



ANNO QUADRAGESIMO SEXTO

GEORGI III. REGIS.

Cap. 139.

An Act for continuing the Term and altering and enlarging the Powers of Two Acts, passed in the Third and Twenty-fourth Years of His present Majesty, for repairing several Roads, leading from the Town of *Barnstaple*, in the County of *Devon*.
[21st July 1806.]

WHEREAS an Act was passed, in the Third Year of His present Majesty, intituled, *An Act for repairing, widening, and keeping in Repair several Roads, leading from the Town of Barnstaple, in the County of Devon*: And whereas an Act was passed in the Twenty-fourth Year of the Reign of His said present Majesty, for continuing the Term and altering and enlarging the Powers of the said Act: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded in the Execution thereof, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls granted and continued by the said Acts; which Money still remains due and owing, and cannot be paid off, nor can the Roads comprized in the said Acts be properly and effectually amended, widened, improved, and kept in Repair, unless the Term granted and continued by the said Acts (which is near expiring) be further continued, and unless some of the Powers and Provisions of the said Acts are altered, amended, and enlarged; and it is necessary that the Tolls granted and continued by the

3 G. 3. c. 35.

24 G. 3. c. 31.

[*Loc. & Per.*]

said

Said Acts further continued.

said Acts should be increased; 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 the said Act of the Third Year of the Reign of His present Majesty, and all the Tolls, Powers, Provisions, Matters, and Things therein contained (except such as are varied, altered, or repealed in and by the said Act, made in the Twenty-fourth Year of the Reign of His said Majesty, and in and by this present Act), and also the said Act made in the Twenty-fourth Year of the Reign of His said Majesty, and all the Tolls, Provisions, Matters, and Things therein contained (except so much of the said Acts as relate to Exemptions from Stamp Duties, and such as are hereby varied, altered, or repealed), shall be and continue in full force and effect, and shall be executed for and during the Term herein-after mentioned, as fully and effectually, to all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; but subject nevertheless to the Amendments, Variations, Alterations, and Additions herein contained, and which shall commence and take effect from the passing of this Act; and this Act, and the additional Term and Tolls hereby granted, shall be subject and liable as well to the Payment of all Money now due and owing on the Credit of the said Acts, or on the Credit of the Tolls thereby granted and continued, and now payable at the several Gates or Turnpikes now erected or hereafter to be erected on the said Roads, as also to the Payment of all Sums of Money which shall hereafter be borrowed for the Purposes of this Act, and of the Interest due and to grow due for the same respectively.

Trustees.

II. And be it further enacted, That *Thomas Palmer Ackland, Robert Barton, Robert Cutts Barton, Henry Down Barton, George Barbor, George Ackland Barbor, Charles Blackmore, Thomas Bird, John Dunning Baker, Benjamin Banks, Joseph Davie Bassett, Arthur Bassett, Charles Bassett, Lewis William Buck, Richard Buck, John Budd, Philip Budd, John Boger, James Burke, Richard Inledon Bury, Richard Bawdon Clerk, Richard Bampfylde Clerk, George Burgess Clerk, Theophilus Blinsham, Samuel Bromridge Leather Dresser, George Bowdon, Benjamin Clay Clerk, John Palmer Chichester, John Bruce Palmer Chichester, George Chichester, James Chichester, Robert Bruce Chichester, Arthur Chichester, Charles Chichester of Chittlehampton, Arthur Chichester of Hart, Charles Chichester the younger, of Hall, Francis Chichester, Robert Chichester of Hall, Thomas Cutcliffe, John Mervin Cutcliffe, Charles Cutcliffe, George Cutcliffe, James Copner, John Churchill Clerk, Samuel Cooke Clerk, John Cooke, Richard Pine Coffin, Charles Pine Coffin Clerk, William Churchward Clerk, William Churchward, James Colley, John Dene Clerk, Charles Davie Clerk, William Deane Clerk, the Right Honourable Hugh Fortescue commonly called Lord Viscount Ebrington, the Honourable John Fortescue, the Honourable George Fortescue, the Honourable Newton Fellowes, Philip Furse, John Furse, John Inglett Fortescue, John Fortescue, Henry Gribble, John Gribble, William Gribble, Peter Gubb Clerk, William Gill Glubb, Thomas Grant, Robert Harding of Bishop's Tawton, Thomas Wrey Harding, Robert Harding of Upcott, William Harding, John Harding, John Lindebear Harding, David Horndon Clerk, John Hiern, Philip Hiern, Charles Hiern Clerk, Thomas Hole Clerk, Thomas Hole, William Hole, Francis Hole, Robert Hole, Henry Hole, John Hill, John Tossell Johnson Clerk, John Burgess,*

