ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. lxxxv.

An Act for repairing the Roads from *Spalding High Bridge* to the Market Place in *Donington*, and from the Tenth Mile Stone in the Parish of *Gosbertown* to the Eighth Mile Stone in the Parish of *Wigtoft*, in the County of *Lincoln*.

[5th *May* 1826.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Roads from* Spalding High Bridge *to the Market Place in* Donington, *and from the Tenth Mile Stone in the Parish of* Gosbertown *to the Eighth Mile Stone in the Parish of* Wigtoft, *in the County of* Lincoln: And whereas another Act was passed in the Twenty-fourth Year of the Reign of His said late Majesty, intituled *An Act for continuing and amending an Act of the Fourth Year of His present Majesty, for repairing and widening the Roads from* Spalding High Bridge *to the Market Place in* Donington, *and from the Tenth Mile Stone in the Parish of* Gosbertown *to the Eighth Mile Stone in the Parish of* Wigtoft, *in the County of* Lincoln: And whereas an Act was passed in the Forty-fifth Year of the Reign of His said late Majesty, intituled *An Act to continue the Term and alter and enlarge the Powers of Two Acts, passed in the Fourth and Twenty-fourth Years of the Reign of His present Majesty, for repairing* 4 G. 3. c. 80. 24 G. 3. c. 34. 45 G. 3 c. 76.

and widening the Roads from Spalding High Bridge *to the Market Place in* Donington, *and from the Tenth Mile Stone in the Parish of* Gosbertown *to the Eighth Mile Stone in the Parish of* Wigtoft, *in the County of* Lincoln: And whereas the Trustees appointed in or by virtue of the said recited Acts have proceeded in the Execution thereof, and have from Time to Time for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Roads, which Money still remains due and owing, and the same cannot be repaid, nor can the said Roads be effectually amended and kept in repair, unless the Terms of the said Acts are further continued: And whereas an Act was passed in the
3 G. 4. c. 126. 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 present Majesty,
4 G. 4. c. 95. 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 another Act was passed in the Fifth
5 G. 4. c. 69. Year of the Reign of His 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 would facilitate the Execution of the Purposes aforesaid, if the said Three first-recited Acts were repealed, and if other Powers and Provisions were 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 upon the Third *Wednesday* next after the passing of this Act the said recited Acts passed in the Fourth, Twenty-fourth, and Forty-fifth Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby respectively declared to be repealed, and instead thereof this Act shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, improving, and keeping in repair the present Turnpike Roads leading from the Town of *Spalding* in the County of *Lincoln*, and which Roads pass from, through, or into the several Parishes and Townships of *Spalding*, *Pinchbeck*, *Surfleet*, *Gosbertown*, *Quadring*, *Donington*, and *Wigtoft*, in the said County of *Lincoln*; and this Act and the Term and Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of all Monies heretofore borrowed for making, repairing, and maintaining such Roads, and now due and owing upon the Credit or on Account of the said former Acts respectively, or secured upon or made payable out of the Tolls thereby authorized to be taken upon the said Roads, 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 collected.

Recited Acts of 4, 24, and 45 G. 3. repealed, and this Act to take effect.

Recited Acts 3, 4, & 5 G. 4. extended to this Act.

II. 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 passed in the Fourth Year of the Reign of His present Majesty; or 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, shall respectively be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

Former Debts, &c. vested in new Trustees.

III. And be it further enacted, That all Arrears of Tolls or Rents or other Monies due to, and Property Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the said Trustees under the said Three first-recited Acts or any of them, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, who shall be and are hereby enabled to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law and in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act; or such Arrears of Tolls or Rents or other Monies so due to the said Trustees under such Acts, or any of them, by virtue of any Deed or Specialty, shall and may be sued for and recovered in the Name or Names of the Trustee or Trustees to or with whom such Deed or Specialty shall have been so made or entered into, at the Option or Election of the Trustees for executing this Act; and all the Costs to be incurred by the Trustees or Persons in whose Names such Proceedings shall be had, shall be paid and defrayed by and out of the Monies to be received by virtue of this Act, and the Monies when recovered shall be paid over to the Treasurer or Treasurers of the said Trustees, to be applied for the Purposes of this Act.

Former Books to be Evidence, and Mortgages, &c. under old Acts to be valid.

IV. And be it further enacted, That all and every the Books and Book of Proceedings which may have been kept by the Trustees acting in the Execution of the Acts hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others; and all Conveyances, Assurances, Mortgages, and Securities, and all Deeds, Bonds, Contracts, and Agreements, granted, made, or entered into under the Powers and Provisions of the said recited Acts or any of them, shall be as valid and effectual, to all Intents and Purposes, as the same respectively would have been in case the said recited Acts had remained unrepealed.

