



ANNO QUADRAGESIMO SECUNDO

# GEORGI III. REGIS.

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## Cap. 4.

An Act for continuing the Term and altering and enlarging the Powers of Two Acts; the One, passed in the Thirteenth Year of the Reign of His present Majesty, for more effectually amending several Roads leading from and near the Borough of *Truro*, in the County of *Cornwall*, and for building and keeping in Repair a Bridge over the River at a Place called the *Steppings*, in or near the said Borough; and the other, passed in the Twenty-second Year of the Reign of His present Majesty, for extending the Provisions of the said former Act to the several other Roads therein described. [24th February 1802.]

WHEREAS by an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act for more effectually amending several Roads leading from and near the Borough of Truro, in the County of Cornwall, and for building a Bridge over the River at a Place called the Steppings, in or near the said Borough, several Tolls, Powers, and Authorities, were granted to the Trustees au-* 13 Geo. 3. and,  
[*Loci & Per.*] G thorized

thorized to put the said Act in Execution, to commence on the First Day of *June* One thousand seven hundred and seventy-three, and to have Continuance till the First Day of *June* One thousand seven hundred and eighty, (being the Residue of a Term then subsisting, under certain former Acts therein mentioned), and from the said First Day of *June* One thousand seven hundred and eighty, for a further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, for surveying, ordering, amending, and keeping in Repair, the several Roads therein described; and for building and keeping in Repair a Bridge over the said River at the said Place called the *Steppings*: And whereas by an Act passed in the Twenty-second Year of the Reign of His present Majesty, the Powers and Provisions of the said recited Act were (except as in the said latter Act mentioned), extended to the several other Roads therein described: And whereas the said Bridge hath been built, and the said Roads have been greatly improved, for which Purposes several considerable Sums of Money have from Time to Time been borrowed by the said Trustees on the Credit of the Tolls authorized to be taken on the said Roads, of which the Sum of Three thousand one hundred and fifty Pounds still remains due; and the same cannot be paid, nor can the said Bridge and Roads be kept in good Repair, unless the Term of the said recited Acts be continued, and further Tolls be granted; and it is expedient that the Provisions of the said Acts should in other Respects be altered: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all the Powers, Regulations, Remedies, Penalties, Forfeitures, Exemptions, Directions, Provisions, Clauses, Matters, and Things therein respectively contained (except such of them, or such Parts thereof, as are hereby altered or repealed, or are repugnant to any of the Provisions herein contained, and also except such of them as relate to Exemptions from Stamp Duties), shall be and are hereby further continued for the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; and this Act, and the additional Term, and the Tolls hereby granted, shall be, and are hereby declared to be, subject to the Payment of all the Money now due on the Credit of the said recited Acts, or either of them, or which shall be borrowed on the Credit of the said Acts and this Act, and the Interest due and to become due thereon respectively.

22 Geo. 3.  
recited.

Former Acts  
continued.

New Trustees.

II. And be it further enacted, That *John Hearle Tremayne, George Crocker Fox, Robert Ware Fox, Thomas Fox, George Fox, Edward Fox, Richard Fox, Samuel Tregellas Junior, John Williams, and John Williams Junior*, shall be, and they are hereby added to and joined with the Trustees appointed in or by virtue of the said recited Acts, or either of them, for putting the same and this Act in Execution; and the Trustees herein nominated, and their Successors, to be elected, and being qualified according to the Directions of the said first recited Act, are hereby empowered to act in the Execution of the said recited Acts, and of this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said former Acts.

