ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 18.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts, passed for repairing and widening the Roads from *Whitechurch*, in the County of *Salop*, to the Road between *Nantwich* and *Newcastle-under-Lyne*, and from *Hinstock* to *Nantwich* aforesaid. [3d *May* 1804.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act to repair and widen the Roads from* Whitchurch, *in the County of* Salop, *to the Turnpike Road between* Nantwich, *in the County of* Chester, *and* Newcastle-under-Lyne, *and from* Hinstock *to* Nantwich *aforesaid*; whereby the said Roads were divided into Two separate Districts or Divisions: And whereas an Act was passed in the Twenty-fifth Year of the Reign of His said present Majesty, for continuing the Term, and altering and enlarging the Powers of the said Act, by which said Act the said Districts were directed to be united into and made one entire District: And whereas the Trustees appointed in or by virtue of the said Acts, have proceeded to put the same in Execution, and for that Purpose have borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted, which still remain due and cannot be repaid, nor the said Roads sufficiently amended, improved, and kept in Repair, unless the Term of the said Acts be

7 G. 3.

25 G. 3.

be further continued, and the Powers and Provisions thereof altered and enlarged: 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, passed in the Seventh and Twenty-fifth Years of the Reign of His said present Majesty, and all and every the Clauses, Powers, Provisions, Penalties, Forfeitures, Matters, and Things, therein respectively contained (except such as relate to Exemptions from Stamp Duties, and such as are hereby varied, altered, or repealed), shall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and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 Amendments, Alterations, Variations, and Additions, herein contained, andwhich shall commence and take Effect immediately upon the passing of this Act; and this Act, and the additional Term hereby granted, shall be and the same are hereby made subject and liable to the Payment of all the respective Sums of Money now due and owing upon the Credit or on Account of the said recited Acts, or either of them, or hereafter to be borrowed on the Credit thereof, or of this Act, and of all Interest due and to grow due thereon respectively.

7 & 25 G. 3. continued.

Additional Trustees.

II. And be it further enacted, That *John Broughton*, *Thomas Brazier*, *John Brazier*, *James Bayley* Clerk, *Robert Breakspear* Clerk, *Richard Dod Baker*, *John Boote*, *Richard Boote*, *Daniel Boote*, *John Bellyse*, *William Briscoe*, *John Briscoe*, *Stapleton Cotton*, *William Cotton* Clerk, *Lynch Cotton*, Sir *John Chetwode* Baronet, *Offley Crewe* Clerk, *James Cope*, *William Holt Davison*, *Peter Davies*, *Thomas Dobson*, *William Eardley*, Sir *Thomas Fletcher* Baronet, *John Fenton Fletcher*, *Richard Grant*, *John Groom*, *Joseph Gouldbourn*, *John Gouldbourn*, *George Green*, *John Harvey*, *Thomas Heath*, *Thomas Hudson*, *John Bayley Harding*, *William Harding*, *Robert Harding*, *John Hall*, *Edward Jones*, *George Watkin Kendrick*, *John Latham* of *Woore*, *John Latham* of *Woolfall*, *James Marrey*, *Thomas Mulliner*, *Peter Mulliner*, *John Nickson* the younger, *Wolleston Pym*, *William Painter*, *John Rowley* the younger, *Richard Roberts*, *James Read*, *Thomas Swanwick*, *George Tollet*, *John Twemlow* of *Buerton*, *John Twemlow* of *Hatherton*, *Thomas Taylor*, *John Taylor*, *Richard Timmis*, *Thomas Unett*, *William Unett*, *John Vernon*, *Thomas Walley*, *Joseph Loxdale Warren*, and *William Williams*, shall be and they are hereby added to and joined with the Trustees appointed by or in pursuance of the said recited Acts, for putting the same and this Act in Execution; and the Trustees hereby nominated, 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 Acts and this Act, within the said United District, as fully and effectually, to all Intents and Purposes, as if they had been nominated or appointed in pursuance or by virtue of the said Acts.

Restriction as to erecting Gates on certain Parts of Roads, repealed.

III. And whereas by the said first-recited Act it is enacted, that no Gate or Turnpike shall be erected upon the said Roads within the Distance of One Mile from each of the Towns of *Whitchurch*, *Drayton*, and *Nantwich* aforesaid, or within the Manor of *Madeley*, in the County of *Stafford*, or between *Burleydam* and *Whitchurch*, nor upon any Part of the said Road leading from *Drayton* to *Adderley*, which Restriction hath been found very

prejudicial to the ſaid Roads, and it is expedient that the ſame ſhould be repealed ſo far as reſpects the Roads comprized within the ſaid United Diſtrict as lies within the Manor of *Madeley*, in the County of *Stafford*, or any Part of the ſaid Roads leading from *Drayton* to *Adderley* aforeſaid; be it therefore enacted, That ſo much of the ſaid firſt-recited Act as directs that no Gate or Gates, Turnpike or Turnpikes, ſhall be erected upon the ſaid Roads within the Manor of *Madeley*, in the ſaid County of *Stafford*, nor upon any Part of the ſaid Road leading from *Drayton* to *Adderley* aforeſaid, ſhall be and the ſame is hereby declared to be repealed.

