



ANNO QUADRAGESIMO NONO

GEORGIUM III. REGIS.

Cap. 47.

An Act for enlarging the Term and Powers of an Act, passed in the Twenty-eighth Year of His present Majesty, for widening and keeping in Repair the Road from the Town of *Walsall* to *Hamstead Bridge*, and other Roads therein mentioned, all in the County of *Stafford*.

[12th May 1809.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for amending, widening, turning and keeping in Repair the Road leading from the Town of Walsall to Hamstead Bridge, and the Road leading from the said Town to a Common called Sutton Coldfield, and the Road leading from the said Town to a certain Brook called Park Brook, which divides the Parishes of Walsall and Wolverhampton, all in the County of Stafford*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in Execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due and cannot be repaid, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term of the said Act is continued, and some of the Powers and Provisions of the said Act altered and enlarged, and the Tolls increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and

[Loc. & Per.] 11 A Consent

28 G. 3. con-
tinued.

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, passed in the Twenty-eighth Year of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, Penalties, and Clauses therein contained (except such as relate to Exemption from Stamp Duties, and such as are hereby varied, altered, or repealed) shall be and continue in full force, and be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were herein particularly repeated and re-enacted, but subject nevertheless to the Amendments, Variations, Alterations, and Additions herein contained, and which shall commence and take effect upon the passing of this Act, and this Act and the additional Term hereby granted shall be subject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the said former Act, or which may hereafter be borrowed or become due and owing on the Credit of the said former Act and this Act, and of all Interest due and to grow due for the same respectively.

New Trustees.

II. And be it further enacted, That *Charles Adams, John Adams, Thomas Adams Surgeon, Henry Adams, Josiah Adams, Thomas Adams Wine Merchant, John Ash, Wyrley Birch, Henry Bowman, Benjamin Barber, William Brookes, Thomas Brookes junior, John Moss Badger, William Badger, Samuel Barber, John Vaughan Barber, Thomas Botton, Edward Banton, Nathaniel Gooding Clarke, Nathaniel Clarke, Joseph Curtis junior, Joseph Curzon, Hill Cox, Richard Crump, Joseph Cowley, Thomas Cowley, Charles Henry Darwall, John Day, John Eld, William Elwell, Samuel Elwell, the Reverend Thomas Lane Freer, John Freeth junior, Samuel Fletcher, (Bridge Street), Samuel Fletcher, (Dudley Street), Richard Moore Fletcher, Charles Smith Forster, John Forster, George Forster, William Franklin, the Right Honourable Granville Leveson Gower, commonly called Lord Granville Leveson Gower, Joseph Griffin, James Groves, Phineas Hussy, Hyla Holden, John Heeley, Joseph Hatley, Edward Haibaway, James Hammersley Hobbins, John Hobbins, John Hodson, Walter Horton, John Harrison, Joseph Harrison, William Harrison, Thomas James junior, Richard James, Joseph Jenns, Whitmore Jones, Thomas Morris, William Mold, John Marlow, Joseph Marlow, Isaac Marklew, William Marshall, William Nicholls, William Neville, Thomas Oerton, the Reverend Philip Pratt, John Parnell, Joseph Parson, James Payton, James Pitman, William Parker, James Penn, Henry Quinton, Richard Rutter, Joseph Rock, Joseph Reynolds, Charles Reynolds, Sir Joseph Scott Baronet, the Reverend Thomas Hector Spurrier, Walter Spurrier, Thomas Scott, Joseph Stubbs, Samuel Sharratt, Joseph Bealey Stanley, Joseph Spurrier, William Spurrier, John Thurstan, William Tennant, James Underhill, James Villers, the Honourable John William Ward, John Clements Whateley, the Reverend John Wylde, William Wakeman, James Wakeman, John Wood, Francis Watkin Weaver, Joseph Woollat, William Wootton, Benjamin Willetts, Peter Weatherhead, Thomas Weatherhead, the Reverend John Waltham, Charles Windle junior, Thomas Wilson junior, and Francis Yates, shall, from and immediately after the passing of this Act, be added to and joined with the Trustees appointed by or in pursuance of the said recited Act, for putting the same and this Act in Execution; and the Trustees hereby appointed, and their Successors, being qualified according to the Direction of the said recited Act, are hereby empowered to put the said recited Act and this Act*

Act in Execution, as fully and effectually, to all Intents and Purposes, as if they had been named in and appointed by the said recited Act.

III. And be it further enacted, That instead of the Toll or Sum of Three-pence, authorized and directed in and by the said recited Act to be demanded and taken for every Horse, Mare, Gelding, Mule or other Beast, drawing any Carriage, so far as such Toll respects any Chaise, Calash, Hearse, Phaeton, Chair, Caravan, Gig, or other such like Carriage, drawn by One Horse only, the following Tolls shall, from and after the passing of this Act, be demanded and taken at each of the Turnpikes erected or to be erected upon the said Roads; (that is to say),

Alteration of
Tolls.