Where old Securities are lost, new ones

V. And whereas divers Creditors on the said Roads may have lost or mislaid the Mortgages or Assignments of the Tolls executed by the

may be executed.

the Trustees for securing to him, her, or them the Principal Money lent on the Credit of the said Acts hereby repealed, or the Tolls thereby granted, with Interest for the same, or the Transfers of such Mortgages or Assignments; and it is reasonable that in Cases where it can be proved to the Satisfaction of the Trustees that any Person is truly and *bonâ fide* entitled to any Sum or Sums of Money secured on the Tolls granted by the said last-mentioned Acts, or any of them, although they may not be able to produce the said Mortgage Security, that another Assignment of the Tolls hereby granted shall be executed, for securing the Repayment of the Money now due on the Credit of the said Acts, or the Tolls thereby granted; be it therefore further enacted, That in all Cases where it shall appear by the Books kept by the Clerk or Treasurer to the said Trustees for executing this Act, or by any other satisfactory Evidence adduced at any Meeting of the said Trustees, that any Person or Persons is or are a Creditor or Creditors on Security of the Tolls granted by the said Acts hereby repealed, or any of them, and that the Mortgage or Assignment of the Tolls for securing any such Sum or Sums of Money, or the Transfer thereof, has been lost, mislaid, or by Accident destroyed, it shall and may be lawful for the said Trustees, or any Three or more of them, to execute, at the Expence of the Person or Persons applying for the same, an Assignment of the Tolls by this Act granted for the Sum or Sums of Money mentioned in such original Assignment or Transfer, and every Assignment so to be executed shall be valid and effectual for the Purposes thereby intended.

Trustees.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Division of *Holland* in the County of *Lincoln*, together with *Rowland Withers Albin*, *Basil Beridge* Clerk, *Charles Bonner*, *Charles Boothby* Clerk, *Henry Boulton*, *Edward Brown*, *Thomas Russell Buckworth*, *Henry Bugg*, *John Bugg*, *John Butters*, *John Calthrop* Clerk, *Henry Calthrop*, *John George Calthrop*, *Charles Cape*, *John Richard Carter*, *Charles Chaplin*, *Henry Cheales* Clerk, *John Walbanke Childers*, *Henry Clarke*, *Thomas Congreve*, *George Denshire*, *Samuel Dinham*, *William Dods*, *William Dods* the younger, *Joseph Dods*, *John Doncaster* Doctor in Divinity, *George Maxwell Edmonds*, *Samuel Edwards*, *Charles Thomas Ellis*, *Samuel Elsdale* Clerk, *Samuel Everard*, *Henry Everard*, *Richard Everard*, *William Forbes*, *Henry Gee*, *Thomas Gee*, *Richard Gleed*, *Joseph Gleed*, *William Golding*, *Charles Green*, *William Wakefield Harrison*, *Samuel Greaves Harvey*, *Samuel Greaves Harvey* the younger, *Henry Hawkes*, *Henry Hawkes* the younger, *Richard Heald* Doctor of Medicine, *Robert Holdich*, *George Jennings*, *Maurice Johnson* Doctor in Divinity, *Walter Maurice Johnson*, *Theophilus Fairfax Johnson*, *Thomas Maples*, *Moses Martel*, *William Massey*, *William Massey* the younger, *John Massey*, *William Moore* Doctor in Divinity, *William George Moore*, *Maurice Peter Moore*, *Charles Moore* Clerk, *Charles Odlin*, *William Essington Prockter*, *Thomas Pulvertoft*, *Henry Robinson*, *Thomas Rosbe*, *Thomas Seawell*, the Honourable *Robert Smith*, Sir *Culling Smith* Baronet, *Culling Smith*, *Thomas Smith*, *John Smith*, *Henry Robinson Smith*, *Francis Smith*, *Benjamin Smith*, *John Tatam*, Sir *John Trollope* Baronet, *James Walker*, *John Wayet*, and their Successors, being duly qualified according to the Provisions and Directions of the said

said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, widening, improving, and keeping in repair the said Roads, and for otherwise carrying this Act into Execution.

Meetings of Trustees.

VII. And be it further enacted, That the said Trustees or any Three or more of them shall meet together on the Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, at the Town Hall, or at some other convenient Place in the Town of *Spalding* aforesaid, and shall then and there proceed to carry this Act into Execution, and shall and may then, and from Time to Time afterwards, adjourn to and meet at such Times, and at such Place or Places on or near to the said Roads, as the said Trustees or the major Part of them present at any such Meetings shall think proper and appoint.

