



ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. xvi.

An Act for more effectually repairing the Roads from the City of *Gloucester* to the Top of *Birdlip Hill*, and from the Foot of the said Hill to the Top of *Crickley Hill*, in the County of *Gloucester*.
[2d April 1827.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing, widening, and improving the Roads from the City of Gloucester to the Top of Birdlip Hill, and from the Foot of the said Hill to the Top of Crickley Hill in the County of Gloucester*: And whereas a considerable Sum of Money hath been borrowed on the Credit of the Tolls arising on the said Road, which Money still remains due and cannot be paid off, and the said Roads kept in sufficient Repair, unless the Term of the said Act be extended, and further Powers given to the Trustees for the better Execution of the Trusts reposed in them: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating*
[Local.] 3 O Turnpike

46 G. 3. c. 50.

3 G. 4. c. 126.

4 G. 4. c. 95.

Turnpike Roads in that Part of Great Britain called England: And whereas another Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled An Act to enable Justices of the Peace for Ridings, Divisions, or Sores, to act as Trustees for repairing and maintaining Turnpike Roads: 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 first-recited Act, and the several Powers, Exemptions, Penalties, Forfeitures, Provisions, Matters, and Things therein contained, shall, from and after the Thirtieth Day of June One thousand eight hundred and twenty-seven, be and the same are hereby repealed, and this Act shall from thenceforth commence and take effect, and be put in execution for repairing, maintaining, improving, and keeping the said Roads in repair.

Recited Act,
46 G. 3. c. 50.
repealed.

Powers of
General
Turnpike
Acts ex-
tended to
this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or otherwise provided for by this Act), and also the said recited Acts passed in the Fourth and Fifth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or provided for by this Act), shall be as good, valid, and effectual, for carrying this Act into Execution, as if the same had been respectively repeated and re-enacted in the Body of this Act.

The Term
and Tolls
liable to the
former
Debts, &c.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized to be collected on the said Roads, and of all the Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act.

Persons
owing Mo-
ney to the
Trustees
under former
Act to re-
main liable.

IV. And be it further enacted, That all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees for carrying the said first-recited Act hereby repealed into Execution, or to any other Person or Persons for the Benefit of the said Trust, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

Bonds, &c.
to remain in
force.

V. And be it further enacted, That all Bonds, Covenants, and Agreements, Contracts and Securities, entered into by any Person or Persons to or with the Trustees for repairing the said Roads, or

to or with their Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity until the same be fully satisfied and performed on account of the Trusts created by this Act; and all Contracts or Agreements duly made or entered into by the said Trustees, or their Clerk or Treasurer, or other Person or Persons on their Behalf as aforesaid, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms or Stipulations thereof respectively, notwithstanding the Repeal of the said first-recited Act.

VI. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said first-recited Act, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said first-recited Act had not been repealed.

Books used under former Act to be Evidence.

VII. And be it further enacted, That all Persons who are or have been employed, or who have received any Money on account of the Roads by the said first-recited Act authorized to be amended, improved, and kept in repair, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account for and pay and deliver over the same, and every Part thereof, to the Trustees in and by this Act named and appointed, in like Manner, and under the like Penalties and Forfeitures, as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts required to pay or account for the same.

Persons employed under former Act accountable to Trustees under this Act.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of Gloucester for the Time being, together with *Richard Adey, Thomas John Lloyd Baker, Richard Butt, William Fitzhardinge Berkeley, Maurice Frederick Fitzhardinge Berkeley, Anthony Bubb, Anthony Bubb the younger, Martin Barry Clerk, Michael Hicks Beach, James Buchanan, Francis Turner Bayley Clerk, Joseph Bonnor Cheston Clerk, James Commeline Clerk, Robert Canning, Thomas Commeline, Samuel Commeline, Thomas Commeline Clerk, William Cother of Wotton, William Cother of Gloucester, Charles Cother, Charles Church, Benjamin Claxson, Benjamin Saunders Claxson Clerk, Thomas Davis, Joshua Ellis, William Viner Ellis, Arthur Benoni Evans Clerk, Thomas Gordon Westfaling Freston Clerk, William Goodrich, William John Pitt Goodrich, Sir Berkeley William Guise Baronet, John Wright Guise, Charles Greenaway, William Griffith, Charles Griffith, Thomas Gray, Charles Hopkinson, Edmund Hopkinson, George Hopkinson, Charles Hopkinson the younger, George Henry Hopkinson, William Herbert, Richard Harwood, Charles Hough, Sir William Hicks Baronet, Edward Herbert, Richard Helps, James Helps, Joseph Terry Hone, Thomas Hill Clerk, Edward Jones Clerk, of Brockworth, Edward Jones Clerk, Vicar of Corse, Samuel Jones, John Jones, Henry Yates Jones, Thomas Jenkins, Arthur Hammond Jenkins, Walter Laurence Laurence,*

Trustees.