For every Horse, Mare, Gelding, Mule or other Beast drawing any Chaise or other such like Carriage, as aforesaid, with Two Wheels, the Sum of Four-pence.

IV. And be it further enacted, That no Toll shall be demanded or taken at any Toll Gate for any Cattle or Carriage solely employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying any Materials for repairing the said Roads, or of any Lime, Dung, Mould, Soil, or Compost of any Kind, for the manuring of any Garden or other Land or Ground; or for any Horse or other Cattle employed in the ploughing, sowing, tilling, or cultivating of any Land or Grounds; or for any Cattle or Carriage employed in Harvest Work or Husbandry, or in the Carriage of any Hay, Straw, or Corn in the Straw, not for Sale; or returning from carrying the same with any empty Carriage; or for any Horse or other Cattle, drawing or conveying any Ploughs, Harrows, or other Implements of Husbandry, in order for the repairing thereof, or using the same in Husbandry, or any Utensil that shall be used or employed in Husbandry or tilling or manuring of Land; or for any Horses, Cattle, Sheep, Swine, or Hogs, going to or passing from Water or Pasture in any of the Parishes through which the said Roads lead, or which are next adjoining to the said Roads; or for any Horse, Mare, or Gelding, going to be or returning from being shod or farried; or for any Sheep going to or returning from any Wash, Dike, River, or other Place used for the washing of Sheep in any such Parishes, or for any Sheep going to or returning from any Place used for the sheering of Sheep in any such Parishes; or for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning therefrom; or for any Horse belonging to any Officers or Soldiers upon their March or on Duty; or for any Horses, Cattle, or Carriage, employed in carrying or conveying, or returning from carrying or conveying the Arms or Baggage of any such Officers or Soldiers; or in carrying 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 Public 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 belong to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and

Exemptions
from Toll.

on the Days of Exercise; provided always, that such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption as aforesaid; or for any Horses, or other Cattle or Carriage, employed in conveying Vagrants sent with lawful Passes; or for any Horse or other Cattle that shall be going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Stafford*, on the Day of such Election or Elections, or on the Day before or on the Day after such Election shall begin or be concluded; nor shall any Toll be taken or demanded of or from any Rector, Vicar, or Curate, going to or returning from his own Parish Church or other Place of Divine Worship, or visiting his Sick Parishioners, or upon any other Ecclesiastical Duty; nor 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 or be buried in any of the said Parishes; and if any Person or Persons shall claim or take the Benefit of any such Exemption, not being entitled to the same, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied in such and the same Manner as any Penalties or Forfeitures are by the said recited Act directed to be recovered and applied.

Owners or Drivers of Waggon conveying Military Stores not subject to Penalties for over Weight.

V. 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 public 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 over Weight; 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 this Act contained to the contrary notwithstanding.

Penalty for injuring Footpaths.

VI. And be it further enacted, That if any Person or Persons shall ride upon any Causeway or other Way already made or hereafter to be made upon the said Roads, or any Part thereof, for the Use of Foot Passengers, or shall lead or drive any Horse or Horses, or Cattle or Swine upon any such Causeway, or shall do or cause any Injury or Damage to be done to the same, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings, to be recovered and applied in such and the same Manner as any Penalties or Forfeitures are by the said recited Act directed to be recovered and applied.

Restrictions from getting Gravel.

VII. And be it further enacted, That from and after the passing of this Act, no Gravel or other Materials for repairing the said Roads shall be

be dug or gotten from a certain Gravel Pit now open at or near a Place called *Barr Beacon*, nor from the Land lying between the said Gravel Pit and a Cottage on the North Side thereof now or lately in the Occupation of *John Shaw*, nor from the Land lying on the South Side of the said Gravel Pit between the same Gravel Pit and the Guide Post opposite the Lane there leading to *Great Barr Chapel*, without the Consent in Writing of *Sir Joseph Scott* Baronet, or of the Person or Persons who for the Time being shall be the Proprietors of the Land in which such Gravel Pit has been made.

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 toward's 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 said County of *Stafford*, (or for the Borough and Foreign of *Walsall*, in respect of such Parts of the said Roads as lie within the Parish of *Walsall*), and they are hereby required and empowered, within their respective Jurisdictions, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said 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 of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices, within their respective Jurisdictions, 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 List of Names shall be made in such Manner, and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force and effect for the Repairs of the public 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 for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in default of Payment thereof, the same shall and may be recovered by Distress and

Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited 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 left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force or effect for the Repair of the public 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 turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said 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 said Highways for any of the said Parishes or Places, shall refuse or wilfully neglect to give in such List as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Trustees may compound for Statute Work.

