ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 90.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from the Bottom of *Church Lane* in the Town of *Newcastle-under-Lyne*, in the County of *Stafford*, to the Road from *Woor* to *Chester*, near *Namptwich*, in the County of *Chester*, and other Roads therein mentioned.

[1st *June* 1808.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road leading from the Bottom of* Church Lane, *in the Town of* Newcastle-under-Lyme, *in the County of* Stafford, *to the Turnpike Road leading from* Woor *to* Chester, *near the Town of* Namptwich, *in the County of* Chester, *and from* Chesterton *through* Audley *and* Balterley, *to* Ghorsty Hill: And whereas an Act was passed in the Twenty-sixth Year of the Reign of his said Majesty, for enlarging the Terms and Powers of an Act made in the Sixth Year of the Reign of His present Majesty, for repairing and widening the Road leading from the Bottom of *Church Lane* in the Town of *Newcastle-under Lyme*, in the County of *Stafford*, to the Turnpike Road leading from *Woor* to *Chester*, near the Town of *Namptwich*, in the County of *Chester*, and from *Chesterton* through *Audley* and *Balterley* to *Ghorsty Hill*: And whereas the Trustees appointed in or by virtue of the said Acts, have proceeded in the Execution thereof and have borrowed a very considerable Sum of Money upon the Credit of the Tolls thereby granted, which still remains due and owing

6 G. 3. c. 89.

26 G. 3. c. 135.

owing, and cannot be paid off, nor can the ſaid Road be properly amended, improved and kept in Repair, unleſs the Term of the ſaid Acts is further continued, and the Powers and Proviſions thereof altered, amended, and enlarged; 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 Acts, and all the Clauſes, Powers, Proviſions, Orders, Regulations, Reſtrictions, Matters and Things therein contained (except ſuch Parts thereof as are hereby varied, altered, or repealed, and except ſuch of them as relate to Exemptions from Stamp Duties) ſhall be and the ſame are hereby further continued for and during the Term herein-after mentioned, in as full, ample, and beneficial manner, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Amendments, Alterations, Variations, and Additions herein contained, and which ſhall commence and take Effect upon the paſſing of this Act, and ſhall continue in force during the Term hereby granted; and this Act, and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on account of the ſaid Acts or either of them, and of ſuch other Sum and Sums of Money as ſhall be borrowed or become due and owing on the Credit thereof reſpectively and of this Act, and of the Intereſt due and to grow due for the ſame.

Acts further continued.

Additional Truſtees.

II. And be it further enacted, That *Thomas Allen*, the Reverend *Benjamin Adams*, *John Becket*, *Joſiah Byerley*, *George Birks*, *John Brown*, *Francis Burgin*, *James Brayford*, *John Brayford*, *John Beech*, *William Bathwell*, *Charles Barlow*, *James Barlow*, *John Fenton Boughey*, the Reverend *John Baſnett*, *Hugh Booth*, *Joſeph Booth*, *Richard Bull*, *James Ball*, *John Bennet*, *Joſeph Brindley*, *Ralph Bourne*, *William Baker*, *John Bourne*, *Charles Bourne*, *John Bill*, *John Bagſhaw*, *Samuel Bagſhaw*, *Samuel Birks*, *William Bent*, *Richard Bent*, the Reverend *John Blunt*, *William Brittain*, *John George Child*, *Smith Child* the younger, *Roylance Child*, *Baddeley Child*, *William Child*, *Stamford Caldwell*, *John Clews*, the Reverend *John Catlow*, *James Cope*, *Thomas Cooper*, *Thomas Chalkinor*, *John Davenport*, *Richard Dean*, *Thomas Dale*, *Edward Earaley*, *Thomas Eaton*, *George Eaton*, *Thomas Fenton*, *Robert Fenton*, *Thomas Ford*, *Edward Ford*, *Robert Griffin*, *Thomas Goodall*, *William Harding*, *James Gardner* the younger, *Richard Edenſor Heathcote*, *John Heathcote*, *Thomas Horwood*, *Robert Hambleton*, *Richard Hicks*, *John Hales*, *Stephen Highfield*, *William Shephard Kinnerſly*, *Thomas Kinnerſly* the younger, *William Kenwright*, the Reverend *Clement Leigh*, *William Ledward*, *Thomas Ledward*, *Thomas Mellard*, *William Millar*, *William Millar* the younger, *Thomas Minton*, *Samuel Mayor*, *Samuel Mayor* of Knutton, *Thomas Mayor*, *Francis Mare*, *John Northen* Doctor of Phyſic, *William Nickiſſon*, *John Nickiſſon*, *William Nickiſſon* the younger, *John Phillips*, *Joſeph Poulſon*, *James Pool*, *Daniel Pool*, *Thomas Peake* the younger, *John Peake*, *Joſeph Peake*, *Ralph Sneyd* of Keel, *John Robiſon*, *John Robiſon* the younger, *John Rowley*, *John Rowley* the younger, *Richard Rhead* the younger, *Thomas Stanier*, *William Stubbs*, *John Stubbs*, *John Swimerton*, *John Steel*, *Richard Thompſon*, *Thomas Thompſon*, *Joſiah Timmis* of Keel, *John Wedgwood*, *Joſiah Wedgwood*, *Peter Walthall*, *George Wilkinſon*, *Thomas*

