



ANNO QUINQUAGESIMO PRIMO

# GEORGI II. REGIS.

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## Cap. 29.

An Act for enlarging the Term and Powers of several Acts for repairing the Road from *Harlow Bush Common*, in the Parish of *Harlow*, to *Woodford*, in the County of *Essex*, and the Road from *Epping*, through the Parishes of *Northweald*, *Bassett*, *Bobbingworth*, *High Ongar*, *Chipping Ongar* and *Shelley*, to the *Four Want Way*, in the Parish of *Shelley*, and from thence through the Parishes of *High Ongar* and *Norton Mandeville*, to the Parish of *Writtle*, in the said County. [11th April 1811.]

**W**HEREAS an Act was made in the Tenth Year of the Reign of <sup>10 G. 1. c. 9.</sup> King George the First, intituled, *An Act for repairing and amending the Highways from the North Part of Harlow Bush Common, in the Parish of Harlow, to Woodford, in the County of Essex*: And whereas <sup>16 G. 2. c. 19.</sup> another Act was made in the Sixteenth Year of the Reign of His late Majesty King George the Second, intituled, *An Act for enlarging the Term and Powers granted by an Act passed in the Tenth Year of the Reign of His late Majesty King George the First, intituled, "An Act for repairing and amending the Highways from the North Part of Harlow Bush Common, in the Parish of Harlow, to Woodford, in the County of Essex:"* And <sup>9 G. 3. c. 63.</sup> whereas another Act was made in the Ninth Year of the Reign of His

[Loc. & Per.]

6 K

His

His present Majesty, intituled, *An Act to enlarge the Term and Powers of Two Acts, passed in the Tenth Year of King George the First, and the Sixteenth Year of His late Majesty, for repairing the Road from the North Part of Harlow Bush Common, in the Parish of Harlow, to Woodford,* 27 G. 3. c. 69. *in the County of Essex: And whereas by another Act passed in the Twenty-seventh Year of the Reign of His said present Majesty, intituled, An Act for continuing and enlarging the Term and Powers of the said several Acts made in the Tenth Year of the Reign of King George the First, the Sixteenth Year of the Reign of King George the Second, and the Ninth Year of the Reign of His present Majesty, for repairing the Road from the North Part of Harlow Bush Common, in the Parish of Harlow, to Woodford, in the County of Essex; and for repairing and widening the Road from Epping, through the Parishes of Northweald, Bassett, Bobbingworth, High Ongar, Chipping Ongar and Shelley, to the Four Want Way, in the said Parish of Shelley, and from thence through the Parishes of High Ongar and Norton Mandeville, to the Parish of Writtle, in the said County: And whereas the Trustees appointed to put the said Acts in Execution have, in performing the Trusts thereby in them vested, borrowed a considerable Sum of Money on the Credit of the Tolls granted by the said Acts, which is still unpaid, and have applied the same, together with the Tolls collected by virtue of the said Acts, in amending the Roads in the said Acts mentioned; and although great Progress hath been made in repairing thereof, the same are not sufficiently amended, nor can the same be effectually repaired, and the Money repaid, unless the Term and Powers granted by the said Acts be further continued, and the said Acts made more effectual: 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 Acts passed in the Tenth Year of the Reign of His late Majesty King George the First, and the Sixteenth Year of the Reign of His late Majesty King George the Second, and the Ninth Year of the Reign of His present Majesty King George the Third, and the Twenty-seventh Year of the Reign of His said present Majesty, and all the Powers, Authorities, Articles, Rules, Penalties and Clauses in the last-mentioned Act contained (except what are hereby altered or varied, and also except such as relate to Exemption from Stamp Duties) shall be in full Force and Effect, and shall extend to the repairing and widening the said Roads; and that the said Acts and this Act shall continue and be executed from the Expiration of the Terms by the said Acts, for the further Term herein after mentioned, as fully and effectually as if the same were particularly repeated and re-enacted in this present Act; and this Act and the Term hereby continued and granted shall, and is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on Account of the before-mentioned Acts of Parliament, or any of them, as also the Payment of all Sums of Money which shall hereafter be borrowed, as fully as if the same had been borrowed on the Credit of this Act.*

Acts continued.

Trustees.

