



ANNO QUADRAGESIMO QUINTO

GEORGI II. REGIS.

\*\*\*\*\*

*Cap. 76.*

An Act to continue the Term and alter and enlarge the Powers of Two Acts, passed in the Fourth and Twenty-fourth Years of His present Majesty, for repairing and widening the Roads from *Spalding High Bridge* to the Market Place in *Donington*, and from the Tenth Mile Stone in the Parish of *Gosbertown*, to the Eighth Mile Stone in the Parish of *Wigtoft*, in the County of *Lincoln*.

[27th June 1805.]

**W**HEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty King *George the Third*, intituled, *An Act for repairing and widening the Roads from Spalding High Bridge, to the Market Place in Donington, and from the Tenth Mile Stone in the Parish of Gosbertown, to the Eighth Mile Stone in the Parish of Wigtoft, in the County of Lincoln*: And whereas an Act was passed in the Twenty-fourth Year of the Reign of His present Majesty for continuing and amending the said recited Act: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded to put the same into Execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain

4 G. 3.

24 G. 3.



Acts of 4th  
and 24th  
G. 3. conti-  
nued.

due and cannot be repaid, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term of the said Acts is continued, some of the Powers and Provisions of the said Acts altered, enlarged, and amended, and the Tolls increased; 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 in part recited Acts, passed in the Fourth and Twenty-fourth Years of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, Penalties, and Clauses therein contained (except such as relate to Exemption from Stamp Duties) shall be and continue in full Force, and be executed for and during the Term herein after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were herein particularly repeated and re-enacted; but subject nevertheless to the Amendments, Variations, Alterations, and Additions herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the additional Term, and the Tolls hereby granted, shall be and are hereby made subject to the Payment of all Money now due and owing upon the Credit or on Account of the said former Acts, or which may hereafter be borrowed or become due and owing on the Credit of the said former Acts and this Act, and of all Interest due and to grow due for the same respectively.

Additional  
Trustees.

II. And be it further enacted, That *Frederick Apthorp* Clerk, *Henry Bugg*, *John Calthrop*, *William Dods*, *Samuel Elsdale* Clerk, *Robinson Elsdale*, *James Epworth*, *Thomas Arnall Glead*, *Richard Glead*, *George Hutton* Clerk, *Henry Hawkes*, *George Holland*, *Maurice Johnson* the younger, *Theophilus Fairfax Johnson*, *George Johnson*, *Dickinson Jennings*, *George Jennings*, *Henry Thomas Jennings*, *George Metcalfe* the younger, *Thomas Maples*, *James Markillie*, *Charles Odlin*, *Carwood Robinson*, *Thomas Thorpe* the younger, *William Wright*, and *James Wilcockson*, being qualified according to the Directions of the said first recited Act, shall be and they are hereby appointed Trustees, and shall be added to and joined with the Trustees appointed by or in pursuance of the said former Acts or either of them, for putting the said former Acts and this Act into Execution, as fully and effectually, to all Intents and Purposes, as if they had been originally appointed Trustees in and by the said former Acts or either of them.

Treasurer,  
&c. to give  
Security.

III. And be it further enacted, That the said Trustees shall and they are hereby required to take such Security from the Treasurer or Treasurers, Receiver and Receivers, Collector and Collectors, Surveyor or Surveyors, and from any other Officers to be appointed in pursuance of the said recited Acts and this Act, for the faithful Execution of their respective Offices, as the said Trustees shall think proper.

Former Tolls  
repealed, and  
others grant-  
ed.

