



ANNO QUADRAGESIMO NONO

GEORGI II. REGIS.

*****]

Cap. 95.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Tunbridge Wells*, in the County of *Kent*, to the Cross Ways near *Maresfield Street*, and from *Florence Farm* to *Forest Row*, in the County of *Suffex*.
[20th May 1809.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled, *An Act for repairing, widening, and keeping in Repair the Road leading from Tunbridge Wells, in the County of Kent, to the Cross Ways near Maresfield Street, in the County of Suffex*: And whereas another Act was passed in the Twenty-eighth Year of His present Majesty, intituled, *An Act for continuing the Term and varying the Powers of an Act of the Sixth Year of His present Majesty, for repairing, widening, and keeping in Repair the Road leading from Tunbridge Wells, in the County of Kent, to the Cross Ways near Maresfield Street, in the County of Suffex; and for amending the Road from Florence Farm, in the Parish of Withyham, to Forest Row, in the Parish of East Grinstead, in the County of Suffex*: And whereas the Trustees acting in the Execution of the said Acts have made great Progress in the Repair of the said Roads, and for that Purpose have borrowed several considerable Sums of Money upon the Credit of the Tolls thereby granted, which still remain due, and cannot be repaid, nor the said Roads effectually amended, widened, and kept in good Repair, unless the Term granted by the said Acts be further continued, and the Powers and Provisions thereof in some Respects 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

[Loc. & Per.] 21 L

Former Acts
continued.

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, 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(except such Parts thereof as relate to Exemption from Stamp Duties, and also such as are hereby varied, altered, or repealed), shall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, in as full, ample, and beneficial a Manner,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 Alterations and Amendments herein contained, and which shall take Effect upon the passing of this Act, 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 of all Interest due and to grow due thereon respectively.

Additional
Trustees.

II. And be it further enacted, That the Right Honourable *Ralph* Lord Viscount *Nevill*, the Honourable *George Henry Nevill*, the Honourable *John Nevill*, the Honourable *William Nevill*, Sir *John Fagg* Baronet, *Isaac Lefevre*, *Sackville Stephen Bale* Clerk, *John Trayton Fuller*, *William Gordon* Clerk, *Bartholomew Huber*, *William Francis Woodgate*, *Henry Woodgate*, *Stephen Woodgate* Clerk, *John George Children*, *Jonathan Hammond* Clerk, *J Wells* of Redleaf, *Young* of Hollyhill, *Richard Chace*, *Henry Fry*, *Robert Mayne* Clerk, *Multon Lombard*, General *Houfoun*, *Michael Bromley*, the Right Honourable *John Trevor*, Sir *Thomas Turton* Baronet, Colonel *Malcolm*, *William Avis*, *John Hall Junior*, *Edward Raines* Clerk, *Edward Robert Raines* Clerk, *George Courtbope*, *James Burton*, *William Burton*, Sir *Edward Knatchbull* Baronet, Sir *Martin Browne Folkes* Baronet, Sir *James Graham* Baronet, *William Honeywood*, *John Fuller*, *Thomas Turner*, *Samuel Slade* Clerk, *Charles Abbott*, *John Patching*, *John Collins*, *Richard Whalley*, *John Bishop*, *Thomas Smith Panuwell*, *Henry Thwaites*, *Henry Thwaites Junior*, *John Lloyd*, *John Woodgate*, *Thomas Pinkard Bingham*, the Reverend *John Thomas Wilgress*, *John Mayo M. D.* *Joseph Delves*, *Thomas Delves*, *John Prince*, *Jasper Sprange*, *Richard Jones*, *Richard Jones Junior*, *John Stone*, *George Fry*, *Richard George Morgan*, *Robert Fry*, *William Maynard*, *William Turner*, *William Pickande*, *Henry Tom Mersden*, *George Landridge*, *William Austin Righbton*, *James Dorvis*, *Thomas Broadford*, the Reverend *Mathias D'Oyly*, the Reverend *George Woodward*, the Reverend *Thomas Rivitt*, *Thomas Turner*, *Richard J nner*, *James Saxby*, *William Lankshears*, *Arthur Knight*, *John Knight Junior*, Admiral *John Markham*, *Magens Dorrien Magens*, *John Woodward*, *Thomas Woodward*, the Right Honourable *Gustavus* Lord Viscount *Boyne*, the Reverend *Richard Turner*, *Augustus Elliott Fuller*, *William Camfield*, *Charles Payne Crawford*, *George Maximilian Bethune* Clerk, *Charles Bethune* Clerk, *John Saint*, *William Luther Sewell*, *Edward Langdale* Clerk, *William Breton Wolstonholme*, *Thomas Fulcher*, *William M'Kinstray* Clerk, *Thomas Stephens D. D.* *Martin Benson* Clerk, *Philip Moneypenny* Clerk, *Robert Morphett*, the Right Honourable *Charles* Lord *Whitworth*, Sir *George Buggin*, *Richard Partrick Satterley M. D.* *John Pullin Thomas*, *Christopher Gardiner*, *Charles Mogg*, *Baden Powell*, *Samuel Jefferys*, the Reverend *John Austin*, the Reverend *Robert Bingham*, *Abraham Spencer*, *William Garrett*,

Garrett, William Alston, George Bankin, Mawrice Halford Barrow, Thomas Bradford, Andrew Burt, John Burt, William Diplock, William Durrant, George Elliott, Edward Everest, Arthur Knight, William Lanksbear, Isaac Lowdell, John Shuter, Layton Smith, John Stenning, John Turner Junior, J. J. White, James Patching, John Hill Junior, and Captain Raper, shall be and are hereby joined with and added to the Trustees appointed in or by virtue of the said recited Acts, and shall in all Respects whatsoever have the like Powers and Authorities to act in the Execution of the said recited Acts and this Act, as if they had been named and appointed Trustees in and by the said recited Acts; and that the Meetings of the Trustees for putting the said recited Acts and this Act in Execution, shall from Time to Time be holden at the Public House called or known by the Name of *The Star* at *Withyham*, or at some other House of Public Entertainment in the Parishes of *Withyham* or *Hartfield*, any Thing in the said recited Acts contained to the contrary notwithstanding; and that the First Meeting after the passing of this Act shall be holden on the Twenty-first Day of *August* next ensuing.

