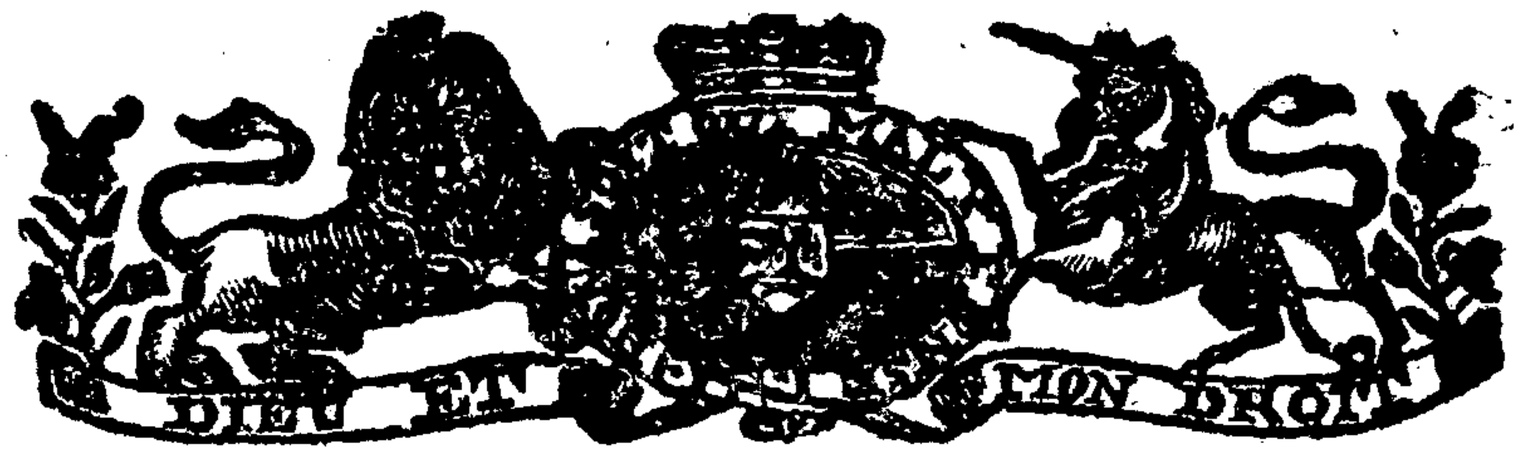


ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 35.

An Act to continue the Term, and amend, and enlarge the Powers of Two Acts, of His present Majesty, for repairing the Road from *Marchwiel*, in the County of *Denbigh*, through *Bangor*, *Worthenbury*, and *Hanmer*, in the County of *Flint*, to a certain House therein mentioned in the Parish of *Whitchurch*, in the County of *Salop*; and from *Bangor* aforesaid to *Malpas*, in the County of *Chester*; and from *Redbrook* to *Hampton*, in the County of *Salop*. [6th *April* 1810.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for repairing and widening the Road from* Marchwiel *in the County of* Denbigh, *through* Bangor, Worthenbury, *and* Hanmer, *in the County of* Flint, *to a House in the Possession of* Thomas Jenks, *in* Dodington *in the Parish of* Whitchurch *in the County of* Salop, *and from* Bangor *aforesaid to* Malpas *in the County of* Chester, *and from* Redbrook *to* Hampton *in the said County of* Salop: And whereas an Act was passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for continuing the Term, and varying some of the Provisions of an Act of the Seventh Year of His present Majesty, for repairing and widening the Road from* Marchwiel, *in the County of* Denbigh, *through* Bangor, Worthenbury *and* Hanmer, *in the County of* Flint, *to a House in the Possession of* Thomas Jenks, *in* Dodington *in the Parish of* Whitchurch *in the County of* Salop, *and* 7 G. 3. c. 104. 28 G. 3. c. 94.

