ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 52.

An Act for continuing the Term, and altering, and enlarging the Powers of so much of Two Acts for repairing the Road from the End of the County of *Stafford*, in the Post Road towards the City of *Chester*, through *Woore* in the County of *Salop*, to *Nantwich* in the County of *Chester*, and from *Nantwich* to *Tarporley*, and from thence through *Tarvin* in the said County of *Chester* to the said City of *Chester*, and the Road from *Northwich* to the Cross in *Tarvin* aforesaid, as relates to the Second District of Roads comprized in the said Acts. [12th *May* 1809.]

WHEREAS, by an Act made in the Ninth Year of the Reign of His present Majesty, intituled, *An Act for repealing so much of Two several Acts of Parliament made and passed in the Seventeenth and Twenty-eighth Years of the Reign of His late Majesty King* George *the Second, as relate to the Road from the End of the County of* Stafford, *in the Post Road towards the City of* Chester, *through* Woor *in the County of* Salop, *to* Nantwich *in the County of* Chester, *and from* Nantwich *to* Tarporley, *and from thence through* Tarvin *in the said County of* Chester, *to the said City of* Chester, *and for more effectually repairing, widening, and supporting the same Road, and also for repairing and widening the Road from* Northwich *in the said County of* Chester, *to the Cross in* Tarvin *aforesaid* 9 G. 3. c. 94.

aforesaid, it was (amongst other Things) enacted, That so much and such Part of the said Road leading from *Northwich* aforesaid, to the Cross in *Tarvin* aforesaid, as lies between *Northwich* aforesaid, and the Guide Post upon *Delamere Forest*, in the said County of *Chester*, near *Kelsall Hill*, in the same County, should be, and was therein after called the Second District of the said Roads thereby intended to be repaired and amended: And whereas an Act was made in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of so much of an Act made in the Ninth Year of the Reign of His present Majesty, intituled,* '*An Act for repealing so much of Two several Acts of Parliament made and passed in the Seventeenth and Twenty-eighth Years of the Reign of His late Majesty King* George *the Second, as relate to the Road from the End of the County of* Stafford, *in the Post Road towards the City of* Chester, *through* Woor *in the County of* Salop, *to* Nantwich *in the County of* Chester, *and from* Nantwich *to* Tarporley, *and from thence to* Tarvin, *in the said County of* Chester, *to the said City of* Chester, *and for more effectually repairing, widening and supporting the same Road, and also for repairing and widening the Road from* Northwich, *in the said County of* Chester, *to the Cross in* Tarvin *aforesaid*,' *as relates to the Second and Third Districts of Road comprized in the said Act*: And whereas the Trustees appointed in and by virtue of the said Act, have made great Progress in the Execution thereof, so far as the same relate to the Second District of the said Roads, and have borrowed considerable Sums of Money upon the Credit of the Tolls or Duties arising upon the said Second District, but the Roads in the said Second District cannot be effectually amended, widened, and kept in Repair, nor the Money borrowed be repaid, unless the Terms granted by the said Acts of the Ninth and Twenty-eighth Years of the Reign of His said present Majesty, so far as the same relate to the said Second District be further continued, and the Powers 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 so much of the said recited Acts, and all and every the Authorities, Powers, Privileges, Provisions, and Clauses therein contained, (except such of them as relate to the Exemptions from Stamp Duties, or are hereby varied, or altered,) so far as the same relate to the Second District or Division of the said Roads, shall be and continue in full Force and Effect, and together with this present Act shall be put in Execution for the several Purposes thereby and hereby intended, 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 said Authorities, Powers, Privileges, Provisions, and Clauses, were repeated and re-enacted in this present Act; and the additional Term hereby granted, shall be, and is hereby made subject and liable to the Payment of all Monies now due and owing on the Credit or on Account of the said former Acts or either of them, so far as respects the said Second District of Road, or that may be borrowed and become due and owing on the Credit of the said former Acts or either of them, and this Act, and all Interest due, and to grow due for the same respectively.

28 G. 3. c. 111.

The Trustees have proceeded in the Execution of the Acts of 9th and 28th Geo. 3., so far as the same relate to the Second District of the said Roads.

The Act continues the Term and Powers of the former Acts, so far as the same relate to the Second District.

