



ANNO QUADRAGESIMO NONO

GEORGI II. REGIS.

Cap. 173.

An Act for continuing the Term and enlarging the Powers of Two Acts of the Sixth and Twenty-eighth Years of His present Majesty, for repairing several Roads leading to the Town of *Dartford*, in the County of *Kent*. [15th June 1809.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for repairing and widening several Roads leading to the Town of Dartford, in the County of Kent*: And whereas an Act was passed in the Twenty-eighth Year of His present Majesty's Reign, intituled, *An Act for continuing the Term and varying the Powers of an Act of the Sixth Year of His present Majesty, for repairing and widening several Roads leading to the Town of Dartford, in the County of Kent*: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded to put the same in Execution, for which Purpose they have borrowed a considerable Sum 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 said Roads be properly amended, widened, improved, and kept in Repair, unless the Term granted and continued by the said Acts be further continued, and some of the Powers and Provisions thereof altered, amended, and enlarged; and it is expedient that the Tolls granted by the said first recited Act should be increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the

[I.ec. & Per.] King's

Acts further
continued.

King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, (except such as relate to Exemption from Stamp Duties, and also except so much and such Part or Parts thereof as are by this Act varied, altered, or repealed), shall be and are hereby further continued for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same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 shall commence and take Effect immediately upon the passing of this Act; and this Act, and the additional Term, and the Tolls hereby granted, shall be, and are hereby declared to be subject and liable to the Payment of all the Money now due and owing on the Credit or on account of the said recited Acts, or either of them, or which shall be borrowed on the Credit of the said Acts and this Act, and the Interest due and to grow due thereon respectively.

Additional
Trustees, &c.

II. And be it further enacted, That all Persons in the Commission of the Peace for the said County of *Kent*, and residing within the Western Division of the said County, and being qualified to act as Trustees in pursuance of the Directions of the said first recited Act, shall, together with the several Persons herein-after named, be Trustees for executing the said recited Acts, and this Act, whether such Persons in the Commission of the Peace shall have taken out their *Dedimus Potestatem* to, or shall act as Justices of the Peace for the said County or not.

Additional
Trustees.

III. And be it further enacted, That Sir *John Dixon Dyke*, Sir *Edward Knatchbull*, Sir *William Geary*, Sir *John Gregory Shaw*, Sir *Henry Hawley*, Sir *Walter Stirling*, Baronets; *Francis Motley Austen*, *Francis Lucius Austen*, Esquires; *John Austen* Clerk, *Joseph Berens*, *John Banister*, *John Kenward Shaw Brooke* Clerk, *James Chapman*, *Christopher Chapman*, *James Chapman the younger*, *Thomas Chapman*, *Thomas Caldecot*, *William Colyer of Greenhithe*, *Henry Cox*, *John Currey* Clerk, *Thomas Dyke*, *Percival Hart Dyke*, *George Hart Dyke*, *Alexander Evelyn*, *William Everest*, *Hussey Fleet*, *Charles Hussey Fleet*, *William Fleet*, *Thomas Fuller*, *Philip Firmin*, *Robert Fountaine* Clerk, *George Grote*, *Benjamin Harenc*, *Thomas Heathcote* Clerk, *John Jones*, *Robert Jenner*, *John Kemble* Clerk, *Multon Lambard*, *Thomas Lambard* Clerk, *Richard Leigh*, *Richard Leigh the younger* Clerk, *Thomas Latham*, *William Mumford*, *John Mumford*, *Charles Milner*, *Francis Markett*, the Honourable and Reverend *Jacob Marsham* Doctor in Divinity, *William Van Mildert* Clerk, *Peter Nouaille*, *George Polhill*, *Alexander Pitcairn*, *David Pitcairn*, *David Powell*, *John Clarke Powell*, *William Peete*, *Edward Rawlings*, *Peter Rashleigh* Clerk, *John Saunders*, *John Tasker*, *Heneage Twysden*, *Robert Talbot*, *James Winson*, *Richard Wilks*, *William Henry Webley*, *John Wall* Clerk, and *Heathcote Wyndham*, Clerk, and their Successors, being qualified according to the Directions of the said first recited Act, shall be, and are hereby declared to be the Trustees for carrying the said recited Acts and this Act into Execution.

