ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

****

Cap. lxxiv.

An Act for more effectually repairing the Road from the South-east End of the Town of *Loughborough* in the County of *Leicester*, commencing at *South Field Lane*, to the South End of *Cavendish Bridge* in the same County. [28th *May* 1827.]

WHEREAS an Act was passed in the Seventeenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending the Road from the South-east End of the Town of* Loughborough *in the County of* Leicester *to* Derby Bridge, *near the* Rushes, *and from the said Bridge to the South End of* Cavendish Bridge, *in the same County:* And whereas an Act was passed in the Forty-seventh Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for reviving, continuing, and enlarging the Powers of an Act of the Seventeenth of His present Majesty, for amending the Road from the South-east End of* Loughborough *in the County of* Leicester *to* Derby Bridge, *near the* Rushes, *and from thence to the South End of* Cavendish Bridge, *in the same County:* And whereas the Trustees appointed in and by virtue of the said recited Acts have proceeded in the Execution thereof, and have borrowed several Sums of Money upon the Credit of the Tolls authorized by the said recited Acts to be demanded and taken, which Money cannot be paid off, nor can the said Road be kept in sufficient Repair, unless the Term granted and continued by

17 G. 3. c. 107.

47 G. 3. Sess. 2. c. 19.

the said recited Acts be further continued; and it would be more convenient if the said recited Acts were repealed, and further, better, and more effectual Powers and Provisions granted for improving, widening, and keeping in repair the said Road; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of
3 G. 4. c. 126. 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 an Act was passed in the Fourth
4 G. 4. c. 95. Year of the Reign of His 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 Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His present
5 G. 4. c. 69. 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:* 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

Recited Acts 17 & 47 G. 3. repealed;

by the Authority of the same, That from and after the Thirty-first Day of *December* One thousand eight hundred and twenty-seven, the said recited Acts passed in the Seventeenth and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

and this Act to be put in execution.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually improving, widening, and keeping in repair the said Road from the South-east End of the Town of *Loughborough* in the said County of *Leicester*, commencing at the *South Field Lane*, through the said Town, to the South End of *Cavendish Bridge*, in the same County.

Powers of recited Acts 3, 4, and 5 G. 4. extended to this Act.

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

New Term and Tolls liable to

IV. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable

liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized by the said recited Acts of the Seventeenth and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, or any of them, to be taken at the several Turnpikes, Toll Gates, and Side Gates erected upon and across or on the Sides of any Part of the said Road, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Money had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act. the former Debts.

V. And be it further enacted, That all Bonds, Covenants, and Agreements, Contracts and Securities, entered into by any Person or Persons to or with the Trustees for carrying the said recited Acts hereby repealed into Execution, or to or with the Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, according to the Provisions of the said recited Acts, or any of them, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account and for the Benefit of the Trust created by this Act; and all Contracts or Agreements, Demises, Mortgages, or Securities duly made or entered into by the said Trustees, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms and Stipulations and Tenor thereof respectively, notwithstanding the Repeal of the said recited Acts; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding. Bonds, &c. under the former Acts to be good under this Act.

VI. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed. Books used under former Acts to be Evidence under this Act.

VII. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or other Money on account of the said Roads, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Road, shall account for and pay and deliver over the same and every Part thereof to the Trustees appointed for carrying this Act into Execution, in like Manner and under the like Penalties and Forfeitures as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, are by the said recited Act of the Fourth Year of the Reign of His present Majesty required to pay or account for the same. Books relative to former Acts to be delivered to Trustees under this Act.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Leicester*, together Trustees.