IV. And whereas the Tolls now authorized to be taken on the said Roads are found insufficient, be it therefore further enacted, That on the passing of this Act all the said Tolls shall cease, determine, and be no longer paid, and are hereby declared to be repealed; and that instead and in lieu thereof, the following Tolls shall be demanded and taken at each and every, or any of the Gates or Turnpikes erected or to be erect-  
ed



ed upon or on either Side of the said Roads, by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time appoint for that Purpose, before any Horse, Cattle, Beast, or Carriage herein after specified, shall be permitted to pass through the same; that is to say:

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Bur- Tolls.  
then, laden or unladen, and not drawing, the Sum of Two-pence:

For every Horse, Mare, Gelding, Mule, Ox, Bullock, or other Beast of Draught, drawing any Waggon or Cart, the Fellies of the Wheels of which are of the Breadth of Six Inches or more, the Sum of Four-pence:

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing any Waggon or Cart, the Fellies of the Wheels of which are of less Breadth than Six Inches, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Draught, drawing any Coach, Chariot, Calash, Chaise, or other such Carriage, the Sum of Four-pence Halfpenny:

For every Drove of Oxen, Cows, Burlings, or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score:

For Half a Score, the Sum of Seven-pence Halfpenny:

For a Quarter of a Score, the Sum of Four-pence:

For Four only of such Oxen, Cows, Burlings, or Neat Cattle, or for Four above a Score, Half Score, or Quarter Score, the Sum of Three-pence:

For Three only of such Oxen, Cows, Burlings, or Neat Cattle, or for Three above a Score, Half Score, or Quarter Score, the Sum of Two-pence Halfpenny:

For Two only of such Oxen, Cows, Burlings, or Neat Cattle, or for Two above a Score, Half Score, or Quarter Score, the Sum of Two-pence:

For One only of such Oxen, Cows, Burlings, or Neat Cattle, or for One above a Score, Half Score, or Quarter Score, the Sum of One-penny:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Six-pence *per* Score:

For Half a Score, the Sum of Three-pence:

For a Quarter of a Score, the Sum of One-penny Halfpenny:

For Four or Three only of such Calves, Hogs, Sheep, or Lambs, or for Four or Three above a Score, Half Score, or Quarter Score, the Sum of One-penny:

For Two or One only of such Calves, Hogs, Sheep, or Lambs, or for Two or One above a Score, Half Score, or Quarter Score, the Sum of One Halfpenny:

Which said several and respective Tolls are hereby vested in the said Trustees; and the said Tolls, and every Part thereof, shall and may be demanded, collected, recovered, applied, and disposed of in such Manner, and for such Uses, Intents, and Purposes, as are directed by the said recited Acts with respect to the Tolls thereby authorized to be taken; but subject nevertheless to the Provisions and Directions of this Act.

V. And



Former Ex-  
emptions  
from Tolls  
repealed.

New Exemp-  
tions from  
Tolls.

V. And be it further enacted, That, from and after the passing of this Act, the several Exemptions from Toll mentioned and contained in the said first recited Act, (except such as relate to the Payment of Tolls more than once a Day,) shall be and the same are hereby declared to be repealed; and instead thereof be it enacted, that no Toll shall be demanded or taken at any Toll Gate, for any Cattle or Carriage solely employed in carrying Materials for repairing the said Roads, or of any Lime, Dung, Mould, Soil, or Compost of any Kind, for the Manuring of any Garden, or other Land or Ground in any of the Parishes through which the said Roads lead, or which are next adjoining to the said Roads; or for any Horse or other Cattle employed in the ploughing, sowing, tilling, or cultivating of any Land or Grounds in any such Parishes; or for any Cattle or Carriage employed in Harvest Work or Husbandry, or in the Carriage of any Hay, Straw, or Corn in the Straw, to be laid up in the Houses, Outhouses, Yards, or Grounds of the Occupier or Occupiers of the said Lands or Grounds whereon the same shall have been grown; or for the Carriage of any Flax, Hemp, or Femble in the Stalk, either for steeping, bleaching, or laying up in Houses, Outhouses, Barns, or other Places, belonging to the Occupier or Occupiers of the said Land or Grounds whereon the same shall have been grown, before the same be dressed for Sale; or for any Horse or other Cattle drawing or conveying any Ploughs, Harrows, or other Implements of Husbandry, in order for the repairing thereof, or using the same in Husbandry, or any Utensil that shall be used or employed in Husbandry, or tilling or manuring of Land; or for any Horses, Cattle, Sheep, Swine, or Hogs, going to or passing from Water or Pasture, or to or from any open and uninclosed Common in the said Parishes of *Spalding* and *Pinchbeck*, during the Time such Common shall remain open and uninclosed, or Pasture in any of the Parishes through which the said Roads lead, or which are next adjoining to the said Roads; or for any Horse, Mare, or Gelding, going to be or returning from being shod or farried; or for any Sheep going to or returning from any Wash, Dike, River, or other Place used for the washing of Sheep in any such Parishes, or for any Sheep going to or returning from any Place used for the clipping of Sheep in any such Parishes; or for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning therefrom; or for any Horse belonging to any Officers or Soldiers, upon their March or on Duty, or for any Horses, Cattle, or Carriage, employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers; or for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption as aforesaid; or for any Horses, or other Cattle or Carriage, employed in conveying Vagrants sent with lawful Passes; or for any Horse or other Cattle that shall be going to or returning from any Election of a Knight or Knights of the Shire, to serve in Parliament for the County of *Lincoln*, on the Day of such Election or Elections, or on the Day before



