



ANNO SEXTO

# GEORGIIV. REGIS.

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## Cap. xciv.

An Act for repairing certain Roads from the Borough of *New Woodstock* to *Rollright Lane*, and other Roads therein mentioned, in the County of *Oxford*. [20th May 1825.]

**W**HEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing and amending the several Roads leading from Woodstock, through Kiddington and Enstone, to Rollright Lane, and from Enslow Bridge to Kiddington aforesaid, in the County of Oxon; and for making the said Act more effectual*: And whereas another Act was passed in the Twenty-fourth 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 Third Year of the Reign of His present Majesty King George the Second, for repairing and amending the several Roads leading from Woodstock, through Kiddington and Enstone, to Rollright Lane, and from Enslow Bridge to Kiddington aforesaid, in the County of Oxford; and for making the said Act more effectual*: And whereas another Act was passed in the Thirty-first 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 Twenty-fourth Year of His present Majesty's Reign, for enlarging the Term and Powers granted by an Act passed in the Third Year of the Reign of His present Majesty, for repairing and amending the several Roads leading from Woodstock, through Kiddington and Enstone, to Rollright Lane, and Enslow Bridge to Kiddington aforesaid; and for making the said Act more effectual*: And whereas an Act was passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Third, [Local.]

3 G. 2. c. 21.  
24 G. 2. c. 21.  
31 G. 2. c. 48.

intituled



- 24 G. 3. c. 61. intituled *An Act for amending several Roads leading from Woodstock, through Kiddington and Enstone, to Rollright Lane, and from Enslow Bridge to Kiddington aforesaid, in the County of Oxford*: And whereas another Act was passed in the Forty-fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for more effectually repairing and improving the Roads leading from Woodstock to Rollright Lane, and other Roads therein mentioned, all in the County of Oxford*: And whereas several Sums of Money have been borrowed on the Credit of the Tolls granted by the said recited Acts, great Part of which now remains due and owing, and which Sums of Money cannot be paid off, nor can the said Roads comprized in the said Acts be repaired and maintained, unless the Term granted by the said Acts be further continued; and it would be more convenient if the said Acts were repealed, and further, better, and more effectual Provisions granted instead thereof; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: 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 several recited Acts passed in the Third, Twenty-fourth, and Thirty-first Years of the Reign of His Majesty King George the Second, and the Twenty-fourth and Forty-fourth Years of His late Majesty King George the Third, shall be, and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and this Act shall be put in Execution, for and during the Term herein-after mentioned, for the Purpose of repairing, amending, improving, and maintaining the Roads leading from the Borough of *New Woodstock*, through *Kiddington* and *Enstone*, to *Rollright Lane*, from *Enslow Bridge* to *Kiddington* aforesaid, and from the Upper End of a certain Lane called *Blackall Lane*, through the said Borough of *New Woodstock*, into a Lane called *Hensington Lane*, to join the Road towards *Enslow Bridge* aforesaid, at or near a certain Place called *Pear Tree Corner*, and also the Road from *Blackall Lane* aforesaid, through the said Borough of *New Woodstock*, to the North-east Side of the Town Hall there, to join the Road near the *Marlborough Arms Inn* in the said Borough.

Recited Acts of 3d, 24th, and 31st G. 2. and 24th and 44th G. 3. repealed.

Powers of General Turnpike Acts extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers and Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered; or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied,



varied, altered, or otherwise provided for by this Act), and also the said recited Acts passed in the Fourth and Fifth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), shall respectively be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

III. Provided always, and be it further enacted, That this Act and the Term and Tolls hereby granted shall be and are hereby made subject and liable to the Payment of all Monies which have been borrowed or are now due and owing on the Credit of the Tolls authorized to be taken on the said Roads by the said recited Acts hereby repealed, or any former Act or Acts for the Repair of the said Roads, and of all Interest due and to grow due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or on Account of this Act; and that all and every Person and Persons owing any Sum or Sums of Money to the respective Trustees for executing the said recited Acts hereby repealed, or any former Act or Acts, shall be liable to the Payment thereof to the Trustees for executing this Act.