III. And

III. And be it further enacted, That all Acts, Orders, and Determinations of the said Trustees, or any of them, in Execution of the Powers hereby in them vested, shall be made at some Meeting or Meetings to be holden in pursuance of the said recited Acts, or of this Act, and not otherwise (except as herein-after is excepted); and that no Act, Order, or Determination (except as aforesaid), shall be valid, unless the Majority of the Trustees present at the Meeting (such Meeting not consisting of less than the Number of Trustees authorized to do such Act, or make such Order or Determination, and no One of the Trustees composing such Majority being personally interested, otherwise than as being a Creditor of the Tolls hereby granted, in the Matter or Matters in question) shall concur in and sign the same; and that no such Act, Order, or Determination, shall be altered or revoked but at some publick Meeting of the said Trustees, of which, and of the Measure to be proposed thereat, Notice shall have been affixed in Writing on all the Turnpike Gates which shall be then erected on the said Roads, and shall have been published in some Weekly Newspaper usually circulated in the Neighbourhood thereof, at least Twenty-one Days before such intended Meeting; nor unless the Number of Trustees at such Meeting voting for such Alteration or Revocation shall exceed the Number of Trustees who concurred in such Act, Order, or Determination, and shall be Thirteen at the least.

All Acts of the Trustees to be done at their Meetings.

Orders to be made by the Majority present;

but not to be revoked by less than the Number making them, nor by less than 13 Trustees.

Meetings to be called on Emergencies.

IV. And be it further enacted, That if, after any Adjournment of the said Trustees it shall be thought necessary that an earlier Day of meeting should be appointed than the Day appointed by such Adjournment, the Clerk to the said Trustees, upon an Order in Writing, signed by any Five or more of them, (although not assembled at a Meeting), mentioning the Time, Place, and Purpose of such intended Meeting, shall forthwith give Notice thereof, by Writing affixed on all the Turnpike Gates then erected upon the said Roads, at least Fourteen Days before such Meeting, and such earlier Meeting shall and may be holden accordingly; and the Proceedings of the Trustees at such Meetings shall be as valid as if they had been holden in pursuance of Adjournments.

V. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue of the said recited Acts and this Act, or any or either of them, in the Name of their Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of, or against the said Trustees by virtue of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of any such Clerk, or by his Act, without the Consent of the said Trustees, or any Five or more of them, but that the Clerk for the Time being of the said Trustees shall be deemed Plaintiff or Defendant, as the Case may be, in such Action or Suit.

Trustees may sue and be sued in the Name of their Clerk.

VI. Provided always, That every such Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall, out of the Monies to arise in pursuance of the said recited Acts and this Act, be fully reimbursed all such reasonable Costs, Charges, Damages, and Expences, as by the Event, or in consequence of any such Action or Suit, he shall expend or be put unto by reason of his being so made Plaintiff or Defendant as aforesaid.

Clerk to be reimbursed his Expences.

Proceedings  
to be entered  
in a Book,

which may be  
inspected and  
copied.

Books may be  
read in Evi-  
dence.

Former Tolls  
to cease.

New Tolls.

VII. And be it further enacted, That full and true Accounts and Entries of all the Monies which shall be collected, borrowed, and received; paid, laid out, and expended by virtue of the said recited Acts and this Act, and of all Debts due to or from the said Trustees, and all Orders, Resolutions, Determinations, Acts, and Proceedings which shall be made or done by the said Trustees in the Execution of the said recited Acts and this Act, or any or either of them, shall, from Time to Time, be duly and regularly entered in One or more Book or Books to be by the Clerk of the said Trustees kept for that Purpose; and that every Person whosoever may inspect and peruse such Book and Books at all reasonable Times *gratis*, and have Extracts or Copies thereof, paying at the Rate of Two-pence for every One hundred Words or Figures: And the Orders, Resolutions, Determinations, Acts, and Proceedings so entered shall be signed by the Clerk, and, being so signed, shall be deemed and taken to be Originals; all which Books, and also the Books wherein are entered the Proceedings and Accounts of the Trustees in Execution of the said recited Acts or either of them, shall and may be produced, admitted, and read in Evidence in all Courts and Places whatsoever.

