



ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. lxxvii.

An Act for more effectually repairing so much of the Road from *Henley Bridge* to *Maidenhead Thicket* as lies between the said Bridge and the Thirtieth Mile Stone from *London*, in the Parish of *Bisham*, in the County of *Berks*.

[5th May 1826.]

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 and improving the Roads leading from Maidenhead Bridge to Reading, and from the said Bridge to Henley Bridge, in the County of Berks*; and by the said Act the several Roads therein described are divided into Three Districts, and the Road leading from the Twenty-ninth Mile Stone towards *Henley* to *Henley Bridge* was declared to be the Third District of the said Roads: And whereas another Act was passed in the Fifty-third Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Powers of an Act of His present Majesty, for repairing the Roads from Maidenhead Bridge to Reading, and from the said Bridge to Henley Bridge, in the County of Berks, so far as relates to the Third District of the said Roads*: And whereas considerable Sums of Money have from Time to Time been borrowed on the Credit of the several Tolls or Duties granted by the said recited Acts, the greater Part whereof still remains due and owing, and the same cannot be repaid, nor can the said Road be effectually repaired, unless the Term granted by the said recited Act be continued, and the Powers thereof

[Local.]

25 G

thereof enlarged, and the Tolls thereby granted increased : 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 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 Sokes, to act as Trustees for repairing and maintaining Turnpike Roads* : And whereas the Powers and Provisions of the said recited Acts of the Forty-sixth and Fifty-third Years of the Reign of His said late Majesty King George the Third have been found insufficient and ineffectual for the Repair of the said Road, and it would be more convenient to the Trustees acting in the Execution of the said Acts, and the Road under their Care might be more effectually repaired and improved, if the said Acts, so far as the same respectively relate to the Road leading from the Thirtieth Mile Stone towards *Henley* to *Henley Bridge*, being the Third District of the said Roads therein mentioned, were repealed, and further Powers and Provisions granted and enacted for repairing and improving so much of the said Road comprised in the said Third District as is hereinafter described : May it therefore please Your Majesty that it 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 *Friday* after the passing of this Act, the said recited Acts of the Forty-sixth and Fifty-third Years of the Reign of His said late Majesty King George the Third shall be and the same are hereby declared to be repealed ; so far as the same respectively relate to the Road hereinbefore described as the Third District of the said Roads, and that this Act shall thereupon commence and take effect, and shall, together with the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, be put in Execution, for and during the Term hereinafter mentioned, for the Purpose of amending and repairing the Road hereinafter described, (that is to say,) so much of the Road between *Henley Bridge* and *Maidenhead Thicket* as lies between the Site on which the Thirtieth Mile Stone from *London* now stands in the Parish of *Bisham*, to *Henley Bridge* aforesaid, in the County of *Berks*.

Recited
Acts of 46 &
53 G. 3. re-
pealed, so
far as they
relate to the
Third Dis-
trict of
Roads.

Powers of
3, 4, & 5 G. 4.
extended 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, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act, and also the said recited Act passed in the Fourth 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

such Parts thereof as are expressly varied, altered, or otherwise provided for by the Act,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Powers and Provisions therein contained, 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 all Books containing the Accounts and Proceedings of the Trustees acting in the Execution of the said former Acts hereby repealed, so far as the same relate to that Part of the said Road therein described as the Third District thereof, and provided and kept by them or by their Treasurer or Clerk under their Direction according to the Provisions of such Acts, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Books relative to former Acts to be Evidence.

IV. And be it further enacted, That all Arrears of Tolls and Rents and other Monies due to, and all other Property Real or Personal, and all Choses in and Right of Action either at Law or in Equity, vested in the Trustees acting in the Execution of the said former Acts or any of them, so far as the same respectively relate to the said Third District of the said Road, shall immediately on the passing of this Act be vested in the Trustees acting in the Execution of this Act; and such Trustees shall be and they are hereby authorized and empowered to receive and take Possession of the same, and for that Purpose to cause to be commenced and prosecuted any Action or Suit at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act; and all the Costs and Expences incurred by the Trustee or Trustees or Person or Persons in whose Name or Names such Proceeding shall be had shall be paid and defrayed by and out of the Monies to be raised by virtue of this Act, and the Monies when recovered shall be paid over to the Treasurer of the said Trustees, and be applied towards the Purposes of this Act.

