ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. 47.

An Act for enlarging the Term and Powers of an Act, passed in the Twentieth Year of His present Majesty, for more effectually repairing the Roads from *Warwick* to *Paddle Brook*, and from *Warwick* to *Stratford-upon-Avon*, in the Counties of *Warwick* and *Worcester*; and for repealing the Laws then in force relating to the said Roads. [23d *May* 1806.]

WHEREAS an Act was made in the Twentieth Year of the Reign of His present Majesty, intituled, *An Act for more effectually repairing the Roads from* Warwick *to* Paddle Brook, *and from* Warwick *to* Stratford-upon-Avon, *in the Counties of* Warwick *and* Worcester; *and for repealing the Laws now in force relating to the said Roads*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Roads, which still remain due, and cannot be paid off, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term of the said Act 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 20 G. 3. c. 71.

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 Act, and all the Authorities, Powers, Privileges, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (except such and so much thereof as are by this Act varied, altered, or repealed, and so much thereof as relates to Exemptions from Stamp Duties) shall be and remain in full force and effect, and shall be executed for and during the Term hereinafter 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 Alterations and Amendments herein contained; and that this Act, and the additional Term hereby granted, shall be and is hereby declared to be subject and liable to the Payment of all Money now due and owing upon the Credit or on account of the said Act, or which shall hereafter be borrowed and become due on account of the said Roads, and all Interest due and to grow due for the same.

Act further continued.

II. And be it further enacted, That the Trustees named in or appointed in pursuance of the said Act, and their Successors to be chosen and appointed in pursuance of the said Act, shall be and they are thereby appointed Trustees for putting in Execution this Act, and shall continue to meet and adjourn from Time to Time pursuant to the Directions of the said Act.

Trustees for executing the said Act to execute this.

III. And be it further enacted, That the Trustees for the Time being may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of the said Act, and this Act, either in the Names of Trustees, who may be Parties to any Deed or Instrument in Writing upon which any Action shall or may be brought, or in the Name of their Clerk or Treasurer for the Time being; and that no Suit or Action to be brought or commenced by the Direction of or against the said Trustees, in their Names, or in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death, Incapacity, or Removal of any Trustee or Trustees, or Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees or any Five or more of them, but that the Clerk or Treasurer for the Time being to the said Trustees, in case such Action shall be brought against or defended in the Name of such Clerk or Treasurer, shall be deemed to be Plaintiff or Defendant [*as the Case may be*] in every such Action: Provided always, that such Trustees, or Clerk, or Treasurer, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of the said Act or this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of the said Act and this Act all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding they or he shall pay, bear, or expend, or be put unto, or become chargeable with by reason of their or his being so made Plaintiffs or Defendants, Plaintiff or Defendant, as aforesaid.

Trustees may sue and be sued in the Name of their Clerk.

Trustees, Clerk, or Treasurer to be reimbursed their Expences.

IV. And be it further enacted, That on every *Sunday* after the Expiration of Twenty-one Days from the passing of this Act, there shall be demanded and taken at the Toll-Gates erected upon the said Roads respectively, by the Collector or Collectors at such Gates, before any Horse, Beast, Cattle, or Carriage of any Description shall be permitted to pass through

Double Toll on Sundays.

the ſame, double the Tolls by the before recited Act directed and allowed to be taken; which ſaid Tolls ſhall be and the ſame are hereby veſted in the ſaid Truſtees, and ſhall be collected and recovered in the ſame Manner and with ſuch Remedies for Non-payment or Evaſion thereof, as are contained in the ſaid recited Act, for Non-payment or Evaſion of Tolls thereby granted.

For ſecuring tranſient Offenders.