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

Trustees empowered to sell Ground not wanted for the Purposes of the Act.

X. And whereas by reason of the diverting, altering, or turning of the said Roads, and by reason of the Purchases which the said Trustees have heretofore made and may hereafter make, by virtue of the said recited Act and this Act, the said Trustees are seised or may become seised of Ground or Soil forming the Road diverted or to be diverted, altered, or turned, and also of some Piece or Pieces of Ground, over and above what may be necessary for effectuating the Purposes of the said recited Act and this Act; be it therefore further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, from Time to Time to sell and dispose of such Grounds or Soil and Piece or Pieces of Ground, together or in Parcels, either by publick Sale or private Contract, (as they shall find most advantageous and convenient) to such Person or Persons as shall be willing to contract for and purchase the same.

XI. Provided

XI. Provided always, and be it enacted, That the Offer of the Purchase of any old Road, or other Piece or Pieces of Ground, not wanted for the Purposes of the said recited Act or this Act, shall be first made to the Owner of such adjoining Land, which shall be cut and used for the Purpose of widening, turning, or improving the said Roads; and in case such Owner shall be desirous of becoming the Purchaser of such old Road, or other Piece or Pieces of Ground, and cannot agree with the said Trustees for the Price to be paid for the Purchase of the same, and such Owner shall still be desirous of becoming the Purchaser thereof, then and in such Case the Value thereof shall be settled and ascertained by a Jury in such and the like Manner as the Price for any Land to be taken in pursuance of the said recited Act is directed to be settled and ascertained in and by the said recited Act, and such Owner shall be deemed the Purchaser thereof at the Sum to be ascertained by the Jury to be the Value thereof; and in case such Owner shall refuse to pay such Money upon Demand made thereof by the Treasurer or Clerk to the Trustees, and Tender of the Conveyance of such old Road, or Piece or Pieces of Ground, the same shall and may be recovered by the said Trustees, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*; and in case any such Owner shall not agree, or shall refuse to purchase any such old Road, it shall and may be lawful to and for any Person or Persons (not interested in the Premises) to make an Affidavit, to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County, Town Corporate, Division, or Place where such old Road or other Piece or Pieces of Ground shall lie, stating that such Offer has been made by or on Behalf of the said Trustees, and that such Owner has not agreed or has refused to purchase such old Road (as the Case may be); and such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and not agreed to or refused by such Owner: Provided nevertheless, that if the Lands of Two or more Persons shall be taken for any such new Road as aforesaid, each and every such Owner shall be entitled to the First Offer of so much of the old Road as is lying immediately adjoining to his, her, or their Land respectively in Manner aforesaid: Provided also, that if such Owner or Owners respectively shall be willing and consent to take such old Road in Exchange for such new Road, it shall and may be lawful to and for the said Trustees, and they are hereby required to assure the same to such Person or Persons, by entering the same in their Books, and delivering to him or them a Copy of the Entry thereof, signed by any Five or more of the said Trustees, which Copy shall be a good and valid Title to the same, and be available in any Suit in Law or Equity.

Owners of Land used in making new Roads to have the first Offer of the old Road.

XII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said recited Act particularly mentioned, 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 *ex parte* the Trustees

Application of Compensation Money, if amounting to 200 l.

Trustees for executing the said recited 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, or Hereditaments, in the Purchase of the Land Tax, or towards the 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 any other Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Trusts, 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 the 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 Monies shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less
than 200l and
exceeding 20l.

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 Corporation, or to any Person or Persons under any Disability or Incapacity, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the 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 or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, with the Privity and in the Name 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 the Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the 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 therefrom, may be applied in any Manner herein-before directed, so far as the Case be applicable,

applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

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 Act and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit, or in case of Infancy or Lunacy then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application where less than 20 l.

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 Act or this Act, for the Purposes of the said Roads, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case, it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the Sum and Sums of Money so awarded as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public 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.

In case of not making out Titles;

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

XVI. 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 the said Act or this Act, for the Use of the said Roads, 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 thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends

Respecting disputed Titles.

or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of the 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 one, 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.

Court of
Chancery to
direct the
Payment of
Expences.

XVII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said Act or this Act, the Purchase Money for the same shall be required to be paid into the said 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 Act and this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said Act or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

For paying
the Expences
of this Act.

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

Publick Act.

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

Commence-
ment and
Continuance
of the Act.

XX. And be it further enacted, That the said recited Act (subject to the Alterations, Additions, and Amendments in this Act contained), and this Act, shall continue and be in force and be executed for and during the Residue now to come 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.