



ANNO QUADRAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. 25.

An Act to continue the Term, and alter and enlarge the Powers of an Act of His present Majesty, for making and repairing a Road from the West End of *Gainsborough* Bridge to *East Retford* and to *Gringley-upon-the Hill*, in the County of *Nottingham*.

[14th April 1808.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of His present Majesty King George the Third, intitled, *An Act for making, maintaining and repairing a Road from the West End of the Bridge intended to be built at or near the Ferry over the River Trent, from Gainsborough in the County of Lincoln, to the Parish of Saundby in the County of Nottingham, through the several Parishes of Saundby, Beckingham, Bole, North Wheatley, Hayton, and Clareborough, to East Retford, all situate in the said County of Nottingham, with a Side Branch from the Boundary Gate between the said Parishes of Beckingham and Saundby, through the said Parish of Beckingham and the Parish of Gringley-on-the-Hill, in the same County, to the Town of Gringley-on-the-Hill aforesaid*: And whereas great Progress hath been made in the Execution of the said recited Act, and considerable Sums of Money have been borrowed on the Credit of the Tolls authorized to be taken thereon, which still remains due and owing, and cannot be paid off, nor can the said Roads be effectually amended, widened, improved, and kept in Repair,

27 G. 3. c. 72.

[Loc. & Per.]

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unless

Act further
continued.

Said Act fur-
ther conti-
nued.

unless the Term of the said Act is further continued, and some of the Powers thereof altered and amended, and the Tolls thereby granted 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 recited Act, and all and every the Matters, Powers, Authorities, Privileges, Provisions, Articles, Rules, Penalties, and Clauses therein contained (except such as relate to Exemptions from Stamp Duties, and such as are hereby varied, altered, or repealed) shall be and continue in full Force and Effect for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if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, Alterations, and Additions herein contained, and which (except the Tolls herein-after mentioned) shall commence and take Effect upon the passing of this Act; and this Act, and the additional Term and Tolls hereby granted, shall be and are hereby made subject and liable to the Payment of all Money now due and owing upon the Credit of the Tolls, or upon account of the said recited Act or of this Act, and all Interest due or to grow due for the same respectively.

For appoint-
ing new
Trustees.

II. And be it further enacted, That Sir Charles Anderson Baronet, William Ashton, Samuel Barker, William Barnard, Thomas Binney, Thomas Bowmer, Henry Brumby, Thomas Brumby the younger, Cornelius Brumby, William Brumby, Hugh Blaydes, Gamaliel Capes, John Chapman, Thomas Colton, Benjamin Codd, James Cox Clerk, Samuel Crawley, James Septimus Cox, Joseph Cox, William Cross, William Cross the younger, both of G'ingley-upon-the-Hill, William Cross the younger of Beckingham, George Dealtry, Thomas Lacy Dickonson, Peter Dickonson, Robert Duckle the younger, Frederic Anthony Duckle, Henry Charles Duckle, Anthony Hardolph Eyre, Gervase Anthony Eyre, John Eyre Clerk, William Etherington the younger, Robert Flower, Francis Ferrand Foljambe, Francis Foljambe, Joshua Flint, James Fothergill Clerk, William Fretwell, Robert Fretwell, John Furley the younger, John Gamble, Gervas Gamson, Robert Gamson, James Gamson the younger, John Gamson, John Garfitt, John Gylby the younger, Thomas Haines, William Barnard Heaton, Edward Hickson, Tompson Hickson, William Hodges Clerk, Thomas Hodgkinson, John Holmes, Richard Hutchinson Clerk, Henry Clarke Hutchinson, Thomas Johnson, George Kippax, John Kirke, George Maddison Clerk, John Marshall the younger, Beaumont Marshall, Nathaniel Mason, George Mason the younger, William Mason, Morehouse Metcalfe, Robert Moody, Charles Morehouse the younger, Richard Morton, Jonathan Nettleship, John Nettleship, Christopher Neville, John Otter, Robert Dawson Otter, John Pasbley, George Radley, Robert Raven, Robert Raven the younger, Francis Rayns, George Raynes, John Rogers, Thomas Saundby, Henry Saundby, John Seels, Thomas Slater, Joseph Stephenson Clerk, George Stovin, Thomas Smith Clerk, Henry Smith, Robert Swan, Samuel Thorold the younger, John Thornton the younger, John Tidd, Joseph Torr, Thomas Torr, George Waddington, George Waddington the younger, Frederic Wakefield, Thomas Walsh, William Williamson, William Williamson the younger, Charles Williamson, Gervas Woodhouse, and Abraham Youle Clerk, shall be added to, and joined with, the Trustees appointed in or by virtue of the said recited Act, for putting the same and this Act in Execution; and the Trustees hereby nominated and appointed, and their

Successors,

Successors, respectively, being qualified according to the Directions of the said recited Act, are hereby empowered to act in execution of the said Act and this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed Trustees in or by virtue of the said recited Act.

