourth Year of the Reign of His present Majesty, in the same Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law; and the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses are now liable by Law; and every such Cart or other Carriage drawn by One Horse or other Beast, which, together with the Loading thereof, shall weigh more than Twenty-seven Hundred Weight in Summer (to be computed from the First Day of *May* to the Thirty-first Day of *October*), or than Twenty-five Hundred Weight in Winter (to be computed from the First Day of *November* to the Thirtieth Day of *April*), shall pay, and it shall be lawful for the said Trustees (or any Person or Persons empowered by them to receive the Tolls granted by this Act) to receive and take such and the same additional Toll for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

Additional Tolls for Overweight.

Application of Tolls and Monies.

XIX. And be it further enacted, That all the Monies collected or received or borrowed under or by virtue of this Act, shall be applied by the said Trustees in manner following, (that is to say), in the first place, in paying all the Costs, Charges, and Expences of obtaining and passing this Act, or in anywise relating thereto, with Interest for the same; and in the next place, in the Payment of the Salaries of Clerks, Treasurers, Surveyors, and other Officers; and in the next place, in repairing the said Road and Branch; and in the next place, in defraying the necessary Expences of carrying the Act into Execution, keeping down the Interest on the Principal Monies which by the said first-recited Act already have been, or which by virtue of and under the Powers of this Act may be advanced or borrowed on the Credit thereof; and lastly, in repaying the Principal Monies already advanced or borrowed, or hereafter to be advanced or borrowed, for the Purposes of the said first-recited Act or this Act.

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

XX. 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 to be purchased, taken, or used for the Purposes of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons 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 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 Court of Exchequer, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An*

1 G. 4. c. 35.

Act

Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, 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 or capable of taking Effect; and in the meantime and until such Order can be made, the said Money may, 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, or in Government or Real Securities; and in the meantime and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, 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 such Lands, Tenements, or Hereditaments, so to be purchased, conveyed, and settled.

Application of Compensation Money if less than 200*l.* and amounting to 20*l.*

XXI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, 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 or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or

otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where under 20*l*.

XXII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to 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, for his, her, or their own Use and Benefit; or in Cases of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out a good Title, Money to be paid into the Bank.

XXIII. 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, taken, or used under or by virtue of the Powers of 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 such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case, it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there, 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; which said Court, 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 said 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

hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein 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 of *England* as aforesaid.

In case of disputed Titles.

XXIV. Provided always, 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 said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, for the Purposes aforesaid, or to any Bank Annuities, or Government or Real Securities, to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, or Government or Real Securities, 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; and the Dividends or Interest of the Bank Annuities, or Government or Real Securities, to be purchased with such Money, and also the Capital of such Bank Annuities, or Government or Real Securities, 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.

Court may order reasonable Expences to be paid.

XXV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or 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 Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Ditches, Drains, &c. by whom to be made and cleansed.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses, and of such Depth and Breadth as they shall consider expedient for the Purposes of keeping the said Road and Branch dry, and of conveying the Water from the same, as well on the Side or Sides of the said Road and Branch, as also, where necessary, into

into or through any Lands or Grounds adjoining or lying near the said Road and Branch (not being a Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House), and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be requisite or necessary, at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, any thing in the said Two last-recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained to the contrary notwithstanding; and all Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats to be made in pursuance of this Act, when so made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained by the Occupiers of the adjoining Lands or Grounds; but all such new Bridges, Arches, Culverts, Trunks, and Tunnels as shall cross or pass through, in, or under the said Road and Branch, shall be maintained and repaired by the said Trustees, subject to the Provisions of the said Two last-recited Acts of the Third and Fourth Years of the Reign of His present Majesty.

Public Act.

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

Commencement and Continuance of this Act.

XXVIII. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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