IV. And

IV. And whereas the Tolls granted and continued by the said recited Acts have been found insufficient for the Purpose of effectually repairing and improving the said Roads, be it therefore enacted, That from and after the Second *Monday* next after the passing of this Act, the Tolls and Duties granted and made payable by the said recited Acts, shall, as to the Particulars and Amount thereof respectively be, and are hereby repealed; and that in lieu thereof the following Tolls and Duties shall be payable and paid before any Carriage, or any Beast or Cattle whatsoever shall be permitted to pass through any of the Gates erected, or to be erected on the said Roads; (that is to say),

For every Coach, Berlin, Landau, Chariot, Chaise, Calash, Caravan, Tolls.

Hearse, Waggon, Wain, Cart, Dray, or other Carriage drawn by Six or more Horses, or other Cattle, the Sum of Two Shillings; and drawn by Four or more Horses, or other Cattle, the Sum of One Shilling and Sixpence; and drawn by Two or more Horses or other Cattle, the Sum of Nine-pence; and drawn by One Horse or other Beast, the Sum of Four-pence:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Half-penny:

For every Drove of Oxen, Cows, or neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in Proportion for any less Number:

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Half-penny *per* Score, and so in Proportion for any less Number.

Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll, and the Money so to be raised shall be and is hereby vested in the Trustees appointed in or elected by virtue of the said recited Acts, or either of them, and this Act, and the same and every Part thereof, shall be paid, applied, disposed of, and assigned, for repairing the Road aforesaid, and to and for the several Uses, Intents, and Purposes mentioned and set forth in the said recited Acts and this Act; and in case any Person or Persons shall neglect or refuse to pay the said Tolls hereby authorized to be taken, or any Part or Parts thereof, the same shall and may be levied and recovered by the same Ways and Means, and in such Manner and subject to the same Rules and Regulations as the Tolls granted by the said recited Acts can or may be levied and recovered; and all Persons evading or attempting to evade the Payment of any of the Tolls herein-before authorized to be taken, or any Part of the said Tolls, shall be subject and liable to the like Penalties, Forfeitures, and Punishments as are directed to be inflicted on Persons evading or attempting to evade the Tolls authorized to be taken by virtue of the said recited Acts, or either of them.

V. Provided always, That no Lessee of the Tolls payable at the passing of this Act as aforesaid, whose Term of Years therein shall not then have expired, shall take or have the Benefit of the additional Tolls hereby granted, during the Continuance of such Term, but the Toll hereby authorized to be taken over and beyond the former Tolls demised to such Lessee shall vest in the said Trustees as aforesaid, and shall be by them applied to the Purposes of this and the said recited Acts.

No Lessee of the Tolls granted by the former Act to have any Benefit from the additional Toll.

Exemptions
from Tolls.

VI. And be it further enacted, That no Person shall be charged with, or compellable to pay any of the Tolls made payable by this Act, for any Horse or other Beast drawing any Waggon, Cart or other Carriage, which shall be going unladen for, or shall be then used only in conveying or returning unladen or empty, after having been employed only in conveying Stone, Gravel, or other Materials for the repairing of any public Road or Highway in any Parish or Place in which the said Roads do lie, or for any Horse or other Beast not drawing, which shall be going unladen for, or shall be then used only in carrying or returning unladen after having been employed only in carrying any such Stone, Gravel, or other Materials, for the Purposes aforesaid, or for any Carriage, Horse, or Cattle, going for the Purposes of or returning from ploughing, tilling, or sowing any Land or Ground, or which shall be used or employed only in the Carriage of, or going empty or unladen for, or returning empty or unladen after having been employed only in carrying or drawing any Hay unstacked and not for Sale, Straw or Corn in the Straw, or any undried Hops for the Purpose of being dried or cured, or for any Carriage or Cattle going or passing with any Plough, Harrow, or any such Implement of Husbandry, or for any Carriage or Cattle carrying any Marl, Dung, Mould, Compost, or Manure of any Kind whatsoever, to be employed in Husbandry or for manuring or stocking of Land, but for no other Purpose; or for any Horse going to or returning from being shod or farried, or for any Cattle going to or returning from Water or Pasture; nor shall any Toll be demanded or taken for 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 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, 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 whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Post-master 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 or Volunteers upon their March or on Duty, or drawing any Carriages attending them laden with their Arms or Baggage, or for any Horses, Cattle, or Carriages, employed in carrying or conveying any sick, wounded, or disabled Officers or Soldiers, or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other publick Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces, 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 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 Exemptions as aforesaid, or for any Horses, Carts, or Waggons employed in the Conveyance of Vagrants sent by legal Passes, or for any Coach, Landau, Berlin, Chariot, Calash,

Calash, Chaise, or other Carriage; or the Horses or Cattle drawing them, or any Person on Horseback going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Kent*, 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 shall in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted (not being entitled to the same), every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, which shall be applied to the Purposes of the said recited Acts and this Act.