before or on the Day after such Election shall begin and be concluded; 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 upon any other Ecclesiastical Duty; nor of or from any Person or Persons going to or returning from his or their Parochial Church, Chapel, or other Place of Religious Worship on *Sundays*, or any other Day on which Divine Worship is ordered by Authority to be celebrated, or who shall attend the Funeral of any Person or Persons who shall be buried in the Parish where any such Person or Persons shall reside; and if any Person or Persons shall claim or take the Benefit of any such Exemption, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings.

VI. And whereas by the said first-recited Act, amongst other Things it is enacted, That if any Person or Persons should, with any Horse or other Cattle, Coach, Waggon, or other Carriage, pass through any Land, Ground, Gate, Passage, or private Way, adjoining or lying near to the said Roads, such Ground or other Place not being a common Highway; or if any Owner or Occupier of any Ground, Land, Gate, Passage, or private Way, which should adjoin or lie near to any such Turnpike, should knowingly or willingly permit or suffer any Person or Persons, with any Horse or other Cattle, or any Coach, Waggon, or other Carriage, to pass through the same, whereby the Payment of any of the Tolls thereby vested in the Trustees, or any Part thereof, should be avoided; or if any Person should wilfully break down or destroy any Ditches or Fences to be made upon or near the said Road, for securing the Payment of the said Tolls; or if any Person or Persons should give to or receive from any Person or Persons, or forge or counterfeit any Ticket by this Act directed to be given by the Collectors of the said Tolls, whereby the Payment of any of the said Tolls, or any Part thereof, should be avoided; or if any Person or Persons should forcibly pass through any such Turnpike with any Horse or other Cattle, without Payment of Toll, or should take off or cause to be taken off any Horse or other Cattle from any Carriage, with an Intent to avoid paying any of the said Tolls, or any Part thereof, every Person so offending in each of the Cases aforesaid, should for every such Offence forfeit the Sum of Twenty Shillings, one Moiety whereof should be paid to the Informer or Informers, and the other Moiety applied in such Manner as other Penalties are therein directed to be applied: And whereas such Penalty is found insufficient to answer the Purposes thereby intended, be it therefore enacted, That, from and after the passing of this Act, every Person so offending in each of the Cases aforesaid, shall for every such Offence (instead of the said Forfeiture of Twenty Shillings) forfeit a Sum not exceeding Five Pounds, to be recovered, paid, and applied, in like Manner as the said Forfeiture of Twenty Shillings is directed to be recovered, paid, and applied.

VII. And whereas the said Roads have been greatly damaged by Persons causing to be drawn upon the same, Trees or Timber, not laid upon nor completely suspended by the Cart, Dray, Waggon, or other Carriage to which the same are attached, but dragged upon the said Roads;

[Loc. & Per.]

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Recital of Part of the first Act, relating to a Penalty on Persons going through or permitting private Passage;

or giving or receiving Tickets;

or taking off Horses from any Carriage, &c. to avoid paying the Toll.

Penalty.

And a larger Penalty substituted.

Penalty on Persons drawing Timber or Trees along the Road, without being properly suspended.