II. And

Additional Truſtees for the Second Diſtrict of Road.

II. And be it further enacted, That *John Arden*, *John Aſhton*, *John Blackburne*, *Thomas Brooke*, *Thomas Langford Brooke*, *Roger Barnſton*, *Edward Wilbraham Bootle*, *Walter Booth*, *John Broughton*, *Iſaac Blackburne*, The Reverend *Thomas Blackburne*, LL.D. *William Corbett*, The Reverend *Offley Crewe*, Sir *John Chetwode*, Baronet, *Stapleton Cotton*, *Henry Clarke*, *Edwin Corbett*, *Davies Davenport*, *Edward Davenport*, *Edward Downes*, *George Eaton*, *Wilbraham Egerton*, *Thomas France*, *John Ford*, The Right Honourable *George Harry* Lord *Grey*, *Booth Grey*, *John Baſkerville Glegg*, *Peter Heron*, *Robert Hibbert*, *Webſter Harriſon*, *Crocxton Johnſon*, Clerk, *Shallcroſs Jacſon*, Clerk, *Francis Jodrell*, *Oſwald Leyceſter*, Clerk, *George John Legh*, *Ralph Leyceſter*, *Egerton Leigh*, Junior, *Ralph Leyceſter* Junior, *Peter Leigh*, Clerk, *Willoughby Legh*, *John Legh*, Sir *Henry Mainwaring Mainwaring*, Baronet, *Thomas Parker*, *William Rigby*, Sir *John Thomas Stanley*, Baronet, *Charles Watkin*, *John Shakerley*, *Edward Stanley*, Clerk, *Thomas Taylor*, *Edward Thornicroft*, *James Topping*, *Trafford Trafford*, *Edward Venables Townſhend*, *Thomas William Tatton*, Sir *Peter Warburton*, Baronet, *George Wilbraham*, *Randle Wilbraham*, *George Wilbraham*, Junior; and they, and their Succeſſors to be hereafter elected and choſen under the Directions of, and in Manner appointed by the ſaid recited Act of the Ninth Year of the Reign of His preſent Majeſty, and who ſhall be qualified as herein after mentioned, ſhall from and after the paſſing of this Act be added to, and joined with the Truſtees appointed or elected by, or in purſuance of the ſaid former Acts of the Ninth and Twenty-eighth Years of the Reign of His ſaid preſent Majeſty, and ſhall be, and they, together with the Truſtees appointed or elected by or in purſuance of the ſame Acts, or either of them, are hereby conſtituted Truſtees for amending, widening, and keeping in Repair the Roads compriſed in the ſaid Second Diſtrict, or Diviſion of the Roads in the ſaid recited Act of the Ninth Year of the Reign of His preſent Majeſty, particularly mentioned and deſcribed.

Truſtees in the Second Diſtrict authorized to erect Turnpike Gates, at or near the Sides of the ſaid Road.

III. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may cauſe to be erected, ſet up, and provided, ſuch Toll Gates, or Turnpikes, and Toll Houſes at or near the Sides of the ſaid Road in the ſaid Second Diſtrict, acroſs any Lanes or Ways leading out of the ſame, as the ſaid Truſtees or any Five or more of them ſhall think proper and convenient, all which Turnpikes, Toll Houſes, and Toll Gates, and the Materials for building or repairing the ſame, ſhall be veſted in the ſaid Truſtees, and they or any Five or more of them, are hereby empowered to bring Actions in the Name or Names of any One or more of them, or of their Clerk or Clerks, Treaſurer or Treaſurers, or to prefer Bills of Indictment againſt any Perſon or Perſons who ſhall diſturb them in the Poſſeſſion thereof.

Toll to be paid only once a Day.

