



ANNO QUADRAGESIMO NONO

GEORGH III. REGIS.

Cap. 16.

An Act for enlarging the Term and Powers of Three Acts of His late and present Majesty, for repairing the Road between *Hockliffe*, in the County of *Bedford*, and *Stony Stratford*, in the County of *Buckingham*.
[28th April 1809.]

WHEREAS an Act was passed in the Thirteenth Year of the Reign of his late Majesty King George the Second, intituled, *An Act for repairing the Road between Hockliffe in the County of Bedford, and Stony Stratford in the County of Buckingham*: And whereas another Act was passed in the Twenty-seventh Year of the Reign of his said late Majesty, intituled, *An Act to continue and render more effectual, an Act passed in the Thirteenth Year of the Reign of His present Majesty, for repairing the Road between Hockliffe in the County of Bedford, and Stony Stratford in the County of Buckingham*: And whereas another Act was passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act to continue the Term of Two Acts, made in the Thirteenth and Twenty-seventh Years of the Reign of his late Majesty King George the Second, for repairing the Road between Hockliffe in the County of Bedford, and Stony Stratford in the County of Buckingham*: And whereas the Trustees appointed in and by virtue of the said recited Acts have made great Progress in the Repairs of the said Road, and have for that Purpose borrowed a considerable Sum of Money on the Credit of the Tolls thereby authorized to be collected which still remains due, and cannot be repaid, nor the said Road effectually amended and kept in Repair, unless the

13 G. 2. c. 9.

27 G. 2. c. 25.

26 G. 3. c. 144.

[*Loc. & Per.*]

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Term

Acts further
continued.

Term of the said Acts be further continued, and some of the Provisions thereof altered, amended, and enlarged, and the present Tolls increased; 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 and every the Clauses, Powers, Authorities, Provisions, Penalties, Forfeitures, Matters, and Things therein contained (except such Parts thereof as relate to Exemption from Stamp Duties, and also such as are hereby varied, altered, or repealed), shall be and remain in full Force and Effect, and be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and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, but subject nevertheless to the Amendments, Alterations, and Additions herein contained; and that this Act shall commence and take effect upon the passing thereof; and the Term and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said recited Acts, and of such other Sums of Money as shall be borrowed upon the Credit thereof, and of this Act, and all Interest due and to become due thereon respectively.

For discontinuing the present Tolls and granting new ones.

II. And whereas the Tolls granted by the said recited Acts have been found insufficient for amending and keeping the said Road in good Repair, and for executing the several other Purposes of the said Acts; be it therefore further enacted, That from and after the first Day of *May* One thousand eight hundred and nine, the Tolls payable in and by the said recited Acts shall cease, determine, and be no longer paid, and that in lieu thereof the following Tolls shall be demanded and taken before any Horse, Mare, Gelding, Mule, Ass, Beast, or other Cattle, Coach, Waggon, Cart, or other Carriage whatsoever, be permitted to pass through any Turnpike or Toll-gate, Side-bar, or Side-gate erected or to be erected by virtue of the said recited Acts or this Act upon or across the said Road, or upon or across any Lane or Way leading into the same; (that is to say)

Tolls.

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, Chair, Taxed Cart, or other such like Carriage, drawn by Four or more Horses, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two or more Horses, or other Beasts of Draught (less than Four) the Sum of One Shilling; or drawn by One Horse, or other Beast of Draught, the Sum of Sixpence:

For every Waggon, Wain, Cart, Car, or other such like Carriage, drawn by Two or more Horses (not exceeding Four) the Wheels of which are of less Width than Nine Inches, the Sum of One Shilling and Sixpence:

For every Waggon, Wain, Cart, Car, or other such like Carriage, drawn by more than Four Horses, or other Beasts of Draught, the Wheels whereof are of the Width of Nine Inches, or more, the Sum of Three Pence Halfpenny for each Horse or other Beast of Draught:

And for every Waggon, Wain, Cart, (except the Taxed Cart) Car, or other such like Carriage, drawn by One Horse, or other Beast of Draught, the Sum of Eight Pence:

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

For every Score of Oxen, or other neat Cattle, the Sum of One Shilling, and so in proportion for any less Number :

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Five Pence, and so in proportion for any less Number.

Which said respective Tolls shall be and are hereby vested in the said Trustees; and the same and every Part thereof shall be paid, applied, and disposed of, or assigned to and for the several Uses, Intents, and Purposes, and in such Manner, as in and by the said recited Acts and this Act are declared and appointed.

