



ANNO QUADRAGESIMO OCTAVO

# GEORGI II. REGIS.

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## Cap. I.

An Act to continue and amend an Act of the Thirty-second Year of His present Majesty, for repairing the Road from the Town of *Middleton*, in *Teesdale*, to the Gate in the New Inclosures called *The Edge*, in the Parish of *Saint Andrews Auckland*; and a Branch therefrom to *Eggleston Bridge*, in the County of *Durham*. [11th March 1808.]

WHEREAS by an Act made in the Thirty-second Year of the Reign of His present Majesty, for amending, widening, and keeping in Repair, the Road leading from the *Hoodgate* at the West End of the Town of *Middleton* in *Teesdale*, in the County of *Durham*, to the Gate in the New Inclosures called the *Edge*, near the Collieries called *West Pitts*, in the Parish of *Saint Andrews Auckland*, in the same County, and also a Branch from the said Road at or near the Head of the Town of *Eggleston* to *Eggleston Bridge* over the River *Tees*, several Tolls and Duties were granted and made payable, and divers Powers and Authorities were given for amending, widening, and keeping in Repair the said Road; which said Act was to have continuance for the Term of Years therein mentioned: And whereas by virtue and in pursuance of the said recited Act, the Trustees appointed to put the same in Execution, have proceeded therein, and borrowed several considerable Sums of Money on the Credit of the Tolls and Duties thereby granted; and the Money so borrowed still remains due and cannot be repaid, nor can the said Roads be effectually amended, unless the Tolls and Powers granted by the said

32G. 3. c. 127.

[Loc. & Per.]

A 2

Act



Former Act  
continued.

Act be enlarged, altered, and continued for a further Term: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act passed in the Thirty-second Year of the Reign of His present Majesty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauses, Exemptions, and Provisions therein contained (except so far as the same are hereby enlarged, altered or repealed), and also the Powers and Provisions in this Act contained shall be and continue in full force and effect for and during the Term hereinafter mentioned, which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing upon Credit of the said Act, and of such Sum or Sums of Money as shall be borrowed for the Purposes of this Act, and of all Interest due and to grow due for the same respectively.

Former Tolls  
to cease.

II. And be it further enacted, That, from and after the Twelfth Day of May One thousand eight hundred and eight, the several Tolls and Duties granted and made payable by the said recited Act shall cease and be no longer paid; and that in lieu thereof there shall be demanded, received, and taken from thenceforth, during the Continuance of this Act, the several Tolls and Duties herein-after mentioned, that is to say;

New Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricie, or Hearse, drawn by Five, Six, or more Horses, Mares, Geldings, or Mules, the Sum of Two Shillings:

And for every such Carriage drawn by Three or Four Horses, Mares, Geldings, or Mules, the Sum of One Shilling and Four-pence:

And for every such Carriage drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Eight-pence:

And for every such Carriage or Chair, or other such Two-wheeled Carriage, drawn by One Horse, Mare, Gelding, or Mule, the Sum of Six-pence:

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of all the Wheels thereof of the Breadth of Nine Inches or more, and so flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One-sixth Part of the Breadth of the Sole or Bottom of the Felly, and drawn by Eight Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence:

And drawn by Seven Horses or other Beasts of Draught, the Sum of One Shilling and Three-pence:

And drawn by Six Horses or other Beasts of Draught, the Sum of One Shilling:

And drawn by Five Horses or other Beasts of Draught, the Sum of Nine-pence:

And drawn by Four Horses or other Beasts of Draught, the Sum of Eight-pence:

And drawn by Three Horses or other Beasts of Draught, the Sum of Sixpence:



And drawn by Two Horses or other Beasts of Draught, the Sum of Three-pence Halfpenny :

And drawn by One Horse or other Beast of Draught, the Sum of One-penny Halfpenny :

For every Waggon, Wain, Cart, or other such Carriage having the Sole or Bottom of the Fellies of all the Wheels thereof of the Breadth of Six Inches or more, and so flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One-sixth Part of the Breadth of the Sole or Bottom of the Felly, and drawn by Eight Horses or other Beasts of Draught, the Sum of One Shilling and Nine-pence :

And drawn by Seven Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence :

And drawn by Six Horses or other Beasts of Draught, the Sum of One Shilling and Three-pence :

And drawn by Five Horses or other Beasts of Draught, the Sum of One Shilling :

And drawn by Four Horses or other Beasts of Draught, the Sum of Nine-pence :

And drawn by Three Horses or other Beasts of Draught, the Sum of Seven-pence :

And drawn by Two Horses or other Beasts of Draught, the Sum of Four-pence :

And drawn by One Horse or other Beast of Draught, the Sum of Two-pence :