Gates to be erected on *Madeley* and *Adderley* Roads.

IV. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, from Time to Time, to erect any Gate or Gates, Turnpike or Turnpikes, in, upon, or acroſs any Part or Parts of the ſaid Roads within the Manor of *Madeley*, in the County of *Stafford*, or any Part of the ſaid Roads leading from *Drayton* to *Adderley* aforeſaid, and on the Side or Sides thereof, or acroſs any Lane or Way leading out of the ſame; and alſo a Toll Houſe or Toll Houſes, in, upon, or on the Side or Sides, or acroſs the ſame Roads, and ſhall and may cauſe any ſuch Turnpike or Turnpikes, Toll Houſe or Toll Houſes, to be taken down, removed, or altered, from Time to Time as they ſhall think proper.

General Exemptions.

V. And be it further enacted, That none of the Tolls granted by the ſaid recited Acts ſhall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horſes, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying, on the ſame Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing of the ſaid Roads, or any of the Roads in the Townſhips or Pariſhes in which any Part of ſuch Roads doth lie; or Hay, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Outhouſes, or on the Lands of the Owners thereof, or for any Waggons, Wains, Carts, Carriages, or Horſes, employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying, any Ploughs, Harrows, or Implements of Huſbandry; or any Mould, Dung, Sullage, Compoſt, or Manure employed in Huſbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horſes or Cattle going to or returning from Paſture or Watering Places, or going to be or returning from being ſhoed; or from any Perſon going to or returning from his or her proper Parochial Church, Chapel, or other Place of religious Worſhip tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Perſon that ſhall die, and be buried in any of the ſaid Pariſhes; or from any Clergyman going to or returning from viſiting any ſick Perſon, or upon other his Parochial or Miniſterial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horſes, Cattle, or Carriages, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back

back from conveying the ſame; or for any Horſes, Carts, or Waggons, attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horſes, Carts, or Waggons, employed in the Conveyance of Vagrants ſent by legal Paſſes, or for any Horſe, Cattle, or Beaſt, drawing any Coach, Landau, Berlin, Chariot, Calaſh, Chair, or Paſſenger on Horſe-back, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Cheſter*, *Salop*, or *Stafford*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall, in any fraudulent or colluſive Manner whatſoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay, for every ſuch Offence, any Sum not exceeding Forty Shillings; One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of the ſaid recited Acts or this Act; any Thing in the ſaid Acts or either of them to the contrary notwithſtanding.

Tolls by old Acts, and by 13 G. 3. to be taken at all the Gates.

VI. And be it further enacted, That the full Tolls (ſave and except as herein-after mentioned) directed to be taken by the ſaid recited Acts, or either of them, for the Paſſage of any Horſe, Cattle, Cart, or Carriage, through any Turnpike or Toll Gate thereby authorized and directed to be erected and ſet up, together with the additional Tolls directed to be taken by an Act, paſſed in the Thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to explain, amend, and reduce into One Act of Parliament, the General Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*, ſhall, from and after the paſſing of this Act be collected, received, and taken, as well at all and every the ſeveral Toll Gates or Turnpikes ſo hereby directed to be erected on the ſaid Roads within the Manor of *Madeley* or any Part thereof, leading from *Drayton* to *Adderley* aforeſaid, as alſo at the ſeveral Toll Gates or Turnpikes by virtue of this Act to be continued, altered, or removed, on or upon any Part of the ſaid United Diſtricts of Roads; any Law, Statute, or Cuſtom, to the contrary notwithſtanding.

Occupiers of Farms in *Adderley* and *Madeley* to paſs Toll-free, if Gates are erected on thoſe Roads.