III. And be it further enacted, That if any Person subject to the Payment of any of the said Tolls shall after Demand thereof made refuse or neglect to pay the same, or if any Person or Persons shall have taken any Horse or Horses, or other Cattle, out of any Carriage for the Purpose of evading the Payment of any of the said Tolls, or shall refuse to pay the Tolls for any Horse or Horses, or other Cattle which shall be so taken out of and appear to have been drawing such Carriage, it shall be lawful for any Person appointed to collect such Tolls, by himself or taking such Assistance as he shall think necessary, to seize and distrain any Horse or Horses, or other Cattle, together with their Gears, Harness, or Accoutrements, or their Loading, or any Carriage with its Loading (if any) upon which such Toll is by this Act imposed, other than the Bridle of any Horse or other Beast separately from such Horse or other Beast; and if such Tolls, and the reasonable Charges of such Seizure and Distress, and the Keeping of such Horse or Horses, or other Cattle or Carriage, shall not be paid within the space of Three Days after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriage, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus (if any) and what shall remain unsold, on Demand to the Owner thereof, after such Tolls, the Keeping of the Horse or other Cattle or Carriage so distrained, and the reasonable Charges occasioned by such Seizure, Distress and Sale, shall be deducted.

Recovery of Tolls.

IV. And be it further enacted, That if any Person or Persons shall with any Carriage, Horse, Cattle, or Beast whatsoever, pass through or over any Land, Ground, or Place, lying near any of the Turnpikes already erected or to be erected by virtue of this Act (the same not being a public Highway), with Intent to avoid the Payment of the said Tolls, or any Part thereof; or if the Owner or Occupier of any such Land, Ground or Place, shall knowingly permit or suffer any Person or Persons, with any Carriage, Horse, Cattle, or Beast, to pass through or over the same with such Intent as aforesaid; or if any Person shall give to or receive from any Person (other than the Person or Persons appointed to collect the said Tolls), and use the same, or forge and counterfeit any Note or Ticket, whereby the Payment of any of the said Tolls shall be avoided; or if any Driver or Owner of any Oxen, Beast, Hogs, Sheep, or other Cattle, after having been or passed Five hundred Yards on the said Road, shall with any such Oxen, Beast, Hogs, Sheep, or other Cattle, quit and turn off from or out of the same, whereby the Payment of any of the said Tolls shall be evaded; or if any Person shall forcibly or wilfully pass through any such Turnpike with any Horse or other Cattle, Beast, or Carriage, without Payment of Toll, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit any Sum not exceeding Five Pounds, one

Penalty for evading the Payment of Tolls.

Moiety

Moiety whereof shall be paid to the Informer or Informers, and the other Moiety shall be applied for the Purposes of this Act: Provided always, that nothing herein contained shall extend to any Person or Persons turning off the said Roads with any Horse, Cattle, or Beast going to or coming or returning from the Homestall, Lands, Grounds, or Commons of any Person living in any of the Parishes or Places through which the said Road leads, if such turning off is the immediate and direct Way.

Exemptions
from Tolls.

V. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle or Beast, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel or other Materials for repairing of the said Road, or any of the Roads in the Townships or Parishes in which any Part of such Road lies; or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners; or for any Horse, Cattle or Beast employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows or Implements of Husbandry, or any Lime, Mould, Dung, Compost or Manure employed in Husbandry, for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horse or Cattle going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried; or from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a Sunday or upon any other Day on which Divine Service is ordered by Authority to be celebrated; or attending the Funeral of any Person that shall die and be buried in any of the said Townships or Parishes; or from any Clergyman going to or returning from visiting any sick Person; or upon other his Parochial or Ministerial Duty, on a Sunday or any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Cattle or Carriage of whatever 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 such Mails or Expresses, or in returning back from conveying the same; or for any Horse, Cattle or Beast attending any Soldiers upon their March, or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat or other public Stores of or belonging to His Majesty, or for the use of His Majesty's Forces, or for any Horse, Cart, Cattle or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Cattle or Beast carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Bedford* or *Buckingham*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed

appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

VI. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack or Commissariat or other public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture, nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

Carriages conveying Military Stores not to be subject to Penalties for Overweight, &c.