VIII. And be it further enacted, That the several Tolls granted by the said first recited Act shall cease, and that instead thereof, the several Tolls herein-after mentioned shall be demanded and taken at every Toll Gate or Turnpike which shall be erected or continued upon any of the said Roads by virtue of this Act, before any Horse, Ox, or other Beast; or Cattle, or any Carriage, shall be permitted to pass through the same: At all Times, except on *Sunday*, there shall be demanded and taken the Tolls following, that is to say,

For every Coach, Chariot, Landau, Berlin, Chaise, Chaise-Marine, Calash, Chair, Caravan, Hearse, Litter, or other such Carriage drawn by Six Horses, or other Cattle or Beasts, the Sum of One Shilling and Sixpence; and drawn by Four Horses or other Cattle or Beasts, the Sum of One Shilling; and drawn by Two Horses or other Cattle or Beasts, the Sum of Nine-pence; and drawn by One Horse or other Cattle or Beast, the Sum of Sixpence: For every Waggon, Wain, Butt, Cart, or other such Carriage, drawn by Five or more Oxen, Horses, or other Cattle or Beasts, the Sum of One Shilling and Sixpence; and drawn by Three or Four Oxen, Horses, or other Cattle or Beasts, the Sum of One Shilling; and drawn by Two Oxen, Horses, or other Cattle or Beasts, the Sum of Nine-pence; and drawn by One Ox, Horse, or other Cattle or Beast, the Sum of Four-pence-Halfpenny: For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burthen, laden or not laden, and not drawing, the Sum of Three Halfpence: For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Threepence for a Score; and so in Proportion for any greater or less Number: For every Drove of Calves, Swine, Sheep, Lambs, or Goats, the Sum of Eight-pence for a Score; and so in Proportion for any greater or less Number: And on *Sunday*, there shall be demanded and taken Double the said several Tolls respectively.

Which said several Tolls herein-before mentioned shall be, and the same are hereby vested in the said Trustees, and the same and every or any Part thereof shall be collected, levied, recovered, paid, applied, assigned,

signed, varied, and disposed of in the same Manner and Form, and by such Ways and Means, and with such Remedies for the Non-payment or Evasion thereof, and with such Powers, Provisions, and Restrictions, as in the said recited Acts is expressed with respect to the Tolls by the said first recited Act granted, except as herein is expressly declared or provided to the contrary.

IX. And be it further enacted, That from and after the Twenty-ninth Day of September One thousand eight hundred and two, no Waggon, Wain, Cart, or other such Carriage (except such as shall be entitled to the Benefit of the Exemptions herein-after contained) having any Wheel, the Tire upon the Sole or Bottom of the Felly whereof, or having any Drag, or Thing used as a Drag, the Sole or Bottom whereof shall deviate respectively more than a Half of an Inch from a flat or level Surface, or although it shall not deviate more than Half an Inch therefrom, shall not rise as nearly as may be with an equal and regular Gradation from the Edges thereof to the Center, shall pass or be drawn on any of the said Roads with a greater Number of Horses than are allowed to Waggon, Wains, Carts, and other such Carriages respectively, having the Sole or Bottom of the Fellyes of the Wheels thereof of less Breadth than Six Inches, by an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act to explain, amend, and reduce into One Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called England, and for other Purposes*; and the Owner and Driver of every such Waggon, Wain, Cart, or other Carriage, shall, for every Offence against the Provisions aforesaid, be respectively subject to the several Penalties imposed by the said Act on the Owner or Driver respectively, of Carriages drawn by more than the Number of Horses therein limited to such Carriages respectively; which said Penalties shall and may be recovered in the same Manner, and under the same Restrictions and Limitations, as the Penalties imposed by the said Act may be recovered.

Carriages having Wheels, the Fellyes whereof shall deviate more than Half an Inch from a flat Surface, shall not be drawn with a greater Number of Horses than are allowed by the General Act to Carriages having Wheels less than Six Inches broad.

X. And whereas it is expedient that the Powers vested in the Trustees under the said first-recited Act, for the reducing and again advancing of the Tolls thereby granted, should be subjected to further Restrictions; be it therefore further enacted, That the said Powers shall be and the same are hereby repealed and made void, and that it shall and may be lawful to and for the said Trustees, and they or any Seven or more of them are hereby empowered, when and as soon as the greatest Part of the Money, which shall have been borrowed upon the Credit of the said first-recited Act and this Act, shall have been paid and discharged at a Meeting to be holden for that Purpose, of which and of the Measure to be proposed thereat, One Calendar Month's Notice shall be given in Writing by the Clerk of the said Trustees, to be affixed on all the Toll Gates or Turnpikes which shall then be erected upon the said Roads, and in some publick Newspaper printed in the said County, or, if there be none such, then in some publick Newspaper printed in some neighbouring County, and in general Circulation in the said County of *Cornwall*, from Time to Time to lessen or reduce all or any of the Tolls hereby granted for and during such Time, to commence not sooner than Two Calendar Months after such Meeting, as the said Trustees, or any Seven or more of them, shall think proper; and afterwards at any Meeting to be holden as aforesaid,

Clause in the 13th Geo. 3. enabling the Trustees to reduce and advance the Tolls repealed.