and from Bunger *Forefield in* Malpas *in the County of* Chester, *and from* Redbrook *to* Hampton *in the said County of* Salop: And whereas the Truſtees appointed in or by virtue of the ſaid Acts have proceeded to put the ſame in execution, and have for that Purpoſe borrowed ſeveral conſiderable Sums of Money on the Credit of the Tolls ariſing on the ſaid Roads; which are ſtill due and owing, and cannot be paid off, nor can the ſaid Roads be properly amended, widened, improved, and kept in Repair, unleſs the Term granted by the ſaid Acts is further continued, and ſome of the Powers and Proviſions thereof altered, amended, and enlarged; And it is neceſſary that the Tolls granted and continued by the ſaid Acts ſhould be repealed, and further and other Tolls granted inſtead thereof; May it therefore pleaſe Your Majeſty, That it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, and all the Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained (except ſuch as relate to Exemptions from Stamp Duties, and alſo except ſo far as the ſame are hereby varied, altered, or repealed) ſhall be and continue in full Force, and be executed, for and during the Term hereinafter mentioned, in as full and ample a Manner, and as effectually 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 Proviſions, Amendments, and Alterations herein contained, and which ſhall commence and take effect from the paſſing of this Act; and that this Act, and the additional Term and Tolls hereby granted, ſhall be, and are hereby declared to be ſubject and liable to the Payment of all the Money now due and owing upon the Credit or on account of the ſaid recited Acts, or which ſhall be borrowed on the Credit of the ſaid Acts and this Act, and the Intereſt due and to grow due thereon reſpectively.

Acts further continued.

II. And be it further enacted, That *Samuel Alderſey*, *Henry Ellis Boates*, *William Boates*, *William Boodle*, *Richard Boote*, *William Boote*, Sir *Foſter Cunliffe*, Baronet, *Foſter Cunliffe*, *William Wickham Drake*, Clerk, *Edward Humphrey Dymock*, *Philip Egerton*, Clerk, *John Evans*, *Kenric Edward Eyton*, *Thomas David Ellis*, *Owen Ellis*, *John Craddock Ellis*, *Edward Edwards* the younger, *John Edgeworth*, *Thomas Fletcher*, *John Fletcher*, *Lloyd Fletcher*, *Charles Furnivall*, *Joſeph Furnivall*, *Thomas Griffiths*, *Roger Hughes*, *Humphrey Hughes*, *Robert Hughes*, *Walden Hanmer*, *John Hanmer*, Clerk, *George Hanmer*, *Henry Hanmer*, *William Hanmer*, the Honourable *Lloyd Kenyon*, the Honourable *George Kenyon*, *George Lloyd Kenyon*, *Thomas Lee*, *Edward Meeſon*, Clerk, *Frederick Lloyd Maſſie*, *Samuel Newton*, *George Newton*, *Thomas Newton*, *Francis Richard Price*, *William Poyſer*, *Richard Puleſton* the younger, *Philip Parry*, *Peter Potter*, *William Probart* the younger, *John Randles*, *John Rowland*, *Edward Lloyd Rowland*, *George Robſon*, Clerk, *Peter Ravenſcroft*, Clerk, Sir *Robert Williames Vaughan*, Baronet, *Joſeph Venables*, Clerk, and their Succeſſors to be hereafter elected and choſen under the Direction of and in Manner appointed by the ſaid firſt recited Act, ſhall be added to and joined with the Truſtees appointed and elected by and in purſuance of the ſaid recited Act; and the Truſtees hereby appointed and their Succeſſors, being qualified according to the Directions of the ſaid firſt recited Act, are hereby empowered to act in the Execution of the ſaid recited Acts and this Act, as fully and effectually to all

Truſtees.

Intents

Intents and Purpoſes as if they had been appointed by the ſaid recited Act.

Repealing a certain Clauſe in Act 7 Geo. 3.

III. And whereas by the ſaid recited Act of the Seventh Year of His preſent Majeſty, it is provided and enacted, that if any Toll Gate ſhall be erected at or near *Bangor* Bridge, no Toll ſhall be demanded or taken at any ſuch Gate for or in reſpect of any Carriage, Horſe, or other Beaſt paſſing through the ſame, which ſhall paſs along the Road leading from *Overton* to *Bangor* aforeſaid, to or from any Wharf or Quay upon or near the River *Dee* at or near *Bangor* aforeſaid, and to no other Place; which Power hath been found inconvenient and detrimental to the ſaid Road, and it is expedient that the ſame ſhould be repealed; Be it therefore further enacted, That from and after the paſſing of this Act, the ſaid Clauſe ſhall be, and the ſame is hereby repealed and declared null and void to all Intents and Purpoſes.

Repealing a certain Reſtriction in the ſame Act.