Act made  
subject to  
former Debts,  
Contracts,  
&c.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons to or with the respective Trustees for executing the said recited Acts hereby repealed, according to the Provisions and Directions thereof, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed on Account and for the Benefit of the Roads to be repaired under this Act; and all Leases of Tolls, Orders, Contracts, and Agreements duly made or entered into by the said Trustees for executing the said Acts hereby repealed, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees under this Act, according to the Terms and Stipulations thereof respectively.

Bonds, Agreements,  
&c. under  
former Acts,  
to remain  
good under  
this Act.

V. And be it further enacted, That all and every Book and Books (kept according to the Provisions of the said recited Acts, or of any public Act then in force) for entering Mortgages or Assignments of the Tolls arising on the said Roads, and containing the Accounts and Proceedings of the Trustees for executing the said recited Acts, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Books under  
former Acts  
to be Evi-  
dence.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the County of *Oxford*, together with the Honourable *George Spencer* commonly called Marquis of *Blandford*, the Honourable *Francis Spencer*, the Honourable *George Spencer*, the

Trustees.



the Honourable *Augustus Almeric Spencer*, the Honourable *Dillon*, Sir *Henry Watkin Dashwood* Baronet, *Arthur Annesley*, *Arthur Annesley* the younger, *James Adams* Clerk, *Ellis Ashton* Clerk, *Charles Barter* Clerk, *James Blackstone* Doctor of Laws, *Walter Browne*, *Jonathan Birch*, *Samuel Fortnom Cox*, *John Cobb* Doctor in Divinity, *Benjamin Churchill*, *George Dashwood*, *Henry Dawkins*, *Charles Cotterell Dormer*, *Nicholas Marshall Hacker* Clerk, *Benjamin Holloway*, *Edward Vere Holloway*, *John Hyde* Clerk, *James Haughton*, *Langston Lancelot*, *Charles Lee* Clerk, *William Mavor* Clerk, Doctor of Laws, *Edward Marshall* Clerk, *Samuel Wright* Mister Clerk, *Charles Browne Mostyn*, *William Morice* Clerk, *George Mostyn*, *Henry John North*, *Francis Penyston*, *Francis Penyston* the younger, *Pryse Pryse*, *Thomas Prior*, *Thomas Robinson*, *Thomas Slatter* Clerk, *William Sotham*, *John Tench* Clerk, *Vaughan Thomas* Clerk, *James Taylor*, *Charles Western* Clerk, *Thomas Richard Walker*, *Daniel Coggs Webb*, *Gamaliel Hodgkinson Bobart*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, shall be and are hereby appointed Trustees for repairing, maintaining, and improving the said Turnpike Roads, and for putting into Execution this Act, and such of the Powers and Provisions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, as are not expressly varied, altered, or otherwise provided for by this Act.

Power to appoint additional Trustees.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be holden for that Purpose (and of which Meeting and the Purpose thereof Ten Days Notice shall be given in the Manner directed by the said recited Act of the Third Year of the Reign of His present Majesty), to elect any Number of Persons duly qualified according to the Provisions and Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty (not exceeding Three in the whole), to be Trustees for the Purposes of this and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authorities for executing this Act, and the said Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, as if they had been herein named and appointed.

First Meeting of Trustees.

VIII. And be it further enacted, That the said Trustees shall meet at the House known by the Sign of *The Marlborough Arms*, or some other convenient Place in *Woodstock*, in the said County of *Oxford*, on the Third *Tuesday* next after the passing of this Act, and proceed to put the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty and this Act into Execution, and shall and may then, and from Time to Time after, adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Road, as they shall think proper.

Old Officers to continue until new ones are elected.

IX. And be it further enacted, That each and every Clerk, Receiver, Collector, Surveyor, and other Officer (save and except the Treasurer) appointed under and by virtue of the said recited Acts hereby repealed, shall

shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

X. Provided always; and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his or their Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or if the said Treasurer shall hold any other Office or Employment in the Execution of this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer and Clerk not to be the same Person.

XI. And be it further enacted, That the said Trustees shall, and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act, for the due and faithful Execution of his or their Office.

Treasurer to give Security.