New Powers for that Purpose.

[Loc. & Per.]

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from Time to Time, as they shall see Occasion, to advance II or any of the said Tolls so lessened to any Sum or Sums of Money not exceeding the several Rates hereby granted.

Tolls not to be lessened without the Consent of Creditors entitled to Five Sixths of the Debt remaining due on the Tolls.

Nor without Six Weeks Notice to the Lessee.

Who, upon giving 40 Days Notice to the Treasurer or Clerk, shall be released from their Contracts.

Former Exemptions repealed.

New Exemptions.

XI. Provided nevertheless, That no such Tolls shall be lessened or reduced without the Consent of the Person or Persons entitled to Five Sixths of the Money remaining due (if any) thereon; nor unless the Clerk of the said Trustees for the Time being shall deliver or cause to be delivered to every of the Lessees of the Tolls to be reduced, at least Six Weeks before the Day on which the Reduction shall commence, a true Copy of the Order for reducing the same; and it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby required to release all and every such Lessees or Lessee from his or their respective Contracts or Contract, upon the Day on which such Reduction shall commence: Provided he or they shall give Forty Days Notice in Writing to the Treasurer or Clerk of the said Trustees, of his or their Desire to be released therefrom.

XII. And whereas it is expedient that the several Exemptions from Payment of Toll allowed by the said first-recited Act, should be repealed, and that others less liable to Abuse should be substituted in their stead, be it therefore enacted, That all and singular the Exemptions from Toll allowed by the said first-recited Act shall be and the same are hereby repealed; and that from and after the passing of this Act no Toll shall be demanded or received for any Horse or other Beast, or any Cattle or Carriage which shall be going unladen or empty for, or which shall be solely employed in conveying, or which shall be returning unladen or empty after having been employed only in conveying Materials for the Repair of any Turnpike Road or publick Highway, or Dung, Mould, Sand, Compost, or other Manure, for the manuring of Lands, or Hay, Straw, Fodder, Corn in the Straw, Potatoes, Turnips, or other Produce of Lands (except Timber, and the Loppings of Trees, Bark, and Underwood) untold or not for Sale, and brought immediately from the Lands where the same grew or were first ricked, stacked, or housed, and intended to be consumed by, or to be laid up in Store on the Premises of the Grower thereof, being an Inhabitant or Occupier of Lands lying in any of the Parishes through which any of the said Roads lead, or any Implements of Husbandry only being the Property of any such Inhabitant or Occupier; nor shall any Toll be taken for any Horse, or other Beast or Cattle, going to or returning from Water or Pasture, from One Parish to the next adjoining Parish, or from being shod or farried, which shall not in so going or returning pass upon any of the said Roads for more than the Space of Two Miles; nor shall any Toll be demanded or taken of or from any Rector, Vicar, or Curate going to or returning from his own Parish Church, or other Place of Divine Worship, or visiting his sick Parishioners; or from any Person or Persons going to or returning from their own Parish Church, or other Place of Divine Worship, situate in the Parish wherein such Person or Persons shall dwell, upon *Sundays* or any other Day on which Divine Worship is ordered by Authority to be celebrated; or any Person or Persons going to or returning from the Funeral of any Person who shall die and be buried in either of the said Parishes; nor shall any Toll be demanded or taken for any Horses or Carriages employed

or to be employed in conveying the Mails of Letters or Expresses under the Authority of His Majesty's Post-master General, either when employed in conveying such Mails or Expresses, or in returning back from conveying the same; nor for any Horses belonging to Officers or Soldiers upon their March or upon Duty, or for any Horses, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any such wounded or disabled Officers or Soldiers, or for Horses or Cattle employed only in the Conveyance of Vagrants sent by legal Passes, or for Horses or other Beasts drawing any Carriage with, or carrying Passengers going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of Cornwall on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall take or claim the Benefit of any of the Exemptions aforesaid, not being entitled thereto, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

XIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, in any Way relating to the said Tolls, or in case of any Proceeding or Prosecution for the obtaining of any of the Penalties imposed by the said recited Acts and this Act, or either of them, the Person or Persons appointed or duly authorized to collect the said Tolls, or any other Person acting by the Authority of the said Trustees, shall be competent to give Evidence in any such Dispute, Suit, Litigation, or Prosecution.

Toll Collectors, etc. to be competent Witnesses.

XIV. And whereas some Parts of the said Roads do or may lead over or by Open Fields, Commons, or Waste Grounds, whereby the Tolls may be avoided, be it therefore enacted, That the said Trustees, or any Five or more of them, may cause Fences and Ditches to be erected and made over such Parts of such Fields, Commons, or Waste Grounds, as they shall think necessary in order to prevent the Payment of Tolls being avoided; and if any Person shall maliciously pull down, displace, or demolish any such Fence, or any Part thereof, or fill in or otherwise damage any such Ditch, or any Part thereof, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Ten Shillings over and above the Expence of repairing or clearing the same.

Fencing of Commons.

XV. And be it further enacted, That if any Person shall take away any Materials which shall have been lawfully dug, gotten, or collected for the Purposes of this Act; or if any Person (other than the Owner or Occupier of any private Ground, and his Servant or Workman by his Direction, for his private Use only and not for Sale) shall dig, raise, or remove any Materials out of any Pit or Quarry which shall have been made for the Purpose of procuring Materials for any of the said Roads, until the Surveyor or Surveyors thereof, or his or their Workmen shall have ceased for One Calendar Month to work therein, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Ten Shillings.

Penalty on taking away Materials collected for repairing the Roads.

XVI. And

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 Exempting  
 the Occupier  
 of Perran  
 River Wharf  
 from Toll,  
 in Considera-  
 tion of an  
 annual Pay-  
 ment.

XVI. And whereas it is by the the said first recited Act provided, That no Turnpike Gate shall be erected within Two Miles of the Turnpike Gate erected at a Place called *Lower Carnan*: And whereas the Purpose of the said Provision was in Consideration of their Payment of the annual Sum of Sixteen Pounds, to exempt the Occupiers of a certain Wharf called *Perran River Wharf*, from Toll, in respect of their using for the Purpose of their Trade, a certain Part of the Turnpike Road leading from *Truro* to *Penryn*, therein described, and the same Purpose may be better effected in the Manner herein-after mentioned; be it enacted, That the said recited Provision shall be, and the same is hereby repealed; and that, in Consideration of the said annual Sum of Sixteen Pounds to be paid by the Occupiers of the said Wharf for the Time being, as in the said Act mentioned, no Toll shall be demanded or taken at any Turnpike Gate erected or to be erected on the said Road leading from *Truro* to *Penryn*, or on the Road leading from *Truro* to *Helstone*, for any Horse, Cattle, or Carriage, which shall be employed, or shall be returning after having been employed only in conveying from or to the said Wharf to or from any Mine or Mines, any Ores or other Commodities, Goods, Wares, Merchandizes, or Things for the Use thereof, or raised therein, provided that such Horse, Cattle, or Carriage, do not travel or pass over the said last-mentioned Roads, or either of them, for more than the Space of Three Quarters of a Mile in going, and Three Quarters of a Mile in returning, in any One Day.

Exempting  
 Carriages  
 conveying  
 Goods to and  
 from certain  
 Wharfs from  
 Toll.