IV. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be liable to pay Toll more than once at any Time or Times in one and the ſame Day, to be computed from Twelve of the Clock at Night, to Twelve of the Clock in the ſucceeding Night, for paſſing or repaſſing, or returning with the ſame Horſes, Cattle, Beaſts, or Carriages through all, or any of the Turnpikes, or Toll Gates already erected, or which may by virtue of this Act be hereafter erected within or acroſs any Part of the Road in the ſaid Second Diſtrict, or acroſs

any

any Lane or Way leading out of the ſame, except as herein after mentioned; and that all and every Perſon or Perſons after having paid Toll once, at any One of the Turnpikes or Toll Gates already erected, or hereafter to be erected within or acroſs any Part of the Roads in the ſaid Second Diſtrict, and producing a Note or Ticket, Notes or Tickets denoting ſuch Payment or Payments, which Notes or Tickets the Collectors of the Tolls, at the ſaid reſpective Turnpikes or Toll Gates in the ſaid Second Diſtrict, are hereby directed to give or deliver Gratis to the Perſon or Perſons requiring the ſame, ſhall afterwards paſs with the ſame Horſes, Cattle, Beaſts, and Carriages Toll free during ſuch Day, to be computed as aforeſaid, through ſuch Turnpike or Toll-Gate where the ſame Toll ſhall have been ſo paid, or through all or any of the Turnpikes or Toll Gates already erected, or hereafter to be erected within or acroſs any Part of the ſaid Roads, in the ſaid Second Diſtrict, or acroſs any Lane or Way leading out of the ſame: Provided always, that all Stage Coaches, and Diligences, ſhall pay the ſaid Tolls, each and every Time they ſhall reſpectively paſs through any Turnpike erected, or to be erected, on the Road in the ſaid ſecond Diſtrict.

General Exemptions.

V. And be it further enacted, That from and after the paſſing of this Act the Exemptions granted by the ſaid recited Act, on the Road in the ſaid Second Diſtrict ſhall be repealed, and that no Toll ſhall be demanded or taken for any Waggons, Wains, Carts, Carriages, Horſes, or other Beaſts employed in carrying or conveying, or going to carry or convey, or returning empty from carrying or conveying, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of ſuch Roads do 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 Out-houſes, or on the Lands of the Owners thereof; or for any Waggons, Wains, Carts, Carriages, Horſes, or other Beaſts employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Compoſt, Lime, Gray Salt, Sand, 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 ſhod or farried, or going to or returning from any Mills near to the ſaid Roads, with or for any Corn, Grain, Malt, or Flour, for the Owner's own Uſe and Conſumption in his own Dwelling-houſe, and not for Sale, and not exceeding One Horſe or Beaſt on one and the ſame Day; or from any Perſon going to or returning from his 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 Curate going to or returning from viſiting any ſick Perſon, or upon other his 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 whatſoever Deſcription employed, or to be employed, in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſt Maſter General

General, either when employed in conveying, fetching, or guarding such Mails or Expreſſes, or in returning 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; 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 public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by them in going to or returning from the Place of Exercile, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively at the Time of claiming ſuch Exemption as aforeſaid; 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, or Chair, or any Paſſenger on Horſeback going to or returning from any Election of a Knight or Knights of the Shire, to ſerve in Parliament for the ſaid County of *Cheſter*; and if any Perſon or Perſons ſhall claim or take the Benefit of any of the aforeſaid Exemptions, not being legally entitled thereto, every ſuch Perſon or Perſons ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Stores.

VI. 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 Ordnance, Barrack, or Commiſſariat, or other public 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 ſuch 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 this Act contained, to the contrary notwithſtanding.

Penalty on damaging Cauſeways or Footpaths.

VII. And be it further enacted, That if any Perſon or Perſons ſhall ride upon any Cauſeway or Footpath, now made, or hereafter to be made on the Side of the Roads within the ſaid Second Diſtrict, or any Part thereof, or ſhall drive any Horſe, or other Cattle, or any Swine, or any Cart, or other Carriage thereon, or ſhall wilfully cauſe any Damages whatſoever to be done thereto, every ſuch Perſon, for every ſuch Offence, ſhall forfeit and pay any Sum not exceeding Forty Shillings, to be levied and recovered in ſuch and the ſame Manner as is directed for the Recovery of Penalties and Forfeitures in and by the ſaid recited Acts, or either of them.

Truſtees may ſue and be ſued in the

VIII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for, or concerning any Thing to be done by virtue, or in purſuance

Name of their Clerk, or Treaſurer.

ſuance of the ſaid recited Acts and this Act, relative to the Roads in the ſaid Second Diſtrict, in the Name of their Clerk or Treaſurer, for the Time being; and that no Action or Suit, to be brought or commenced by the Direction of, or againſt the ſaid Truſtees, in the Name of their Clerk or Treaſurer, ſhall abate, or be diſcontinued by the Death or Removal of any ſuch Clerk or Treaſurer, nor by the Act of ſuch Clerk or Treaſurer, without the Conſent of the Truſtees, or any Five or more of them, but that the Clerk or Treaſurer, for the Time being, to the ſaid Truſtees, ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in every ſuch Action.

