



ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 56.

An Act to continue the Term and alter and enlarge the Powers of Three Acts of his late and present Majesty, for repairing the Road from *Chesterfield*, in the County of *Derby*, to *Worksop*, in the County of *Nottingham*, and other Roads in the said Acts mentioned, so far as the same relate to the Road from *Chesterfield* to *Worksop*. [27th May 1808.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of his late Majesty King George the Second, intituled, *An Act for repairing the Roads from Bakewell to Chesterfield* 12 G. 2. c. 122 in the County of *Derby*, and from *Chesterfield* to *Worksop* in the County of *Nottingham*, and from *Chesterfield* to the Place where the Northern Road meets the *Chesterfield* Road, which leads to *Mansfield* in the said County of *Nottingham*: And whereas another Act was passed in the Thirty-first Year of the Reign of His said late Majesty, intituled, *An Act to enlarge, alter and render more effectual the Term and Powers of an Act of the Twelfth Year of His present Majesty, for repairing the Roads from Bakewell to Chesterfield in the County of Derby, and from Chesterfield to Worksop in the County of Nottingham, and other Roads therein mentioned*: 31 G. 2. c. 601 And whereas 26 G. 3. c. 152. another Act was passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of* [Loc. & Per.] 12 G Two

Two Acts made in the Twelfth and Thirty first Years of King George the Second, for repairing the Road from Chesterfield in the County of Derby to Workſop in the County of Nottingham, and other Roads therein mentioned, ſo far as the ſame relate to the Road from Chesterfield to Workſop: And whereas the Trustees appointed in and by virtue of the ſaid Acts have proceeded to carry the ſame into Execution, and have borrowed upon the Credit of the Tolls thereby granted and directed to be taken upon the ſaid Road from Chesterfield to Workſop ſeveral conſiderable Sums of Money, which, together with a large Arrear of Intereſt, ſtill remain due and owing, and the ſaid Road cannot be effectually amended and kept in Repair, nor the ſaid Sums of Money repaid, unleſs the Term and Powers of the ſaid Acts be further continued and enlarged; may it therefore pleaſe Your Maſteſty, that it may be enacted; and be it enacted by the King's moſt Excellent Maſteſty, 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 Acts, and all the Powers, Proviſions, Clauſes, Matters and Things therein contained (except ſuch as have been varied, altered, or repealed, or are hereby varied, altered, or repealed, and ſuch as relate to Exemptions from Stamp Duties) ſhall be and continue in full force, and ſhall be executed for and during the Term herein-after 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; and this Act and the additional Term hereby granted, ſhall be and are hereby declared to be ſubject and liable to the Payment of all the reſpective Sums of Money now due and owing on the ſaid Road from Chesterfield to Workſop, and of ſuch other Sum and Sums of Money as ſhall or may be borrowed upon the Credit of the Tolls of the ſaid Road, for the Purpoſes of the ſaid Acts or of this Act, and of all Intereſt now due and to grow due for the ſame reſpectively.

Acts further
continued.

Additional
Trustees.

II. And be it further enacted, That *Thomas Aſtley, Jonathan Adlington, Sir Joſeph Banks* Baronet, Knight of the Moſt noble Order of the Bath, *John Barnes, Sir William Chambers* Bagshaw Knight, *William Bagshaw* Clerk, *John Gorell Barnes, Henry Bowdon, George Bowdon, Bruno Bowdon, John Mellor Brown, Samuel Brown, John Bunting, Joſeph Butler, George Beardſall, Mordecai Binney, William Bright, William Booth, William Cavendiſh, George Henry Compton Cavendiſh, Job Hart Price Clarke, John Cock, John Charge, John Croft, Joſiah Claughton, John Collier, Thomas Clay, Thomas Clarke, Robert Cowley, Fletcher Dixon, Clerk, John Dixon, Thomas Dutton, Samuel Dethick, George Dunſton, Francis Eyre, Vincent Henry Eyre, Charles Nathaniel Eyre, Benjamin Eddiſon, John Eddiſon, George Fletcher, Doctör of Phyſic, William Burgoyne Fernell, Francis Foxlow Clerk, John Froggatt, Jaſper Fidler, Philip Gell, William Gell, Charles Gladwin, William Gill, Joſeph Graham, George Goſling, Joſeph Gratton, Joſeph Gratton the Younger, Richard Girdler, William Gregory, William Grafton, Edward Smith Godfrey, Edward Greaves, William Greaves, Thomas Hazard, Thomas Hallows, Mark Hewitt, Joſeph Hoole, Sir Thomas Windſor Hunloke Baronet, James Hunloke, Richard Roundell Hurwood, Richard Hannam, Joſhua Jebb, Richard Jebb, Thomas Inman, John Inman, Thomas Knowlton, William Lovett, Thomas Burton Lucas, William Alwood Lord, Marmaduke Middleton Middleton, Thomas Macdonagh, Robert Malkin,*