Arrears of Tolls, &c. belonging to Trustees under former Acts vested in Trustees under this Act.

V. And be it further enacted, That this Act and the Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized to be taken on the same Roads, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act or of the Tolls hereby authorized to be collected; and all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said recited Acts shall be liable to the Payment thereof to the Trustees hereinafter appointed or directed to be appointed for executing this Act.

New Term and Tolls made liable to Debts under former Acts.

VI. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, Leases, Mortgages, and Securities made to or by, or entered into by any Person or Persons to or with the Trustees for executing the said recited Act, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity until the same be fully satisfied and performed on account of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices

Bonds, Contracts, &c. to be in Force.

Notices made, entered into, or given by the Trustees for executing the said recited Act with or to any Person or Persons for any Purpose relating to the said Road, or to the Execution of the said Act, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms and Stipulations thereof.

Securities on the Tolls and Transfers or other Dispositions thereof, or Copies of the same, to be delivered to the Clerk of the Trustees within Six Months, who shall enter the same in a Book.

VII. Provided always, and be it further enacted, That all and every Person and Persons having or claiming to have any Security or Securities whatsoever upon the Tolls by the said recited Acts, or any or either of them, authorized to be levied or taken on the said Road, shall, within Six Months from the passing of this Act, deliver or cause to be delivered to the Clerk of the Trustees acting in Execution of this Act all and every such Security or Securities, and all Assignments, Transfers, or other Dispositions thereof, or true Copies of such Security or Securities, Assignments, Transfers, or other Dispositions; and that the Clerk to the said Trustees shall cause fair and true Copies of all such Security or Securities, Assignments, Transfers, and other Dispositions, to be made and entered in a Book or Books to be kept by the said Trustees for the Purpose of entering Copies of all such Conveyances, Leases, Mortgages, Securities, Bonds, Covenants, Agreements, Contracts, and Bargains, as shall or may be made or entered into by, with, or to the said Trustees, pursuant and according to the Directions of the said Act passed in the Third Year of the Reign of His present Majesty, without Fee or Reward; and that in case the Original or Originals of any such Security or Securities, Assignments, Transfers, and other Dispositions, shall be delivered to the said Clerk of the said Trustees, then such Clerk shall cause Copies thereof to be made and entered in the said Book or Books, and the said Original or Originals to be returned to the Person or Persons delivering the same, or some other Person to be nominated by him, her, or them, within One Month next after such Delivery of the Originals to such Clerk; but in case Copies only of such Security or Securities, Assignments, Transfers, or other Dispositions, shall be delivered to such Clerk, then and in such Case the Original or Originals thereof shall be produced to such Clerk, to enable him to examine and compare the Copies so to be made and entered in such Book or Books with such Original or Originals.

Securities so entered may be transferred.

VIII. And be it further enacted, That all and every such Security and Securities, Copies whereof shall be so made and entered in such Book or Books as aforesaid, shall and may be assigned or transferred from Time to Time, in such and the same Manner and Form and according to the Directions prescribed and enacted by the said recited Act passed in the Third Year of His present Majesty.

Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Berks*, together with *William Henry Ashhurst*, *Joseph Appleton*, *Joseph Benwell*, *Peter Sarney Benwell*, *John Palmer Boteler* Clerk, *William Henry Brackspear*, *James Brooks*, *Hugh Barford*, *Sir William Clayton* Baronet, *East Clayton*, *William Combes*, *Thomas Darby* Coventry, *Samuel Cooper*, *Charles Cooper*, *Philip Barrett Cooper*, *Thomas Crouch*, *James Dixon*, *Sir Gilbert East* Baronet, the Honourable *Daniel Finch* Clerk, *John Fane*, *William Peere Williams* Freeman,

