



ANNO QUINQUAGESIMO SECUNDO

# GEORGI III. REGIS.

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## Cap. 155.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts of the Eleventh and Thirty-second Years of His present Majesty, for repairing the Road from the Market House in the Town of *Great Faringdon*, in the County of *Berks*, to *Burford*, in the County of *Oxford*.

[9th June 1812.]

**W**HEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty King George the Third, intituled, *An Act for repairing, widening, turning, and altering the Road from the Market House in the Town of Great Faringdon, in the County of Berks, to Burford, in the County of Oxford*: And whereas an Act was passed in the Thirty-second Year of the Reign of His said present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act, passed in the Eleventh Year of the Reign of His present Majesty, for repairing, widening, turning and altering the Road from the Market House in the Town of Great Faringdon, in the County of Berks, to Burford, in the County of Oxford*: And whereas the Trustees, appointed in or by virtue of the said Acts, have borrowed several considerable Sums of Money upon the Credit of the Tolls thereby authorized to be collected upon the said Road, which Money still remains due, together with a large Arrear of Interest thereon, and cannot be paid off, nor can the said Road be effectually amended and kept in good Repair unless the Term, by the said respective Acts granted and continued, be further con-

11 G.3.c.84.

32 Geo. 3. c. 150.

[Loc. & Per.]

tinued,

Acts con-  
tinued.

tinued, and some of the Powers of the said Acts altered and enlarged: May it therefore please Your Majesty, That it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Eleventh and Thirty-second Years of the Reign of His present Majesty respectively, and all and every the Powers, Authorities, Directions, Provisions, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, (except such of them as relate to Exemptions from Stamp Duties, and such as are hereby varied, altered or repealed) shall be and continue in full Force and Effect, and be put in Execution for and during the Term hereinafter mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this present Act, but subject, nevertheless, to the Amendments, Variations and Additions herein contained; and that this Act, and the additional Term hereby granted, shall be, and the same are hereby declared to be subject and liable to the Payment of all Monies now due and owing upon the Credit of the said recited Acts, and which shall or may, from time to time, hereafter be borrowed for the Purposes of the said Acts or this Act, and all Interest due and to grow thereon respectively.

Trustees.

II. And be it further enacted, That the Honourable *Philip Pusey*, *Joseph Andrews*, *William Bennet*, *Thomas Burrow*, Clerk; *Edward Berens*, Clerk; *Edward Bouverie*, Clerk; *John Bennett*, *Thomas Bennett*, *Christopher Boulton*, *Giles Brooks*, *Edward Francis Colston*, *James Crowdy*, *Richard Wheeler Crowdy*, *William Crowdy*, *William Charlewood*, *James Clark*, *Richard Clark*, *John Clark*, *John Frampton*, *Pryse Lockhart Gordon*, *Hatton Green*, *Thomas Herbert*, *Francis Heath*, *William Higgons*, *William Hervey*, *James Johnson*, Clerk; *Joseph Johnson*, Clerk; *Thomas Johnson*, *Charles Loder*, *John Lord*, *William Yarnton Mills*, *William Mills*, Clerk; *Thomas Myers*, *Joseph Mayow*, *Thomas Neate*, Clerk; *John Rathbone*, Doctor in Divinity; *Richard Reynolds*, *Charles Reynolds*, *James Reynolds*, *George Richards*, Clerk; *Richard Rice*, Junior, *Robert Symonds*, Clerk; *Robert Thomas*, *Henry Tyler*, *Richard Towl*, *John Townsend*, *Frederick Whitaker*, *James White*, *Henry William Ward*, *Christopher William Ward*, being qualified according to the Directions of the said recited Acts, shall be, and they are hereby added to, and joined with the surviving Trustees named in, or appointed by virtue of the said recited Acts; and that the Trustees hereby appointed, and their Successors (being qualified as aforesaid), together with the Trustees appointed, and to be appointed by virtue of the said Acts, shall be, and are hereby authorized and declared to be, Trustees for putting the said Acts, and this Act, into Execution, to all Intents and Purposes whatsoever; and that it shall be lawful to and for the said Trustees, or any Nine or more of them, and they are hereby empowered, at any Time or Times, to elect any Number of additional Trustees, not exceeding Ten, who shall have the same Power and Authority for executing the said Acts, and this Act, as if they had been hereby nominated and appointed.