II. And be it further enacted, That *John Rutherford Abdy, Charles Boyd Abdy, John Appleton, William Adams, Thomas Ansley, Ralph Knight Allen, Samuel Bosanquet, William Bosanquet, Thomas Banks, John Bishop, Richard Baker, Burrell Burrell, Montague Burgoyne, William Baker,*

*Baker, James Banbury, James Bury, William Bullock, Daniel Buiches, John Black, Richard Bosanquet, Thomas Berney Bramston, John Burrell, Robert Bodle, Leonard Barnard, James Barlow, William Bazire, John Briant, Leonard Barnard Burmester, John Conyers, Henry John Conyers, the Reverend Edward Conyers Clerk, John Crabb, William Coell, George Coell, Sir Thomas Coxhead, Newell Connop, Connop, Newell Connop Junior, Charles Connop, the Reverend William Calvert Clerk, George Clarke, Thomas Cain, Stanes Chamberlayne, Thomas Clarence, Capel Cure, Chambers, John Davison, Robert Denn, William Dolby, Benjamin Doubleday, the Reverend Doctor Dowdeswell, Sir George Duckett Baronet, William Dyer, the Reverend Edward Earle Clerk, James Flower, Francis Fane, Benjamin Fincham, the Reverend William Gibson Clerk, Golding Griggs, Daniel Giles, William Gray, Edward Griffen, James Gascoigne, Charles Greenwaud, John Hughes, John Minett Henniker, John Archer Houblon, Eliab Harvey, Edward Harvey, the Reverend Anthony Hamilton Doctor in Divinity, William Hamilton, John Harrison, William Holt, Charles Harris, John Halfhide, Robert Jonathan Hadgley, George Hughes, John Horsley, Charles Ibbettson, the Reverend William Jones Clerk, Joseph S. Jessopp, Thomas Augustus Jessopp, James Jessopp, the Reverend John Johnson Clerk, John Symphon Jessopp, John Keys, Clement Kirwan, the Reverend Jonathan Lipycutt Clerk, William Lake, the Reverend Robert Lewis Clerk, William Joseph Lockwood, the Reverend Morgan Lewis Clerk, William Le Gras, the Reverend Thomas Layton, Clerk, John Matthews, Henry Seymour Matthews, the Reverend Henry Morice, Clerk, Edward Rowe Mores, William Mellish, William Mason, William Mills, Thomas Coxhead Marsh, William Coxhead Marsh, William Naylor, Richard Harding Newman, Spencer Newman, George Nicholls, Thomas Oliver, Richard Oliver, John Osborn, the Reverend John Oldham Clerk, Craven Ord, the Reverend Craven Ord Clerk, William Palmer, George Palmer, Ralph Palmer, Phillip Perry, John Pain, the Reverend James Parson Clerk, William Plummer, James Preston, John Pitkin, Nicholas Pearse, John Popplewell, James Pattison, Samuel Pitt, David Powell, Charles Pooley, Nicholas Pearce, George Parris, Cuthbert Relph, John Rigg, William Rivitt, William Robertson, Robert Rainsford, William Russell, William Raikes, Sir William Smyth Baronet, William Smyth, Thomas Smyth, the Reverend Edward Smyth Clerk, the Reverend Richard Smyth Clerk, Nathaniel Smith, Thomas Selwyn, William Sotheby, John Silvester, Samuel Southouse, Joseph Holden Strutt, John Smith, Charles Smith, John South, John Trapps, the Reverend Johnson Towers Clerk, Sir John Tyrell Baronet, William Kent Thomas, John Vickery, James Urmstone, Walter Urquhart, Sir William Wake Baronet, James Watts, Thomas Walton, John Walker, John Wolfe, John Windus, James Windus, Daniel Whalley, John Wright, Thomas Williams, Stephen Wilson, William Walford, John Willis, James Walton, John Walton, Sir David Wedderburn Baronet, Samuel Wild, George Williams, James Watts, Sir Robert Wigram Baronet; and the Survivors or Survivor of them, and their Successors, being qualified in Manner directed by the said Acts, shall, from and immediately after the passing of this Act, be, and they are hereby nominated, constituted and appointed Trustees for putting the said last mentioned Acts, and this Act, in Execution, and all the Powers and Authorities therein and herein contained.*