III. Provided always, and be it further enacted, That notwithstanding any Thing in the said recited Act contained to the contrary, it shall and may be lawful for any Person named and appointed a Trustee in and by this Act, or by the said recited Act, although such Person shall have neglected to act as a Trustee for the Space of Two Years successively, to act as a Trustee under the said recited Act and this Act, during the continuance of the same.

IV. And be it further enacted, That all Actions, Suits, Prosecutions, Informations, Appeals, and other Proceedings whatsoever, to be had, taken, prosecuted, or defended by or against the said Trustees, shall be had, taken, prosecuted, or defended in the Name of their Treasurer or Clerk; and that no Action, Suit, Prosecution, Information, Appeal, or other Proceedings to be had, taken, prosecuted, or defended by or against the said Trustees, or any of them, by virtue of this or the said recited Act, shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk, but that the Treasurer or Clerk for the Time being to the said Trustees shall always be deemed the Plaintiff, Prosecutor, Informant, Appellant, Defendant, or Respondent in any such Action, Suit, Prosecution, Information, Appeal, or other Proceedings, as the Case shall be: Provided always, that all and every such Treasurer or Clerk in whole Name or Names any such Action, Suit, Prosecution, Information, Appeal, or other Proceeding, shall be had, taken, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Moneys arising by virtue of this or the said recited Act, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action, Suit, Prosecution, Information, Appeal, or other Proceedings, he or they shall pay, bear, sustain, expend, or be put unto or become chargeable with or liable for, or be fairly entitled to, by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants, Informant or Informants, Appellant or Appellants, Respondent or Respondents, as aforesaid.

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

V. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the Tolls by this Act granted, or to any other Matter or Thing done in the Execution of this or the said recited Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being so appointed to collect the said Tolls, or acting under the Authority of the said Trustees.

Toll-Bar Keepers competent Witnesses.

VI. And whereas the Tolls granted by the said recited Act are inadequate to the Purpose of sufficiently amending, improving, and keeping in Repair the said Roads; be it therefore enacted, That from and after the Third Monday next after the passing of this Act, the Tolls granted by the said recited Act shall be, and the same are hereby declared to be repealed;

Repealing former Tolls, and granting new ones.

repealed; and that instead thereof, the respective Tolls following shall be demanded and taken by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time appoint to receive the same, before any Horse or other Cattle, Coach, Waggon, or other Carriage shall be permitted to pass through any Gate or Turnpike erected or to be erected in pursuance of the said recited Act, or this Act; that is to say:

Tolls.

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by Six or more Horses or other Beasts of Draught, the Sum of Three Shillings:

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by Four Horses or other Beasts of Draught, the Sum of Two Shillings:

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by Three or Two Horses or other Beasts of Draught, the Sum of One Shilling:

For every Two or more Horses, Mares, Geldings, Mules, Asses, Oxen, Bullocks, or other Beasts drawing in any Waggon, Wain, Cart, Caravan, or other Carriage, the Sum of Four-pence Halfpenny each:

For every Chaise or Chair, Waggon, Wain, Car, Cart, Caravan, or other Carriage drawn by One Horse or other Beast of Draught only, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock or Beast, not drawing, the Sum of One Penny Halfpenny:

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

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

Double Toll
on Sundays.

And that on each and every *Sunday*, during the Continuance of this Act, it shall and may be lawful to and for the said Trustees, or any Five or more of them, in case they shall think it necessary, to demand and take, or cause to be demanded and taken, at the Turnpikes or Toll Gates now erected or hereafter to be erected in pursuance of the said recited Act or this Act, by such Person or Persons, to be nominated and appointed as aforesaid, before any Horse, Cattle, or Carriage, shall be permitted to pass through the same respectively, Double the several Tolls hereinbefore directed to be taken on any other Day of the Week:

Tolls vested
in the Trustees.

Which said respective Tolls shall be, and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, varied, and disposed of in such and the same Manner, and by such Ways and Means, and with such Powers, Provisions, Regulations, and Restrictions, as are contained in the said recited Act, with respect to the Tolls thereby provided and made payable, but subject nevertheless to the Clauses, Alterations, Amendments, and Regulations, in the said recited Act contained, with respect to raising and lessening the same.

Exemptions
from Toll.