ges Karlake Clerk, William Karlake Clerk, Francis Kingdon, John Law of Bishop's Tawton, John Law the younger, Thomas Law Clerk, William Law, William Law, Thomas Lee, Edward Lee, Robert Linnington, Charles Leigh, George Ley, Richard Litchfield, Robert Luxton, Robert Luxton the younger, Edward Thomson May, Samuel Marshall, Thomson May, Thomas Moore, John Moore, Boucher Marshall, John Marshall, Hugh Mallett, John Mallett, James May, Hugh Northcote Clerk, Francis Scrimmes Pilcher, John Pitts, John Palmer Clerk, Joseph Palmer Clerk, John Partridge, Richard Preston, John Philips Clerk, John Pyke, John Spurway the younger, Onesiphorus Saunders Clerk, Humphry Waldo Sibthorp, Coningsby Waldo Sibthorp, Charles Lelaet Waldo Sibthorp, George Stoneman, Henry Stoneman, John Torr Clerk, John Toller, Thomas Tanner, John Tyeth, William Tucker, Charles Trefusis, George Trefusis, Henry Bouchier Wrey, William Long Wrey, Edward Bouchier Wrey, John Wrey, William Wavell Doctor of Physic, John Wickey, William Wavel, Stephen Wilcocks, Arthur Wavell, John Wilcocks, Henry Webber, Walter Clerk, Charles Webber, Richard Walter, Philip Webber, William Walter, Bouchier Palk Wrey, Robert Bouchier Wrey, John Williams, William Radford Clerk, Joseph Lane Yeomans Clerk, and Denys Yonge Clerk, (being qualified according to the Directions of the said first recited Act) shall be and hereby appointed Trustees, and shall be added to and joined with the Trustees appointed by virtue of the said several Acts for putting the same and also this present Act in Execution, as fully and effectually, to all Intents and Purposes, as if the several Persons herein-before named had been appointed Trustees by virtue of the said Acts, or either of them.

III. And be it further enacted, That so much of the said recited Acts as extends, or may be construed to extend, to exempting from Tolls the several Articles therein mentioned, and also to Tolls payable for Horses or Carriages used for drawing Timber, and so much of the said first-mentioned Act as declares that the Power thereby given to the Trustees, or any Five or more of them, to cause to be erected One or more Gate or Gates, Turnpike or Turnpikes, and Toll House or Toll Houses, on the Side or Sides of the said Roads, or upon, in, or across any Lane or Way leading into the same, to prevent Persons evading the Payment of the Tolls thereby granted, and there to cause to be taken and levied such Tolls as are by the said first recited Act made payable, shall not extend to a Double Charge upon any Person passing through any other of the Gates or Turnpikes erected by virtue of the said Act; and so much of the same Act as declares that if any Person shall have paid Toll for the passing any Cattle or Beasts through any Gate or Turnpike erected by virtue of the said Act, the same Person, upon producing a Note or Ticket denoting such Payment, shall be permitted to pass through the same or any other Gate or Turnpike erected by virtue of the said Act, with the same Cattle or Beasts Toll-free at any Time or Times during the same Day; and so much of the said Act, passed in the Twenty-fourth Year of the Reign of His said Majesty, as qualifies and restrains the last mentioned Clause, shall be and the same are hereby declared to be repealed, except in respect of Carriages, or Horses, Oxen or Beasts of Draught carrying, or laden with, or empty, or going for or returning immediately after having been laden with Lime only, and also except in the Cases herein-after mentioned.

Certain Parts
of the said
Acts repealed.

Granting
new Tolls.

IV. And be it further enacted, That from and after the passing of this Act, the several Tolls following shall be demanded and taken at every Gate (except as herein-after mentioned) already or hereafter to be erected, in lieu of those hereby repealed, of and from the Person or Persons using or attending any Cattle or Carriage herein-after mentioned, and that such Tolls shall (except on the returning of any such Cattle or Carriage from any Place in its Way to which Toll shall have been, on the same Day, to be computed as herein-after is mentioned, paid for the same) be paid as often at such Gate as such Cattle or Carriage shall pass, before any such Cattle or Carriage shall be permitted to pass through the same; (that is to say),

Tolls.