XVII. And whereas it is reasonable that the like Exemption should be extended, upon similar Conditions, to the Occupiers of the several other Wharfs, or Places of Trade herein-after mentioned; be it therefore further enacted, That no Toll shall be demanded or taken at any Turnpike Gate erected or to be erected on either of the Roads last-mentioned, for any Horse, Cattle, or Carriage, which shall be employed, or shall be returning after having been employed only in conveying from or to the several Wharfs or Places of Trade herein-after mentioned, (that is to say), *Point Pill*, *King Harry*, *Round Wood*, *Newham*, *Deveron*, *Restronguet*, and *Harcourt*, or either of them, to or from any Mine or Mines, any Ores or other Commodities, Goods, Wares, Merchandizes, or Things, for the Use thereof, or raised therein; provided that such Horse, Cattle, or Carriage, do not travel or pass over the said last-mentioned Roads, or either of them, for more than the Space of Three Quarters of a Mile in going, and Three Quarters of a Mile in returning, in any One Day.

Charging the  
 Owners of  
 such Wharfs  
 with an an-  
 nual Sum.

XVIII. Provided also, and be it enacted, That during such Time as any such Horses, Cattle, or Carriages shall, by virtue of the said Exemption in the Conveyance of Ores, or any such other Things as aforesaid, to or from any of the said last-mentioned Wharfs or Places of Trade, pass Toll free through any such Gate, the Occupiers for the Time being of such Wharfs or Places of Trade respectively in Consideration thereof, do and shall pay, or cause to be paid to the Treasurer of the said Roads for the Time being, to be by him applied to the Purposes of the said recited Act, and this Act, the annual Sum of Sixteen Pounds by Two equal Payments, on the Twenty-fifth Day of *December*, and the Twenty-fourth Day of *June* in every Year, the first Payment thereof to be made on such of the said Days as shall happen next after the Benefit of such Exemption shall be taken, and in Default thereof, the said Treasurer shall have the same  
 Power



Power and Authority for the Recovery of the same, or any Part thereof, as he can or may have or exercise by virtue of the said first-recited Act for the Recovery of the said annual Sum of Sixteen Pounds therein directed to be paid by the Occupiers for the Time being of *Perran River Wharf* aforesaid, or any Part thereof.

XIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts, and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity, as in the said recited 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 High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said Acts, and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Parts thereof, as the said Court shall authorize to be paid; affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments, standing settled therewith to the same or 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 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 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 Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

Application of Compensation where exceeding 200 l.

XX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands 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 exceed the Sum of Twenty Pounds, then, and in all such Cases, the

Application where the Compensation does not exceed 200 l. nor less than 20 l.

[*Loc. & Per.*]

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same

same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands), be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid (at the like Option) to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of 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 any Manner herein-before directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

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

XXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Distress not unlawful for Want of Form.

Special Damages to be recovered by Action upon the Case.

Plaintiffs not to recover without 21 Days Notice in Writing.

Nor after Tender of Amends.

Defendant may pay Money into Court.

XXII. And be it further enacted, That no Distress made under the said recited Acts and this Act, or any or either of them, shall be deemed unlawful, nor shall the Party making it be deemed a Trespasser for Want of Form in the Proceedings, nor shall he be deemed a Trespasser *ab initio* on Account of any Irregularity afterwards committed, but the Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, or for any Trespass or other wrongful Proceeding, unless Notice in Writing, signed by his, her, or their Attorney, specifying the Cause of Action, shall have been given to the Defendant or Defendants at least Twenty-one Days before the same shall have been brought; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought; and if no such Tender of Amends shall have been made, it shall be lawful for the Defendant or Defendants, (by Leave of the Court), at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit; whereupon such Proceedings, Orders, and Judgements, shall be had, made, and given in and by such Court, as in other Actions where Defendants are allowed to pay Money into Court.

XXIII. And

XXIII. And be it further enacted, That the Charges and Expences incurred in and about the applying for, preparing, obtaining, and passing of this Act, shall be paid out of any Money already raised by virtue of the said first-recited Act, or out of the First Monies to be raised by virtue of the said Act, and of this Act. Expences of  
the Act.

XXIV. And be it further enacted, That this Act shall commence and take Place from the Expiration of the Term granted by the said first-recited Act, and shall continue in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, and shall be deemed, adjudged, and taken to be a publick Act, and shall as such be judicially taken Notice of by all Judges, Justices, and other Persons, without the same being specially pleaded. Commence-  
ment and  
Continuance  
of the Act.  
  
Publick Act.

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