Malkin, Timothy Mason, William Mellor, William Milnes, John Milnes, Joseph Nall, John Nuttall, George Nuttall, Richard Wood Neville, Samuel Plant, John Parkin of High Ground, Peter Acklam Reaston Clerk, Cornelius Heathcote Reaston, John Rooth, William Robinson the Younger, John Roe, Sitwell Sitwell, Thomas Smith, Ebenezer Smith, John Smith, William Stubbing, William Stubbing the Younger, Jonathan Stokes Doctor of Physic, Thomas Sykes, Laurence Short Clerk, Adam Barker Slater, Alexander Slater, Richard Slater, Thomas Stacey Clerk, Richard Thomas Sharpe, William Skynner, Robert Skynner, George Taylor, Henry Bache Thornhill, William Thornhill, Wetton Byrchinshaw Thomas, The most honourable William Henry Cavendish Bentinck Scott, commonly called The Marquis of Titchfield, Edward Turner, John Walker, William Wright, Adam Wolley, William Wilcock, William Ward, Sir Thomas Woolaston White Baronet, Isaac Wilson, John Wood Clerk, Robert Wood and William Yates, shall be and they are hereby added to and joined with the surviving Trustees appointed or elected in or by virtue of the said recited Acts; and the said Trustees hereby appointed and their Successors, being qualified as in the second recited Act is mentioned, shall have the like Powers and Authorities to act in the Execution of the said recited Acts (so far as the same relate to the said Road from *Chesterfield* to *Workshop*) and this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said recited Acts or any of them.

III. And be it further enacted, That one Meeting at the least in every Year of the said Trustees, shall be held in *Workshop* aforesaid, and that their Clerk shall cause Notice in Writing of every such intended Meeting to be affixed on all the Toll Bars upon the said Road, and in some conspicuous Part of the Town of *Workshop* aforesaid, at least Ten Days before the Time fixed for every such Meeting.

One Meeting to be held at *Workshop* every Year.

IV. And be it further enacted, That from and after the Sixteenth Day of *December* One thousand eight hundred and eight, no Toll shall be demanded or taken at any Gate or Turnpike, Gates or Turnpikes erected or to be erected upon the said Road, for any Carriage which after having once passed through such Gate or Turnpike, Gates or Turnpikes, laden, and paid one full Toll thereat, shall return and repass the same Gate or Turnpike on the same Day laden, or shall pass the same laden twice, and repass in one and the same Day.

One Toll only to be taken for passing and repassing.

V. And be it further enacted, That from and after the said Sixteenth Day of *December*, it shall be lawful for the said Trustees, and the Barkeeper and Barkeepers by them appointed, and they are hereby authorized and required to demand and take at any Gate or Gates erected or to be erected upon the said Road, for every Carriage which after having twice passed laden, and repassed through the same Gate or Gates and paid one full Toll thereat, shall again pass through the same Gate or Gates on the same Day, laden, another full Toll.

One full Toll to be taken for Carriages after passing twice through the same Gate.

VI. And be it further enacted, That from and after the said Sixteenth Day of *December*, so much of the said last recited Act as enacts, that no Toll shall be demanded or taken for any Cattle or Carriage laden only with

Repealing certain Parts of the said Act.

with Dung, Manure, Lime or Compost, to be used in manuring and improving Lands within any Parish, Hamlet, Quarter or Place, liable to Statute Work on the said Road, so that the said Dung, Manure, Lime or Compost, should arise, be gotten, made and used in the same Parish, Hamlet, Quarter, or Place; and also such Part of the said last mentioned Act as enacts, that no Person shall have or claim any Benefit or Exemption for and in respect of any Waggon, Cart or other Carriage, which hath or shall have Wheels of less Breadth than Six Inches on the Bottom or Sole thereof, shall be and the same are hereby respectively repealed.

Repealing so much of said Acts as requires Two Tolls to be taken in One Day on the Chesterfield and Worksop Road.

VII. And be it further enacted, That from and after the said Sixteenth Day of *December*, so much and such Parts of the said Acts as direct that no more than Two Tolls shall be taken in any One Day from any Person or Persons travelling upon the said Road between *Chesterfield* and *Worksop* afore said, shall be and the same are hereby repealed.

