

ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

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3 G. 4. c. 126. Majesty King *George* the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in
4 G. 4. c. 95. the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of
5 G. 4. c. 69. 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 Powers and Provisions of the said recited Acts of the Thirty-eighth and Forty-seventh Years of the Reign of His said late Majesty were repealed, and further, better, and more effectual Powers granted for making, maintaining, and repairing the Roads thereby authorized to be made and repaired; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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 *Thursday* next after the passing of this Act the said recited Acts passed in the Thirty-eighth and Forty-seventh Years of the Reign of His late Majesty King *George* the Third shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Recited Acts 38 & 47 G. 3. repealed.

This Act to be put in Execution for repairing the Roads herein described.

II. And be it further enacted, That this Act shall commence and be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, completing, widening, improving, and keeping in repair the said Turnpike Road, commencing at the Westerly End of a certain Dwelling House situate at the Top of *Blackwater Street* in *Rochdale* aforesaid, formerly in the Occupation of *Mary Holt* Widow, but now of *John Lord*, and ending at or near a certain Direction Stone situate in *Bury* aforesaid, opposite the Turnpike Road leading from thence to *Haslingden;* and the said Three several Roads or Branches of Road, One commencing at or near a Place called *Kenyon Fold* in the Township of *Birtle-cum-Bamford* in the Parish of *Middleton* in the said County Palatine of *Lancaster*, and joining the *Haslingden* Road at or near the *Blue Ball Inn* on *Bagslate* in the Parish of *Rochdale* aforesaid; another commencing at or near a Place called *Elbit*, and ending at or near a Place called *Heavy Gate;* and another commencing in a certain Field called *Rushy Field*, and ending at or near a certain Place called *Wood Yate Hill*, both in the Township of *Bury* aforesaid.

New Term and Tolls liable to former Debts.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due or owing on the Credit or on Account of the said recited Acts of the Thirty-eighth and Forty-seventh Years of the Reign of His late Majesty, and also of such other Sum or Sums of Money as may be borrowed by

 virtue

virtue of or become due on the Credit of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, or any of them, and all Interest due and to grow due for the same respectively.

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

IV. 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, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed, 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,) 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 respectively been repeated and re-enacted in the Body of this Act.

Books of Proceedings under former Acts to be Evidence.

V. 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 and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Officers under former Acts to account to the Trustees under this Act.

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

Bonds, &c. under former Acts to be good under this Act.

VII. And be it further enacted, That all Bonds, Covenants, and Agreements, Contracts, and Securities entered into by any Person or Persons to or with the Trustees for carrying the said recited Acts of the Thirty-eighth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third hereby repealed into Execution, or to or with their Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, according to the Provisions of the said recited Acts, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same are fully paid, satisfied, and performed; and all Contracts and Agreements duly made or entered into by the said Trustees, or any Person or Persons

Persons on their Behalf as aforesaid, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms and Stipulations thereof respectively, notwithstanding the Repeal of the said recited Acts of the Thirty-eighth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Appointment of Trustees.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County Palatine of *Lancaster*, together with *Thomas Ashton*, *John Beswicke*, *Edward Ball*, *John Bowker*, *James Clegg*, *John Crossley*, *William Calrow*, *Thomas Calrow*, *James Dearden*, *James Dearden* junior, *Thomas Ferrand Dearden*, *Edmund Dawson*, *John Dawson*, *John Entwistle*, *John Elliott*, *Joseph Fenton*, *John Fenton*, *James Fenton*, *John Grundy*, *Edmund Grundy*, *William Goodlad*, *William Grant*, *John Grant*, *Robert Gilbert*, *John Gilbert*, *Thomas Greenhalgh*, *Geoffrey Hornby*, *Thomas Hutchinson*, *William Heap Hutchinson*, *John Hutchinson*, *James Hutchinson*, *Richard Hamer*, *Daniel Hamer*, both of *Bury*, *William Hodgson* Clerk, *Robert Gregge Hopwood*, *Edward Holt*, *Samuel Holker Haslam*, *William Hardman*, *Richard Hodgson*, *George Holt*, *Oliver Holt*, *William Robert Hay*, *James Kay*, *Thomas Kay*, *Boss Lane*, *Richard Kay*, *John Kay*, *Limefield*, *William Kay*, *Liverpool*, *Robert Kay*, *John Kershaw*, *John Hilton Kay*, *Heywood*, *John Melladew*, *John Birch Melladew*, *Thomas Norris*, *Allen Norris* of *Bury*, *Thomas Norris*, *Redvales*, *John Nuttall* of *Paper Mill*, *Robert Nuttall*, *James Openshaw*, *James Openshaw* junior, *James Royds*, *Clement Royds*, *Edward Royds*, *John Roby*, *Thomas Samuel Rawson*, *James Ramsbottom* of *Stand*, *Thomas Ramsbottom* of *Harwood Fields*, *James Starky*, *James Scholfield*, *Heybrook*, *John Vavasour*, *Richard Walker*, *Oliver Ormrod Walker*, *Samuel Woodcock*, *William Yates*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts pased in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for amending, making, improving, and keeping in repair the said Roads, and for otherwise carrying this Act and the said recited Acts of the Third, Fourth, and Fifth Years of His present Majesty into Execution.