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of any of the Wheels thereof of less Breadth than Six Inches, or deviating more than Half an Inch from a flat Surface, or having the Interior Diameter of any Wheel deviating from the exterior Diameter thereof, more than One-sixth Part of the Breadth of the Sole or Bottom of the Felly, and drawn by Eight Horses or other Beasts of Draught, the Sum of Two Shillings :

And drawn by Seven Horses or other Beasts of Draught, the Sum of One Shilling and Nine-pence :

And drawn by Six Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence :

And drawn by Five Horses or other Beasts of Draught, the Sum of One Shilling and Three-pence :

And drawn by Four Horses or other Beasts of Draught, the sum of One Shilling :

And drawn by Three Horses or other Beasts of Draught, the Sum of Eight-pence :

And drawn by Two Horses or other Beasts of Draught, the Sum of Four-pence Halfpenny :

And drawn by One Horse or other Beast of Draught, the Sum of Two-pence Halfpenny :

For every Horse, Mare, Gelding, Mule or Afs, laden or unladen, and not drawing, the Sum of One Penny Halfpenny :

For every Drove of Oxen, Cows or Neat Cattle, the Sum of Five-pence the Score, and so in Proportion for a greater or less Number :

[Loc. & Per.]

B

For



For every Drove of Calves, Hogs, Goats, Sheep, or Lambs, the Sum of Three-pence per Score, and so in proportion for a greater or less Number, when the same exceeds Five.

To be recovered and applied in the same Manner as the former Tolls.

Which said Tolls and Duties in and by this Act granted and made payable as aforesaid, shall be and are hereby vested in the Trustees for the Time being for carrying the said recited Act and this Act into Execution, and shall be paid, received, and taken at the Toll Bar or Toll Bars erected or to be erected upon or on the Side of the said Roads, in such Manner, and shall be paid, levied, applied, disposed of, and assigned for such Uses and Purposes, and in such Manner, as the Tolls and Duties granted by the said recited Act are thereby authorized and directed to be received, paid, levied, applied, disposed of, and assigned, except as by this Act is otherwise directed.

Exemptions from Tolls.

III. And be it further enacted, That all and every Exemption or Exemptions from the several Tolls and Duties granted and made payable by the said recited Act, shall cease and be no longer allowed, and that in lieu thereof the several Exemptions from Tolls herein-after mentioned shall be allowed, that is to say; That no Tolls shall be demanded or taken for any Horse or Carriage passing through any of the Turnpike Bars erected upon or on the Side of the said Roads, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Gravel, or other Materials to be used on or about the said Roads, or for the repairing any Highways in the Parishes, Townships, Districts, or Places, which are liable to perform Statute Duty upon any Part of the said Roads, nor returning Empty when so employed; nor carrying or conveying Hay, Corn in the Straw, or other Produce of the Lands lying within the said Parishes, Townships, Districts, or Places, to be laid up in the Houses, Outhouses, Barns, or Yards, belonging to the Inhabitants of and situate within the said Parishes, Townships, Districts, or Places; nor any Ploughs, Harrows, or other Implements of Husbandry, to be used in the Cultivation of such Lands; nor any Lime or Manure which shall be brought from the said Parishes, Townships, Districts, or Places, to be used or laid upon Lands within the same; nor returning Empty when so employed; nor shall any Toll be paid by any Rector or officiating Minister of, or other Person or Persons residing in, the said Parishes, Townships, Districts, or Places, who shall pass through the said Turnpike Bars to or from Church, Chapel, or other Place of Religious Worship; or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes, Townships, Districts, or Places, nor for any Horses, Mares, Geldings, Mules, Asses, or Cattle, which are kept within such Parishes, Townships, Districts, or Places, going to or returning from Work in cultivating the Lands within the same; nor for any Horses, Mares, Geldings, Mules, Asses, Cattle, Sheep, Lambs, Goats, or Hogs, which are to be kept within the said Parishes, Townships, Districts, or Places, going to or returning from Pasture, the Commons or other grazing Grounds, or Watering Places or Blacksmiths Shops within the same; or in bringing Peats, Turf, or Heather from off the Moors belonging to the same for the Use of the Inhabitants thereof; nor for any Horses or Carriages of whatsoever Description employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Post Master General either when employed in conveying, fetching, or guarding the same, or in returning back from conveying the same,



or for the Horses of Soldiers on the March, or on Duty, or Carriages, or Horses, or other Beasts, employed in carrying the Arms or Baggage of such Soldiers, or for any Horse, Mare, or Gelding, furnished by, or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption, or for any Carriage, Horse, or other Beast, employed in the conveyance of Vagrants travelling with legal Passes, or travelling with Vagrants sent by legal Passes; nor for any Horse, or Carriage going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Durham*, on the Day or Days of such Election or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Fifty Shillings.