Power to take Three Tolls on the whole Line of the Road.

VIII. And be it further enacted, That from and after the said Sixteenth Day of *December*, it shall and may be lawful to and for the said Trustees or any Five or more of them, or such Person or Persons as they or any Five or more of them shall from Time to Time authorize and appoint, to demand and take at the several Toll Gates erected or to be erected upon the whole Line or Length of the said Road, Three full Tolls in One and the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, for all such Horses, Beasts, Cattle, and Carriages as shall or may pass through the same several Toll Gates: Provided nevertheless, that it shall not be lawful to or for the said Trustees or such Person or Persons as afore said, or any of them, to demand and take at the Toll Gates erected or to be erected upon the said Road more than One full Toll and the Half of a Toll on that Part of the said Road situate between the Towns of *Chesterfield* and *Barlborough*, nor more than One full Toll and the Half of a Toll on that Part of the said Road situate between the Towns of *Barlborough* and *Worksop* afore said.

Declaring what Tolls shall be taken for Carriages, when the Wheels shall be of the Breadth of Nine Inches.

IX. Provided also, and be it further enacted, That from and after the said Sixteenth Day of *December*, no more than a Toll of One Penny Halfpenny shall be demanded or taken in One Day at any of the Toll Gates erected or to be erected upon the said Road, for any Cart or other Carriage with Two Wheels and drawn by One Horse only, the Wheels of which shall be of the Breadth or Width of Nine Inches on the Bottom or Sole thereof, and that no more than Three such Tolls of One Penny Halfpenny each (to be taken in Manner hereinbefore provided for with respect to the Tolls lastly hereinbefore granted) shall be demanded or taken in the same Day for any such Cart or Carriage as afore said, which shall travel or go the whole Line or Length of the said Road.

Tolls may be reduced.

X. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, with the Consent of the Person or Persons entitled to Five-sixth Parts of the Money borrowed on the Credit of the Tolls authorized to be taken on the said Road, to lessen or reduce

Reduce the Tolls granted and continued by the said recited Acts and this Act, for such Time as the said Trustees, or any Seven or more of them shall think proper, and again to raise the same in such Manner as they shall think proper; and such Tolls so lessened or reduced, shall be collected, recovered, and applied in the same Manner as the Tolls granted and continued by the said Acts are directed to be collected, recovered, and applied.

XI. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the Tolls by the said recited Act or this Act authorized to be collected, or any of them, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being so appointed to collect the said Tolls, or acting under the Authority of the said Trustees.

Collector of Tolls, &c. not disqualified from being Witnesses.

XII. And be it further enacted, That no more than One Toll shall be demanded or taken in One Day for any Horses or Cattle belonging to any Inhabitant of *Staveley Woodthorpe*, which shall pass or travel upon such Part of the said Road as lies between *Staveley Woodthorpe* and *Chesterfield* aforesaid, nor more than One Toll for any Carriage belonging to any such Inhabitant, which shall pass twice only laden, and repass in One Day through any Toll Gate erected upon such Part of the said Road.

Inhabitants of Staveley Woodthorpe to pay only One Toll.

XIII. And be it further enacted, That it shall and may be lawful to and for the Most noble *Charles Duke of Norfolk*, and all and every Person and Persons who for the Time being shall be Owner or Owners of the Mansion House, called *Workshop Manor*, and his and their Servants; and also to and for the Friends of the said Duke, who, during his or their Residence and Abode at *Workshop Manor* aforesaid, shall visit him or them there, during the whole Continuance of this Act, to pass and repass through all such Toll Bars erected or to be erected on the said Road or the Sides thereof, as are or shall be situate within Four Miles of *Workshop Manor* aforesaid, with Horses and all Manner of Carriages (except Carriages with Coals) without paying any of the Tolls or Duties granted by the said recited Acts or this Act, in as full and ample a Manner as the same Exemption has been granted and enacted in and by the said recited Act of the Thirty-first Year of his said late Majesty.

Duke of Norfolk's Exemptions continued.

XIV. And be it further enacted, That from and after the said Sixteenth Day of *December*, no Toll shall be demanded or received for any Horse, Mare, Gelding, Mule, or other Cattle, drawing any Carriage going for or returning laden or unladen, having been laden only with Stones, Gravel, or other Materials for the repairing the said Road, or any of the Roads in the Parishes or Places in which the Road hereby intended to be repaired, or any Part thereof, do lie, or any Dung, Mould, Soil, Lime for Manure or Compost of any Kind for the manuring of any Garden, or other Land or Ground within any Parish, Hamlet, Quarter, or Place, liable to do Statute Duty on the said Road; nor shall any

Exemptions from Toll.