VII. Provided alſo, and be it further enacted, That if any Gate or Gates, Turnpike or Turnpikes, ſhall be erected on any Part of the ſaid Roads lying within the Townſhips of *Adderley* and *Madeley* aforeſaid, or on the Sides thereof, by the Authority of this Act, it ſhall be lawful for all and every Perſon and Perſons reſident in and Occupiers of Farms, Lands, Tenements, and Hereditaments, ſituate, lying, and being within the ſaid Townſhip of *Madeley*, and their and each of their Servants and Workmen reſpectively, to go, return, paſs, and repaſs, at all Times, through ſuch Gate or Gates, Turnpike or Turnpikes, as ſhall be erected within the Townſhip of *Madeley* aforeſaid, between their and each of their reſpective Dwelling-houſes and *Newcaſtle-under Lyne* aforeſaid, with Horſes, Beaſts, and other Cattle, or any Goods or Carriages whatſoever, being the ſole Property of ſuch Occupier or Occupiers reſpectively, and not travelling or being carried for Hire, without Payment of Toll at ſuch Gate or Gates; and alſo for all and every Perſon and Perſons reſident in and Occupiers of Farms, Lands, Tenements, and Hereditaments, ſituate, lying, and being

being in the Townſhip of *Adderley* aforeſaid, and their and each of their Servants and Workmen reſpectively, to go,. return, paſs, and repaſs, at all Times, through ſuch Gate or Gates, Turnpike or Turnpikes, as ſhall be erected within the ſaid Townſhip of *Adderley*, with Horſes, Beaſts, and other Cattle, or any Goods or Carriages whatſoever, being the ſole Property of ſuch Occupier or Occupiers reſpectively, and not travelling or being carried for Hire, without paying or being liable to pay Toll at ſuch Gate or Gates; any Thing in this or the before recited Acts contained to the contrary thereof in anywiſe notwithſtanding.

The Reſtriction of taking Toll but Once a Day, repealed.

VIII. And whereas by the ſaid firſt recited Act, it is alſo enacted, that no Perſon ſhould be liable to pay Toll more than Once (except as therein-after excepted) for paſſing at any Time or Times with the ſame Horſes, Cattle, or Carriages, in the ſame Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the ſucceeding Night, through all or any of the Turnpikes to be erected by virtue of the ſaid Act; but that all and every ſuch Perſon and Perſons, after having paid ſuch Toll or Tolls reſpectively as aforeſaid, ſhould, upon producing a Note or Ticket, Notes or Tickets, denoting ſuch Payment or Payments, afterwards paſs with ſuch Horſes, Cattle, Beaſts, or Carriages, Toll-free during ſuch Day, to be computed as aforeſaid, through the reſpective Gate or Gates where ſuch Payment or Payments reſpectively was or were made, and alſo through all or any other Gates or Turnpikes, to be erected by virtue of the ſaid Act: And whereas it is expedient that the ſame ſhould be repealed, be it therefore enacted, That, from and after the paſſing of this Act, ſo much of the ſaid firſt-recited Act as abovementioned, ſhall be and the ſame is hereby declared to be repealed.

Tolls to be taken at every Ten Miles Diſtance.

IX. Provided always, and be it further enacted, That nothing in this or the ſaid recited Acts contained ſhall authorize, or be deemed or conſtrued to authorize, the ſaid Truſtees, or their Collectors of Tolls, to aſk, demand, take, or receive, Toll, above Once in a Day, from any Perſon or Perſons, for any Horſes, Cattle, Beaſts, or Carriages, not travelling or paſſing upon the ſaid Roads above the Diſtance of Ten Miles in One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the ſucceeding Night; but all and every ſuch Perſon and Perſons after having paid ſuch Toll or Tolls Once in a Day as aforeſaid, upon producing a Note or Ticket denoting ſuch Payment, ſhall afterwards paſs with ſuch Horſes, Cattle, Beaſts, or Carriages, Toll-free during ſuch Day, to be computed as aforeſaid, through any other Gate or Gates erected or to be erected on the ſame Turnpike Roads, within the Diſtance of Ten Miles from the reſpective Gate or Gates where ſuch Payment or Payments was or were made; any Thing herein or in the ſaid recited Acts, or either of them, contained to the contrary notwithſtanding.

New Regulation as to Statute Duty.

X. And whereas by the ſaid firſt-recited Act it is enacted, that no more than One Day's Work ſhould be done by any One Perſon or Team on the ſaid Roads, who ſhould be Inhabitants of the ſeveral Townſhips or Villages of *Stapeley*, *Hatherton*, *Woore*, and *Gravenhunger*, or of the ſeveral Pariſhes of *Whitchurch*, *Madeley*, and *Hinſtock*, through which the ſaid Roads