Roads; be it therefore further enacted, That if the Driver of any Cart, Dray, Waggon, or other Carriage so offending, and being convicted thereof, either by his own Confession, the View of a Justice of Peace, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace of the Limit where such Offence shall be committed, shall for every such Offence forfeit any Sum not exceeding Ten Shillings, with Costs not exceeding Ten Shillings, in case such Driver shall not be the Owner of such Carriage; and in case the Offender be the Owner of such Carriage, then any Sum not exceeding Twenty Shillings, with like Costs, and in either of the said Cases shall, in Default of Payment, be committed to the House of Correction for any Time not exceeding One Calendar Month, unless the same shall be sooner paid; and every such Driver so offending, shall and may by Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable, or other Peace Officer, in order to be conveyed before some Justice of the Peace, to be dealt with according to Law; and if any such Driver shall refuse to discover his Name, it shall and may be lawful for the Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the House of Correction for any Time not exceeding Three Calendar Months, or to proceed against him for the Penalty aforesaid by a Description of his Person and the Offence, and expressing in such Proceedings that he refused to discover his Name; provided, that if such Driver shall prove to the Satisfaction of such Justice, that he did as aforesaid by Order of the Owner of such Carriage, or of such Trees or Timber, then such Owner being thereof convicted, and not such Driver, shall forfeit and pay the said Penalty, to be recovered and applied as other Forfeitures and Penalties are by the said Act directed to be recovered and applied.

Empowering  
Trustees to  
widen  
Bridges, &c.

VIII. And whereas some of the Bridges and Tunnels erected over Drains of Sewers, or other Works of Drainage running under or across the said Roads, are so narrow as to be incommodious for the free Passage of Carriages and Cattle, and it would tend to the Improvement thereof if such Bridges and Tunnels were enlarged, and the Tops, Posts, and Side Rails thereof, were planed and painted; be it therefore enacted, That, from and after the passing of this Act, it shall be lawful for the said Trustees, or any Seven or more of them, at any Meeting by their Order, to cause to be widened the said Bridges and Tunnels, or any of them, by extending on either or both Sides thereof the Arch of any such Bridges or Tunnels, and covering the same, and also to plane and paint the Tops of such Bridges and Tunnels, and the Posts and Side Rails thereof, and also all such other Posts and Rails on or by the Sides of the said Roads as they shall think proper: Provided nevertheless, that the Parts so extended of any Arch shall from Time to Time be repaired by the said Trustees.

Droves of Cat-  
tle, &c. ex-  
empted from  
certain Tolls  
in particular  
Parts of the  
Road.

IX. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Nine or more of them, at any General Annual Meeting, to permit for one Year during the Continuance of this Act, if they shall see Occasion, Droves of Beast, Sheep, or Cattle, coming through and paying Toll at *Gosbertown Bar*, after Twelve of the Clock at Noon of one Day, and lodged or depastured within any of the Parishes of *Surfleet*, *Pinchbeck*, and *Spalding*, that Night, to pass through the *Spalding Bar*



Bar before the Hour of Ten of the Clock in the Forenoon of the following Day, on the Driver of such Beast, Sheep, or Cattle, producing a Ticket denoting such Payment, without paying any further or additional Toll; provided, that nothing in this Clause contained shall extend or be construed to extend to any Beast, Sheep, or Cattle, coming or passing through either of the said Bars at *Gosbertown* or *Spalding* on the Lord's Day, commonly called *Sunday*.

X. And whereas by the said Act of the Twenty-fourth Year of the Reign of His present Majesty King *George* the Third, the Trustees are restricted from taking a greater Sum than Ten Shillings and less than Five Shillings, upon compounding or agreeing with any Person for the passing of the Carriages and Cattle of such Person through any of the Turnpikes erected by virtue of the said Act of the Fourth Year of the Reign of His present Majesty King *George* the Third, which Restriction is found improper to be continued; be it therefore enacted, That, from and after the passing of this Act, so much of the said Act of the Twenty-fourth Year of the Reign of His present Majesty King *George* the Third, as restricts the Trustees from compounding or agreeing with any Person otherwise than as aforesaid, shall be and is hereby repealed; and that it shall be lawful for the said Trustees, at their General Annual Meetings, to compound or agree by the Year or otherwise, but not for a longer Time than a Year, with any Person or Persons using to travel through all or any of the Turnpikes erected by virtue of the said former Acts, with any Coach, Waggon, Cart, or other Carriage, Horse, Gelding, or Mare, Afs, or Mule, for any Sum or Sums of Money which shall appear to the said Trustees to be just and equitable, for and in lieu of Payment of any of the said Tolls, to be instantly paid to such Trustees, or such Person or Persons as they shall appoint, or otherwise to be void and of no Effect; and that such Composition Monies so paid as aforesaid, shall be applied in such Manner as the Tolls are by the said Act of the Fourth Year of the Reign of His present Majesty King *George* the Third directed to be applied.