V. And whereas Offences may be committed againſt the ſaid Act and this Act by Perſons unknown to the Truſtees, Collectors, Surveyors or Officers appointed to put the ſaid Act and this Act in execution; be it therefore enacted, That it ſhall be lawful for any of the ſaid Truſtees, Collectors, Surveyors, or other Officers reſpectively, and ſuch other Perſon or Perſons as he or they ſhall call to his or their Aſſiſtance, without any Warrant or other Authority than this Act, to ſeize and detain any ſuch unknown Perſon or Perſons who ſhall commit any ſuch Offence or Offences and take him, her, or them before any Juſtice of the Peace of the County or Place where the Offence or Offences ſhall be committed, and ſuch Juſtice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige ſuch Perſon or Perſons ſo offending to give Security for his, her, or their Appearance at the next Petty Seſſion to be holden within or for the County, Place, or Diſtrict in which ſuch Offence or Offences ſhall have been committed, to anſwer the ſaid Complaint; and the Juſtices preſent at ſuch Petty Seſſion, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the ſaid Complaint in a ſummary Way, and upon Conviction of the Offender or Offenders, either by the Juſtice before whom he, ſhe, or they ſhall be firſt taken, or by the Juſtices at ſuch Petty Seſſions as aforeſaid, it ſhall be lawful for ſuch Juſtice or Juſtices reſpectively to commit him, her, or them, to the Gaol or Houſe of Correction of the ſaid County or Place, there to remain for any Time not exceeding Fourteen Days, unleſs he, ſhe, or they ſhall ſooner pay the reſpective Penalties by him, her, or them incurred for ſuch Offence or Offences, together with the Coſts and Charges attending the Conviction and Commitment.

Exemption from Toll.

VI. And be it further enacted, That no Toll ſhall be demanded or taken for any Carriage, Horſe, Cattle, or Beaſt 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 the ſaid Roads, or any of the Roads in the Townſhips or Pariſhes in which any Part of ſuch Roads 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, or for any Horſe, Cattle, or Beaſt employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry, or any Lime, Mould, Dung, 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 Place or going to be or returning from being ſhoed or farried, or from any Perſon going to or returning from his or her proper Parochial Church, Chapel, or other Place of religious

religious Worſhip tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered to be celebrated, or attending the Funeral of any Perſon that ſhall die and be buried in any of the ſaid Townſhips or 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 Horſe, Cattle, or Carriage of whatſoever Deſcription 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 from conveying the ſame, or for any Horſe, Cattle, or Beaſt attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage, or for any Horſe, Cart, Cattle, or Beaſt employed in the Conveyance of Vagrants ſent by legal Paſſes to their Place or Places of Settlement, or returning therefrom, or for any Horſe, Cattle, or Beaſt carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Warwick* or *Worceſter*, on the Day or Days of ſuch Election, or on the Day before or on the Day after ſuch Election ſhall begin or be concluded; and that no Toll ſhall be demanded or taken for any Horſe, Mare, or Gelding furniſhed by or for any Perſon or Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided that ſuch Perſons ſhall be dreſſed 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; and if any Perſon or Perſons ſhall in any fraudulent or colluſive Manner 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 Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act; and which ſaid Penalty ſhall and may be levied and recovered in the ſame Manner as any Penalty is authorized to be levied and recovered by the ſaid recited Act.

Perſons chargeable to Statute Work to continue ſo.

Juſtices to determine Differences touching Statute Work.

VII. Provided always, and be it further enacted, 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 and may be lawful to and for any Two or more Juſtices of the Peace for the Counties of *Warwick* or *Worceſter*, and they are hereby empowered and required, within their reſpective Juriſdictions, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place in lieu of or as a Compoſition for Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer; and in order thereunto it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to

to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as is, are, or may be directed by any Law or Statute in force and effect for the Repair 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 Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on 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 Worrk 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 Act 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 last or usual Place or Places of Abode for that Purpose by any Surveyor to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force and 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 Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off 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 the amending the said Roads, and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Trustees may compound for Statute Work.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons,

ſons, Bodies Politic or Corporate, for the Statute Work to be by them done on the ſaid Roads, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments of and in all or any of the Pariſhes or Places in which the ſaid Roads are ſituate, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Roads; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees in Advance; on or before the Twenty-ninth Day of *September* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

Penalty for Miſbehaviour in Toll-Bar-Keeper, and for not giving Tickets.