IV. And be it further enacted, That if any Person or Persons shall with any Horse, Mare, Gelding, Mule, Ass, Cattle, Goats, Sheep, Lambs, Hogs, or Carriage whatsoever, pass over any uninclosed Ground or Common near any Gate or Turnpike Bar erected or to be erected upon or on the Side of the said Roads, whereby the Payment of the said Tolls or any Part thereof shall be avoided, every Person so offending shall forfeit and pay a Sum not exceeding Five Pounds, One Moiety whereof shall be paid to the Informer or Informers, and the other Moiety shall be paid to the Treasurer of the said Trustees, and be applied for the Purposes of this Act.

To prevent  
evading the  
Toll.

V. And be it further enacted, That the said Trustees or any Five or more of them, shall have full Power and Authority to make or erect, or cause to be made, erected, repaired, and maintained, any Ditch, Wall, or other Fence across or upon any Moor, Waste, or Common Lands, to prevent the Evasion of the said Tolls; and the said Trustees, or any Five or more of them, are hereby empowered to bring or cause to be brought any Action or Actions, in the Name of their Clerk for the Time being, or to prefer or order the preferring of an Indictment or Indictments against any Person or Persons who shall injure, pull down, or destroy the same.

Fences may  
be erected for  
that Purpose.

VI. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Labour on the said Road shall be and the same is hereby repealed, and that all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the Roads comprized in the said recited Act, or any Part thereof, shall still remain liable thereto in like Manner as heretofore, and it shall be lawful for any Two or more Justices of the Peace for the said County of *Durham*, and they are hereby required and empowered upon Application made to them by the said Trustees or any Five or more of them, or by their Treasurer, 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

Regulations  
as to the Per-  
formance of  
Statute Duty.



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 such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or to their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish or Place 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 are or may be directed by any Law or Statute in force and effect for the Repairs of the Publick 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 subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Haytime or Harvest) and on such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as 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 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 or effect for the Repair of the publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and 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

in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

VII. And be it further enacted, That if any Lessee of the Tolls to be demanded and taken by virtue of this Act, or any Gatekeeper, shall refuse to deliver up Possession of any Turnpike Gate or Toll House erected or to be erected upon or on the Side of the said Roads, after the Expiration of his Lease, or after Non-payment of Rent for Ten Days after Demand thereof, One Justice may by his Warrant order a Constable, with such Assistance as shall be necessary, to enter the Toll House and Premises in the Day Time, and remove the Persons who shall be found therein, together with their Goods, out of such House.

How Possession of Toll Houses may be recovered.

VIII. And be it further enacted, That any Lease or Demise of the Tolls now subsisting and unexpired shall cease, determine, and become void on the Twelfth Day of May One thousand eight hundred and eight; Provided nevertheless, That the Trustees for carrying this Act into Effect, or any Five or more of them, may and they are hereby authorized to renew or continue any Lease or Demise of the said Tolls to any Person or Persons holding the same, for and during the then unexpired Term granted by the same, on such Conditions as shall be agreed upon.

Lease of Tolls may be determined.

IX. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken or used by virtue of the said recited Act or this Act, which shall belong to any Body Politic, Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of England in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *Ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid 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 Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court in the Purchase of other Messuages, Lands, 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 Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, and capable of taking effect; and in the mean Time and until such Purchase shall be made, the said Money shall by order of the Court of Chancery, upon Application

Application of Compensation when amounting to 200l.

[Loc. & Per.]

C

application



plication thereto, be invested by the said Accountant General in his Name in the Purchase of Three *per Centum* Consolidated or Three *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 said 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  
20*l.* and  
exceeds 20*l.*

X. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politic, 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 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 Privy of the said Accountant-General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner 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 said 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 any 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 Court of Chancery.

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

XI. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as hereinbefore 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 Hereditaments so purchased, taken, or used for the Purposes of the said recited Act or this Act, in such Manner as the said Trustees or any Three 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.

XII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be purchased by virtue 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 the Person or Persons to whom such Sum or Sums of Money shall be so awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to



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 Sum or Sums of Money so awarded or assessed as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them) subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court 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 Publick Funds, and to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums into the Bank as aforesaid.

XIII. Provided always, 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 Court of Chancery, 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, 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 be 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.

Persons in Possession shall be deemed well entitled unless the contrary be shewn.

XIV. Provided also, 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 or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much

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



of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Expences of  
the Act.

XV. And be it further enacted, That the Expences of obtaining and passing this Act, together with legal Interest for Money advanced by any Person or Persons for that Purpose, shall be paid out of the first Money to be raised by virtue of the said recited Act and of this Act, or either of them.

Publick Act.

XVI. And be it further enacted, That this Act shall be 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.

Commence-  
ment and  
Continuance  
of the Act.

XVII. And be it further enacted, That this Act shall commence upon the Day the same shall receive the Royal Assent, and shall continue 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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