Thomas Wolfe, Robert Williamson, Hugh Henshall Williamson, Alexander Wilson, John Wilson, Thomas Ward, John Wood, Enoch Wood, Charles Whalley, James Wright, Samuel Worthington, Henry Weatherby, John Yates, William Yates, James Yates, William Acton, Major General *John Delves Broughton,* the Reverend *Henry Delves Broughton, James Bayley* the younger, the Reverend *John Birch, Michael Bott, John Burgess, John Bellyse, John Bellyse* the younger, *Samuel Basnett, Eddowes Bowman,* the Reverend *William Breakspeare, John Boot, Richard Boot, Edward Bellis, John Barker,* the Honourable *John Crewe,* Major General *Lynch Cotton,* the Reverend *William Cotton,* the Reverend *Anthony Clarkson, Richard Clark, Richard Cliff, Jack Needham Cliff, Washington Cliff, George Cappur* the younger, *William Comer, William Cobb, James Cooper, Walter Daniels, Spencer Daniels, John Downes* the younger, *Joseph Downes, Thomas Downing, Richard Lathbury Dudley,* the Reverend *Joseph Davenport, John Edwards, John Rainford Edleston, George Gibbons Elwall, Thomas Ellison, Thomas Furbur, John Jasper Garnett, George Green, Joseph Gardner, John Groom, John Goulbourne, John Goulbourne* the younger, the Reverend *Robert Wilbraham Bromhall Hill, Robert Holland, Benjamin Hewitt* the younger, *Thomas Heath* of Tittenley, *Thomas Hewitt, John Hopkins, Ellison Hopkins, Thomas Hall, William Hall, Robert Hodgson, Robert Harrison, William Hayward, Thomas Hilditel, Wiliam Jervis, Daniel Johnson, Edward Jones* of Nantwich, *Edward Jones* of Royles Green, *Edward Key, John Lindop, John Latham* of Woore, *John Latham* of Nantwich, *Josiah Lythgoe, William Lowe, Richard Leverage* the younger, *Thomas Littler, Charles Mare,* the Reverend *William Morgan, Peter Mullock, Thomas Plant Nixon, King Nickson, John Nickson, John Nickson* the younger, *George Pigott, Samuel Pace, Samuel Penlebman, John Richardson, John Robinson, Joseph Robinson, Benjamin Rodenhurst, John Siddall, Peter Stringer, Thomas Taylor, George Taylor, William Taylor, Thomas Tomlinson, William Tomlinson, Samuel Walton, Samuel Woolf,* and *William Watks,* shall be and they are hereby nominated and appointed Trustees for executing the said Acts and this Act, and they and their Successors (being qualified according to the Directions of the said first recited Act) are hereby empowered and authorized to act in the Execution of the said recited Acts and of this Act, as fully and effectually to all Intents and Purposes, as if they had been named in or appointed by virtue or in pursuance of the said Acts or either of them.

Meetings on Emergencies.