rence, William Morris, Robert Morris, John Mountain, William Montague, William Morgan Meyler, Roynon Mason, Daniel John Niblett, John Neale Clerk, John Philpotts, Thomas Russell, William Edward Rogers, Joseph Rea, John Michael Saunders, Francis Paul Stratford, William Russell Skey, Thomas Smith, John Sadler, John Turner, Thomas Turner, William Ellis Viner, David Walker, John Pleydell Wilton, Henry Hooper Wilton, Robert Wilton, William Wilton, Thomas Bullock Washbourn, William Washbourn, David Walters, James Woodbridge Walters, James Wintle, John Aubrey Whitcombe, Henry Whitcombe, James Wood, Frederick Woodcock, and Thomas Wallis, being duly qualified in manner directed by the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be, and they and their Successors, to be elected in manner directed by the said recited Acts, are hereby appointed Trustees for causing the said Road to be properly widened, amended, repaired, and improved, and otherwise putting the said last recited Acts and this Act into Execution.

Power to
appoint ad-
ditional
Trustees.

IX. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at a Meeting to be held for that Purpose, of which Meeting, and of the Purpose thereof, Fourteen Days Notice thereof shall be given, as is directed by the said recited Act of the Third Year of the Reign of His present Majesty respecting the Appointment of new Trustees on Vacancies, to elect, nominate, and appoint any Number of fit Persons (not exceeding Three in the whole) to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees, so elected and appointed, shall be and they are hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, as if they had been nominated and appointed in and by this Act.

First Meet-
ing of Trus-
tees.

X. And be it further enacted, That the said Trustees shall meet at the *Horse and Groom Inn* in the City of *Gloucester* aforesaid, or at some other convenient Place in the said City, on the Second Day of *July* One thousand eight hundred and twenty-seven, or as soon after as conveniently may be, and shall then and there proceed to put the said Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution.

Former Offi-
cers (except
the Trea-
surer) to con-
tinue.

XL And be it further enacted, That the Clerk, Surveyor, and other Officers (except the Treasurer) who have been appointed under and employed in the Execution of the said recited Act hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall respectively die, resign, or be displaced or removed by the said Trustees, or become incapable of executing them, and shall be subject to the like Rules and Regulations, Pains and Penalties, in all respects, as if they had been severally appointed under or by virtue of this Act and the said Acts of the Third and Fourth Years of the Reign of His present Majesty.

XII. And

XII. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of the said Act or of this Act, or the Partner or Partners of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner or Partners of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer and Clerk not to be the same Person.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees to continue or remove the several Turnpikes, Toll Gates, and Toll Houses now standing in, upon, or across the said Roads, or on the Sides thereof, and from Time to Time to erect any other Turnpikes, Toll Gates, or Bars, if they shall think fit, upon, across, or by the Side of any of the Roads by this Act authorized to be amended, improved, and kept in repair; and also to continue or erect proper Toll Houses, with sufficient Outhouses and Conveniences thereto, at or near every such Turnpike, Toll Gate, or Bar, and to inclose on the Sides of the said Roads suitable Gardens, not exceeding One Eighth Part of an Acre, for the Use and Convenience of the Occupiers of the said Toll Houses respectively.

Power to continue or erect Turnpikes.

XIV. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at any Special Meeting to be holden for that Purpose, of which public Notice, specifying the Time and Place for holding such Meeting, and the Purpose thereof, shall have been given Three Times in some Newspaper or Newspapers published or circulated in the City of *Gloucester*, and also by affixing a Copy of such Notice on all the Turnpikes, Toll Gates, and Side Gates which shall be then continued or erected and standing by virtue of this Act, at least Fourteen Days previously to such Meeting, to order and direct any of such Turnpikes, Toll Gates, or Side Gates to be removed and placed elsewhere, upon, across, or by the Side of any such Roads as aforesaid, in such Situations as to them the said

Power to remove Turnpikes.

[*Local.*]

3 P

Trustees

Trustees may appear fit and eligible, subject to the Provisoos and Restrictions herein contained.

Tolls.

XV. And be it further enacted, That the respective Tolls following may (subject to the Provisions, Restrictions, and Exemptions in this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained) be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate, which is now or which shall hereafter be set up or continued upon, across, or by the Side of the Roads by this Act directed to be maintained and kept in repair, by each and every Person who shall be authorized or continued by the said Trustees to receive the same, before any Horse, Mule, Ass, Beast, or other Cattle shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate; that is to say,

For every Horse, Ox, Mule, or other Beast (except an Ass), drawing any Coach, Chariot, Landau, Berlin, Curricule, Chaise, Chair, Calash, or other such like Carriage, the Sum of Sixpence:

For every Horse, Ox, Mule, or other Beast (except an Ass), drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Sixpence:

For every Ass drawing any Cart or other Carriage, the Sum of Two-pence:

For every Horse, Mule, or Ass, or other Beast, laden or unladen, and not drawing, the Sum of Two-pence:

For every Drove of Oxen or Neat Cattle, Ten-pence *per* Score, and so in proportion for any greater or less Number:

And for every Drove of Calves, Swine, Sheep, or Lambs, Five-pence *per* Score, and so in proportion for any greater or less Number.

