



ANNO QUADRAGESIMO NONO

GEORGI III. REGIS.

Cap. 28.

An Act for continuing the Term and enlarging the Powers of Two Acts of His present Majesty, for repairing the Roads from *Kippings Cross* to *Lamberhurst Pound* and *Pullens Hill*, in the County of *Kent*, and to *Flimwell Vent*, in the County of *Suffex*, and certain other Roads in the said Acts described. [28th April 1809.]

WHEREAS an Act was passed in the Second Year of the Reign of His present Majesty, King *George* the Third, intituled, *An Act for continuing, enlarging, and rendering more effectual so much of an Act, made in the Fourteenth Year of the Reign of his late Majesty King George the Second, intituled, 'An Act for enlarging the Terms and Powers granted by Two Acts of Parliament, for repairing the Roads leading from Sevenoaks to Woodgate and Tonbridge Wells, and from Woodgate to Kippings Cross, in the County of Kent; and also for repairing the Roads from Kippings Cross aforesaid, to Lamberhurst Pound and Pullens Hill, in the said County, and to Flimwell Vent, in the County of Suffex,' as relates to the amending, repairing and keeping in Repair the said Roads leading from Kippings Cross aforesaid, to Lamberhurst Pound, Pullens Hill, and Flimwell Vent aforesaid: And whereas another Act was passed in the Twenty-seventh Year of the Reign of His said present Majesty, intituled, *An Act for continuing the Term and varying the Powers of an Act of the Second Year of His present Majesty, for repairing the Roads from Kippings Cross,* 2 G. 3. c. 67.
[Loc. & Per.] 6 N. in*

in the County of Kent, to Lamberhurst Pound and Pullens Hill in the said County, and to Flimwell Vent in the County of Suffex; and also for repairing the Road from the Turnpike Gate at Lamberhurst Pound aforesaid, through East Lane and by Hope Mill, to the Turnpike Road at Clayhill, in the Parish of Goudhurst, in the County of Kent: And whereas the Trustees appointed in and by virtue of the said Acts have proceeded to put the same into Execution, and have borrowed a considerable Sum of Money on the Credit of the Tolls authorized to be taken on the said Roads, which Money still remains due and owing, and cannot be paid off, or the said Roads effectually amended, widened, improved and kept in Repair, unless the Term of the said Acts be further continued, and some of the Powers and Provisions thereof altered, amended and enlarged; and it is necessary that the Tolls granted by the said Acts should be encreased: 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 passed in the Second and Twenty-seventh Years of the Reign of His said present Majesty King George the Third, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters and Things therein respectively contained (except such as relate to Exemptions from Stamp Duties, and except such as are hereby varied, altered or repealed), shall be and they are hereby further continued 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, Variations, and Additions herein contained, and which shall commence and take Effect immediately upon the passing of this Act; and this Act and the additional or other Term and Tolls hereby granted, shall be and they 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 Tolls granted or authorized to be taken by the said recited Acts, and also of such other Sum and Sums of Money as shall or may be borrowed for the Purpose of the said Acts and this Act, and of all Interest due and to grow due for the same respectively.

Said Acts
further con-
tinued.

For reducing
the Quorum
of Trustees
under the said
Acts.

II. And be it further enacted, That all Acts, Matters, and Things authorized and required by the said recited Acts and this Act or either of them to be done and executed by the Trustees for carrying the same into Execution, shall and may be done and executed by any Three or more of the said Trustees present at any Meeting, or the Majority of such of them as shall be then present; and the same when so done and executed shall be as good, valid, and effectual, and shall have the same Force and Effect as if such Acts, Matters, and Things had been done and executed by all or any greater Number than Three of the said Trustees.

No Order to
be revoked
unless a great-
er Number of
Trustees are
present than
were present
at the making
such Order.

III. And be it further enacted, That no Order made for carrying the said Acts or this Act into Execution shall be revoked or altered unless a greater Number of Trustees shall be present and concur in revoking or altering such Order than were present when such Order was made; nor shall any Order be revoked or altered as aforesaid, unless at a Meeting to be held for that Purpose, public Notice of which Meeting shall be given
by

by affixing the same in Writing upon all the Turnpikes erected or to be erected in pursuance of the said Acts or this Act, declaring the Intention of repealing such Order or Orders at least Ten Days before such Meeting.

IV. And whereas it is deemed expedient that the Tolls in and by the said recited Acts granted or authorized to be taken on the said Roads should be repealed, and other and greater Tolls granted instead thereof; be it therefore enacted, That all and singular the Tolls granted or authorized by the said recited Acts to be taken on the said Roads, shall from and after the Second *Monday* next after the passing of this Act, be and the same are hereby repealed; and that instead thereof there shall be demanded and taken at all and every the Gates and Turnpikes erected or to be erected or continued by virtue of the said recited Acts or this Act, the several Tolls following; (that is to say),

For repealing former Tolls and granting new ones.

For every Horse, Mare, Gelding, Mule or other Beast, drawing any Carriage, the Sum of Four-pence: New Toller

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

For every Drove of Oxen, Cows, or Neat Cattle; the Sum of Ten Pence *per* Score; and so in proportion for any greater or less Number: And,

For every Drove of Calves, Hogs, Pigs, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score; and so in Proportion for any greater or less Number.

V. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to cause to be demanded and taken, at all and every the said Gates and Turnpikes, on each and every *Sunday* during the Continuance of the Term hereby granted (to be computed from Twelve of the Clock in the preceding *Saturday* Night to Twelve of the Clock in the next succeeding *Sunday* Night) Double the Tolls which shall for the Time being be authorized to be collected on any other Day, under or by virtue of the said recited Acts or of this Act. Double Toll on Sundays.