XII. And be it further enacted, That every Person who shall have been employed to receive, or who shall have received, any Tolls or other Monies under or by virtue or on account of the Acts hereby repealed, or shall have in his or her Custody any Vouchers, Books, Accounts, Papers, Writings, or other Things relating to the said Roads to be repaired and maintained under or by virtue of this Act, or any of them, shall, when so required to do, account for and deliver the same to the said Trustees, or any Person or Persons appointed by them for that Purpose, in like Manner and under the like Penalties as are directed with respect to any Officer or Person appointed under or by virtue of this Act.

Officers under former Acts to account to Trustees for executing this Act.

XIII. And be it further enacted, That it shall be lawful to and for the said Trustees, to continue all and every of the Turnpikes, Toll Gates, and Toll Houses, and Weighing Machines, and Side Gates or Side Bars, now standing and being in and upon, or across, or on the

Power to continue and erect Turnpikes, Toll Gates, Side



Gates,  
Weighing  
Machines,  
&c.

Sides of the said Roads, or any Part thereof, or such of them as they shall think proper; and also to erect, set up, or build upon, in, or across the said Roads, or either of them, or upon the Sides thereof, when and as they shall judge necessary, any other Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Bar or Bars, Chain or Chains, and any Weighing Machine or Weighing Machines, and also any Toll House or Toll Houses, with Outbuildings and Conveniences suitable thereto, at or near such Toll Gate or Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Plots for such Toll House or Toll Houses, not exceeding One-eighth Part of an Acre each, with such Lamp or Number of Lamps at or near such Toll House or Toll Houses as they shall think necessary; and from Time to Time to take down and remove, and again to put up in a different Situation, or to alter and discontinue the same or any of them, as the said Trustees shall think proper and direct or appoint: Provided always, that none of the said Toll Gates or Weighing Engines shall be removed or taken away as aforesaid, unless Notice in Writing of the Intention to remove the same shall have been affixed upon all the Toll Gates, Ten Days at least previous to the Meeting at which the Order for Removal shall be made.

Power to  
take Tolls.

XIV. And be it further enacted, That the respective Tolls herein-after mentioned shall and may be demanded and taken at each and every of the Toll Gates, Turnpikes, and Side Gates, Bar or Bars, Chain or Chains, now erected or to be erected on the said Roads, by such Person or Persons as the said Trustees, or their Lessee or Lessees, Collector or Collectors for the Time being, shall from Time to Time appoint, before any Horse, Beast, Cattle, or Carriage upon which any Toll is by this Act imposed shall be permitted to pass through the same; (that is to say),

Tolls.

For every Horse, Mule, or other Beast of Draught, drawing any Carriage, the Sum of Four-pence:  
For every Horse, Mule, or Ass, or other Beast, laden or unladen, and not drawing, the Sum of One Penny Half-penny:  
For every Drove of Oxen, or Neat Cattle, Ten-pence *per* Score, and so in proportion for any greater or less Number:  
For every Drove of Sheep, Lambs, Pigs, Calves, or other Cattle whatsoever, Five-pence *per* Score, and so in proportion for any greater or less Number.

Which said respective Tolls, and all other Tolls by the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty and this Act imposed, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be paid, applied, disposed of, and assigned in such Manner as herein-after is mentioned.

Tolls pay-  
able Once  
a Day.

XV. Provided always, and be it further enacted, That no Toll shall be demanded or taken more than Once in any One Day, such Day to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next succeeding Night, for or in respect of the same Horses, Beasts, or Cattle, for passing or repassing through the same Turnpike,

on



on a Note or Ticket being produced denoting Payment of such Toll for or in respect of such Horses, or Beasts, or Cattle, on that Day (except in the Case herein-after mentioned), which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Payment of the Toll.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized, empowered, and required to erect and set up, or cause to be erected and set up, in, upon, or across the said Branch Road, One or more Gate or Gates, Bar or Bars, Chain or Chains, in such Situations and Places as they shall think proper; and it shall be lawful for the said Trustees to take down and remove the said Gate or Gates, and to erect and place the same in such other Place or Places upon the said Branch as they shall from Time to Time think proper, and to take or cause to be taken at such Gate or Gates such and the like Tolls as are by this Act authorized to be taken upon any other Parts of the said Road.

Trustees to erect a Gate and take Tolls on the Branch of Road.