VII. And be it further enacted, That no Person owning or driving, or causing to be driven any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat, or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the said recited Acts contained to the contrary notwithstanding.

Owners or Drivers of Waggons conveying Military Stores not subject to Penalties for Overweight.

VIII. And be it further enacted, That the Occupier for the Time being of the Farm House called *The Warren House*, belonging to *George Polhill* Esquire, situate near the Gates or Turnpikes at *Oxford*, called *The Warren House Gate* and *Warren House Bar*, shall not be subject or liable to pay any Toll at the said Gate or Bar for passing through the same with his, her, or their Cattle or Carriages.

IX. Provided also, and be it further enacted, That no Person who shall have paid the Tolls by this Act granted for the passing of any Cattle or Carriage through any one Gate or Turnpike erected or to be erected between the Town of *Dartford* and the town of *Farningham*, shall on the same Day be subject to the Payment of any further Toll for the Passage of the same Cattle or Carriage through any other Gate or Turnpike erected or to be erected between the said Town of *Dartford* and the said Town of *Farningham*, the Person or Persons having paid such Toll producing a Note or Ticket denoting such Payment, which Notes or Tickets the Collectors of the Tolls are hereby required to deliver gratis upon Receipt of the Toll.

Tolls to be paid but once a Day.

X. And be it further enacted, That if the Driver of any Waggon or other Carriage shall drive any such Waggon or other Carriage down any Hill upon the said Roads with One or more of the Wheels of such Waggon or Carriage skidded or fastened, and without a Skid-pan to each of the Wheels so skidded or fastened, to keep them from injuring or damaging the said Roads, every Person so offending shall forfeit and pay a Sum not exceeding Twenty Shillings, to be recovered and applied in Manner by the said first recited Act directed.

[*Loc. & Per.*]

39 I

XI. And

For regulat-
ing the
Statute
Labour.

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 Roads, or any Parts 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 of *Kent*, and they are hereby required and empowered, upon Application made to them by the said Trustees or their Treasurer, Clerk, or Surveyor, 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 same do lie, and also what Proportion of the Money received by the Surveyor or Surveyors of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him 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 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 Service 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 in force 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 any Five or more of them, 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 they 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 recited Acts or either of them, 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,

bourer, 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 neglect to give in such Lists as aforesaid, or shall knowingly or 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.

XII. 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 or this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Cestui que* 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 or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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 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 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

Application
of Compensation
Money
exceeding
200l.

fold

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

Application
of Compensation
where
under 200l.

XIII. 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 Person or Persons, or to any Corporation, 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 the 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-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 Seven of the Trustees for executing the said Acts 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 same be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application
of Compensation
Money
where the
same is under
200l.

XIV. 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 Acts 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 or if
Persons cannot
be found,
Purchase
Money to be
paid into the
Bank, subject
to the Order
of the Court
of Chancery.

XV. 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 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 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 Privy 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 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 of *England* as aforesaid.

XVI. 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 Privy 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 Lands, &c. at the Time of such Purchase, shall be deemed entitled thereunto according to such Possession, unless, &c.

XVII. Provided also, and be it further enacted, That where by reason of any Incapacity or Disability 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

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

purfuance of the faid Acts and this Act, or fo much of fuch Expences as the faid Court fhall deem reasonable to be paid by the faid Trustees, out of the Monies to be received by virtue of the faid Acts and this Act, who fhall from Time to Time pay fuch Sums of Money for fuch Purpofes as the faid Court fhall direct.

For paying
the Expences
of this Act.

XVIII. And be it further enacted, That the Charges and Expences of obtaining and paffing this Act, fhall be paid out of the Money collected or received or to be collected or received by virtue of the faid recited Acts or this Act.

Publick Act.

XIX. And be it further enacted, That this Act fhall be deemed and taken to be a Publick Act, and fhall be judicially taken Notice of as fuch by all Judges, Juftices, and others, without being fpecially pleaded.

Term of the
Act.

XX. And be it further enacted, That the Term granted and continued by the faid recited Acts, fhall upon the paffing of this Act ceafe and determine, and that the faid recited Acts (fubject to the Alterations and Additions herein contained) and this Act fhall 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 Seflion of Parliament.

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