ANNO SEXTO

GEORGII IV. REGIS.

***

whereas another Act was passed in the Third Year of the Reign of His
3 G. 4. c. 126. present 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 another Act was passed in the
4 G. 4. c. 95. 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 another Act was passed in the Fifth Year of the Reign of His present
5 G. 4. c. 69. 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 the Trustees appointed by or in pursuance of the said recited Acts of the First, Twenty-second, and Forty-third Years of the Reign of His said late Majesty King *George* the Third, have made great Progress in the Execution thereof, and have for that Purpose borrowed considerable Sums of Money upon the Credit thereof, which Money still remains due, and cannot be paid off, nor can the said Roads be effectually amended, widened, improved, and kept in repair, unless the Term granted and continued by the said recited Acts of the First, Twenty-second, and Forty-third Years of the Reign of His said late Majesty King *George* the Third be further continued: And whereas it would be more convenient to the Trustees for executing the said Three first-recited Acts, if the same were to be repealed, and other and more effectual Powers for amending, improving, and keeping in repair the said Roads granted instead thereof: But as such Purposes cannot be effected without the 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,

Recited Acts 1, 22, & 43 G. 3. repealed, and this Act to take Effect.

That from and after the passing of this Act the said recited Acts of the First, Twenty-second, and Forty-third Years of the Reign of His said late Majesty King *George* the Third shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and instead thereof this Act shall from thenceforth commence and take Effect and be put in Execution for and during the Term herein-after mentioned, for the Purpose of amending, altering, turning, widening, improving, and keeping in repair the said several Roads through the several Towns, Parishes, Vills, or Hamlets following, in the said County of *Dorset*; (that is to say), from the Turnpike Road at the Bottom of a Hill called *Revell's Hill*, commencing at a Cottage called *Spicers*, in the Parish of *Buckland Newton*, through the several Parishes of *Buckland Newton*, *Minterne*, *Cerne Abbas*, *Nether Cerne*, *Charminster*, Part of the Parish of *Fordington*, the High Street in the Parish of the *Holy Trinity* in the Borough of *Dorchester*, the *South Street* in the Parish of *Saint Peter* in the Borough of *Dorchester*, other Part of the said Parish of *Fordington*, *Winterborne Monkton*, *Bincombe*, *Upway*, *Broadway*, *Radipole*, and *Melcombe Regis*, in the Borough and Town of *Weymouth* and *Melcombe Regis*, through the several Streets called *Saint Thomas*, *Saint Mary* and *Maiden Streets*, to the Wharfs in the said Parish of *Melcombe Regis*; and also from the said Parish of *Melcombe Regis*, through the said Parish of *Radipole*, round *Jordan Hill*, through the several Parishes of *Preston*, *Sutton Pointz*, *Osmington*, and *Poxwell*, to *Warmwell Cross*; and also from the said Parish of *Broadway*, through a Lane called *Stottingway Lane*, through the several

Parishes

Parishes and Tithings of *Stottingway*, *Upway*, *Ashton*, *Winterborne Saint Martin*, and *Winterborne Steepleton*, to the Turnpike Road in the Parish of *Winterborne Abbas*; and also from the South End of *Weymouth Bridge* in the Parish of *Weymouth*, within the said Borough and Town of *Weymouth* and *Melcombe Regis*, through the several Parishes of *Weymouth*, *Wyke Regis*, and *Chickerell*, to the Foot of a Hill called *Crook Hill*; and also from the North End of a Lane called *Leach Lane* or *Buckler's Lane* in the said Parish of *Weymouth*, through the said Lane and the said Parishes of *Weymouth* and *Wyke Regis*, through the Village or Parish of *Wyke Regis*, to the Ferry called *The Portland Ferry*, in the said County of *Dorset*.

This Act liable to the Payment of Money due on former Acts.

II. 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 and owing on the Credit or on Account of the said recited Acts of the First, Twenty-second, and Forty-third Years of the Reign of His said late Majesty King *George* the Third, or any or either of them; and also of such other Sum or Sums of Money as may be borrowed by virtue of or become due on the Credit of the said recited Acts and of this Act, and of all Interest due and to grow due for the same respectively.