Five Trustees  
empowered  
to act.

III. And whereas, for several Purposes mentioned in the said recited Acts, the Concurrence of Nine of the said Trustees is required, which is oftentimes found inconvenient, be it therefore further enacted, That the  
said

said Trustees, or any Five or more of them, shall be, and are hereby authorized and empowered, from and after the passing of this Act, to execute and perform all and every the Acts, Powers, and Authorities given by this and the said recited Acts, and that in no Case it shall be necessary to have the Concurrence of more than Five of the said Trustees to any Act, Matter or Thing required or authorized by this Act, or the said recited Acts, to be done, unless a greater Number of the said Trustees than Nine shall be present at any Meeting or Meetings, for the Purpose of carrying this Act, and the said recited Acts, into execution; and then, and in every such Case, the Majority in Number of the said Trustees, present at any such Meeting or Meetings, shall alone be competent to do any Act, or make any Order or Determination touching any Matter or Question arising or depending at such Meeting or Meetings respectively, or for which such Meeting or Meetings shall have been convened; and that no Mortgagee of the said Tolls shall, by reason thereof, be disqualified from acting as a Trustee in the Execution of the said respective Acts, or as Clerk or Treasurer to the said Trustees, save and except only in those Cases where they respectively may happen to be personally interested.

IV. And be it further enacted, That when, and as often as any Collector or Receiver of the Tolls, by the said Acts granted, shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, any three or more of the Trustees (though not assembled at a Meeting of the said Trustees, appointed by virtue of the said Acts), may discharge such Collector or Receiver, so neglecting, or being incapable of performing his Duty, or absconding or absenting himself; and in such Case, and also in case any such Collector or Receiver shall die, the said Trustees, or any Three or more of them, shall, and may nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the next Meeting of the Trustees, in the Stead of such Collector or Receiver as shall so die or be discharged, and such Person so nominated and appointed, shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person who shall so die, or be discharged, would have had or have been subject to.

Trustees to  
appoint tem-  
porary Col-  
lectors.

V. And be it further enacted, That in case all or any of the Tolls arising by virtue of the said Acts, shall be demised or let to farm to any Person or Persons, in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms or Conditions on which the same shall be so demised or let, either by taking greater or less Tolls, or in any other Way or Manner, or in case the Rent or Rents, agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in arrear, by the Space of Ten Days, next after any one of the Days on which the same ought to be paid, pursuant to the Lease or Agreement for demising or letting thereof, or in case any Toll House or Toll Houses shall be in the Possession of any Collector or Collectors, who shall be discharged or removed from his, her or their Office of Collector, or who shall happen to die, then, and in either of those Cases, the said Trustees, or any Five or more of them, or any Person authorized by Writing, under their Hands, or their Clerk or Treasurer, shall be at Liberty, and he and they is, and

Enabling  
Trustees to  
take Posses-  
sion of Toll  
Houses, &c.

are hereby authorized to enter upon and take Possession of the Toll House or Toll Houses, which shall be in the Possession of any such Lessee or Lessees, Farmer or Farmers, or Collector or Collectors, and the Buildings, Gates and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers, or Collector or Collectors, from the Possession thereof, and from the Collection of the Tolls; and that thereupon it shall be lawful for the said Trustees (if they shall think fit) to vacate and determine the Contract (if any) for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be from that Time utterly void, to all Intents and Purposes (save as to the Covenants or Agreements, for Payment up to that Time, of the Rent or Rents thereby reserved, or other Covenants or Agreements on the Lessee's Part which shall have been broken), as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees, in every such Case, to demise or let the said Tolls again to any Person or Persons, or cause them to be collected, as if no former Demise, Contract or Agreement had been made relative thereto, any Law, Custom or Usage to the contrary thereof, in any wise notwithstanding.