III. And be it enacted, That the said Trustees, or any Five or more of <sup>Tolls</sup> them, or such Person or Persons as they or any Five or more of them shall appoint,

appoint, shall and may receive and take the like Tolls as they have heretofore done, until the Twenty-ninth Day of *September* One thousand eight hundred and eleven, and from and after that Period the Tolls following shall be demanded and taken, in addition to the Tolls granted by the said Acts, before any Horse, Chaise, Gelding, Mule, Ass, Cattle, Coach, Chariot, Chaise, Calash, Carravan, Waggon, Wain, Cart or other Carriage whatever, shall be permitted to pass through the same; unless the said Trustees at any Meeting hereafter to be held for that Purpose shall reduce the same: that is to say,

For every Chaise, Carravan or Calash, drawn by one Horse, Mare, Gelding or Mule, Sixpence.

For every Coach, Chariot, Chaise, Berlin, Landau, Carravan, Calash, Hearse and Pleasure Carriage, drawn by more than one Horse, Mare, Gelding or Mule; *videlicet*,

If by Two Horses, Mares, Geldings or Mules, Eight-pence.

If by Four Horses, Mares, Geldings or Mules, One Shilling.

If by Six Horses, Mares, Geldings or Mules, One Shilling and Sixpence.

For every Cart drawn by only One Horse, Mare, Gelding, Mule or Ass, empty or laden, Sixpence.

And if drawn by more than One Horse, Mare, Gelding, Mule or Ass, if abreast, One Shilling and Three-pence.

Or if at length, One Shilling.

For every Dray drawn by One or more Horse, Mare, Gelding or Mule, Eight-pence.

For every Cart drawn by Three or more Horses, Mares, Geldings, Mules, or Asses, One Shilling.

For every Waggon or Wain, One Shilling and Six-pence.

For every Timber Carriage, drawn by more than Three Horses, Mares, Geldings or Mules, Two Shillings and Six-pence.

And if less, Two Shillings.

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, One Penny Halfpenny.

For neat Cattle, by the Score, One Shilling and Six-pence; and so in proportion for a greater or less Number:

For Calves, Swine, Sheep or Lambs, by the Score, One Shilling; and so in proportion for any greater or less Number:

And for every Waggon, Wain, Cart or Carriage, having the Fellies of the Wheels thereof of less Breadth or Gauge than Six Inches from Side to Side, at the least, at the Bottom or Sole thereof, and for the Horses or Beasts of Draught drawing the same, double the Tolls or Duties which are above directed to be paid for the same respectively; which respective Sums of Money shall once a Day only be demanded and taken at such Gate or Gates, which are or may be erected on the Road called the *Epping* Turnpike Road, and the like Sum and Sums of Money at the Gate erected or to be erected on the *Ongar* Turnpike Road as aforesaid, in the Name of or as a Toll, and shall be vested in the said Trustees, and applied as hereinafter is directed; and such Tolls to be paid at the Gates now erected or to be erected on the Road called the *Ongar* Turnpike Road, shall not exempt any Person or Persons from Payment at the Gates erected or to be erected on the Road called the *Epping* Turnpike Road leading from *Woodford* to *Harlow*.

IV. And be it further enacted, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and eleven, no Toll shall be demanded or received for any Horse, Mare, Gelding, Mule, or other Cattle drawing any Carriage, going for or returning laden or unladen, having been laden only with Stones, Gravel, or other Materials for repairing the said Roads, or any of the Roads in the Parishes or Places in which the Roads hereby to be repaired, or any Part thereof, do lie; or any Dung, Mould, Soil or Compost of any Kind, for the manuring any Land or Ground; nor shall any Toll be taken, demanded or received for any Horse, Mare, Gelding, Mule, or Cattle going for the Purpose of, or returning from plowing, sowing, tilling, or cultivating of any Land or Ground, or employed in carrying or conveying or going to carry or convey, or returning from carrying or conveying any Hay, Straw, or Corn in the Straw, not sold or disposed of, but to be laid up in the Houses, Out-houses, Yards, or on the Premises of the Owner or Owners thereof; or for any Plough, Harrow, or other Implement of Husbandry; or for any Horse, or other Beast or Cattle, going to, or returning from Water or Pasture, or going to be, or returning from being shod or farried; or for any Horse, Cattle or Carriage of whatsoever Description employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster-General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for the Horses of Soldiers on their March or on Duty, or Carriages, or Horses or other Beasts employed in carrying or conveying the Arms or Baggage of such Soldiers; nor 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, 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 Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him 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; or for any Carriage, Horse, or other Beast, employed in the Conveyance of Vagrants travelling with legal Passes; nor shall any Toll be demanded or taken from any Inhabitant of any Parish in which any Part of such Roads do lie, who shall pass through any of the said Turnpikes to or from his, her or their respective Parish Church or Chapel, or other Place of religious Worship tolerated by Law, on *Sundays*, or on *Christmas Day*, *Good Friday*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or who shall attend the Funeral of any Person dying and to 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 *Christmas Day*, *Good Friday*; or any other Day on which Divine Service is ordered by Authority to be celebrated; nor shall any Toll be demanded or taken for or in respect of any Horse, Cattle or Beast carrying any Passenger, or drawing any Coach, Landau, Berlin, Chariot, Calash or Chair, going to or returning from the Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Essex*, on the Day or Days of such Election, or on the