III. And whereas by the said recited Act of the Twenty-eighth Year of the Reign of His present Majesty, all Carriages or Cattle carrying or conveying Turf or Peat to be used for Fuel by any poor Persons residing within either of the Parishes of *Hartfield* and *Withyham* are exempt from Payment of Toll, and it being deemed necessary and proper to extend such Exemption to the poor Persons residing in the several Parishes of *East Grinstead*, *Speldhurst*, and *Maresfield*, be it therefore further enacted, That the Turf and Peat to be used for Fuel by the poor Persons residing in the said Parishes of *East Grinstead*, *Speldhurst*, and *Maresfield*, shall be exempt from the Payment of Toll; any Thing in the said recited Acts contained to the contrary thereof notwithstanding.

Exemption of Turf and Peat for Fuel for the Poor extended to the Parishes of East Grinstead, Speldhurst, and Maresfield.

IV. And whereas by the said recited Act of the Sixth Year of the Reign of His present Majesty, it is enacted that no Gate or Turnpike shall be erected at or within the Distance of One Mile of the Cross Ways near *Maresfield Street*, which Provision is prejudicial to the said Road; be it therefore further enacted, That the said Provision shall be and is hereby repealed: Provided always, that no Gate or Gates shall, during the Continuance of this Act, be erected between the Town of *Tunbridge Wells* and the Extremity or West End of *Rustball Common*, nearest to *Lankington Green*.

Restrictions from erecting a Gate within one Mile of Maresfield repealed.

V. And be it further enacted, That from and after the passing of this Act, the several Exemptions from Toll mentioned and contained in the said first-recited Act, shall be and are hereby declared to be repealed; and 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 Roads, or any of the Roads in the Parishes in which any Part of such Roads lie, 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; nor 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

Exemptions from Tolls.

having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Compost, or Manure (Lime and Chalk excepted) employed in Husbandry for manuring or improving Lands; nor for any Horse or Cattle going to or returning from Pasture or Watering Places, or going to or from any Smith's Shop to be shod; nor of the Owners or Occupiers of any Lands in any of the said Parishes in and through which the said Roads pass, or their Servants going to or from their said respective Lands on the Business only of looking after such Lands, or the Stock or Crop upon the same, and not travelling more than Two Miles along the said Roads; nor for any Horses, Beasts, or Cattle passing in order to be used or employed only upon or for the Occupation of Land, or drawing any Cart, Waggon, Plough, or any Implement of Husbandry in order to be so used or employed, or to be repaired, unless the Carriage bearing any such Plough, Harrow, or other Implement of Husbandry be also laden with any other Thing not hereby intended to be exempted from Payment of Toll, nor 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 Parishes, nor 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; nor 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; nor 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; nor for any Horse, Cart, Cattle, or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; nor 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 *Kent* or *Suffex*, 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 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

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 for Overweight; 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 Reads, 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 if any Collector shall demand and take, or cause to be demanded and taken, any Toll not authorized by the said recited Acts to be taken, such Collector shall, for every such Offence forfeit the Sum of Forty Shillings: Provided always, that if the Justice by and before whom the Matter shall be heard, upon Application made to him for that Purpose by either of the Parties, shall be of Opinion that such Collector had probable Grounds for such Demand and Taking, it shall be lawful for such Justice to mitigate the said Penalty, or wholly to remit the same, as such Justice shall think fit; any Law or Statute to the contrary notwithstanding.

For punishing Collectors for Misconduct in collecting the Tolls.

VIII. 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 Roads, 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 *Kent* or *Suffex*, 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 Roads by the Inhabitants of the respective Parishes in which the said Roads lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, 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 to bring in true and perfect Lists in Writing 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 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

Statute Work.

Repair 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 on such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as 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 or liable to by any Law or Statute in force and 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 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 Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes 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.

IX. 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 Roads or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, and Hereditaments, of and in all or any of the Parishes, Townships, or Places in which the said Roads are 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 Roads, which Composition Money shall always be paid by the Sur-

veyor 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 Twenty-ninth Day of *September* 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.

X. 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 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, 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 the 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 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 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 Lands, Tenements, or Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of
Compensation
Money, if
amounting to
200l.

XI. 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

Under 200l.
and above 20l.

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 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 Privy 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 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 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 thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where the Money is less than 20 l.

XII. 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; subject to the Order of the Court of Chancery on Motion or Petition.

XIII. 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 Roads, 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 Privy of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (*describing them*), subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum and 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

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.

XIV. 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 Roads, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate or Interest in any Lands, Tenements, or Hereditaments, 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 one, 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.

XV. 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 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.

The Court of
Chancery may
order reason-
able Expences
of Purchases to
be paid by the
Trustees.

XVI. And be it further enacted, That all the Charges and Expences incident to and attending the obtaining and passing this Act, shall in the First Place be paid and defrayed out of the Money raised or to be raised on account of the said Roads.

For paying
the Expences
of this Act.

[*Loc. & Per.*]

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XVII. And

1890

49° GEORGII III. *Cap.* 95.

Public Act.

XVII. 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.

XVIII. And be it further enacted, That the said recited Acts (subject to the Alterations and Amendments herein contained) and this Act, shall continue and be in force and 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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