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

III. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Acts of the Fourth and Fifth Years of the Reign of His present Majesty, or varied, altered, or otherwise provided for by the said recited Act passed in the Fifth Year of the Reign of His present Majesty, or by this Act), and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act) 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;

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

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons, or to or with any of the Trustees for executing the said recited Acts of the First, Twenty-second, and Forty-third Years of the Reign of His said Majesty King *George* the Third, or any or either of them, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities duly made or entered into by the Trustees for executing the said recited Acts hereby repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, and be observed and kept by them, according to the Terms and Stipulations and Tenor thereof respectively.

V. And

Books used under former Acts to be Evidence.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, 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.

Trustees.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the said County of *Dorset*, together with *Christopher Arden*, *George Arden*, *William Ayles*, *James Bower*, *William Bower*, *Richard Bower*, *Thomas Bower*, *William Bayly*, *William Brett*, *John Burnett*, *Edward Balston*, *Thomas Banger*, *Thomas Billett*, *Edward Boswell*, *William Burgess* Clerk, *Charles Buxton*, *Robert Bridge*, *Christopher Cooper* M. D., *Joseph Clapcott*, *Thomas Cockeram*, *Thomas Coombs*, *Thomas Morton Colson* Clerk, *George Chamberlayne* Clerk, *William Churchill* Clerk, *Thomas Dade* Clerk, *Nicholas Charles Daniel*, *James Davies*, *Robert Devenish*, *Edward Devenish*, *William Devenish*, *William Eliott*, *John Fisher* Clerk, *Thomas Fisher*, *John Fisher*, *John Flew*, *James Gear*, *Robert Gear*, *Joseph Goodenough*, *George Gould* Clerk, *William Gorton* Clerk, *Joseph Horsford*, *John Horsford*, *John Horsford* Clerk, *Anthony Hancock*, *William Heath*, *Richard Turner Hancock*, *Joseph Hardy*, *William Hawkins*, *Edmund Henning*, *William Henning*, *Thomas Henning*, *Robert Henning*, *George Henning*, *John Henning*, *James Henning*, *William Lewis Henning*, *John James Lambert*, *John Luckham*, *Thomas Martin*, *John Martin* of *Wyke Regis*, *John Martin* of *Weymouth*, *John Mansell*, *William Oakley*, *Charles Payne*, *Robert Pattison*, *Robert Penny*, *George Pickard* Clerk, *Henry Pool* Clerk, *James Richards*, *Thomas Richardson*, *Thomas Gould Read*, *Robert Richards* the younger, *Gabriel Tucker Steward*, *Richard Augustus Tucker Steward*, *James Sanders*, *Nathaniel Stickland*, *Charles Stickland*, *Joseph Stone*, *James Scott*, *Henry Sherren*, *James Sherren*, *Robert Strong*, *Henry Hayes Tizard*, *William Tizard*, *John Tizard*, *Thomas Tapp*, *William Toogood*, *Edwin Tomkins*, *John Thresher*, *John Hardy Thresher*, *John Trenchard*, *Stephen White Warne*, *Thomas Weld*, *Henry Weston*, *William Weston*, *Roper Weston*, *James Willis Weston*, *George Welsford*, *Robert Woodman*, *Samuel Wallis*, *John Williams*, *Thomas Willis*, *John Willis*, *George Wood*, *James Wood*, *John Whittle*, *Morgan Yeatman*, *Francis Yeatman*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby declared to be Trustees for carrying into Execution the said recited Acts and this Act.

Power to appoint additional Trustees.

VII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, at their First or at any subsequent Meeting or Meetings, to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected, and being qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, shall be and they are hereby invested with the same

Powers

Powers and Authorities for executing this and the said recited Acts, as if they had been hereby nominated and appointed.

Old Officers (except the Treasurer) to continue until others are appointed.

VIII. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officers nominated and appointed under and by virtue of the said first-recited Acts hereby repealed, (save and except the Treasurer), shall hold and enjoy their several and respective Offices and Employments, until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Treasurer, Collector, Surveyor, or other Officer, shall have the like Powers and Authorities for carrying the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty and this Act into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of this Act.

Treasurer and Clerk not to be the same Person.

IX. Provided always, 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 been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person 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 Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, 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 Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, 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, nor more than One Imparlance, shall be allowed.

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

X. And be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Monies by virtue or in pursuance of the said recited Acts, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, or any of them, inflicted in respect to the several Persons receiving any Monies, or having the Possession of any

Books, Writings, or other Things, by virtue of the said Acts and of this Act.

