



ANNO SEPTIMO

GEORGIIV. REGIS.

Cap. cxxvi.

An Act for more effectually repairing the Road from *Whitecross*, in the Parish of *Leven*, in *Holderness*, in the East Riding of the County of *York*, to the Town of *Beverley* in the said County. [26th May 1826.]

WHEREAS an Act was passed in the First Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and amending the Road leading from Whitecross, in the Parish of Leven, in Holderness, in the East Riding of the County of York, to the Town of Beverley in the said County:* 1 G. 3. c. 42. And whereas an Act was passed in the Twenty-second Year of the Reign of His said late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of an Act passed in the First Year of the Reign of His present Majesty, for repairing and amending the Road leading from Whitecross, in the Parish of Leven, in Holderness, in the East Riding of the County of York, to the Town of Beverley in the said County:* 22 G. 3. c. 90. And whereas an Act was passed in the Forty-fifth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to continue the Term, and alter and enlarge the Powers of Two Acts passed in the First and Twenty-second Years of His present Majesty, for repairing the Road leading from Whitecross, in the Parish of Leven, in Holderness, in the East Riding of the County of York, to the Town of Beverley* 45 G. 3. c. 95.

[Local.]

Beverley in the said County: And whereas the Trustees appointed in and by virtue of the said recited Acts have proceeded in the Execution thereof, and have borrowed several Sums of Money upon the Credit of the Tolls authorised by the said recited Acts to be demanded and taken, some Part of which Money still remains due and owing to the Person or Persons who advanced the same, and the said Road, from the Number of heavy Carriages passing thereon cannot be kept in so good and complete Repair as it now is unless the Term granted and continued by the said Acts be further continued; and it would be more convenient if the said recited Acts were repealed, and further, better, and more effectual Powers and Provisions granted for more effectually improving and keeping in repair the said Road; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King George the Fourth, 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 an Act was passed in the Fourth Year of the Reign of His said present Majesty King George the Fourth, 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 Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty King George the Fourth, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, 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 from and after the Third *Saturday* next after the passing of this Act the said recited Acts passed in the First, Twenty-second, and Forty-fifth Years of the Reign of His late Majesty King George the Third shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever, and instead thereof this Act shall commence and take Effect, and be put in Execution for and during the Term hereinafter mentioned, for the Purpose of more effectually improving and keeping in repair the Road leading from a certain Place called *Whitecross*, in the Parish of *Leven*, in *Holderness*, in the East Riding of the County of *York*, to the Two Stone Pillars situate at *Norwood End*, within the Town of *Beverley*, in the said East Riding of the County of *York*.

Former Acts repealed, and this Act to take effect in lieu thereof.

Powers of Acts of 3, 4, and 5 G. 4. extended to this Act.

II. And be it further enacted, That the said recited Act of the Third Year of the Reign of His said 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 said present Majesty, or varied, altered, 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 said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for

by this Act,) shall respectively be as good, valid, and effectual for carrying this Act into Execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

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 authorised to be taken by the said recited Acts of the First, Twenty-second, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, or any of them, at the several Turnpikes and Toll Bars of the said Road, and of all Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes as if such Money had been borrowed or become due and owing on the Credit and Security of the Tolls granted by this Act.

New Term
and Tolls
liable to
former
Debts.

IV. And be it further enacted, That all Persons who are or have been employed or who shall have received any Tolls or other Money on account of the said Road, or who shall have in their Custody or Possession any Money, Books, Accounts, Vouchers, Papers, Writings, or other Things relating to the said Road, shall account for, pay, and deliver over the same and every Part thereof to the Trustees by this Act 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 of the Third and Fourth Years of the Reign of His said present Majesty and this Act are by the said recited Act of the Fourth Year of the Reign of His said present Majesty required to pay or account for the same.

Officers
under former
Acts to ac-
count to the
Trustees
under this
Act.