Power to appoint additional Trustees.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First Meeting, to elect and appoint any Number of Persons, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty (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 and appointed.

X. And

Meetings of Trustees.

X. And be it further enacted, That the said Trustees shall meet on the Third *Thursday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, or as soon after as conveniently may be, at the Inn known by the Name of the *Coach and Horses* in *Rochdale* aforesaid, or at some other convenient Place in the Town of *Rochdale* aforesaid, and shall then and there proceed to carry this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty into Execution, and shall then adjourn to meet at the *Eagle and Child Inn* in *Bury* aforesaid, on such Day as they shall think proper; and the Meetings shall be held alternately at *Rochdale* and *Bury* aforesaid; and the Trustees shall from Time to Time afterwards adjourn to and meet alternately at *Rochdale* and *Bury* aforesaid, at any Time they shall think proper and appoint.

Old Officers (except the Treasurer) to continue.

XI. And be it further enacted, That the Clerk, Surveyor, and all other Officers (except the Treasurer) appointed under and by virtue of the said recited Acts of the Thirty-second and Forty-seventh Years of the Reign of His said late Majesty hereby repealed, and who are now employed in the Execution thereof, shall hold and enjoy such their several and respective Offices and Employments under the Trustees for executing this Act, until they shall respectively die, resign, or become removed therefrom by the Trustees executing this Act; and each and every such Clerk, 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.

XII. 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 Employment of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person 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 Employment of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk, or the Clerk or Clerks of any Person or Persons in the Service or Employment of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy or Deputies of the Treasurer or Treasurers, or in any Manner officiate for the Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employment of any such Treasurer or Treasurers or of his

his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or shall act as Deputy or Deputies of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any Treasurer or Treasurers shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same; to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

Toll Gates may be continued or new ones erected.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to continue, replace, or remove all or any of the Toll Gates or Toll Houses which have heretofore been erected, and now stand in, upon, or across the said Roads or any of them, or on the Side or Sides of the said Roads or any of them, and to erect, set up, and build, or cause to be erected, set up, and built, in, upon, or across the said Roads or any Part of them, or upon the Side or Sides of the same, such and so many Toll Gates, Turnpikes, Side Bars, Chains, and Weighing Machines, with Toll Houses, Outbuildings, Lamps, and other Conveniences thereto, and also to take in and inclose, on the Side or Sides of the said Roads or any of them, convenient Garden Spots for each of the said Toll Houses (not exceeding One Eighth Part of a Statute Acre to each Toll House) as the said Trustees shall think fit, and direct or appoint; and shall and may from Time to Time remove, alter, or discontinue the same or any of them, as they the said Trustees shall think expedient.

Power to take Tolls.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of this Act Collector or Collectors as aforesaid, to demand and take the several Tolls following at each of the Gates and Turnpikes which by virtue of this Act shall be continued or erected in, upon, or across any Part of the said Roads and on the Sides of the said Roads, across any Lane or Way leading into the same, before any Horse, Cattle, Beast, or any Carriage whatsoever shall be permitted to pass through any such Gate or Turnpike; (that is to say,)

Tolls.

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

For every Horse or other Beast drawing any Waggon, Wain, or other Four-wheeled Carriage, with Wheels of the Breadth of Six Inches, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, or other Four-wheeled Carriage, with any of the Wheels of less Breadth than Six Inches, but not less than Four Inches and an Half, the Sum of Seven-pence:

For every Horse or other Beast drawing any Waggon, Wain, or other Four-wheeled Carriage, with any of the Wheels thereof of

less Breadth than Four Inches and an Half, the Sum of One Shilling:

For every Horse or other Beast drawing any Cart or other Two-wheeled Carriage, with Wheels of the Breadth of Nine Inches, the Sum of Three-pence:

For every Horse or other Beast drawing any Cart or other Two-wheeled Carriage, with Wheels of the Breadth of Six Inches, the Sum of Four-pence:

For every Horse or other Beast drawing any Cart or other Two-wheeled Carriage, with Wheels of less Breadth than Six Inches, but not less than Four Inches and an Half, the Sum of Five-pence:

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, with Wheels of less Breadth than Four Inches and an Half, the Sum of Sixpence:

For every Horse or other Beast, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

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

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

Which said Tolls shall be and they are hereby vested in the said Trustees; and the same shall be recovered, paid, and applied in manner by this Act directed.