Freeman, Charles Robert Fanshawe Clerk, George Grote, Edmund Gardiner, Edward Green, Arthur Edward Howman Clerk, George Ernest Howman Clerk, Owen Hall, James Jane Clerk, Robert Innes, Thomas Ward Jeston, James King Clerk, Ebenezer Fuller Maitland, John Mangles, Nathaniel Micklem, Henry Micklem, Deacon Morrell Clerk, Edward Neale Clerk, Phillip Nind Clerk, Richard Ovey, James Owtbwaite, Horace Robert Pechell Clerk, Robert Pritchard Clerk, John Owen Parr Clerk, John Plumbe, John Plumbe the younger, William Parker, William Piercy, Henry Colbourne Ridley, John Roberts Clerk, Thomas Stonor, Thomas Stonor the Younger, Henry Eustatius Strickland, Edward Sarney, William Blackall Simonds, George Scobell Doctor in Divinity, Thomas Toovey, John Henry Tilson, William Augustus Towsey, William Vanderstegen, the Honourable Frederick West, Owen Williams, Thomas Williams, and William Young, being duly qualified according to the Provisions and Directions contained in 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 this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty into Execution.

X. 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 of their Meetings, to elect and appoint any Number of Persons (not exceeding Three in the whole in Addition to the Number of Trustees being named and appointed) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed, and being duly qualified, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to
appoint ad-
ditional
Trustees.

XI. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the Town Hall, or some other convenient Place, in the Town of *Henley-upon-Thames*, in the County of *Oxford*, on the Third Friday next after the passing of this Act, or as soon after as conveniently may be, and shall and may then, and from Time to Time after, adjourn to and meet at such Times and at such Place or Places upon or near the said Road as they shall think proper.

First Meet-
ing of Trus-
tees.

XII. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under or by virtue of the first-recited Act, or any of them, shall hold and enjoy such their several and respective Offices and Employments until they shall respectively die or resign the same, or shall be removed therefrom by the Trustees for executing this Act; and each and every such Clerk or Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all Respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers
to continue
until re-
moved by
Trustees.

[Local.]

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XIII. Pro-

Clerk not to
act as Trea-
surer, and
vice versâ.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or his Partner or Partners, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or his Partner or Partners, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or his Partner or Partners, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Employ or Service of any such Treasurer, or his Partner or Partners, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office 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 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, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Power to
erect Toll
Gates, Turn-
pikes, Side
Bars, Weigh-
ing Ma-
chines, &c.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue or remove all and every or any of the Toll Gates or Turnpikes and Toll Houses and Weighing Machines now standing or being in or upon or across the said Roads, or on the Sides thereof, and also to erect and set up or build, or cause to be erected, set up, and built, upon or across the said Road or any Part thereof, or upon the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Road suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, or to alter and discontinue the same or any of them, as they the said Trustees shall think proper and direct or appoint.

Tolls.

XV. And be it further enacted, That from and after the Third *Friday* after the passing of this Act it shall be lawful for the said Trustees, or such Person or Persons as shall be by them appointed, to demand, receive, and take from thenceforth during the Continuance of this Act, at the Turnpike or Toll Gate and Side Bar now erected and to be continued, or hereafter to be erected by virtue of this Act, the several Tolls and Duties hereinafter mentioned; (that is to say,)

For every Horse or other Beast drawing any Coach, Berlin, Landau, Hearse, Chariot, Chaise, Caravan, Calash, Chair, or other such Carriage, the Sum of Four-pence Halfpenny:

For

For every Horse or other Beast drawing any Waggon, Wain, Dray, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or upwards, the Sum of Three-pence :

For every Horse or other Beast drawing any Waggon, Wain, Dray, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Four Inches and a Half, and less than Six Inches, the Sum of Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, Dray, Cart, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth or Gauge than Four Inches and a Half, the Sum of Four-pence Halfpenny :

For every Horse, Mule, or Ass not drawing, the Sum of Two-pence :

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

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

XVI. Provided also, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse or Horses, Cattle, Beast, Carriage or Carriages, through any of such Turnpike, Toll Gate, Side Gate, or Bar continued or erected by virtue of this Act, the same Horse or Horses, Cattle, Beast, Carriage or Carriages shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free (except as hereinafter particularly mentioned) through the same Toll Gate, Turnpike, Side Gate, or Bar, and also through such other Gate or Gates (if any) as the Ticket for such Payment (such Ticket to be made out according to the Regulations and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty) shall be free at any Time during the same Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); any thing herein contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid but once a Day.