Composition  
for Tolls.

XI. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road leading from *Spalding High Bridge* to the Market Place in *Donington*, and from the Tenth Mile Stone in the Parish of *Gosbertown*, to the Eighth Mile Stone in the Parish of *Wigtoft*, or any Part thereof, shall still remain liable thereto in like Manner as heretofore, and it shall be lawful for any Two or more Justices of the Peace for the Division of *Holland*, in the said County of *Lincoln*, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road, by the Inhabitants of the respective Parishes or Places in which the said Road doth lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them, paid to the said Trustees, or their Treasurer or Treasurers, and in order thereunto it shall be lawful for such Justices, from Time to Time, to summon the Surveyor or Surveyors of the Highways for every such

Statute Work.



such Parish or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who within such Parish or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise; and also the Amount of the respective Sums to be paid, which List of Names shall be made in such Manner, and under such Regulations and Restrictions, as are or may be directed by any Law or Statute in force and effect for the Repairs of the publick Highways, and out of such Lists the said Justices shall and may allot, appoint, and order, such and so many of the Persons who shall appear subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done at such Days and at such Times (not being Haytime or Harvest) and in such Parts of the said Road as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons, who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute in Force or Effect for the Repair of the publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Road, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road; and in Case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.



XII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the Highways of any Parish, Township, Place, or Division, or the Inhabitants or Occupiers of Lands, Tenements, or Hereditaments, within the same respectively, to compound and agree with the said Trustees, or any Five or more of them, for the Statute Work to be by them, or any of them, done on the said Road; provided that such Composition Money be paid by the Surveyor or Surveyors, or other Officers of the Parish, or respective Person so compounding, to the Treasurer or Treasurers of the said Trustees, on or before the Twenty-ninth Day of *September* in each Year, or within One Calendar Month after Notice for that Purpose given him, her, or them, respectively.

Trustees may compound for Statute Work.

XIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said first-recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the said 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, Tenements, or Hereditaments, in the Purchase of the Land Tax, or in Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting any other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, 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 Messuages, 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 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 said Lands, Tenements, and Hereditaments

Application of Compensation where exceeding 200l.



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

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

XIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging 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 same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the 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 shall 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 20l.

XV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last 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 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.

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the

XVI. 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 Acts 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 the Person or Persons to whom any such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall 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 Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [*describing them*] subject to the Order, Controul, and Disposition of the said Court, which



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 Publick 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 or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Court of Chancery on Motion or Petition.

XVII. 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 Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful 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.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Land, &c. at the Time of such Purchase, shall be deemed entitled thereto, according to such Possession, unless, &c.

XVIII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said Acts and this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of the said Acts and this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said Acts and this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of the said Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XIX. And



For paying  
the Expenses  
of the Act.

XIX. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and passing of this Act, together with lawful Interest for all Money which shall be advanced from Time to Time for that Purpose, shall be paid out of any Money already raised by virtue of the said recited Acts, or out of the first Monies which shall be raised or borrowed upon the Credit of the said recited Acts and this Act, in preference to all other Payments whatsoever.

Publick Act.

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

Term of the  
Act.

XXI. And be it further enacted, That the Term granted and continued by the said recited Acts, shall, from and after the passing of this Act, cease and determine, and that the said recited Acts of the Fourth and Twenty-fourth Years of the Reign of His present Majesty (subject to the Variations, Alterations, and Additions herein contained) and this Act shall from thenceforth 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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