Roads paſs, which, through the great Length of Roads to be repaired, the Scarcity of Materials, and the great Diſtance they are obliged to be carried, hath been found inadequate to the Repair of the ſaid Roads; be it therefore enacted, That, from and immediately after the paſſing of this Act, the ſeveral Inhabitants and Occupiers of Lands, Tenements, Woods, Tythes, and Hereditaments, within the ſeveral Townſhips or Villages of *Stapeley*, *Hatherton*, *Woore*, and *Gravenhunger* aforeſaid, and the Townſhips of *Madeley* and *Onnelly*, in the Pariſh of *Madeley* aforeſaid, liable to perform Statute Duty, ſhall, in every Year, to be computed from *Michaelmas* to *Michaelmas*, perform Two Days Statute Duty on the ſaid Turnpike Road, for every Team, Draught, or Plough, he, ſhe, or they, ſhall by the ſaid firſt-recited Act be deemed to keep; and that the Inhabitants of the ſeveral Townſhips or Vills of *Old Woodhouſes*, *New Woodhouſes*, and *Broughall*, in the ſaid Pariſh of *Whitchurch*, ſo liable to perform Statute Duty on the ſaid Turnpike Road, ſhall, in every Year, to be computed as aforeſaid, perform Three Days Statute Duty on the ſaid Turnpike Road, for every Team, Draught, or Plough, he, ſhe, or they, ſhall be ſo deemed to keep as aforeſaid, according to the Directions of the ſaid firſt-recited Act.

Borrowing Money.

XI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees of the ſaid United Diſtricts, or any Seven or more of them, upon the Credit of the Tolls ariſing within the ſaid United Diſtricts, or upon the Credit of any Part or Parts of ſuch Tolls, or upon the Tolls taken at any particular or ſeparate Gate or Turnpike, to borrow and take up at Intereſt any Sum or Sums of Money, as they, or any Seven or more of them ſhall think fit, as well for the ſatisfying and diſcharging the ſaid ſeveral Debts now owing on the Tolls ariſing on the ſaid United Diſtricts, and the Intereſt thereof, as alſo for the more effectually carrying and completing the Repairs of the ſaid Roads, and other Purpoſes of this and the ſaid recited Acts; and that the ſaid Truſtees, or any Seven or more of them, may and are hereby empowered, by an Inſtrument in Writing under their Hands and Seals, ſuch Inſtrument being atteſted by the Clerk or Treaſurer of the ſaid United Diſtricts, to aſſign over the Tolls within the ſaid United Diſtricts, or any Part or Parts of the ſaid Tolls to be taken at any particular Gate or Turnpike as a Security or Securities, to any Perſon or Perſons advancing the ſame, or his, her, or their Truſtee or Truſtees, according to the Directions of the ſaid recited Acts, or either of them.

Application of Compenſation Money where exceeding 200*l.*

XII. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands or Hereditaments purchaſed, taken, or uſed, by virtue of the Powers of the ſaid recited Acts and this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, as in the ſaid firſt recited Act 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 High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid Acts and this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the

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 or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance, 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 Meſſuages, 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 Meſſuages, 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 Purpoſe 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.

Application of Compenſation Money when leſs than 200*l.* and above 20*l.*

XIII. 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, 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 Five or more of the ſaid Truſtees for executing the ſaid Acts and this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without

without obtaining, or being required to obtain, the Direction or Approbation of the ſaid Court of Chancery.

Application where the Money is leſs than 20*l.*

XIV. 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, or Hereditaments, ſo purchaſed, taken, or uſed, for the Purpoſes of the ſaid Acts and this Act, 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 Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Money allowed for Lands, *etc.* purchaſed, how to be charged and tendered, *etc.*

XV. And be it further enacted, That in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, 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 ſhall refuſe to execute ſuch Conveyance or Conveyances; or in caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be ſo ordered to be paid 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 be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums ſo awarded 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, Controul, and Diſpoſition of the ſaid Court, which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the publick Funds, or 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, 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.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall

XVI. 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 the ſaid recited Acts or this Act, for the Purchaſe of any Meſſuages, Buildings, Lands, Tenements, or Hereditaments,

ditaments, or of any Eſtate, Right, or Intereſt, in any Meſſuages, Buildings, 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 Meſſuages, Buildings, 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 Meſſuages, Buildings, Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſts 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 Meſſuages, Buildings, Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XVII. Provided always, and be it further enacted, That where, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Houſes, Buildings, Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of the ſaid Acts or 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 Houſes, Buildings, Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this or the ſaid Acts, or ſo much of ſuch Expences as the 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.

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

XVIII. And be it further enacted, That the Coſts, Charges, and Expences, incident to, and attending the obtaining and paſſing of this Act, ſhall be paid by the ſaid Truſtees, or any Five or more of them, out of any Monies already raiſed by virtue of the ſaid recited Acts, or out of the firſt Monies which ſhall be collected or received by virtue of the ſaid Acts and this Act, in Preference to all other Payments whatſoever.

For paying the Expences of the Act.

XIX. And be it further enacted, That this Act ſhall be deemed, adjudged and taken to be a publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Publick Act.

XX. And be it further enacted, That the Term granted and continued by the ſaid recited Acts ſhall, on the paſſing of this Act, ceaſe and determine; and that the ſaid recited Acts and this Act (ſubject to the Alterations,

Commencement and Continuance of the Act.

ations, Variations, and Additions, herein before-mentioned) shall from thenceforth commence, continue, and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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