Clerk or Treaſurer to be paid his Expences.

IX. Provided always, That every ſuch Clerk or Treaſurer, in whoſe Name any Action or Suit ſhall be commenced, proſecuted or defended, in purſuance of this Act, ſhall be fully reimburſed and paid out of the firſt Money to ariſe by virtue of the ſaid recited Acts and this Act, after ſuch Action or Suit ſhall be commenced or diſcontinued, all ſuch Coſts, Charges, Damages, and Expences, as by the Event, or in conſequence of any ſuch Action or Proceeding he ſhall bear, pay, expend, or be put unto, or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant as aforeſaid.

Statute Work.

X. And be it further enacted, That ſo much of the ſaid firſt recited Act, as relates to the Performance of Statute Labour on the Roads, within the ſaid Second Diſtrict, ſhall be, and the ſame is hereby repealed; and that all Perſons, who, by Law, are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto, in like manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the County of *Cheſter*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Portion of 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 do 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 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 Fourteen Days after the ſerving of ſuch Summons,) of the Names of the ſeveral Perſons, who within ſuch Pariſh or Place are, by Law, ſubjected 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 and effect, for the Repairs of the Public 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 do Statute Work as aforeſaid,

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 at ſuch Days, and at ſuch Times, (not being Hay Time 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 they 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 thereof, in like Manner as any Penalty is by the ſaid recited Acts authorized 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 uſual Place or Places of Abode, for that Purpoſe, by any Surveyor of 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 Public 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 diſcharge 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 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 if any Surveyor 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 and wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Application of Compenſation where exceeding 200l.

XI. 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 firſt recited Act, and this Act, for the Purpoſe thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any other 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 recited Acts and this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by

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 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, Intents or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the meantime, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the 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 meantine, 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, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application, where the Compenſation does not exceed 200l. nor leſs than 20l.

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

required to obtain, the Direction or Approbation of the said Court of Chancery:

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

XIII. Provided also, and be it further enacted, That where such Money, so agreed or awarded to be paid as next beforementioned, shall be less than Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons, who would, for the Time being, have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts, and 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 Title.

XIV. 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 Acts, and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or 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, Tenements, or Hereditaments, be not known or discovered; then and in every such Case, it shall and may be lawful to and 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, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, 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.

Or if Persons cannot be found, Purchase Money to be paid into the Bank.

Subject to the Order of the Court of Chancery, on Motion or Petition.

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

XV. Provided always, and be it 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, Tenements, or Hereditaments

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

ditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Acts, and this Act; or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſts 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 Chancery; and the Dividends or Intereſt of the ſaid Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XVI. Provided alſo, and be it 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 Acts, and 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, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of the ſaid recited Acts, and this Act; it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes, from Time to Time to be made in purſuance of the ſaid recited Acts, and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable to be paid by the ſaid Truſtees, or any Five or more of them, out of the Monies to be received by virtue of the ſaid Acts, and this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

For defraying the Charges of this Act.

XVII. And be it further enacted, That the Expences of obtaining and paſſing this Act ſhall be paid as ſoon as conveniently may be after the paſſing thereof, out of the firſt Tolls or Duties ariſing, or to ariſe by Virtue of the ſaid Acts of the Ninth and Twenty-eighth Years of the Reign of His ſaid preſent Majeſty, or of this preſent Act, or any of them, upon the Roads in the ſaid Second Diſtrict, or out of any Money borrowed or to be borrowed upon the Credit thereof reſpectively.

Public Act.

XVIII. 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.

Continuance of this Act.

XIX. And be it further enacted, That from and after the paſſing of this Act the Terms granted by the ſaid recited Acts, ſo far as relate to the Roads comprized in the ſaid Second Diſtrict, ſhall be repealed; and that from thenceforth the ſaid recited Acts, ſo far as relate to the ſaid Second Diſtrict (ſubject to the Alterations and Amendments herein contained,) ſhall continue and be in force, and be executed for and during

during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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