Exemptions  
from Toll.

VI. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, Beast or Carriage, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying, on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing of the said Road, or any of the Roads in the Townships, Parishes, or Hamlets in which any Part of such Road lies, or Hay, Straw, or Corn in the Straw only, not sold or disposed of, or conveying to be sold, but passing to be laid up or placed in the Out-houses, or on the Lands of the Owners thereof; or for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying (having been employed only in carrying or conveying) any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Compost, or Manure employed in Husbandry, for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to be, or returning from being, shod or farried; or from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship, tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered, by Authority, to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to, or returning from visiting any sick Person, or upon other his parochial or ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered, by Authority, to be celebrated; or for any 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 any Horse, Cattle or Beast, attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor for any  
Waggon,

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, Cart, Carriage or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Cattle, or Beast, carrying or conveying any Person or Persons going to vote, or returning from voting at any Election of a Knight or Knights of the Shire, to serve in Parliament for the Counties of *Berks* and *Oxford*, or either of them, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed, for and on the Days of Exercise, provided that such Person shall be dressed 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; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim or 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 Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of 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 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 or the said recited Acts contained, to the contrary notwithstanding.

Carriages conveying Military Stores, not to be subject to Penalties for Overweight, &c.

VIII. And whereas by the said Act of the Thirty-second Year of the Reign of His present Majesty, *William Hallett*, of *Faringdon House* in the said County of *Berks*, was authorized to make a new Road, from the old Road therein-mentioned, at the Top of *Balley Lane* in the Parish of *Faringdon*, to and through Part of *Littleworth Lane*, and branching out from thence Northward, and leading through a Ground of arable Land, called late *Jenners*, a Ground called *Milking Close*, and another Ground called *Upper Portman's Leaze*, and there forming Part of the old Road at a certain Tree, standing by the Side thereof, in a Spot therein particularly described; and by virtue of the said last mentioned Act, the said *William Hallett* afterwards stopped up a Part of the said old Road, beginning from *Balley Lane* aforesaid, and continuing to the abovementioned

For varying the Line of the Road.

[*Loc. & Per.*]

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Tree;

Tree; and also stopped up, or caused to be disused, certain Foot-paths and Rights of Way on the Side of and branching from the said old Road, and in particular a certain Horse Road to *Thrupp* in the said Parish of *Faringdon*; and in lieu of such last-mentioned Horse Road, the said *William Hallett* opened a new Horse Road, branching from the new Road so made by him as aforesaid, at the South-east Corner of a Ground of Pasture, called *Upper Portman's Leaze*, and leading through the said Ground, and a Ground of Meadow called *Lower Portman's Leaze*, and opening into *Thrupp Common*, containing in Length Six Furlongs and Fifteen Poles, or thereabouts: And whereas the Part of the old Road, and the Foot-paths and other Rights of Way so stopped up or extinguished by the said *William Hallett*, became, by virtue of the said Act, the Property of the said *William Hallett*, and were held and enjoyed by him with the Ground and Land on each Side thereof respectively, which were his Property: And whereas *Daniel Bennett* of *Blackheath*, in the County of *Kent*, Esquire, is at present the Owner and Proprietor of the said Lands and Grounds, through which the said new Carriage Road, made by the said *William Hallett*, doth lead, and *Christopher Boulton* of *Faringdon* aforesaid; Innholder, is at present the Owner and Proprietor of the said Lands and Grounds called *Upper Portman's Leaze* and *Lower Portman's Leaze*, through which the said Horseway, opened by the said *William Hallett*, doth lead: And whereas the said new Carriage Road, made by the said *William Hallett*, being hilly, circuitous and inconvenient, the said Trustees have requested the said *Daniel Bennett* to restore the said old Road, and he has consented to restore the same: And whereas it has been agreed by and between the said Trustees, and the said *Daniel Bennett*, that the new Road, made by the said *William Hallett*, should, upon the Restoration of the said old Road, be destroyed, except so much thereof as extends from the Top of *Balley Lane* to *Coach Lane*, containing, in Length, Two Chains, or thereabouts, (which branches off Southwards from the said new Road,) which Part of the said new Road was proposed to be continued as a Public Carriage Road, and, except that a Part of the said new Road, commencing from *Coach Lane*, and continuing along *Littleworth Lane* for Fourteen Chains, or thereabouts, was to be preserved as a Foot Road and Church-way, (the same being Part of the ancient Foot Road and Church Road, leading to the Village of *Littleworth* from *Faringdon*;) (and it was proposed by the said Trustees to the said *Christopher Boulton*, that the new Horse Way, opened by the said *William Hallett* as aforesaid, should be discontinued, and, that instead thereof, a Horse and Foot-way should be opened through and over the said Grounds called *Upper Portman's Leaze* and *Lower Portman's Leaze*, belonging to the said *Christopher Boulton*, branching out of the said old Turnpike Road, at or near the Fence dividing the said Ground, called *Upper Portman's Leaze*, at the Distance of Four Chains from the Spot where the new Carriage Road, made by the said *William Hallett*, terminates and joins Part of the old Road at the beforementioned Tree, and continuing through *Upper Portman's Leaze*, and thence into and over *Lower Portman's Leaze*, alongside the Stream Ditch there, to the Spot where the Horse Road, proposed to be discontinued, opens into *Thrupp Common*, and containing, in Length, Five Furlongs and Two Poles, or thereabouts, (as the said proposed Horse and Foot Road is now staked out;) Be it therefore further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered and directed to pay  
and