together with the Reverend *Charles Allsopp*, *John Astill*, *Richard Attenborough*, *Charles Alsop*, *John Buckley*, the Reverend *John William Robert Boyer*, *Ambrose Brewin*, *Walter Barrs*, *Thomas Barrs*, the Reverend *Matthew Drake Babington*, *Bacon*, *John Cradock*, *John Cradock* the younger, *Thomas Cradock*, *Joseph Cradock*, *Richard Cheslyn*, *Richard Cheslyn* the younger, *Joseph Almond Cropper*, *John Curzon*, *Nathaniel Curzon*, *Richard Creswell*, *John Creswell*, *William Wild Churchill*, *Benjamin Fleetwood Churchill*, *John Cartwright*, *James Cowlishaw*, the Reverend *John Dalby*, *Thomas Dalby*, *Edward Dawson*, *Henry Dawson*, *Charles Dawson*, *Thomas Denning*, *Samuel Vere Dashwood*, the Reverend *William Easton*, the Reverend *Eddowes*, *Henry Eddowes*, *John Henry Eddowes*, *James Ella*, *Samuel Evans*, *William Fisher Ella*, *William Fenton*, *Richard Fowler*, *William Joseph Fry*, *Edward Farnham*, *Edward Basil Farnham*, *Daniel Farrow*, *Leonard Fosbrooke*, *Flack*, *Valentine Green*, *Edward Green*, *Thomas Gisborne* the younger, *William Herrick*, *William Herrick* the younger, *William Hall*, the Reverend *Holmes*, *Saville John Hyde*, the Reverend *Harvey*, the Reverend *William Holme*, *Edward Harley*, *Samuel Hunt*, the Reverend *R Jarratt* Vicar of *Lockington*, the Reverend *Nathaniel Palmer Johnson*, *William Jeffery Lockett*, *William Middleton*, *William Morris Middleton*, *John Alleyne Middleton*, *Edward Morris Middleton*, *William Martin*, *Robert Clarke Martin*, *Edward Mammatt*, *Samuel Miles*, *Roger Miles*, *Thomas Miles*, *Thomas Bass Oliver*, *Joseph Paget*, *William Paget*, *John Paget*, *Charles Paget*, *Joseph Edward Paget*, *William Paget* the younger, *George Paget*, *Thomas Peach*, *John Palmer*, *Henry Pilkington*, *Charles March Phillips*, *Abrose Lister Phillips*, *Samuel March Phillips*, the Reverend *Edward Thomas March Phillips*, *William Parkinson*, *John Pares*, *Thomas Pares*, the Reverend *Thomas Parkinson*, *Robert Piper*, *Leonard Piddocke*, *Leonard Piddocke* the younger, *John Rich*, *Burgin Roby*, *John Parnham Stone*, *Thomas Stone*, *John B Story*, the Reverend *Phillip Lacock Story*, *Edmund Richard Story*, *Nathaniel Story*, *William Sherwin*, *James Sutton* (of *Shardlow*), *James Sutton* the younger (of *Shardlow*), *John Bambridge Story* the younger, *M Soresby*, *Joseph Sowter*, *George Sowter*, *William Strutt*, *George Benson Strutt*, *Joseph Strutt*, *Jerediah Strutt*, *Anthony Strutt*, *John Strutt*, *Edward Strutt*, *John Smith*, *William Smith*, *Charles Stokes*, *Thomas Thorp*, the Reverend *Thomas Thorp*, *George Watkinson*, *Thomas Warner*, *Henry Warner*, *Edward Warner*, *William White*, and *John Watson*, and their Successors, being duly qualified according to the Provisions and Directions 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 the Trustees for carrying the said Acts and this Act into Execution.

Power to appoint additional Trustees.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First or Second Meeting to be holden in pursuance of this Act, to elect, nominate, and appoint any Number of fit Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty King *George* the Fourth, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected

elected and appointed, and being qualified according to the Directions 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 invested with the same Powers and Authorities for executing this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, as if they had been named and appointed in and by this Act.

Meetings of the Trustees.

X. And be it further enacted, That the said Trustees shall meet at the *Plough Inn*, or at some other convenient House or Place in *Loughborough* aforesaid, on the Third *Thursday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Three and Seven of the Clock in the Afternoon, and shall then and there proceed to put the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution, and shall and may from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Road, as they shall think proper.

Old Officers may continue until others are appointed.

XI. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers nominated and appointed under and by virtue of the said recited Acts hereby repealed, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers shall have the like Powers and Authorities for carrying the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or this Act.

Treasurer and Clerk not to be the same Person.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has or have been or who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or

being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer or Treasurers shall hold or accept any Office or Place 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to continue and erect Toll Gates.

XIII. And be it further enacted, That the said Trustees shall and may either continue or remove all or any of the Turnpikes and Toll Gates which now stand across or on the Sides of the said Road, and set up in lieu thereof, or in addition thereto respectively, One or more Turnpike or Turnpikes, Toll Gate or Toll Gates, upon, across, or on the Sides of any Part of the said Road, and erect or cause to be erected such Toll Houses, with suitable Outbuildings thereto, and inclose from any Grounds adjoining thereto such Garden Plots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre for each Toll House, as they may judge proper; and shall and may cause all or any of such Turnpikes or Toll Gates and Toll Houses from Time to Time to be taken down and set up again, and to be removed, or altered and placed in such other Situations upon, across, or on the Sides of the said Road, or any of them, as they shall judge proper.

Power to take Tolls.

XIV. And be it further enacted, That the respective Tolls following shall (subject to the Provisions, Restrictions, and Exemptions in this Act and in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained) be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate which is now set up and continued, or which shall hereafter be set up across and by the Sides of the said Road, by each and every such Person and Persons as the said Trustees shall from Time to Time appoint to receive the same, before any Horse or other Beast, Coach, Chariot, Chaise, Waggon, Wain, Cart, or other Carriage, shall be permitted to pass through any Turnpike, Toll Gate, Side Gate or Side Bar; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Berlin, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-vis, Curricle, Gig, Car, Whiskey, Caravan, Chair, Taxed Cart, Waggon, Cart, or other Carriage of the like Kin, dupon Metal Springs, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like Kind, without Metal Springs, having the Fellies of the Wheels thereof of the Width or Breadth of Four and a Half Inches or upwards, the Tire of such Wheels

not to deviate more than Half an Inch from a flat Surface, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like Kind, without Metal Springs, having the Fellies of the Wheels thereof of less Width or Breadth than Four Inches and a Half, the Sum of Four-pence Halfpenny:

For every Horse, Mule, Ass, or Beast of Burthen, laden or unladen, and not drawing, the Sum of One Penny:

For every Drove of Oxen or other Neat Cattle, the Sum of Ten-pence *per* Score; and so in proportion for any greater or less Number:

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

And for every Horse drawing any Carriage laden with any Millstone or Millstones, the Sum of Sixpence.