First Meeting of the Trustees.

XI. And be it further enacted, That the Trustees for executing this and the said recited Acts shall and may and they are hereby required to meet together at the Guildhall at *Melcombe Regis*, within the Borough and Town of *Weymouth* and *Melcombe Regis*, or some other convenient Place or Places near the said Roads, on the Second *Friday* next after the passing of this Act, or as soon after as conveniently may be, and proceed to the Execution of this and the said last-recited Acts, and shall then and there from Time to Time adjourn to and meet again at such Place, and at such Time and in such Manner as in the said Acts of the Third and Fourth Years of His present Majesty's Reign is mentioned and directed.

Power to continue the present Gates, and erect others.

XII. And be it further enacted, That the said Trustees shall and may, as they shall think proper, continue or remove all or any of the Toll Gates erected by virtue of the said recited Acts hereby repealed, or which shall or may be erected by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and of this Act, or any or either of them, and may erect and set up, or cause to be erected and set up, any other Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Roads, or upon the Sides thereof respectively, and upon each and every Branch thereof, and may also continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Toll Gate, and may from Time to Time remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees shall think expedient, and also may take in and inclose from the said Roads convenient Garden Plots for the said Toll Houses respectively, not exceeding One-eighth Part of a Statute Acre to each Toll House; and shall and may in like Manner continue, alter, take down, remove, and set up again the several Side Gates, and Weighing Machines, Cranes, or Engines, now erected or to be erected upon or near the said Roads, or any Part thereof.

Power to take Tolls.

XIII. And be it further enacted, That the respective Tolls herein-after mentioned shall and may be demanded and taken at each and every of the Toll Gates, Turnpikes, and Side Gates now erected or to be erected on the said Roads, by such Person or Persons as the said Trustees, or their Lessee or Lessees, Collector or Collectors for the Time being, shall from Time to Time appoint, before any Horse, Beast, Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

Tolls.

For every Horse or Beast drawing any Coach, Chariot, Landau, Chaise, Curricle, Calash, Hearse, or other Four-wheeled Carriage, (that is to say) where there are Six such Horses or Beasts, the Sum of Three-pence Halfpenny; where there are Four such Horses or Beasts, the Sum of Four-pence Halfpenny; and where there are Two such Horses or Beasts, the Sum of Four-pence Halfpenny:

For every Horse or Beast drawing any Chaise, Chair, Curricle, Gig, or other Two-wheeled Carriage, the Sum of Four-pence Halfpenny:

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score; and so in proportion for any less Number:

For every Drove of Calves, Pigs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score; and so in proportion for any less Number:

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such Carriage upon Three or Four Wheels, of the Breadth of Six Inches, the Sum of Four-pence Halfpenny, and of a less Breadth than Six Inches, the Sum of Five-pence Farthing:

For every Horse or Beast drawing any Caravan or other such Four-wheeled Carriage used for the Conveyance of Goods, and built and constructed with Springs, the Sum of Sixpence:

For every Horse or Beast drawing any Waggon, Wain, Cart, or other Carriage with Two Wheels, of the Breadth of Six Inches at the Bottom or Soles thereof, the Sum of Three-pence:

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such Carriage with Two Wheels of less Breadth than Six Inches at the Bottom or Soles thereof, as follows; (that is to say), where there are Four or more such Horses or Beasts, the Sum of Five-pence Farthing; where there are Three or a less Number of such Horses or Beasts, the Sum of Sixpence:

Which said respective Tolls, and all other Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act imposed, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be paid, applied, and disposed of and assigned in such Manner as herein-after is mentioned.

Tolls to be paid but once a Day.

XIV. Provided always, and be it further enacted, That if the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates, Turnpikes, or Side Gates, such Horse, Beast, or other Cattle shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates, if any, as the Ticket for such Payment shall free, at any Time or Times during the same Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Stage Coaches to pay every Time of passing.

Post Chaises, &c. to pay on every new Hiring.

XV. Provided also, and be it further enacted, That for or 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, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Toll Gate, in like Manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriages travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day, whenever a fresh Hiring thereof shall take place.

XVI. And

Limiting the Number of Tolls to be taken on the whole Line of Road.

XVI. And be it further enacted, That no more than Four full Tolls shall be taken upon the said Roads for the same Horses, Beasts, and Cattle passing and repassing through all or any of the Toll Gates erected or to be erected across or on the Side of the said Roads, or any Branch or Branches thereof, in any One Day, such Day to be computed as aforesaid.