VII. And be it further enacted, That none of the Tolls granted by this Act shall be demanded or taken at any Gate within any of the Parishes or Places wherein any Part of the said Roads doth lie for any Horse, Cattle, or Beast, employed only in drawing any Cart or Carriage from any one Part of such Parishes or Places to another, or other Parts thereof, laden with any Dung, Soil, or Compost of any Kind, or other Manure for the
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manuring of any Garden or other Land or Ground situate within the same, not bought, sold, or disposed of, or carried for the Purpose of being bought, sold, or disposed of, but passing to be laid up or placed in the Outhouses, or on the Lands of the Owners thereof who shall not have bought the same; nor shall any Toll be demanded or taken for any Horse, Cattle, or Beast, employed in drawing any Cart or Carriage laden with Dung, Soil, or Compost, from any of the said Parishes or Places, so as such Horse, Cattle, or Beast, be then returning, and have on the Day preceding been subject to the Payment of the said Tolls; nor shall any Toll be demanded or taken for any Waggon, Wain, Cart, Carriage, or Horses employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the said Roads, or any of the Roads in the Parishes or Places in which any Part of such Roads doth lie, or Hay, Straw, or Corn in the Straw, or Potatoes, Turnips, Parsnips, and Carrots, not sold or disposed of, but passing to be laid up or placed in the Outhouses, or on the Lands of the Owners thereof; nor for any Waggon, Wain, Cart, Carriage, or Horse, employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or for any Thing employed in the Management of any Farm or Lands, within any of the Parishes or Places in which the said Roads are situate; nor for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to or returning from being shod or farried; nor from any Person going to or returning from his or her 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 who shall die and be buried in any of the said Parishes; nor for 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; nor for any Horses, Cattle, or Carriages, of whatever 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; nor for any Horses, Carts, or Waggon, 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 appointed for and on the Days of Exercise, provided that such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided by such Corps respectively; at the Time of claiming such Exemption as aforesaid; nor for any Horses, Carts, or Waggon, employed in the Conveyance of Vagrants sent by legal Passes; nor for any Horse, Cattle, or Beast, drawing any Coach, Landau, Berlin, 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 Counties of *Lincoln* and *Nottingham*, or either of them, 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 or Persons

[*Loc. & Per.*]

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shall

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 for the Purposes of the said Act and this Act.

Statute Labour.

VIII. 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 Roads, 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 County of *Nottingham*, or for the Liberty of *Southwell*, within the same 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 Portion 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 do 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 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 for 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 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 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 now 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 at such Days, and at such Times (not being Hay-time 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 of Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees, or to 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 Act 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

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 now 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 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.

IX. 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 Act 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, Lunatick, 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 Act 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 Directions and Approbations 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

Application
of Compen-
sation if
amounting
to 200l.

Time

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 Act and this Act, in case such Purchase or Settlement were made.

Application of Compensation if less than 200l. and exceeding 20l.

X. 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 any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to Rents and Profits of the Lands, Tenements, or Hereditaments, so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-after 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 of the Trustees for executing the said recited Act and this Act (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 and Approbation of the Court of Chancery.

Application where the Money is less than 20l.

XI. 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, Tenements, or Hereditaments, so purchased, taken, or used for the Purposes of the said recited Act and this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid 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.

XII. 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

any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Act 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 any Five or more of them; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the 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, Control, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the said Court shall seem meet, to order the same to be laid out and invested in the 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 and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

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

Subject to the Order of the Court of Chancery on Motion or Petition.

XIII. 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 Title in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of the said recited Act 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 to 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 Persons who shall be in Possession of the Land, etc. at the Time of such Purchase, shall be deemed entitled thereunto according to such Possession, unless, &c.

XIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled

[*Loc. & Per.*]

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The Court of Chancery may order re-son-

able Expences
of Purchases
to be paid by
the Trustees.

titled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said recited Act 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 recited Act 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 Act 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 Act and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Riding on
Footpaths,
e.c.

Suffering
Pigs to root
up the Road.

Drivers of
Carriages not
keeping on the
left Side the
Roads when
meeting other
Carriages, etc.

XV. And be it further enacted, That if any Person shall ride upon any Footway adjoining to the said Roads, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall cause any Damage to be done to such Footway; or if any Person driving any Pigs or Swine upon the said Roads shall suffer the same to root up and damage the same or any Part thereof, or the Fences, Hedges, Backings, or Copse, on either Side thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage, upon the said Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left or near Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever, on any Part or Parts of the said Roads; or if any Person shall leave any Waggon, Wain, Cart, or other such Carriage, longer than may be necessary for loading or unloading the same in, upon, or on the Side of any Part of the said Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto, every Person so offending shall for every or any such Offence forfeit and pay any Sum not exceeding Forty Shillings.

For paying the
Expences of
this Act.

XVI. And be it further enacted, That all the Charges and Expences incident to and attending the obtaining and passing of this Act, shall be defrayed out of the Monies already received, or to arise within or upon Account of the said Roads, and in Preference to all other Payments whatsoever.

Limitation of
Actions.

XVII. Provided always, and be it further enacted, That no Action, Suit, Prosecution, Appeal, or other Proceedings, shall be commenced against any Person or Persons for any Thing done in pursuance of this or the said recited Act, until Twenty-one Days after Notice in Writing (such Notice stating the Grounds of such Action, Suit, Prosecution, Appeal, or other Proceeding) shall have been given by the Person or Persons aggrieved to the Person or Persons against whom such Action, Suit, Prosecution, Appeal, or other Proceeding shall be commenced, and also to the Treasurer or Clerk to the said Trustees for the Time being.

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. Publick Act.

XIX. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force, and be executed for and during the Residue now to come and unexpired of the Term granted by the said recited Act, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament. Commence-
ment and
Duration of
the Act.

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