[Loc. & Per.]

12 H

Toll

Toll be taken, demanded, or received for any Carriage or Cattle going for the Purpose of, or returning from ploughing, sowing, tilling, or cultivating of any Land or Ground, or going for, or returning unladen, or only laden with Hay, Straw, Corn in the Straw, or Wood not sold or disposed of, but to be laid up in the Houses, Out-houses, Yards, or on the Premises of the Owner or Owners thereof, or for any Plough, Harrow, Dray, or other Implement of Husbandry, or for any Horse, or other Beast or Cattle drawing or carrying the same, in order for the repairing thereof, or using the same in Husbandry, or for any Horse, or other Beast or Cattle going to or returning from Water or Pasture, or going to be, or returning from being shod or farried; or for any Horses, Cattle, or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses, under the Authority of His Majesty's Postmaster-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 their 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 Exemptions; or for any Carriage, Horse, or other Beast, employed in the Conveyance of Vagrants travelling with legal Passes; nor shall any Toll be demanded or taken from any Inhabitant of any Parish through which any Part of the said Roads doth lie, who shall pass through any of the said Turnpikes to or from his, her, or their respective Parish Church, Chapel, or other Place of religious Worship tolerated by Law, on *Sundays*, or on *Christmas Day*, *Good Friday*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or who shall attend the Funeral of any Person dying and to be buried in any of the said 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 *Christmas Day*, *Good Friday* or any other Day on which Divine Service is ordered by Authority to be celebrated; nor shall any Toll be demanded or taken for or in respect of any Horse, Cattle, or Beast carrying any Passenger, or drawing any Coach, Landau, Berlin, Chariot, Calash, or Chair, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament, for the said Counties of *Derby* or *Nottingham*, 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 to the same, or shall make use of any Fraud whatsoever, whereby the Payment of the Tolls granted and continued by the said recited Acts and this Act, or any Part thereof, shall be evaded, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, whereof one Moiety shall be applied to the Purposes of the said Acts and of this Act.

XV. 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 Road, or any Part thereof, shall still remain liable thereto, and it shall be lawful for any Two or more Justices of the Peace for the County in which such Road is situate (as the Case may be), and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Treasurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Portion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the same do lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them, paid to the said Trustees, or 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 for 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 List 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 or effect for the Repairs of the public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear 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 at such Days and at such Times (not being Hay Time or Harvest), and in such Parts of the said Road, 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 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 Repair of the public Highways; and

Statute Labour.

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 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 as 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 Road; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road; 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 and wilfully give in false and imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Application of
Compensation,
if amounting
to 200l.

XVI. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts, or this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for and on Behalf of any Infant, Lunatic, Idiot, Feme Covert or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by 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 or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, 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 Money shall, by Order of the said Court, upon Application thereto, be invested by the said

Accountant.

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 said Tenements, and Hereditaments, to be purchased by virtue of the said recited Acts and this Act, in case such Purchase or Settlement were made.

XVII. 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 any Disability or Incapacity aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant-General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner 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 Five of the Trustees for executing the said recited Acts and 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 be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application of Compensation, if less than 200*l.* and not exceeding 20*l.*

XVIII. Provided also, and be it further enacted, That where such Money, so agreed or awarded to be paid as last 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 Acts and this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid 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.

Application of Compensation, if less than 20*l.*

XIX. 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

In case of not making out Titles.

[Loc. & Per.]

127

of

of the said recited Acts and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees, 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 Privy of the Accountant-General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a summary Way of proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable, and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching any Title to the Money to be paid, the Person in possession shall be entitled.

XX. Provided always, 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 Privy of the Accountant-General of the Court of Chancery, in pursuance of this or the said Acts, 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 the said recited Acts and this Act, 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, 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.

XXI. 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 the said recited Acts and this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of the said recited Acts and this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases, from Time to Time, to be made in pursuance of the said Acts and this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees, out of the Monies to be received by virtue of the said Acts and this Act, who shall from Time to Time, pay such Sums of Money, for such Purposes as the said Court shall direct.

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

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

Expences of this Act, how to be paid.

XXIII. 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.

Public Act.

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

Commencement and Duration of it.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1808.