XVII. And be it further enacted, That no more than One full Toll shall be demanded or taken for or in respect of the same Horses, Beasts, or Cattle, (except as hereinafter mentioned) for passing on the same Day (such Day to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, or Side Gates, along the whole Line of the said Roads.

Limiting the Number of Tolls to be taken.

XVIII. Provided also, and be it further enacted, That the said Tolls shall be payable at the said Turnpike, Toll Gate, and Side Gate already erected on the said Road, and hereafter to be erected, in respect of Horses, Asses, or other Beasts of Draught, drawing any Waggon, Wain, Cart, or such like Carriage, for every Time during the same Day that any such Horse, Ass, or other Beast of Draught shall pass through the said Turnpike, Toll Gate, or Side Gate, drawing any other Waggon, Wain, Cart, or such like Carriage than that which such Horse, Ass, or other Beast of Draught was employed in drawing on any former Occasion during the same Day on which Toll shall have been paid.

Horses, &c. drawing different Waggon, &c. to pay each Time of passing.

XIX. Pro-

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

XIX. Provided always, and be it further enacted, That for or in respect of all Horses or other Beasts drawing any Stage Coach, 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 Gates, the Tolls hereby made payable shall be paid for every Time of passing or repassing through such Toll Gate, in like Manner as if no Toll had been paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise, and other Carriage travelling for Hire, for every Time of passing or repassing along the said Roads on the same Day, as often as a fresh Hiring thereof shall take place.

A Halfpenny
to be taken
when Tolls
amount to a
fractional
Part of a
Halfpenny.

XX. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Application
of the Tolls
and Money
to be bor-
rowed.

XXI. And be it further enacted, That out of the Monies already received by virtue of the said first Two recited Acts, and now in the Treasurer's Hand, or out of the first Money which shall arise or be received from the Tolls by this Act granted, or otherwise, the said Trustees shall in the first Place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with Interest for the Sum, and the Remainder of all such Monies shall (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones or Posts, and Fences, and for Books and Advertisements, Salaries of Officers, and other such Expences, incidental to the Execution of this Act,) be applied in the first Place in keeping down the Interest upon the Principal Monies advanced or borrowed or now due and owing on the Credit of the first Two recited Acts, or any or either of them, or which may hereafter be borrowed on the Credit of this Act, and afterwards in amending and maintaining in repair the said Roads, and in otherwise putting this Act into Execution, and then in repaying the Principal Monies already borrowed on the Credit of the said first Two recited Acts, and, lastly, in repaying the Principal Monies to be borrowed on the Credit of this Act.

Application
of Compens-
ation when
amounting to
200*l*.

XXII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes of the said Road, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to 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 Court of Exchequer, to be placed to his
Account

Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by 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, and shall, when so paid in, there remain, until the same shall, by Order of the said Court, 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, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out in a summary Way by Order of the said Court in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, 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, or capable of taking Effect; and in the mean time, and until such Order can be made, the said Money may, 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, or in Government or Real Securities; and in the mean time, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and Annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, 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 such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

XXIII. Provided also, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Road, 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 exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Trustees or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of England

When less than 200*l.* and amounting to 20*l.*

in the Name and with the Privy 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 directed, or otherwise the same may be paid, at the like Option and with the like Approbation of Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as hereinbefore directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

When under
20*l*.

XXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next hereinbefore mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid 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 purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and Benefit; or in Cases of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use of such Person or Persons respectively entitled thereto.

In case of
not making
out a good
Title, or if
Persons can-
not be found,
the Purchase
Money to be
paid into the
Bank, sub-
ject to the
Order of the
Court of Ex-
chequer on
Motion or
Petition.

XXV. 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 so to be purchased, taken, or used under or by virtue of the Powers 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 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 be lawful for the said Trustees, or any Three or more of them, 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 Privy of the Accountant General of the said Court of Exchequer, to be placed to his Account there, 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; 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereto, and

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 of *England* as aforesaid.

XXVI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer in pursuance of 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 this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, or Government or Real Securities, the Person or Persons who shall have been in Possession of any such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, 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.

In case of
disputed
Titles.

XXVII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of any Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or 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, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, 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.

Court may
order rea-
sonable Ex-
pences to be
paid by
Trustees.

XXVIII. 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.

XXIX. And

Commence-
ment and
Continuance
of this Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1826.