IV. And whereas by the ſaid recited Act of the Seventh Year of His preſent Majeſty it is provided and enacted, That no Gate or Turnpike ſhall be ſet up, or Toll taken for the Paſſage of any Horſes, Cattle, or Carriages, between the Townſhip of *Bangor* and the Town of *Malpas* aforeſaid; which Reſtriction hath been found inconvenient and detrimental to the ſaid Road, and it is expedient that the ſame ſhould be repealed; Be it therefore further enacted, That from and after the paſſing of this Act, ſo much of the ſaid Clauſe as reſtrains the Truſtees from erecting any Gate or Turnpike, or taking any Toll for the Paſſage of any Horſes, Cattle, or Carriages, between the Townſhips of *Bangor* and the Town of *Malpas* aforeſaid, ſhall be, and the ſame is hereby repealed and declared null and void to all Intents and Purpoſes.

Repealing former Tolls, and granting new ones.

V. And whereas the ſeveral Tolls granted by the ſaid recited Acts are inſufficient for the Purpoſes thereof; Be it therefore enacted, That all and ſingular the ſaid ſeveral Tolls ſhall from and after the Ninth Day of *May* next, ceaſe, determine and be no longer paid or payable; and that in lieu thereof the reſpective Tolls following ſhall be demanded, taken, collected and paid, at all and every of the ſeveral and reſpective Toll Gates, Toll Bars and Turnpikes which have been, or ſhall be placed, ſet up, and erected under or by virtue of the ſaid recited Acts and this Act, or any or either of them, or in or upon the Side or Sides thereof, or acroſs any Lane leading out of the ſame, (that is to ſay)

Tolls.

For every Horſe or other Beaſt drawing any Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Hearſe, or Chair, the Sum of Sixpence:

For every Horſe or other Beaſt drawing any Waggon, Wain, Cart, Tumbril, or Sledge, upon any of the ſaid Roads, between the Tenth Day of *October* and the Sixth Day of *April* in every Year, the Sum of Seven Pence, and at any other Time the Sum of Sixpence:

For every Horſe or other Beaſt drawing any Waggon, Wain, Cart, Tumbril, or Sledge, upon any of the ſaid Roads, the Wheels whereof are of Six Inches Gauge, between the Tenth Day of *October* and the Sixth Day of *April* in every Year the Sum of Sixpence, and at any other Time the Sum of Five Pence:

For every Horſe or other Beaſt laden or unladen, and not drawing as aforeſaid, 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 greater or leſs Quantity: And

For every Drove of Calves, Hogs, Sheep, Lambs, or Goats, the Sum of Ten Pence per Score, and ſo in proportion for any greater or leſs Quantity:

Double Toll on Sunday.

And that on every *Sunday* during the Continuance of this Act (ſuch *Sunday* to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night) it ſhall be lawful for the reſpective Toll-gatherers, or Collectors on the ſaid Road, and they are hereby authorized and empowered, to demand and take for or in reſpect of any Horſe, Cattle, or Carriage, paſſing through any Gate or Turnpike now erected or hereafter to be erected upon the ſaid Road, Double the Tolls hereinbefore granted and made payable:

Tolls veſted in Truſtees.

Which ſaid ſeveral Tolls by this Act authorized to be taken, ſhall be, and the ſame are hereby veſted in the Truſtees for putting the ſaid recited Acts and this Act into Execution; and the ſame and every Part thereof ſhall be collected, recovered, levied, paid, applied, aſſigned, varied, and diſpoſed of, in ſuch and the ſame Manner, and by ſuch and the ſame Ways and Means, and with ſuch Remedies for Non-payment or Evaſion thereof, and with ſuch Powers, Proviſions, and Regulations as are contained in the ſaid recited Acts, with reſpect to the Tolls thereby authorized to be taken, but ſubject nevertheleſs to the Powers, Proviſions, and Regulations herein contained: Provided always, that in caſe any Side Gate or Side Gates, Bar or Bars ſhall hereafter be erected or ſet up, and Tolls demanded or taken thereat by virtue of the ſaid recited Acts or of this Act, then and in ſuch Caſe Tickets ſhall be given by the Perſon or Perſons collecting ſuch Tolls, denoting the Amount of the Tolls paid, which Ticket ſhall be accepted for the Amount of the Tolls therein ſpecified to be paid in lieu or in part of the Tolls payable at any other Gate or Gates already erected or hereafter to be erected upon, acroſs, or on the Side of the ſaid Roads intended to be repaired by virtue of the ſaid recited Acts or of this Act; ſo that there ſhall not be more than Two full Tolls payable in the ſame Day for the ſame Horſes, Cattle, or Carriages, on any Part of the ſaid Road, any Thing in the ſaid recited Acts or in this Act contained to the contrary notwithſtanding.