[*Loc. & Per.*]                      6 L.                      Day

Day before or Day after such Election shall begin or be concluded: And if any Person shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, or shall make use of any Fraud whatsoever, whereby the Payment of the Tolls granted and continued by the said recited Acts, and this Act, or any Part thereof shall be evaded, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, whereof One Moiety shall go to the Informer, and the other Moiety shall be applied to the Purposes of the said recited Acts, and of this Act.

Exempting  
Carriages  
with Stores

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, 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 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 this Act, contained to the contrary notwithstanding.

Gates alter-  
nately to be  
shut or not.

VI. And whereas great Inconveniences have arisen for Want of a discretionary Power being vested in the said Trustees, occasionally to shut or open the said Gates; be it therefore further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Trustees or any Five or more of them, during the Weeks when the Fairs are held in the Towns and Parishes of *Epping*, *Latton* and *Harlow*, in the said County of *Essex*, and *Sawbridgeworth* in the County of *Hertford*, or either of them, or at any other Time when they shall think proper, to cause both the said Gates to be shut and Tolls to be collected at both the said Turnpikes, so as that nevertheless, no Person who shall have paid at one Gate, and shall produce a Note or Ticket from the Collector there, shall be liable to pay at the other Gate on the Old Road the same Day.

Lessees to  
pay in ad-  
vance.

VII. And it is hereby further enacted, That in case the Tolls to be collected at any Turnpikes or Gates on any Part of the said Roads, shall at any Time be let on Lease, the Persons or Person to whom any of the said Tolls shall be so let as aforesaid, shall pay to the Treasurer to the said Trustees either One Quarter or One Month's Rent at least, in Advance, at the Discretion of the said Trustees; and in case any Default shall be made, of or in Payment of any of the said Quarterly, Monthly or other Payments, or in case of any Non-performance of the Covenants to be contained in the said Lease or Demise, it shall be lawful for the said Trustees or any Seven of them, in case they shall think proper, to declare the said Lease or Demise void, and to enter into any Turnpike House or Gate, in the Possession of the Lessee under such Lease or Demise, and remove the Collector appointed by such Lessee therefrom, in the same Manner as is by Law directed for removing any such Collector or his or their Family there.

therefrom; and if any Lessee of such Tolls, or the Person or Persons appointed by him to collect the same, shall take a greater Toll from any Person than is authorised or directed by this Act, or shall give any false Ticket, or by any Ways or Means attempt to take from any Person or Persons passing through the said Gates any other or larger Toll than is authorised by this and the said Acts, he or they shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds, to be paid on Conviction before any One of His Majesty's Justices of the said County.

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 Roads by the said recited Acts and this Act, or any of them, directed to be made, widened and repaired, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Essex*, and they are hereby required and empowered upon Application made to them by the said Trustees, or by their 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 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; and in order thereunto, it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish or Place, to bring in Lists before such Justices (at some Place to be expressed in such Summons) within Seven 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 is, are or may be directed by any Law or Statute in Force and Effect for the Repair 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 to be subject and liable to do Statute Work as aforesaid, to do such Number of Days' Statute Work in every Year upon the said Roads, as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being 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 such Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale

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 Statute Work as aforesaid, after Notice in Writing given to or left for him, her or them, at his, her or their last or usual Place or Places of Abode, for that Purpose, by any Surveyor of the said Trustees, shall for every Day for 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 and 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 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 the amending of the said Roads; and in case the 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 or wilfully give in false or imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Hay and  
Straw not to  
project over  
Carts.