IX. And be it further enacted, That if any Toll-Bar Keeper or Keepers, or any Receiver or Receivers, Collector or Collectors, Farmer or Renter of the Tolls and Duties granted by the ſaid Act, or his or their Servants, Agents, or Aſſiſtants, ſhall make uſe of any ſcurrilous or blaſphemous Language to any Perſon or Perſons travelling upon the ſaid Roads, or ſhall without ſufficient Cauſe detain or delay any Perſon or Perſons travelling upon the ſaid Roads, or ſhall not on the Receipt of the Toll or Tolls granted by the ſaid Act, give to the Perſon or Perſons paying the ſame, or tender or cauſe to be tendered to him, her, or them a Note or Ticket denoting the Payment of ſuch Toll or Tolls, which ſhall expreſs for what the ſame has been paid, and the Amount of the Sum ſo paid, then and in any or either of ſuch Caſes it ſhall be lawful for any One of His Majeſty's Juſtices of the Peace for the County, Diſtrict, or Place wherein any ſuch Offence ſhall be committed, upon the Complaint of the Perſon or Perſons againſt whom ſuch Offence ſhall be committed, to cauſe ſuch Toll-Bar Keeper or Keepers, Receiver or Receivers, Collector or Collectors, his or their Servants, Agents, or Aſſiſtants ſo offending, and other Perſon or Perſons concerned, to appear and be brought before ſuch Juſtice, by Warrant or Summons under his Hand and Seal, and to make Enquiry of and concerning ſuch Offence or Offences in a ſummary way, as well by the Confeſſion of the Parties themſelves as by the Teſtimony of the Perſon or Perſons aggrieved, upon Oath (which Oath ſuch Juſtice is hereby empowered and required to adminiſter); and if ſuch Toll-Bar Keeper or Keepers, Receiver or Receivers, Collector or Collectors, or other Perſon or Perſons concerned, or any of them, ſhall be convicted by ſuch Juſtice of any ſuch Offence, ſuch Perſon or Perſons ſo convicted ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Ten Shillings, together with all reaſonable Charges and Expences attending ſuch Conviction; ſuch Penalties to be applied and laid out for and towards the repairing and amending the ſaid Roads; and in caſe ſuch Penalty or Penalties ſhall not be forthwith paid, together with ſuch Charges aud Expences as aforeſaid, ſuch Juſtice of the Peace ſhall commit ſuch Perſon or Perſons to the Houſe of Correction, there to remain without Bail or Mainprize for the Space of Six Days, unleſs ſuch Penalty and all reaſonable Charges and Expences ſhall be ſooner paid.

Application of Compenſation if amounting to 200l.

X. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments

ditaments purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Act and this Act, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, 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 High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid Act 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 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, 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, 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 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 Monies ſhall, by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation when leſs than 200l. and exceeding 20l.

XI. 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 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 to be placed to his Account as aforeſaid, in order to be applied in the

the 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 any 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 herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20 l.

XII. 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, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Act 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.

In case of not making out Titles.

XIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said recited Act, or of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises, 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 or any Five or more of them, to order the Sum or Sums of Money 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 Lands, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary way of Proceeding, or otherwise, as to the 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 Sum or Sums of Money into the Bank as aforesaid.

XIV. Provided

Where any Question shall arise touching Titles.

XIV. 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 any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes of this Act, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, or to any Bank Annuities to be purchased with any such Money, or 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 or Appropriation thereof, 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 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: Provided also, 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, taken, or used for the Purposes of the said recited Act, or of this Act, the Consideration 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 this Act, it shall be lawful 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 Act, or of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of the said recited Act, or of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct:

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

Expences of this Act.

XV. And be it further enacted, That all Charges and Expences incident to or attending the obtaining and passing of this Act, shall be paid by the Trustees for executing the said Act, and this Act, or any Five or more of them, out of any Money already collected and received by virtue of the said Act, or out of the first Monies which shall be collected or received by virtue of this Act, in Preference to any other Payment whatsoever.

Publick Act.

XVI. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

XVIII. And be it further enacted, That the said Act (subject to the Alterations, Additions, and Amendments in this Act contained,) and this Act shall continue and be in force, and be executed for and during the Residue now to come of the Term granted by the said Act, and from the Expiration thereof, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1806.