III. And be it further enacted, That if after any Adjournment of the said Trustees, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, then and in that Case the Clerk to the said Trustees, upon an Order in Writing signed by any Five or more of the said Trustees (although not assembled at a Meeting) mentioning the Time, Place, and Purport of such intended Meeting, shall forthwith give Notice in Writing to be affixed upon all the Turnpikes then standing upon the said Roads, of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Ten Days after such Notice) and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such Meetings shall be as valid and effectual as they would have been in case the same had been held in pursuance of Adjournment.

Trustees.

IV. And

For removing of Doubt as to Commencement of the Roads.

IV. And whereas by the ſaid firſt recited Act it is enacted, That no Gate or Gates ſhall be erected from within the Diſtance of One Mile of the Town of *Newcaſtle-under-Lyme*, and whereas Doubts have ariſen from what Part of the ſaid Town ſuch Meaſurement ſhall take Place and commence; for removing ſuch Doubts, be it enacted, That no Gate or Gates, Turnpike or Turnpikes ſhall be erected upon the ſaid Roads or on the Side or Sides thereof, within the Diſtance of One Mile from a Place called *Dean's Bridge* within the ſaid Town of *Newcaſtle-under-Lyme* aforeſaid.

For repealing former Tolls and granting new ones.

V. And whereas the Tolls granted by the ſaid firſt recited Act have been found inſufficient for the Purpoſes thereof; be it therefore enacted, That from and after the Twentieth Day of *Auguſt* next after the paſſing of this Act, the ſaid Tolls ſhall be and the ſame are hereby declared to be repealed; and that inſtead thereof, the following Tolls ſhall and may be demanded, received, and taken before any Cattle or Carriage ſhall be permitted to paſs through any of the Toll Gates or Turnpikes now erected or hereafter to be erected on the ſaid Roads (that is to ſay);

Tolls.

For every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing in any Carriage, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, 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 Four-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

And for every Drove of Calves, Hogs, Sheep and Lambs, the Sum of Eight-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

Which ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of or as Toll, and ſhall be veſted in the ſaid Truſtees, and ſhall and may be levied, recovered, paid, applied, varied, altered, and aſſigned, in the ſame Manner as the Tolls granted by the ſaid firſt Act are thereby directed to be levied, recovered, paid, applied, varied, altered, and aſſigned.

Power to reduce the Tolls.

VI. And be it further enacted, That the ſaid Truſtees or any Five or more of them ſhall and may from Time to Time, and at all Times hereafter at their Annual Meetings directed to be held by the ſaid laſt recited Act, reduce all or any of the ſaid Tolls by this Act directed to be collected and taken, ſuch Reduction not being more than One Moiety of the Toll hereby granted on Horſes or other Cattle drawing any Carriage, nor more than One Third of all or any of the other Tolls hereby granted, and from Time to Time at ſuch Annual General Meeting or Meetings to raiſe and advance the ſame again, to any Sum not exceeding the Tolls by this Act granted, as they or any Five or more of them ſhall find it requiſite and neceſſary ſo to do.

A Moiety of the Tolls to be taken on Carriages laden with Coals on certain Parts of

VII. Provided always, and be it further enacted, That nothing herein contained ſhall authorize or empower the ſaid Truſtees to demand or take, or cauſe to be demanded or taken, more than One Moiety of the Tolls hereby granted for any Horſe, or other Beaſt, drawing any Carriage laden only with or going unladen for any Coals, Cannel, or Sleck, at

any

any Gate or Gates erected or to be erected upon or acroſs the ſaid Road or on the Side thereof, between a certain Lane called *Haying Lane* in the Pariſh of *Keel* in the ſaid County of *Stafford*, and the Road branching out of the ſame near the Blackſmith's Shop in the Village of *Keel* to *Whitmore* in the ſaid County, any Thing herein contained to the contrary notwithſtanding. the ſaid Roads.

VIII. And be it further enacted, That from and after the paſſing of this Act none of the ſaid Tolls ſhall be demanded or received for any Horſe, Mare, Gelding, Mule, or other Cattle paſſing through any Gate or Turnpike erected or to be erected on the ſaid Roads, 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 Roads or any of the Roads in the Pariſhes or Places in which the ſaid Roads or any Part thereof doth lie, or any Dung, Mould, Soil, or Compoſt of any Kind (Chalk, Lime, and Limeſtone excepted) for the manuring of any Garden or other Land or Ground therein; nor ſhall any 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 therein; 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, Outhouſes, Yards, or on the Premiſes of the Owner or Owners thereof, or for any Plough, Harrow, 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 ſhoed 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, 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; Exemptions from Tolls.