Toll Gates to be placed on the Branches of Road.

XVII. And be it further enacted, That the said Trustees shall and they are hereby required to erect, set up, and continue One or more Toll Gate or Toll Gates, Bar or Bars, upon or across any Part or Parts of the said Branches of Road, and upon the Sides thereof; and also to erect and provide a Toll House or Toll Houses, with suitable Buildings, Garden Spots, and Conveniences thereto; and the said Trustees shall at all Times have, continue, and keep in repair the said Toll Gate or Toll Gates, Bar or Bars, and Toll House or Toll Houses, so to be erected and set up as aforesaid, and to demand and take thereat the several Tolls hereby directed to be taken: Provided always, that no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied to the Repair of any Branch Road upon which there shall not be a Toll Gate or Bar erected or put up under the Authority of the Trustees for carrying this Act into Execution.

A Halfpenny to be taken when the Tolls amount to a fractional Part of a Halfpenny.

XVIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Present Leases to continue in force; and Persons owing Money under the former Act to remain liable.

XIX. And be it further enacted, That all Leases, Bonds, Contracts, and Agreements which shall be in existence at the Time of passing this Act, shall respectively continue in force until the Time when by the Terms and Conditions thereof the same will be expired and determined; and the respective Lessees and Farmers of the Tolls shall in the meantime be entitled to collect and receive the Tolls by this Act imposed, as fully and effectually as if the said recited Acts had not been repealed; and all Persons who under or by virtue of such Leases, Bonds, Contracts, or Agreements, shall owe any Sum or Sums of Money to the said Trustees, shall, notwithstanding the Repeal of the said recited Acts, be liable to the Payment of and shall pay all such Sum and Sums of Money to the said Trustees.

Application of the Tolls.

XX. And be it further enacted, That all the Monies and other Effects which they the said Trustees or any of them, or any Treasurer or Treasurers, or other Person or Persons on their Behalf, are or is possessed of or entitled to by virtue of the said recited Acts hereby repealed, or any of them, shall be by the said Trustees applied for the Purposes of this Act; and out of the Monies which shall arise by virtue of the said recited Acts, or either of them, or this Act, and not herein otherwise appropriated or directed to be applied, the Expences attending the preparing, obtaining, and passing this Act shall be first paid and discharged, and the Remainder thereof shall from Time to Time be applied in paying the Interest of all Monies now due and owing upon the Credit of the said Three first-recited Acts, or which may hereafter become due and owing upon the Credit of this Act, and afterwards in amending, widening, altering, diverting, turning,

turning, repairing, improving, and keeping in repair all the said Roads, and in erecting, repairing, and maintaining proper Turnpikes, Toll Gates, and Toll Houses, and then in reducing, paying off, and discharging the Principal Sum now due and owing on the Credit of the said Tolls, or which may hereafter become due and owing, and in defraying the Expences attending the Execution of this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, and to and for no other Use or Purpose whatsoever.

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 purchased, taken, or used by virtue of the Powers of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, 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, and Hereditaments, in the Purchase of the Land Tax, or in 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 standing settled therewith to the same or the like Uses, Intents, and Purposes; and when 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 said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would

1 G. 4. c. 35.

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 when the Compensation is less than 200*l.* but not less than 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 amount to or 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, and 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 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 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 manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

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

XXIII. 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, and 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 Titles, &c.

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 purchased by virtue of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, 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 in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments, (describing them)

them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum and 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 the 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 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

When any Question shall arise touching the Title to Money.

XXV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of the said recited Acts and 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 of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements, and 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; 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 Exchequer may order reasonable Expences to be paid by 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, Hereditaments, and Premises 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 of Exchequer, 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 be lawful for the said Court to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXVII. And

For paying the Expences of this Act.

XXVII. And be it further enacted, That all the Charges and Expences incident to and attending the preparing, obtaining, and passing of this Act, shall be paid out of any Money already raised under or by virtue of the said recited Acts hereby repealed, or out of the first Money to arise by virtue of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty and this Act, in preference to all other Payments whatsoever.

Public Act.

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

Commencement and Continuance of this Act.

XXIX. And be it further enacted, That this Act shall commence and take Effect from the passing thereof, and shall continue and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1825.