VI. And be it further enacted, That between the Tenth Day of *October* and the First Day of *April* in every Year, there shall be demanded and taken at each and every Gate or Turnpike erected or to be erected by virtue of the said recited Acts or this Act, an additional Toll equal to the Toll then otherwise payable for every Horse or other Beast of Draught drawing any Carriage employed in carrying or conveying any Hop-poles, Timber, Wood, Gun, or any other Iron; any Thing in this or any former Act to the contrary thereof notwithstanding.

VII. And be it further enacted, That the said several Tolls by this Act authorized to be taken shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be collected, recovered, paid, applied, varied, altered and disposed of in such and the same Manner and by such and the same Ways and Means, and with such Remedies for Recovery in case of Nonpayment or Evasion thereof, as is or are mentioned and contained in the said recited Acts respecting the Tolls thereby authorized to be taken. New Tolls vested in the Trustees.

VIII. And

Collectors of
Tolls not in-
competent to
be examined
as Witnesses,
etc.

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

Exemptions
from Tolls.

IX. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Mare, Gelding 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 of the said Roads, or any of the Highways or public Roads in the Parishes or Places in which the Roads hereby intended to be repaired and improved, or any Part thereof, do lie, or any Dung, Mould, Soil, or Compost of any Kind (Chalk and Lime excepted) for the manuring of any Garden or other Land or Ground; 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 any Land or Ground, or going for or returning unladen or only laden with Hay, Straw, Corn in the Straw, or Wood for the Owners Fuel or Consumption, cut and taken from Lands in his own Occupation unford and not for Sale, but to be laid up in the Houses, Out-houses, Yards, or on the Premises of any Inhabitant of the respective Parishes in which the said Roads do lie, 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 or guarding the same, or in returning back from conveying or guarding 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 returning back from carrying the same; 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 be 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, or returning from so doing; nor shall any of the Tolls hereby granted 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 re-
turning

turning from visiting any Sick Person, or upon any 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, Landauet, Chariot, Gig or other Carriage going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said Counties of *Kent* and *Sussex*, or either of them, 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 towards repairing or amending the said Roads, and the other Moiety thereof shall be paid to the Use of the Informer.

X. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining to the said Roads, or any of them, shall be so made and hung as to open inward towards such Field or Ground, and not outward towards the said Roads, or any of them; and that it shall be lawful for the said Trustees to cause all or any of such Gates as are now erected, and open outward towards any of the said Roads, to be altered and made to open inward, as they the said Trustees shall think proper.

All Gates to be made on the Sides of the Road to open inward towards the Field.

XI. And be it further enacted, That if any Person or Persons shall lay any Hay, Straw or other Matter or Thing in or upon any Part of the said Roads to be made into Manure, or shall scrape off any Gravel, Mud, Soil, or other Materials of or belonging to the said Roads, otherwise than by and under the Direction of the said Trustees; or shall wilfully turn out any Cattle or Pigs, for the Purpose of feeding or straying, in, along or by the Side of the said Roads, or any Part thereof; or if any Person or Persons shall leave any Waggon, Cart or other such Carriage, in or upon the said Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto (except in Cases of Accident, and except also during such reasonable Time as such Waggon, Cart or other Carriage shall be loading or unloading, and standing as near the Side of the said Roads as conveniently may be); or shall lay any Piece of Timber, or any Stones, Brick, Hay, Straw, Dung, Manure, Earth, Soil or other Matter or Thing whatsoever, in or upon any Part of the said Roads, or on the Side or Sides thereof, to the Prejudice of the said Roads, or to the Annoyance or Prejudice of any Person or Persons travelling thereon; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Persons laying Straw, &c. on the Roads.

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 regulating the Statute Labour on the said Roads.

[Loc. & Per.]

60

for

for any Two or more Justices of the Peace for the County in which such Roads, or any Part or Parts thereof are or is situate, and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Three or more of them, or by their Treasurer, Clerk, or Surveyor, by their Order yearly to adjudge and determine what Part and 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 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 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 appoint, allot, and order, such and so many of the Persons who shall appear subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year, upon the said Roads as the said Justices shall think reasonable, and the same shall be done at such Days and at such Times (not being Haytime 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 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 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 usual Place or Places of Abode for that Purpose, by any Surveyor of or to the said Trustees, shall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her or them, be subject and liable to such Pains, Penalties and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force or effect for the Repair of the 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 of or to the said Trustees, such Surveyor is hereby empowered

to remove and dismiss the Person who shall be so found idle or negligent as aforesaid, and in that Case any 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 Roads; all which Forfeitures shall be paid to the Treasurer of or to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in 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.

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 recited Acts or this Act for the Purposes thereof, which shall belong to any Body Politick, 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 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, 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 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

Application of
Compensation
Money when
amounting to
200 l.

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 where the Compensation Money is less than 20*l*.

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 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 or therefrom, 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 where the Money is less than 20*l*.

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

In case of not making out Titles, Purchase Money to be paid into the Bank, &c.

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 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

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 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 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.

subject to the Order of the Court of Chancery.

XVII. 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 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 of 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.

Respecting disputed Titles.

XVIII. 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 of 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,

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

[*Loc. & Per.*]

6 P

to

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 such 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 Sum or Sums of Money for such Purposes as the said Court shall direct.

XIX. And be it further enacted, That all the Costs, Charges, and Expences, incident to and attending the obtaining and passing of this Act, shall be paid and discharged out of any Money already collected or received by virtue of the said recited Acts or this Act, or out of the first Monies to arise by virtue of the said recited Acts and this Act, in preference to all other Payments whatsoever.

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.

XXI. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force and be executed for and during the Residue now to come and unexpired of the Term granted and continued 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1809.

For paying
the Expences
of the Act.

Public Act.

Term and
Continuance
of the Act.