Power to leſſen the Tolls.

VI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them aſſembled at their Firſt Meeting, and from time to time at any ſubſequent Meeting or Meetings to be held for that Purpoſe, to leſſen or reduce all or any of the Tolls by this Act granted, and to receive the Tolls ſo reduced for ſuch Time or Times as they the ſaid Truſtees or any Five or more of them ſhall think proper, and may afterwards from time to time advance all or any of the Tolls ſo leſſened to any Sum or Sums of Money not exceeding the reſpective Rates hereinbefore mentioned; and the ſaid Truſtees, or any Five or more of them, may from time to time direct the Tolls hereby granted, or ſo reduced as aforeſaid, to be collected in ſuch Parts and Proportions, and in ſuch Manner, at the ſaid reſpective Turnpikes or Toll Gates, as they the ſaid Truſtees, or any Five or more of them, ſhall think fit; and ſuch reduced Tolls, and alſo ſuch Parts and Proportions as aforeſaid, ſhall and may be collected, levied, and applied in ſuch and the ſame Manner as the ſaid Tolls are directed to be collected,

collected, levied, and applied; but no such Reduction shall be made at any Time after the said First Meeting, unless the Person or Persons who shall be entitled to Five-sixth Parts of the Money which shall have been lent upon the Credit of the Tolls intended to be reduced shall be consenting thereto; and that no such subsequent Meeting shall be held for any of the Purposes aforesaid, unless Ten Days previous Notice at the least shall be given thereof in Writing, to be affixed on all the Turnpikes or Toll Gates which shall be then erected by virtue of the said recited Acts or this Act.

General Exemptions from Toll.

VII. And be it further enacted, That none of the Tolls by this Act granted shall be demanded, taken, or received, at any of the Toll Gates erected, or to be erected or continued upon the said Roads, for any Horses, Cattle, or Carriages of whatsoever 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 therefrom; nor for the Horses belonging to any Officers or Soldiers on their March or on Duty, nor for any Horses, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor from any Rector, Vicar, or Curate going to or returning from his own Parish Church, or other Place of Divine Worship, or visiting his sick Parishioners; nor from any Person or Persons going to or returning from his, her, or their Parochial Church, Chapel or other usual Place of religious Worship on *Sundays*, or on any other Day on which Divine Worship is, or shall be ordered by Authority to be celebrated; or attending the Funeral of any Person or Persons who shall die and be buried in any Parish, Hamlet, or Place through which any Part of the said Roads lies; nor for any Horses, Beasts, Cattle, or Carriages used or employed for the Purpose only of carrying or conveying Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament for any or either of the Counties of *Denbigh*, *Flint*, *Chester*, or *Salop*; or of carrying or conveying Vagrants sent by legal Passes; or of carrying or conveying Hay, Straw, or Corn in the Straw, for the Use of the Owner, and not for Sale, or purchased; or of carrying or conveying any Dung, Mould, Manure, or Compost (other than and except Lime) to be used only for manuring of Land, or going or returning empty in that Employment; nor for any Horses, Beasts, or Cattle 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 any Plough, Harrow, or other Implement of Husbandry, unless the Carriage bearing any such Plough, Harrow, or other Implement of Husbandry be also laden with any other Thing not hereby intended to be exempted from Payment of Toll; nor for any Horse, Beast, or Carriage passing to, or repassing from Water or Pasture not beyond the Distance of Four Miles, and for either of those Purposes going or passing only from one Parish into the next adjoining Parish, and not travelling more than Four Miles along the said Roads; nor for any Horse, Beast, or

Mails.

Soldiers.

Rectors and Vicars, &c.

Parishioners attending Church or usual Place of Worship.

Funerals.

Elections.

Vagrants.

Hay, &c. the Property of the Grower.

Dung, &c. except Lime.

Horses, &c. employed in Husbandry.

Horses, &c. to and from Water or Pasture not beyond Four Miles.