XVII. And be it further enacted, That no more than Five full Tolls shall be taken upon the said Roads for the same Horses, Cattle, and Beasts passing and repassing through all or any of the Toll Gates, Turnpikes, or Side Bars, Chain or Chains, erected or to be erected across or on the Sides of the said Roads, in any One Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night.

Limiting the Number of Tolls to be taken on the whole Line of Road.

XVIII. Provided also, and be it further enacted, That for or in respect of all Horses, or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Toll Gate, Turnpike, or Side Bar, the Toll hereby made payable shall be paid for repassing through such Toll Gate, Turnpike, or Side Bar, in like Manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriages for Hire, for every Time of passing and repassing along the said Roads on the same Day, whenever a fresh Hiring thereof shall take place.

Stage Coaches to pay every Time of passing.

XIX. Provided always, and be it further enacted, That no Toll shall be demanded or taken for any Sheep or Lambs going to or from any Brook, Dyke, Water, or other Place used for washing of Sheep, or to or from any Place used for the clipping or shearing of Sheep, or to or from any Place for suckling of Lambs, or folding or foddering of Sheep, within One Mile of the said Roads.

Exemptions from Tolls for Sheep and Lambs.

XX. And be it further enacted, That all Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said Acts hereby repealed, for or in respect of the said Roads, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty and this Act granted and made payable, together with the Monies which shall

Application of Tolls.



shall be borrowed upon the Credit thereof, and all Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be vested in the said Trustees, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say), in the first place, and in preference to all other Payments whatsoever, of the Costs, Charges, and Expences which shall have been incurred in preparing, applying for, obtaining, and passing this Act, and otherwise relating thereto respectively, together with lawful Interest for any Monies which may have been advanced for that Purpose, and in defraying the Expences of erecting and providing Toll Gates, Toll Bars, Toll Houses, and other Buildings, and keeping the same in repair, and in Payment of the Salaries and Compensations to be made to the Officers and other Persons employed or assisting in the Execution of this and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty; and in the next place in Payment of the Interest of the Monies borrowed or due on the Credit of the said recited Acts hereby repealed, or which may be borrowed under the Powers or on the Credit of this Act; and in the next place in repairing, amending, widening, improving, and maintaining the Roads by this Act directed to be kept in repair and maintained, and in erecting necessary and convenient Bridges and other Works upon the same, and in defraying all other the necessary Expences attending the Execution of this Act; and lastly, in reducing, paying off, and discharging the several Principal Monies borrowed, due, and owing on the Credit of the said recited Acts hereby repealed, or any former Acts, or which may be hereafter borrowed and secured by virtue of or on the Credit of this Act, and to or for no other Use or Purpose whatsoever.

Application  
of Compen-  
sation when  
exceeding  
200*l.*

1 G. 4. c. 35.

XXI. 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 of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts particularly mentioned, 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Order of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the said Lands, Tenements, or Hereditaments,



ditaments, standing settled therewith to the same or the like Uses, Intents, and 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, and Hereditaments which shall be so purchased or 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 Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three *per Centum* Consolidated or Three *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 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 of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXII. 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 other Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to and not 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, and 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 of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 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 manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application when the Compensation is less than 200*l.* but not less than 20*l.*

XXIII. And be it further enacted, That where such Money so agreed or awarded to be paid as 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 said Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Man-

Application where the Money is less than 20*l.*



ner as the Trustees 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.

XXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said Acts and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of Accountant General of the Court of Exchequer, to be placed to his Account, to the Credit of the Persons interested in the said Lands, Tenements, and Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, 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 the 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 Orders 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any  
Question  
shall arise  
touching the  
Title to  
Money.

XXV. 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 Exchequer, in pursuance of the said Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the said 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

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some other Person or Persons was or were lawfully entitled to such Lands, Tenements, and Hereditaments, or to some Estate or Interest therein.

XXVI. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to Lands, Tenements, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, and 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 such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said 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.

The Court of Exchequer may order reasonable Expences of Purchases to be paid by Trustees.

XXVII. 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.

XXVIII. And be it further enacted, That this Act shall commence upon the passing thereof, and shall thenceforth continue and be in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commencement and Continuance of this Act.

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