Tolls vested in the Trustees.

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be vested in the said Trustees, and the same and every Part thereof shall be levied, collected, paid, applied, disposed of, and assigned in the Manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act.

Tolls payable Once a Day.

XV. Provided always, and be it further enacted, That no Toll shall be demanded or taken more than Once in any One Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, for or in respect of the same Carriages, Horses, Beasts, or Cattle, for passing or re-passing through the same Turnpike, (except as herein-after mentioned,) on a Note or Ticket being produced, denoting Payment of such Toll, for or in respect of such Carriages, Horses, Beasts, or Cattle, on that Day, (except in the Cases herein-after mentioned,) which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Payment of the Toll.

Limiting the Tolls to be taken.

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees to demand or take more than Two full Tolls on the said Road, for or in respect of the same Horses, Cattle, or Carriages, on the same Day, such Day to be computed as aforesaid; but if the same Horses, Cattle, or Carriage shall not have passed Five Miles on the said Road, then only One full Toll shall be demanded or taken, except as herein-after mentioned.

Where Horses have passed through a Gate, and return drawing a Carriage, the Toll paid on the Horses to be deducted.

XVII. And be it further enacted, That where any Horse or Horses shall pass through any Turnpike or Toll Gate on the said Road, not drawing any Carriage, and a Toll shall be paid for or in respect of such Horse or Horses at such Turnpike or Toll Gate, and the same Horse or Horses shall return drawing any Carriage on the same Day after their first passing through such Gate, the Toll paid on such Horse or Horses on their originally or first passing shall be deducted from the Toll payable on the same when drawing the Carriage to which they shall be attached on their Return, so that no higher Toll

Toll shall in the whole be taken than if such Horse or Horses had in the first place passed through such Turnpike Gate drawing the said Carriage.

Stage Coaches, &c. to pay each Time of passing;

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

Post Chaises, &c. on every new Hiring.

XIX. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing and repassing through any of the said Toll Gates, Turnpikes, or Side Gates, whenever any new or fresh Hiring thereof shall take place.

No Toll for Lime between 1st May and 1st October in each Year.

XX. Provided always, and be it further enacted, That no Toll shall be demanded or taken upon the said Road, of or from any Person or Persons, for or in respect of any Horse or Horses or other Beasts or Cattle drawing any Waggon, Cart, or other Carriage laden with, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying any Lime for manuring or improving Land, between the First Day of *May* and the First Day of *October* in every Year.

Application of Tolls and Money borrowed.

XXI. And be it further enacted, That out of the Monies already received by virtue of the said recited Acts hereby repealed, on account of the said Road, and now in the Treasurer's Hands, or out of the first Money which shall arise or be received from the Tolls by this Act granted, or otherwise, the said Trustees shall, in the first place, pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act, with Interest for the same; and the Remainder of all such Monies shall from Time to Time be applied, in the second place, in keeping down the Interest of the Principal Money due and owing on the Credit of the Tolls arising on the said Road by virtue of the said recited Acts hereby repealed, and which may be borrowed on the Credit of this Act, and in erecting Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, and in amending, altering, turning, diverting, widening, and otherwise improving and keeping in repair the said Road, and in otherwise putting this Act into Execution; and lastly, in repaying the Principal Monies now due and owing or hereafter to be borrowed on the Credit of the Tolls by this Act granted, and to and for no other Use or Purpose whatsoever.

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

XXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, for the Purposes thereof respec-

respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts of the Third and Fourth Years of the Reign of His said present Majesty is particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An 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; 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, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting any other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made. 1 G. 4. c. 35.

XXIII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to Application when under 200*l.* and exceeding 20*l.*

to any Corporation, or to any Person or Persons under Disability or Incapacity, as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, (to be signified in Writing under their respective Hands,) be paid into the Bank 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 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 the said Trustees, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When under 20*l.*

XXIV. And be it further enacted, That where such Money so agreed or awarded to be paid as 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 or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or Persons entitled not being found.

XXV. And be it further enacted, That in case the Person or Persons to whom such 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 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 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 Court of Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, and 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 and 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 the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interests 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money.

XXVI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer in pursuance of the said Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and 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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

XXVII. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, 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.

Public Act.

XXVIII. 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.

XXIX. And

Commencement and Continuance of Act.

XXIX. And be it further enacted, That this Act shall commence and take effect from the said Thirty-first Day of *December* One thousand eight hundred and twenty-seven, and shall continue and be in force and be executed for and during the Term of Twenty-one Years.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1827.