V. And be it further enacted, That all and every Book or Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts of the First, Twenty-second, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third hereby repealed, or containing any Orders or Agreements made or entered into by them, 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 recited Acts had not been repealed.

Books under
former Acts
to be Evi-
dence.

VI. 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 carrying the said recited Acts of the First, Twenty-second, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third hereby repealed into Execution, or to or with their Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, according to the Provisions of the said recited Acts, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same are hereby fully paid, satisfied, and performed; and all Contracts and Agreements duly made or entered into by the said Trustees, or any 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 and

Bonds, &c.
under former
Acts to be
good under
this Act.

Stipulations

Stipulations thereof respectively, notwithstanding the Repeal of the said recited Acts of the First, Twenty-second, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Trustees.

VII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the East Riding of the County of *York*, together with *John Arden*, *John Blanchard* the younger, Clerk, *Edward Boghurst*, *Thomas Bainton*, *James Brown* Doctor of Medicine; *Mark Bell*, *John Bradshaw* Clerk, *Thomas Clubley*, *Charles Witty Clubley*, *Thomas Duesbury*, *Henry Ellison*, *Richard Ellison* the younger, *George Gibson*, *Marmaduke Hewitt*, *Thomas Hull* Doctor of Medicine, *Samuel Hall*, *John Hall*, *Charles Hall* Clerk, *James Hall*, *John Lister Hutchinson* Clerk, *Peter Jackson*, *Francis Iveson*, *John Lockwood*, *Francis Lundy* Clerk, *Henry William Maister*, *Christopher Machell*, *Christopher Scott Machell*, *Godfrey Park*, *Frederick Robertson*, *David Robinson*, *Henry John Shepherd*, *Stephen Jennings Soame*, *John Stocks*, *John Torre* Clerk, *John Williams*, *Richard Watt*, and *Francis Watt*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for carrying the said Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act into Execution.

Powers to appoint additional Trustees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorised and empowered, at their First or Second Meeting to be holden in pursuance of this Act, to elect, nominate, and appoint any Number of fit and proper Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty King *George* the Fourth, in addition to the Trustees hereby appointed and nominated; and such Trustees when so elected, nominated, and appointed, and being qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing this and the said recited Acts as if they had been named and appointed Trustees in and by this Act.

First Meeting of the Trustees.

IX. And be it further enacted, That the said Trustees shall meet at the Common Hall in the Town of *Beverley*, or at some other convenient House or Place in *Beverley* aforesaid, on the Third *Saturday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then and there proceed to put the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act into Execution.

Old Officers to continue in Office (except the Treasurer.)

X. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (except the Treasurer) nominated and appointed under and by virtue of the said recited Acts of the First, Twenty-second, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third hereby repealed, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom

therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all Respects whatsoever, as if he or they had been nominated or appointed under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, or any or either of them.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks 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 Clerks of any Person or Persons in the Service, or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or any other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or if any Treasurer or Treasurers shall hold or accept any Office or 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, or Wager of Law, nor more than one Imparlance, shall be allowed.

Treasurer
and Clerk
not to be
the same
Person.

XII. And be it further enacted, That the respective Tolls following shall (subject to the Provisions, Restrictions, and Exemptions in this and in the said recited Acts passed in the Third and Fourth Years of the Reign of His said present Majesty contained,) be demanded at each Turnpike and Toll Gate erected, set up, and continued, or which shall hereafter be erected or set up upon or across the said Road, by each and every Person and Persons whom the said Trustees shall from Time to Time appoint to receive the same, before any Horse, Mule, Ass, Beast, or other Cattle, or any Horse or other Beast drawing any Coach, Chariot, Chaise, Waggon,

Power to
take Tolls.

[Local.]