Tolls vested in Trustees.

XVI. And be it further enacted, That all and every the Tolls by this Act authorized to be taken shall be vested in the said Trustees, and the same and every Part thereof shall be levied, collected, paid, applied, and disposed of in the Manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act.

Tolls to be paid only Once a Day.

XVII. And be it further enacted, That in case Toll shall have been paid for or in respect of any Horse, Beast, or Cattle, for passing through any of the Turnpikes, Toll Gates, or Side Gates, now erected, or hereafter to be erected or continued by virtue of this Act, no Toll shall be demanded or taken for or in respect of such Horse, Beast, or Cattle, for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate, the same Day, before Twelve of the Clock at Night; but that every Person, on producing a Note or Ticket denoting the Payment of Toll, shall (except in the Case herein-after mentioned), be permitted to pass through such Turnpike, Toll Gate, or Side Gate, with such Horse, Beast, or Cattle, Toll-free.

No more than One full Toll to be taken on the same Day.

XVIII. And be it further enacted, That no more than One full Toll shall be demanded and taken (except in the Case herein-after mentioned) for passing on the same Day through all the Turnpikes or Toll Gates on the Roads by this Act authorized to be improved and kept in repair.

XIX. Provided always, and be it further enacted, That no Horse or Horses, or other Beast or Beasts of Draught, for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, or Side Gates, returning the same Day through the same Turnpikes, Toll Gates, or Side Gates, drawing any other or different Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass Toll-free through the same Turnpikes, Toll Gates, or Side Gates, the same Day; any thing herein contained to the contrary thereof in anywise notwithstanding.

Horses drawing different Carriages to pay each Time of passing.

XX. Provided also, and be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, the Tolls hereby made payable shall be paid for every Time of passing and repassing along the said Road, in like Manner as if no Toll had been before paid thereat.

Stage Coaches, &c. to pay each Time of passing.

XXI. Provided always, and be it further enacted, That the said Tolls hereby made payable shall be paid for every Horse or Beast let out to hire, and drawing any Post Chaise or other Carriage, for each Time of passing or repassing along the said Road, whenever any fresh Hiring thereof shall take place.

Post Chaises to pay on every fresh Hiring.

XXII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said first-recited Act hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say), in the first Place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; secondly, in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls and Duties heretofore payable on the said Roads, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become payable on the said Roads; thirdly, in defraying the Expences of altering, widening, improving, repairing, diverting, and keeping in repair the said Roads, and of erecting, maintaining, providing, altering, and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the same Roads, and otherwise in executing the other Purposes of this Act; and lastly, in reducing, paying off, and discharging the several principal Sums of Money which have been borrowed and secured on the Credit of the Tolls arising

Application of Tolls and Money borrowed.

arising on the said Roads, and also the several principal Sums of Money which may hereafter be borrowed and secured by virtue of this Act, and all other Debts and Sums of Money now owing, and which may hereafter become due and owing, by or on account of the said Roads.

Application
of Compen-
sation when
amounting
to 200*l*.

1 G. 4. c. 35.

XXIII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffee in Trust, Guardian, Committee, Trustee, Feme Covert, or other incapacitated Person or Persons, such Monies shall, if the same 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King George the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, 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 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, 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 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 said Lands, Tenements, or Hereditaments to be purchased

purchased by virtue of this Act, in case such Purchase or Settlement were made.

XXIV. Provided always, and be it further enacted, That if any Money so agreed or assessed 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 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 Court of Exchequer, 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 the said Trustees for executing 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 and Interest arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application where under 200*l.* and exceeding 20*l.*

XXV. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Corporation or 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, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiotcy, 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.

Application where less than 20*l.*

XXVI. And be it further enacted, That in case the Corporation, or Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be so purchased by virtue of 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 the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed 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 be lawful for the said Trustees to order the said Sum or Sums of Money so awarded or assessed as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said

In case of not making out Titles, or Persons entitled not being found.

[*Local.*]

3 Q

Court

Court of Exchequer, to be placed to his Account to the Credit of the Party or Parties interested in the said Lands, Tenements, or Hereditaments, (describing him or them,) subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, 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 and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereto, 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 Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession presumptively entitled.

XXVII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Corporation, or Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Exchequer, 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 this Act, or of 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 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 be lawfully entitled to such Lands, Tenements, and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; 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 apparent to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

XXVIII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Corporation, or Person or Persons, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, 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

Act,

Act, 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, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded. Public Act.

XXX. And be it further enacted, That this Act shall commence upon the First Day of *July* One thousand eight hundred and twenty-seven, and shall from thenceforth continue for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament. Commence-
ment and
Continuance
of Acts.

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