Power to appoint Three additional Trustees.

VIII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to elect and appoint any Number of Persons, being duly qualified according to the Provisions and Directions of the said recited Acts passed in 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, and being duly qualified, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Appointment and Removal of Officers.

IX. And be it further enacted, That the said Trustees at any of their Meetings shall and may from Time to Time appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Roads, and such other Officers as they the said Trustees shall think necessary, and from Time to Time remove any such Officer or Officers, and on the Death, Resignation, or Removal of any such Officer or Officers, may appoint another or others in his or their Stead; and every such Appointment shall be entered in the Book of the Proceedings of the said Trustees; and the said Trustees shall and may, and they are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries and make such Allowances to such Officers as shall be appointed or continued by virtue of this Act, for their Services in or about the carrying of this Act into Execution, as the said Trustees shall think reasonable.

Old Officers to continue until removed by Trustees.

X. 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 Act passed in the Third Year of the Reign of His present Majesty, and not contrary to the Provisions and Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said Acts hereby repealed, or any of them, shall hold and enjoy such their several and respective Offices and Employments until removed there-

from by the Trustees for executing this Act; and each and every such Treasurer, 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.

XI. 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 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 the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have 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 the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any other Place or Office of Profit or Trust under the said Trustees, 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, or more than One Imparlance, shall be allowed.

Power to continue and erect Toll Gates.

XII. And be it further enacted, That it shall be lawful for the said Trustees to continue or to remove all and every or any of the Toll Gates, Turnpikes, Side Bars, and Chains now standing or being in, upon, or across the said Roads or on the Sides thereof, and also from Time to Time to erect and set up, or cause to be erected and set up, in, upon, or across the said Roads, or any Part thereof, when, where, and as the said Trustees shall judge necessary or expedient, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Bar or Side Bars, Chain or Chains, and also to continue, or where Need shall be, to erect and build, or cause to be erected and built, proper Toll Houses, with sufficient Outhouses and Conveniences thereto, at or near each and every such Toll Gate, Turnpike, Side Bar, or Chain, and to inclose on the Sides of the said Roads suitable Gardens, not exceeding One

Eighth Part of a Statute Acre each, for the Use and Convenience of the Occupiers of the said Toll Houses, and from Time to Time to take down and remove or alter and discontinue the aforesaid Toll Gates, Turnpikes, Side Bars, and Chains, Toll Houses and Gardens, or any of them, as the said Trustees shall from Time to Time think proper and expedient.

Power to take Tolls.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or is or shall be standing or being, or continued or erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Roads, or any Part thereof, Once 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, Mule, Ass, or other Beast of Burthen, laden or unladen, and not drawing, the Sum of Two-pence:

For every Horse, Mule, Ass, or other Beast of Draught, drawing any Waggon, Wain, Cart, Timber Carriage, Tumbrel, or other Carriage of a like Description, by whatsoever Name called or known, having the Fellies of the Wheels of the Breadth of Six Inches or upwards, with the entire Sole of such Fellies of a flat Surface, or not deviating more than One Quarter of an Inch from a flat Surface, the Sum of Four-pence:

For every Horse, Mule, Ass, or other Beast of Draught, drawing any Waggon, Wain, Cart, Timber Carriage, Tumbrel, or other Carriage of a like Description, by whatsoever Name called or known, having the Fellies of the Wheels of less Breadth than Six Inches, or having a Deviation of more than One Quarter of an Inch on the entire Sole of the Fellies from a flat Surface, the Sum of Sixpence:

For every Horse, Mule, Ass, or other Beast of Draught, drawing any Coach, Landau, Barouche, Chariot, Chaise, Landaulet, Phaeton, Hearse, Curricle, Chair, Gig, Van, Caravan, Tax Cart, or other Carriage of a like Description, by whatsoever Name called or known, the Sum of Four-pence Halfpenny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score:

For Half a Score, the Sum of Seven-pence Halfpenny:

For a Quarter of a Score, the Sum of Four-pence:

For Four only of such Oxen, Cows, or Neat Cattle, or for Four above a Score, Half Score, or Quarter Score, the Sum of Three-pence:

For Three only of such Oxen, Cows, or Neat Cattle, or for Three above a Score, Half Score, or Quarter Score, the Sum of Two-pence Halfpenny:

For Two only of such Oxen, Cows, or Neat Cattle, or for Two above a Score, Half Score, or Quarter Score, the Sum of Two-pence:

For One only of such Oxen, Cows, or Neat Cattle, or for One above a Score, Half Score, or Quarter Score, the Sum of One Penny:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Six-pence *per* Score:

For Half a Score, the Sum of Three-pence:

For a Quarter of a Score, the Sum of One Penny Halfpenny:
For Four or Three only of such Calves, Hogs, Sheep, or Lambs, or for Four or Three above a Score, Half Score, or Quarter Score, the Sum of One Penny:
For Two or One only of such Calves, Hogs, Sheep, or Lambs, or for Two or One above a Score, Half Score, or Quarter Score, the Sum of One Halfpenny:

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, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through any such Turnpike or Toll Gate, Side Bar or Side Gate, or Chain; and such respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied in manner herein-after directed.