For every Carriage used for the Purpose of drawing or carrying Timber, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which shall be straight, drawn by Eight Horses, or other Beasts, the Sum of Four Shillings; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, or other Beasts, the Sum of Sixteen Shillings:

For every such Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which shall be straight, drawn by Seven Horses, or other Beasts, the Sum of Three Shillings and Sixpence; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, or other Beasts, the Sum of Fourteen Shillings:

For every such Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which shall be straight, drawn by Five or Six Horses, or other Beasts, the Sum of Three Shillings; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, or other Beasts, the Sum of Twelve Shillings:

For every such Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which shall be straight, drawn by Four Horses, or other Beasts, the Sum of Two Shillings and Sixpence; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, or other Beasts, the Sum of Eight Shillings:

For every such Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, and the Axletrees of which shall be straight, drawn by Three Horses, or other Beasts, the Sum of One Shilling and Sixpence; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, or other Beasts, the Sum of Five Shillings:

For

For every such Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, the Axletrees of which shall be straight, drawn by Two Horses, or other Beasts, the Sum of One Shilling; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by the like Number of Horses, or other Beasts, the Sum of Three Shillings:

And for every such Carriage, having the Fellies of all the Wheels of the Breadth of Six Inches or more, with a cylindrical and even Surface, the Axletrees of which shall be straight, drawn by One Horse, or other Beast, the Sum of Eight Pence; and having the Fellies of any of the Wheels of a less Breadth than Six Inches, or with a Surface not cylindrical or even, or the Axletrees of which shall not be straight, drawn by One Horse, or other Beast, the Sum of One Shilling and Sixpence.

Which Sum and Sums respectively shall be demanded and taken in the Name of or as Toll.

V. And be it further enacted, That from and after the passing of this Act, Double the several Tolls hereby and by the said recited Acts made payable shall, on every *Sunday* during the Continuance of this Act, be demanded and paid; and that all the Tolls hereby granted shall be vested in and received by the said Trustees, and be by them paid and applied in such and the same Manner as the Tolls made payable in and by the said first mentioned Act, and not hereby repealed, are vested in them, and are directed to be by them received, paid, and applied; and that such Trustees shall have and be vested with such and the same Powers for collecting and enforcing the Payment of the Tolls hereby granted as are given to them in and by the said first-mentioned Act, and that the Tolls to be from henceforth payable shall (except in respect of Lime, for which Toll shall continue to be paid according to the Regulations contained in the said recited Acts) be collected and paid at all and every of the Gates or Turnpikes already or hereafter to be erected under and by virtue of the Powers in the said first-mentioned Act contained, whether such Gates be erected across or on the Sides of the said Roads (these hereinafter mentioned excepted) but not oftener, except for Carriages used for the Purpose of drawing or carrying Timber, and for which Tolls are to be paid according to the Regulations herein-before contained, than once at each Gate or Turnpike on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the next succeeding Night, for the same Horses, Carts, or Carriages.

Double Tolls
on Sundays

VI. Provided always, and be it further enacted, That the Tolls to be from henceforth payable shall not (except for or in respect of Carriages used for the Purpose of drawing or carrying Timber) be paid at any second or other of the said Gates, through which any Cattle or Carriage shall pass, howsoever situated, unless the same be distant Four Miles or more from any other of the said Gates, at which the same Tolls shall have been immediately before on the same Day, to be computed as afore-said, paid for such Cattle or Carriage, nor in any Case, whether for Cattle or Carriages used for the Purpose of drawing or carrying Timber or otherwise, at more than the Two first Gates, distant from each other

Tolls not to
be paid a
second Time
at Gates not
Four Miles
distant from a
former Gate
(except for
Timber Car-
riages), &c.

[*Loc. & Per.*]

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Four

Four Miles or more as aforesaid, immediately between any Two of the Towns of *Barnstaple*, *Bideford*, *Chumleigh*, *Great Torrington*, and *Hatherleigh*, through which any such Cattle or Carriage shall on the same Day, to be computed as aforesaid, pass, the Person or Persons respectively claiming the several Exemptions, producing a Note or Notes, Ticket or Tickets, denoting such Payment or Payments, which Notes or Tickets the Collectors of the Tolls are hereby required to deliver *gratis* on Receipt of the Toll.