IX. And whereas many Accidents happen to Passengers and Travellers, by means of Persons loading their Carts and Waggons with Trusses of Straw and Hay across the same, so as to project over the Fellies of the Wheels of such Carts and Waggons, and in the narrow Parts of the Road, thereby forcing Coaches, Chaises, and such like Carriages from off the Road, and also great Damage is done to the Roads by Waggons, Carts and Drays with narrow Wheels, drawn by more than two Horses in Pairs; be it further enacted, That if any Person or Persons shall, at any Time hereafter, drive any Horses, Mares, Geldings or Mules, in Pairs or abreast, in any Carts, and Waggons, or Drays or Timber Carriages upon the said Turnpike Roads, or any Part thereof, such Waggons, Carts or Carriages, having or being drawn by more than Two Horses, or with Waggons or Carts loaded with Hay, Straw or Wood across the same, and projecting over the Sides and Fellies thereof, to the Annoyance of any Person or Persons passing on the said Road, he or they shall, for every such Offence, forfeit and pay to the Treasurer of the said Turnpike Roads a Sum not exceeding Five Pounds, at the Discretion of the Justice before whom such Offender shall be convicted, to be applied for and towards the Repair of the said Roads.

Sand or  
Gravel not to  
be taken  
from the  
Sides of the  
Road.

X. And be it further enacted, That if any Person shall at any Time hereafter take or carry away any Sand, Gravel or Earth from off the said Turnpike Roads, or the Sides thereof, without the previous Consent of the Surveyor of the said Road, or shall dig any Sand or Gravel within the Distance of Thirty Feet of the said Turnpike Road, or if any Gravel Digger



Digger or Labourer shall, after opening any Pit or Hole for digging Gravel, neglect to fill up such Pit or Hole whereout he may have dug any Gravel or Stones for the said Roads, or for any other Purpose, in or near the same, for Four Days after Notice shall be given him by the Surveyor for that Purpose, he shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

XI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements or Hereditaments, purchased, taken or used by virtue of the Powers of the said recited Acts and this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or Trustee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert or Cestuique Trust, or to any other 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 *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 or Hereditaments in the Purchase or Redemption 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 other Lands, Tenements or Hereditaments standing settled therewith, or to the same or the like Uses, Intents or Purposes; and where such Money shall not be so applied, 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 or settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Lands, Tenements and 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 meantime, and until such Purchase shall be made, the said Money 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 meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or 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.

Re-investing  
Purchase-  
Monies when  
exceeding  
100l.

If less than  
200l. and  
amounting  
to 20l.

XII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements or Hereditaments purchased, taken or used for the Purposes aforesaid, and 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 such Money 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, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case may be applicable without obtaining, or being required to obtain the Direction or Approbation of the said Court of Chancery.

Under 20l.

XIII. Provided also, and be it further enacted, That when 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, or any Five or more of them, shall think fit, or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not  
making out  
Titles, &c.

XIV. 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 recited 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 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, Controul and Disposition of the said Court of Chancery, which said Court, on the Application of any Person or Persons making  
Claim

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 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.

XV. And be it further enacted, That where any Question shall arise touching the Title of any Person or Persons 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 to be purchased in pursuance of the said recited Acts and this Act, or to any Bank Annuities to be purchased with such Monies, or to the Dividends or Interests 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 such 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, the Person in Possession deemed the Owner.

XVI. 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 by the said Trustees, under the Authority of the said recited Acts and this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses, in pursuance of 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 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.

The Court Chancery to order Expences to be paid by the Trustees.

XVII. And be it further enacted, That all the Costs and Charges incident to and attending the obtaining and passing of this Act shall be paid out of any Money collected or received, or to be collected or received

Expences of the Act.

received by virtue of the said recited Acts, and this Act, or any of them, upon the said Roads, in Preference to all other Payments whatsoever.

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

**Continuance of Act.** XIX. And be it further enacted, That the said recited Acts (subject to the Alterations and Amendments herein contained) shall continue, and be in force, and be executed for and during the Residue now to come and unexpired of the Terms granted by the said recited Acts, 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.

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