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gon,

gon, Wain, Cart, or other Carriage, shall be permitted to pass through any such Turnpike or Toll Gate ; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-vis, Curricle, Gig, Car, Whiskey, Caravan, Chair, Taxed Cart, or other Carriage of the like Kind, the Sum of One Penny Halfpenny :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, the Fellies of the Wheels being of the Breadth of Nine Inches or upwards, the Sum of One Halfpenny :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, the Fellies of the Wheels being of the Breadth of Four Inches and a Half and less than Nine Inches, the Sum of One Penny :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, the Fellies of the Wheels being of the Breadth of Three Inches and less than Four Inches and a Half, the Sum of One Penny Halfpenny :

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

For every Drove of Oxen or other Neat Cattle, the Sum of Three-pence *per* Score ; and so in Proportion for any greater or less Number :

And for every Drove of Calves, Swine, Pigs, Sheep, or Lambs, the Sum of One Penny Halfpenny *per* Score ; and so in Proportion for any greater or less Number.

Tolls vested in the Trustees.

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be vested in the said Trustees ; and the same and every Part thereof shall be levied, recovered, collected, paid, applied, varied, disposed of, and assigned 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.

One Toll to be taken in One Day.

XIII. Provided also, and be it further enacted, That no more than One full Toll shall be demanded or taken in the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) for passing or repassing with the same Horses, Cattle, Beasts, or Carriages through all or any of the Turnpikes or Toll Gates maintained and supported by virtue of the said recited Acts and this Act ; but after One full Toll shall have been paid as aforesaid, on a Note or Ticket, Notes or Tickets being produced, denoting the Payment of such Toll, the same Horses, Cattle, Beasts, and Carriages shall return Toll-free during such Day, to be computed as aforesaid, through all and every the Gate and Gates, Turnpike and Turnpikes, erected on the said Road, (except as hereinafter mentioned,) and all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis* on Receipt of the Toll in Manner aforesaid.

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

XIV. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach or any Stage Waggon, Van, Caravan, 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 or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Toll Gate, in like Manner as if no Toll had been before paid ; and

and the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire for every Time of passing or repassing along the said Road on the same Day, whenever a fresh Hiring thereof shall take place.

XV. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Acts of the First, Twenty-second, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act granted and made payable, together with all the Monies which shall be borrowed upon the Credit thereof, shall be applied and disposed of, in the first Place, in paying and defraying the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, and afterwards in amending, keeping in repair, and otherwise improving the Road hereby directed to be kept in repair, and then in paying off and discharging the Interest and Principal of the Money already borrowed or to be borrowed upon the Credit of the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act granted, and to and for no other Use or Purpose whatsoever.

Application of the Tolls and other Monies.

XVI. And be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate, or cause to be applied, expended, or appropriated, any of the Tolls hereby granted, or any of the Monies now borrowed or hereafter to be borrowed upon the Credit thereof, in or towards the Repairs of any of the Streets in the Town of *Beverley*.

Tolls not to be applied in repairing the Streets of *Beverley*.

XVII. 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 of the Third and Fourth Years of the Reign of His said present Majesty and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts particularly mentioned, 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing 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; 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

Application of Compensation Money when amounting to 200/.

1 G. 4. c. 35.

been

been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorise to be paid, affecting the same Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, 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 of Exchequer, 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 Purpose 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, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less
than 200l.
and not less
than 20l.

XVIII. 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 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, and 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 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 hereinbefore mentioned; 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, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends arising thereon may be applied in Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

XIX. And

XIX. And be it further enacted, That where such Money so agreed or awarded to be paid as 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, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy 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.

When less than 20/.

XX. 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 of the Third and Fourth Years of the Reign of His said present Majesty 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 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 be lawful 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 Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court; 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 be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not making out Titles.

XXI. 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 Exchequer, in pursuance of the said Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any 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

Where any Question shall arise touching the Title to Money.

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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

XXII. 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, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, 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 such last-mentioned Purchase from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Public Act.

XXIII. 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.

Commencement and Continuance of the Act.

XXIV. And be it further enacted, That this Act shall commence upon the Third *Saturday* next after the passing thereof, and shall continue and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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