Certain Restrictions as to erecting of Gates, &c.

VII. And be it further enacted, That no Gate or Turnpike shall, during the Continuance of this Act, be erected or set up on the Road from *Barnstaple* to *Chumleigh*, through *Burrington*, nearer to the Town of *Chumleigh* than Twenty Feet from *Week Cross* towards *Chumleigh*, and that a Gate or Turnpike shall, as soon after the passing of this Act as conveniently may be, be erected and set up across some Part of the Road between the Village of *Bishops Tawton* and *New Bridge*, but shall not be continued for a longer Time than Two Years, unless it shall be found to be for the Interest of the Trust to continue it longer.

For making certain Regulations respecting the Meetings of the Trustees in their several Towns, &c.

VIII. And whereas Meetings of the Trustees at the several Towns of *Great Torrington* and *Bideford*, as well as at *Barnstaple*, will be for the Convenience of such of the Trustees as are resident in or near those Towns, and will greatly tend to the facilitating the Discharge of the Trusts hereby and by the said former Acts created; and it will also be for the Benefit of the Trust that the Tolls arising at the several Gates erected or to be erected by virtue of the said Acts, shall be in future let or leased at such of the Towns as are nearest the Gates, the Toll of which are to be so let or leased; be it therefore further enacted, That in future the Trustees, or any Five or more of them, shall meet at least Once every Year in each and every of the Towns of *Great Torrington* and *Bideford*, for the Purpose of enquiring into the State of and examining the Accounts relating to such Roads respectively, and that in future the Tolls arising at the *Bideford* Gates, shall be leased by Auction or Survey in that Town, those arising at the *Great Torrington* and *Hatherleigh* Gates, in the Town of *Great Torrington*; those arising at the *Barnstaple* Gates shall be so leased in the Town of *Barnstaple* aforesaid, and those arising at either of the other Gates, shall be so leased, either at *Barnstaple* or *Chumleigh*, as to the Trustees, or any Nine of them, shall at any Meeting to be holden at the Guildhall of *Barnstaple* from Time to Time be thought most proper.

General Exemptions.

IX. And be it further enacted, That no Toll shall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horses, employed in carrying or conveying, or going to carry or convey, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the said Roads, or any of the Roads in the Townships or Parishes in which any Part of such Roads doth lie; or Culin to be used in the burning of Lime, or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof; or for any Waggons, Wains, Carts, Carriages, or Horses, employed in carrying or conveying, or going empty to carry or convey, any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Compost, or Manure (Lime excepted) employed in Husbandry

Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried; or from any Person going to or returning from his proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday* or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horses, Cattle, 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 back from conveying the same; or for any Horses, Carts, or Waggons, attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; 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 of Exercise, provided 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, Carts, or Waggons employed in the Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast, drawing any Coach, Landau, Berlin, Chariot, Calash, Chair, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Devon*, or going to or returning from the Election of a Burgess or Burgesses to serve in Parliament for the said Town of *Barnstaple*, on the Day or Days of such Elections, or on the Day before or Day after such Elections shall begin or be concluded; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of the said Acts and this Act.

X. 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 Roads comprized in the said recited Acts, or either of them, 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 said County, and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Five or more of them, or by their Treasurer, Clerk, 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 Roads by the Inhabitants of the respective Parishes or Places in which the said Roads lie; and also what Proportion of the Money received by the Surveyor or Surveyors

Statute
Labour.

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 to 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 of every 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 as 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 Lists 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 Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Haytime or Harvest) and in such Parts of the said Roads 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 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 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 to 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 Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss 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 as 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 Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; 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

or shall knowingly and wilfully give in false and imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

XI. 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 purchased, taken, or used by virtue of the Powers of the said Acts and this Act, for the Purposes thereof, which shall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for and on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person 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 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, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the 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 to be purchased by virtue of the said recited Acts and this Act, in case such Purchase or Settlement were made.

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

XII. 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 be-

[*Loc. & Per.*]

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longing

Application
of Compens-
ation if less
than 200*l.*
and exceed-
ing 20*l.*

Monies which shall arise or be received by virtue of the said Acts or of this Act, in Preference to all other Payments whatsoever.

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

**Commence-
ment and Du-
ration of it.** XIX. And be it further enacted, That this Act shall commence upon the passing thereof, and shall, together with the said Acts, continue and be in force, and be executed for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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