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 County of *Stafford*, or a Knight or Knights of the Shire to serve in Parliament for the said County Palatine of *Chester*, on the Day or Days of such Election respectively, or on the Day before or Day after such Election respectively, 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, and the other Moiety to the Informer or Informers.

Turnpikes, Toll Houses, &c. vested in the Trustees.

IX. And be it further enacted, That the Right and Property of all and every the Turnpikes, Toll Houses, and Buildings erected or hereafter to be erected by virtue of the said Acts or this Act, and of the Materials for building the same, and also all Rails, Stiles, Posts, and Fences which shall belong to the said Roads, and also all Tools, Implements, Stones, Gravel, and other Materials purchased, gotten, or had, or to be purchased, gotten, or had, for repairing the said Roads, shall be and are hereby vested in the said Trustees, and they or any Five or more of them are hereby authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer or order to be preferred any Bill or Bills of Indictment or Indictments in the Name or Names of any One or more of them, or of their Clerk or Clerks, Treasurer or Treasurers, against any Person or Persons who shall steal, take, injure, or disturb them the said Trustees in the Possession thereof.

Collectors of Tolls not disqualified to give Evidence in any Dispute.

X. And be it further enacted, That in case any Dispute, Suit or Litigation shall arise touching or in anywise relating to the Tolls authorized by the said Acts to be taken, 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.

Penalty on Persons leaving Waggons on the Road, lying Timber, or committing any Annoyance thereon, etc.

XI. And be it further enacted, That if any Person or Persons shall leave any Waggon, Wain, Cart, or other Carriage longer than may be necessary for loading or unloading the same, in, upon, or on the Side of any Part of the said Roads, with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stone, Hay, Straw, Dung, Soil, Rubbish, or other Matter or Thing whatsoever upon any Part of the said Roads, or on the Side or Sides thereof, to the Prejudice or Annoyance thereof, or of any Person or Persons travelling thereon, or if any Person shall ride upon any Footway adjoining to the said Roads, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall cause any Damage to be done to such Footway; or if any Person driving any Coach, Chaise, Waggon, Cart or other Carriage upon the said Roads, and meeting any other Coach, Chaise,

Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Roads, or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him, her or them, upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care, every Person so offending, shall for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings; such Penalties to be recovered and applied in the same Manner as the Penalties and Forfeitures are by the said first recited Act directed to be recovered and applied.

Statute Work.

XII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads or any Part thereof, shall still remain liable thereto in like Manner as heretofore, and it shall be lawful for any Two or more Justices of the Peace for the said County of *Chester* or *Stafford*, (as the Case may be) and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, or by their Order, Yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads 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 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 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 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 to be 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 Hay-time or Harvest) and in such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute 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 they the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after

Notice

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 of 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 public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards the amending of the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly 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.

Application of Compensation if amounting to 200l.

XIII. 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 Acts and 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 or 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 there *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, or 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 Here-

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

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

XIV. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed 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 and Approbation of the Court of Chancery.

Application of Compensation if less than 20l.

XV. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken or used for the Purposes of 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.

In case of not making out Titles.

XVI. 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

any Lands, Tenements or Hereditaments, to be purchased by virtue of the said 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 any Five or more of them; 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, or any Five or more of them, 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 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 same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the same 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.

or if Persons cannot be found, Purchase Money to be paid into the Bank;

Subject to the Order of the Court of Chancery on Motion or Petition.

Respecting disputed Titles.

XVII. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for 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.

The Court of Chancery may order

XVIII. Provided also, and be it 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. reasonable Expences of Purchase to be paid by the Trustees.

XIX. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, shall be paid out of the First Money to be raised by virtue of the said Acts or this Act, in Preference to all other Payments whatsoever. Expences of the Act.

XX. 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.

XXI. And be it further enacted, That the Term granted and continued by the said Acts shall on the passing of this Act cease and determine; and that the said Acts and this Act, (subject as herein-before mentioned) shall from thenceforth commence, 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. Term and Continuance of the Act.

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