Fixing the Toll to be taken at any one Gate on the same Day.

XV. Provided always, and be it further enacted, That after the respective Tolls shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any Turnpike or Gate to be continued or erected by virtue of this Act, no Toll shall be demanded or payable for the returning through such Turnpike or Gate, before Twelve of the Clock of the Night of the same Day, of the same Horses, Cattle, Beasts, or Carriages; but on a Note or Ticket being produced denoting Payment of such Toll (which Ticket the Collector of such Tolls is hereby required to deliver *gratis* to the Person paying the same, and whereon shall be named and expressed the Gate at which the same shall have been paid), such Horses, Cattle, Beasts, and Carriages shall be permitted to return Toll-free during such Day through such Turnpike or Toll Gates (except as herein-after mentioned).

Fixing the Number of Tolls to be taken between Rochdale and Bury.

XVI. Provided also, and be it further enacted, That no more than Two full Tolls shall be demanded and taken (except in the Cases herein-after mentioned) for or in respect of the same Horses, Beasts, Cattle, or Carriages for passing once, and returning the same Day (to be computed as aforesaid), through all of the Toll Gates and Turnpikes erected or to be erected on the said Road between *Rochdale* and *Bury*; but on a Note or Ticket, or Notes or Tickets, being produced denoting Payment of such Tolls, the same Horses, Beasts, Cattle, and Carriages shall be permitted to pass through the other of the said Turnpikes or Toll Gates Toll-free.

Limiting the Number of Tolls to be

XVII. And be it further enacted, That no more than Three full Tolls shall be demanded or taken on the same Day (to be computed as

taken on the same Day.

as aforesaid) for or in respect of the passing and repassing of the same Horse, Beast, Cattle, or Carriage, through all or any of the Turnpikes or Toll Gates to be erected upon, across, or on the Sides of the said Roads (except as herein-after mentioned); but on a Note or Ticket, or Notes or Tickets, being produced denoting such Payment, the same Horse, Beast, Cattle, or Carriage shall be permitted to pass and repass Toll-free through all or any of the said Turnpikes or Toll Gates respectively on the same Day.

Stage Coaches, &c. to pay every Time of passing.

XVIII. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, the Tolls hereby made payable shall be paid for every Time of passing or repassing; and the Toll hereby made payable shall be paid for or 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 Road on the same Day, whenever a fresh Hiring thereof shall take place.

Application of Tolls and other Monies.

XIX. And be it further enacted, That all Monies which shall or may be collected or received under the Powers or Authorities of this Act shall be applied, in the first place, in defraying the Costs, Charges, and Expences attending the applying for and obtaining this Act; in the next place, in paying off and discharging all Arrears of Interest in respect of the Money now due and owing on the Credit of the Tolls granted by the said recited Acts of the Thirty-eighth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third; in the next place, in paying and discharging the Interest of all Sums of Money which shall hereafter be borrowed or taken at Interest on Security of the Tolls hereby granted; and in the next place, in defraying the Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, and in making, repairing, widening, and altering the said Roads by this Act directed to be made or kept in repair as aforesaid; and the Residue of the Monies so to be collected and received shall be applied in paying all Principal Monies due and owing on the Credit of the Tolls hereby granted, or borrowed for the Purposes of this Act, and in defraying all other Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

Trustees may contract for making and repairing the Roads.

XX. And be it further enacted, That the said Trustees, and such Person or Persons as they shall for that Purpose authorize, delegate, or appoint, shall and may and they and he are and is hereby empowered to contract with any Person or Persons for making, altering, diverting, widening, repairing, and otherwise improving the said Roads or any Part thereof, or for doing any other Work to be performed therein in the Execution of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, in such Manner and for such Sum and Sums of Money as the said Trustees shall think proper; and all Contracts and Agreements in Writing, entered into pursuant to any Order of the said Trustees, or by their Clerk or Treasurer, Surveyor or other Officer, with any Workmen or other

other Person or Persons, relating to any Matter or Thing to be done by virtue of the said recited Acts and this Act or any of them, shall be binding upon all such Parties and Persons as shall sign the same, his, her, or their Executors or Administrators.

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

XXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity whatsoever, 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 of the *Rochdale*, *Bamford*, and *Bury* Road, 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 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 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, 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

1 G. 4. c. 35.

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.*

XXII. 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 manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where not exceeding 20*l.*

XXIII. 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.

XXIV. 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 so purchased, taken, or used under or by virtue of the Powers 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,

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to be placed to his Account there 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 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 said 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 or 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.

Persons in Possession presumptively entitled.

XXV. And be it further enacted, That where any Question shall arise touching the Title of any Person or Persons 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 this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in 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.

XXVI. 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 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 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

who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Public Act.

XXVII. 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 Duration of this Act.

XXVIII. And be it further enacted, That this Act shall commence on the Third *Thursday* 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.

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