and defray the Expence of putting into Repair the old Road so to be restored as aforesaid, and that when the said Trustees shall have made the said old Road fit for the Passage and Convenience of Travellers, Carriages, Horses and other Cattle, and shall signify the same by a Statement in Writing, to the Justices of the Peace at the then next general Quarter Sessions of the Peace for the said County of *Berks*, and shall transmit a Copy of such Statement, with Notice of their Intention of signifying the same to the said Justices, to the said *Daniel Bennett*, his Heirs or Assigns, at least Twenty Days previous to such Quarter Sessions, that then, and in such Case, it shall be lawful for the Justices present at such Sessions, and they are hereby authorized, upon Proof of the said Statement made to them by the said Trustees, to adjudge that the said old Carriage Road is properly repaired and restored, and that the said new Horse and Foot-way, leading out of the said old Road to *Thrupp Common* hereinbefore described, is properly opened, and upon a Certificate of the said Judgment, signed by the Clerk of the Peace for the said County, being delivered to the said Trustees, or their Clerk for the Time being, or the said *Daniel Bennett* and *Christopher Boulton*, or either of them, or their respective Heirs or Assigns, Owners as aforesaid, (which Certificate the said Clerk of the Peace is required to deliver to them, or some of them, upon being paid Ten Shillings for the same,) the said Carriage Road, so made by the said *William Hallett* as aforesaid, (except that Part of it which lies between *Balley Lane* and *Coach Lane*,) shall cease to be a Turnpike Road and Public Highway; and the same Road, (except that Part of it lying between *Balley Lane* and *Coach Lane* as aforesaid, which is still to continue a public Carriage Road, and also, except that Part of the said Road lying in *Littleworth Lane*, which is to continue to be used as a Foot Road and Church-way to *Littleworth*,) shall be wholly discontinued, and it shall be lawful for the said *Daniel Bennett*, his Heirs and Assigns, Owners as aforesaid, to stop up the same, (except that Part of it lying between *Balley Lane* and *Coach Lane*, and the said Foot Road and Church-way along *Littleworth Lane*,) and the said Road so to be stopped up, and also that Part of the said Road which is still to be left open as a Foot Road and Church-way (subject thereto,) shall, from thenceforth, be laid into the said Lands and Grounds on each Side thereof, and be for ever held and enjoyed therewith by the said *Daniel Bennett*, or such Person or Persons as shall, for the Time being, be entitled to the same Lands and Grounds on each Side thereof, and then, and from thenceforth, it shall be lawful for the said *Christopher Boulton*, his Heirs and Assigns, Owners as aforesaid, to stop up the said Horse and Foot Way branching from the said new Road at the South-east Corner of the said Ground called *Upper Portman's Leaze*, and then also, and from thenceforth, the said Carriage Road, so to be restored as aforesaid, shall be deemed and taken to be Part of the Turnpike Road leading from *Faringdon* to *Burford*, and shall from thenceforth be kept in Repair by the said Trustees of the Turnpike Road, in the same Manner as they were authorized to repair the same before the Course thereof was altered by the said *William Hallett*; and the said new Horse and Foot Road, branching out of the said old Turnpike Road, shall, for ever thereafter, be considered and deemed as a Public Horse and Foot Road leading to *Thrupp*, and shall be left and continue open accordingly: Provided always, that nothing herein contained shall extend, or be construed to extend, to enable the said Trustees to open or restore the Foot-ways alongside, or branching