Going to and returning from being ſhoed or farried, the like Diſtance.

or other Cattle, when going to or returning from being ſhoed or farried not beyond the ſaid Diſtance of Four Miles; nor for any Horſe, Beaſt, or Cattle uſed or employed for the Purpoſe only of carrying or conveying Materials for the making or repairing any Highway or publick Road within any ſuch Pariſh, Hamlet, or Place as aforeſaid; or for rebuilding, building or repairing any preſent or future Bridge or Bridges on the ſaid Roads under this Truſt; nor for any Horſe, Beaſt, Cattle, or Carriage which ſhall croſs the ſaid Roads only, or ſhall not paſs more than One hundred Yards thereon; nor for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by him in going to, or returning from any Place appointed for Exerciſe, Inſpection, or Review, provided that ſuch Perſon is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements according to the Regulations appointed for ſuch Corps at the Time of claiming the Exemption: And if any Perſon ſhall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the ſame, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds; and in all Caſes the Proof of Exemption ſhall lie upon the Perſon claiming the ſame.

Materials for repairing Roads and Bridges on the Roads under this Truſt.

Not paſſing 100 Yards. Volunteers, &c.

Penalty on fraudulently taking Benefit of Exemptions.

Owners or Drivers of Waggons conveying Military Stores, not ſubject to Penalties for Over-weight.

VIII. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnanc, Barrack or Commiſſariat, or other publick Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the ſaid recited Acts or this Act, contained to the contrary notwithſtanding.

Application of Compenſation when exceeding 200l.

IX. And be it further enacted, That the Principal Money to ariſe from the Sale of any Lands, Tenements, or Hereditaments, which ſhall be purchaſed for the Purpoſes of the ſaid recited Acts and this Act, or any or either of them, of any Body Corporate, Eccleſiaſtical, or Civil, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Femes or Feme Covert, or other incapacitated Perſon or Perſons, ſhall, in caſe the ſame ſhall amount to, or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Truſtees for executing the ſaid Acts and this Act, or any Two or more of them, 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 or Profits of the ſaid Lands or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid

affecting the ſame Lands or Hereditaments, or affecting other Lands 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 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 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 mean time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from time to time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the time being have been entitled to the Rents and Profits of the Lands and Hereditaments to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application when under 200l., and above 20l.

X. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the time being entitled to the Rents and Profits of the Lands or Hereditaments ſo purchaſed, taken or uſed, or of his, her or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore 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, or any Five or more of them, (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 hereinbefore directed, (ſo far as the Caſe be applicable) without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When under 20l.

XI. Provided alſo, and be it further 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 and Hereditaments ſo purchaſed, taken, or uſed as aforeſaid, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Commit-

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

In caſe of not making out Titles;

XII. 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 or Hereditaments to be purchaſed by virtue 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 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 or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful 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 or Hereditaments [*deſcribing them*], ſubject to the Order, Control and Diſpoſition of the ſaid Court of Chancery; 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 Publick Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what, and for whoſe Uſe, the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any Sum or Sums of Money into the Bank as aforeſaid.

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

ſubject to the Order of the Court of Chancery.

Where any Queſtion ſhall ariſe touching the Title to whom the Money ſhall be paid, &c.

XIII. 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 Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in poſſeſſion of ſuch Lands 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 or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhown 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 or Hereditaments, or to ſome Eſtate or Intereſt therein.

XIV. Pro-

XIV. 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 or Hereditaments 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 Chancery, and to be applied in the Purchaſe of other Lands 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 the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, or any Five or more of them, who ſhall from time to time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct. The Court may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XV. And be it further enacted, That it ſhall be lawful to and for any Two or more Juſtices of the Peace for the County in which the ſaid Roads are ſituate, within their reſpective Juriſdictions, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or any Two or more of them, or by their Treaſurer, Clerk, Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads 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 to 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 Regulations and Reſtrictions as are or may be directed by any Law or Statute in force or 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 Roads as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on 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 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 there- Statute Labour.

of, in like Manner as any Penalty is by the ſaid Acts or either of them authoriſed 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 laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor to 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 diſmiſs 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 as 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 or wilfully give in falſe and imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

For paying the Expences of this Act.

XVI. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing this Act, ſhall be paid and diſcharged by the Truſtees for putting the ſaid recited Acts and this Act in execution, or any Five or more of them, out of any Money which hath ariſen by virtue of the ſaid recited Acts, or out of the firſt Monies which ſhall ariſe by virtue thereof and of this Act, and in preference to all other Payments whatſoever.

Publick Act.

XVII. And be it further 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.

Commencement and Continuance of this Act.

XVIII. And be it further enacted, That the Term granted and continued by the ſaid recited Acts, ſhall from and after the Ninth Day of *May* next ceaſe and determine; and that the ſaid Acts (ſubject to the Alterations hereinbefore mentioned) and this Act, ſhall from thenceforth 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.

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