Tolls to be paid but Once a Day.

XIV. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any One of the said Toll Gates continued or erected, or to be erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver *gratis* to the Person paying the same, and whereon shall be named and specified the Gate at which the same shall have been paid, and also the Gate or Gates (if any) freed by the Payment of such Toll,) be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

No more than Two full Tolls to be paid on the Road.

XV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to cause more than Two full Tolls to be demanded or taken for or in respect of the Passage of the same Horses, Beasts, Cattle, and Carriages through all the several Turnpikes or Toll Gates now erected or to be erected on the whole Line of the said Roads on the same Day.

Stage Coaches &c. to pay every Time.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Roads, and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Roads, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Application of Tolls and other Monies.

XVII. And be it further enacted, That out of any Money already received by virtue of the said recited Acts, or any of them, or out of the first Monies which shall be raised or received by virtue of this Act, the said Trustees shall in the first place pay and discharge all the

the Expences and Costs relative to the procuring and passing of this Act, and the Remainder of such Monies shall from Time to Time be employed in erecting Turnpikes, Toll Houses, and Weighing Machines, and in amending, widening, altering, and improving the said Roads and keeping the same in repair, and in defraying all the Charges and Expences of carrying this Act into Execution, and in repaying the Principal Monies by this Act charged or to be borrowed, and the Interest due and to grow due thereon.

As to present Leases of Tolls.

XVIII. And be it further enacted, That all Demises or Leases of the Tolls arising on the said Roads by this Act authorized to be repaired, and all Bonds or other Securities which have been given for Payment of the Rents reserved by such Leases respectively, and for the Performance of the Covenants and Agreements in such Leases contained on the respective Lessees Part, shall respectively continue in force until the respective monthly Days on which the Rents therein respectively reserved shall become payable, and happening next after the Commencement of this Act, on which respective Days the said respective Leases, Bonds, or other Securities aforesaid shall cease and determine, in the same Manner as if such Leases, Bonds, or other Securities had expired by Effluxion of Time (save as to the Obligations, Covenants, or Agreements for Payment of Rent and Performance of Covenants in such Leases, Bonds, or Securities on the respective Lessees or Obligors Part to be observed and performed during the Continuance of such Leases, Bonds, or Securities by virtue of this Act); and until such Determination of such Leases respectively, the respective Lessees thereof shall be entitled to collect and receive, from the Commencement of this Act, the respective Tolls by this Act granted and made payable.

Differences in vacating Leases how to be settled.

XIX. And be it further enacted, That in case any of the Lessees of the said Tolls shall claim to be entitled to any Compensation or Satisfaction for or on account of such Continuance or Determination of his or their Lease or Leases as aforesaid, then if the said Trustees and such Lessee or Lessees cannot agree as to the Amount of such Compensation or Satisfaction, such Lessee or Lessees may sue for and recover the same by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

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

XX. 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 Act passed in the Third Year of the Reign of His present Majesty for the Purposes of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said Act mentioned, 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 at *Westminster*, to be placed to his Account *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, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of* 1 G. 4. c. 35. *the*

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, 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, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with 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 Messuages, 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 the 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 Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less than 200*l.* and exceeding 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 purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed 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 in the Name and with the Privity of the said Accountant General of the said 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 Three or more of the Trustees for executing this Act (such Nomination

and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where not more than 20*l.*

XXII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall not exceed 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 a good Title, or if Persons entitled cannot be found, Money to be paid into 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 by virtue of the said recited Act passed in the Third Year of the Reign of His present Majesty, for the Purpose 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 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 said Court of Exchequer, 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, Controul, and Disposition of the said Court of Exchequer; 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 same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles to Money.

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 the said recited Act passed in the Third Year of the Reign of His present Majesty or of this Act, for the Purchase of any Lands, Tenements, 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, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

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 under the Authority of the said recited Act passed in the Third Year of the Reign of His present Majesty or of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof, 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 the said last-mentioned Act or 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, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Public Act.

XXVI. 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.

XXVII. And be it further enacted, That this Act shall commence on the Third *Wednesday* next after the passing thereof, and shall continue and be in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1826.