branching out of the said old Carriage Road stopped up under the Authority of the said recited Act.

Statute  
Labour.

IX. 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 Road, or any Part thereof, shall still remain liable thereto; and it shall and may be lawful for any Two or more Justices of the Peace for the County in which such Road shall be situate, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Treasurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Portion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Hamlets or Places in which the same lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet or Place, in lieu of, or as a Composition for such Statute Work as aforesaid, shall be by him, her or them paid to the said Trustees or to their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices from time to time to summon the Surveyor or Surveyors of the Highways for every such Parish, Hamlet 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, Hamlet 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 or Restrictions as are or may be directed by any Law or Statute in Force or 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 to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year, upon the said Road, 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 Road 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 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 Acts or this 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



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 Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge 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 Road; all which Forfeitures shall be paid to the Treasurer or Treasurers of the said Trustees, and applied towards amending the said Road; and if any Surveyor of the Highways for any of the said Parishes, Hamlets, or Places, shall refuse or wilfully neglect to give in such Lists 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 Five Pounds.

X. 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 this or the said recited Acts, for the Purposes thereof, which shall belong to any Bodies 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, Idiot, Lunatic, 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 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 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 Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorise to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements or Hereditaments, which shall be conveyed and settled, to, for, and upon such and the like Uses, Trusts, Ends, 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

Application  
of Compensation Money  
not exceeding  
200l.

Court, upon Application thereto, be invested by the said Accountant-General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid; the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the said Lands, Tenements or Hereditaments, so directed to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application of Money, if less than 200l. and above 20l.

XI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken or used, for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then, and in all such Cases, the same shall, at the Option of the Person or Persons for the Time being entitled to 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 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 Five or more of the said Trustees for executing the said recited 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 Case may be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application of Compensation, if less than 20l.

XII. 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 this or the said recited Acts, 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 Refusal to accept, &c. Money to be paid into the Bank.

XIII. 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, or 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

of the said Trustees; or in case the 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, 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 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 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 Interests, 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.

XIV. Provided always and be it further enacted, That where any Question shall arise, touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name, and with the Privity of the Accountant-General of the Court of Chancery, in pursuance of this or the said recited Acts, 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 this or the said recited Acts, 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 Persons who may be in Possession shall be entitled thereto.

XV. Provided also, 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 recited Acts, or this Act, the Purchase Money

Court of Chancery may order Expences of Purchases to be paid.

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 this or the said recited Acts, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases, from time to time, to be made in pursuance of the said recited Acts, or this Act, or so much of the said Expences as the Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall, from time to time, pay such Sums of Money for such Purposes as the said Court shall direct.

Expences  
of Act.

XVI. And be it further enacted, That the Costs, Charges, and Expences of passing this Act, shall be paid, with lawful Interest from the Time of advancing the same, by the said Trustees out of the Money already collected or received, or to be collected or received, by virtue of the said Acts; or this Act, in preference to all other Payments whatsoever.

Public Act.

XVII. 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.

XVIII. And be it further enacted, That the Term granted and continued by the said recited Acts, shall, upon the First Day of *June* One thousand eight hundred and Twelve, cease and determine, and that the said Acts, (subject to the Alterations and Additions herein before contained), and this Act, shall 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 Session of Parliament.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1812.