VII. And be it further enacted, That for the better preventing Frauds and Collusions respecting Carriages carrying Overweights, if any Lessee or Lessees of the Tolls payable at the Turnpike-gate, or Gates erected or to be erected on the said Road by virtue of this Act, or any Collector or Collectors, Person or Persons to be appointed to the Care of any Weighing-Machine or Machines erected or to be erected on the said Road by virtue of this Act, shall suffer or permit any Waggon, Cart, or other Carriage liable to be weighed at any such Machine or Machines, to pass through the Turnpike-gate or Gates erected or to be erected on the said Road by virtue of this Act, without weighing the same, or shall suffer or permit any such Waggon, Cart, or other Carriage to proceed on the said Road without having first paid the Tolls for such Waggon, Cart, or other Carriage, and all such Overweight or Overweights as such Waggon, Cart, or other Carriage respectively shall or may happen to have therein, or thereon, each and every Person shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Penalty on Lessees or Collectors of Tolls permitting Waggons, &c. to pass through the Turnpike Gate without weighing the same.

VIII. And be it further enacted, That if the Owner or Driver of any Waggon, Cart or other Carriage, or any other Person or Persons, shall set or leave or cause to be set or left any Waggon, Cart, or other Carriage, in or upon the said Road, within Fifteen Feet from the Middle or Centre thereof, without some reasonable Cause to be allowed by the Justices before whom the Person or Persons so offending shall be summoned or conveyed in order to his or their Conviction, and except with regard to such Waggon, Cart, or other Carriage, during such reasonable Time as the same shall be loading and unloading, and standing as near to the

Penalty on leaving Waggons, &c. on the Road, and drawing Timber, otherwise than on Wheel-Carriages.

[Loc. & Per.]

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Side

Side of the Road as conveniently may be; or if any Person or Persons shall cause to be haled or drawn upon any Part of the said Road any Tree or Piece of Timber, or any Stones (Mill Stones excepted), otherwise than upon Wheel-Carriages, or shall suffer any Part of any Tree, or Piece of Timber which shall be conveyed upon Wheel-Carriages, to drag or trail upon any Part of such Road to the Prejudice thereof, every such Person shall forfeit any Sum not exceeding Forty Shillings for every such Offence.

Side-Gates to
be erected,

IX. And be it further enacted, That the said Trustees, or any Five or more of them, may and they are hereby authorized and empowered to cause to be erected and continued such Gates, Turnpikes, and Toll-houses, Weighing-Machines, or any of them, in, upon, or across any Part or Parts of the said Road, and also upon the Sides thereof, or across any Lane or Way leading into the same, not being a Turnpike Road, as they shall think proper; and from Time to Time to remove, alter, or discontinue the same or any of them, as they shall think expedient; and from and after the said Gate or Gates, Turnpike or Turnpikes shall be so erected and built as aforesaid, shall receive and take the same Tolls and Duties as in and by this Act are before authorized to be received and taken at any Gates or Turnpikes already erected and built, which said Tolls and Duties so to be received and taken at any Gate or Gates, Turnpike or Turnpikes, so to be erected and built as aforesaid, shall be vested in the said Trustees: Provided always, That no Person or Persons who shall have paid the Toll granted by this Act at either of the Gates or Turnpikes already erected, or if either of the said Gates shall be removed to any other Place or Places, then no Person or Persons who shall have paid the Toll at either of the said Gates so removed as aforesaid, for the passing of any Carriage, Horse, or other Beast or Cattle, shall be subject or liable on the same Day to the Payment of any Tolls for the passing of the same Carriage or other Beast or Cattle through any other Gate or Gates, Turnpike or Turnpikes, that may be erected in, upon, or across any other Part or Parts of the said Road by virtue of this Act; nor shall any Person or Persons who shall have paid such Toll at any Gate to be erected by virtue of this Act be subject or liable on the same Day to the Payment of Toll at either of the Gates already erected, or to be removed as aforesaid, for the same Carriage, Horse, or other Beast or Cattle the respective Persons who shall have paid the Toll at either of the said Gates producing a Note or Ticket denoting such Payment, which Notes or Tickets the Collectors of the Tolls for the Time being are hereby required to give gratis on receipt of the Tolls, any thing in the said recited Acts or in this Act contained to the contrary notwithstanding.

Tickets to
free Persons
from Pay-
ment of Tolls
at any Gate
to be erected.

Power to
borrow
Money, and
to mortgage
the Tolls.

X. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, to borrow and take up at Interest such further Sum or Sums of Money as they shall think fit, on the Credit of the Tolls arising by virtue of this Act, so as such further Sum or Sums do not exceed the Sum of Three Thousand Pounds, and they are hereby empowered to demise or mortgage the said Tolls, or any Part or Parts thereof, and the Turnpikes or Toll-houses and Weighing-Engines for collecting the same, for and during any Time not exceeding the continuance of this Act, (the Costs of such Mortgage to be paid

paid out of such Tolls), as a Security to any Person or Persons, or their Trustees, who shall advance such Money; but no Money shall be borrowed on the Credit of the said Tolls unless Five-sixths of the present Creditors shall consent thereto, nor unless Notice be for that Purpose affixed in Writing upon all the Turnpikes or Gates erected and to be erected upon or across the said Road, at least Ten Days before the borrowing thereof; and all Persons to whom any Mortgage hath been already made for securing Monies lent upon the Credit of the said recited Acts, any or either of them, or to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, Interest, or Benefit to the said Mortgage, and the Principal and Interest thereby secured, to any Person or Persons whomsoever, either by a separate Instrument, or by Indorsement on such Security; and such Transfer shall entitle such Assignee, his, her, or their Executors, Administrators and Assigns to the Benefit thereof, and Payment of the Principal and Interest secured on such original Mortgage; and it shall not be in the Power of any Person or Persons to make void, release, or discharge the original Security, or any Monies thereby due, or any Part thereof; and all Persons to whom any Mortgage or Transfer hath been made, or shall be made, shall be, in proportion to the Money therein mentioned, Creditors on the Tolls by this Act granted, in equal degree one with another, and shall have no Preference in respect of Priority of any Monies advanced.

and to assign
such Mort-
gages.

XI. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said Counties of *Bedford* and *Buckingham*, and they are hereby required, upon Application made to them by the said Trustees, or any Five or more of them, or by their Clerk or Surveyor by their Order, respectively to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Townships, or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township 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, and in order thereunto, it shall and may be lawful to and for such Justices, from Time to Time, to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in true and perfect Lists in Writing before such Justices, at some Place to be expressed in such Summons (within Five Days after the serving of such Summons) of the Names of the several Persons who within such Parish, Township, 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 shall be made in such Manner, and under such Regulations and Restrictions, as, is, are, or may be directed by any Law or Statute in force and effect for the Repair of the Public Highways, and out of such Lists the said Justices shall

Persons char-
geable to
Statute
Work, to
continue so.

shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road, as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay Time or Harvest) and on 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 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 Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject and 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 Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said 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 or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Trustees may
compound
for Statute
Work.

XII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to compound and agree by the Year or otherwise, with any Person or Persons, Bodies Politic or Corporate, for the Statute Work to be by them done on the said Road, or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements or Hereditaments, of and in all or any of the Parishes, Townships or Places in which the said Road is situate, for a certain Sum of Money by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Road, which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer to the said Trustees, in advance, on or before the First Day
of

of *November* in each and every Year, or otherwise the Inhabitants and Occupiers of such Parish, Township, or Place, shall not be permitted to compound for that Year.

XIII. And be it further enacted, That if any Money shall be agreed, or awarded to be paid for any Lands, Tenements or Hereditaments purchased, taken or used by virtue of the Powers of the said recited Acts and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as in the said first-recited Act particularly mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited 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 of the Land Tax, or towards the 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 therewith to the same or the like Uses, Trusts, 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 meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application
of Compen-
sation Money
when amount-
ing to or ex-
ceeding 200l.

XIV. 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 as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the

Where less
than 200l.

[*Loc. & Per.*]

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Person

Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank with the Privity and in the Name 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 the Manner hereinbefore 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 or more of the said 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 hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where less than 20l.

XV. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, taken or used for the Purposes of the said recited Acts and this Act, in such Manner as the said Trustees or any Five or more of them shall think fit; or in case of Infancy, or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles;

or if Persons cannot be found Purchase-Money to be paid into the Bank.

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 Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Acts or this Act, for the Purposes of the said Road, 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 any 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 Sum and 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 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

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.

XVII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of the said recited Acts or this Act, for the Use of the said Road, 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 the 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.

Respecting
disputed
Titles.

XVIII. Provided always, 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 or this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this or the said recited Acts, or so much of such Expences as the said Court shall deem reasonable (together with the necessary Costs and Charges of obtaining such Order), to be paid by the said Trustees or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court of
Chancery
to direct the
Payment of
Expences.

XIX. And be it further enacted, That out of the first Monies which shall be raised or collected by virtue of this Act, the said Trustees or any Five or more of them shall in the first place pay and discharge all the Costs and Expences relative to procuring and passing this Act, together with lawful Interest for the same, from the passing thereof, and the Remainder of the Money so raised and collected shall from Time to Time be applied in erecting Turnpikes, Toll-houses, and Weighing-machines, and in amending, widening, and improving the said Road, and keeping the

For paying
the Expences
of this Act.

the same in Repair, and in defraying all other Charges and Expences of carrying the Purposes of this and the said recited Acts into Execution.

Public 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.

**Continuance
of this Act.**

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

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