



ANNO SEXTO

GEORGIIV. REGIS.

Cap. xcv.

An Act for repairing and amending the Road from *Mullen's Pond*, in the County of *Southampton*, through *Amesbury*, to the Eighteen Mile Stone from the City of *New Sarum*, near *Willoughby Hedge* in the County of *Wilts*, and several other Roads leading out of the said Road.

[20th May 1825.]

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for repairing and widening the Roads from Mullen's Pond, in the County of Southampton, to the Eighteen Mile Stone from the City of Salisbury, near Willoughby Hedge, and from West Amesbury to Antslow Hill, and from Amesbury to Fiddleton, and from the New Inn in Amesbury to the End of the Parish leading to Durrington, and from Wily to Cook's House, and Langford, and from Beacon Hill to the Nag's Nead, and from thence One Mile of the Road leading to Shrewton in the County of Wilts:* And whereas another Act was passed in the Fifth Year of the Reign of His said late Majesty, intituled *An Act to continue the Term and enlarge the Powers of an Act passed in the Second Year of the Reign of His present Majesty, for repairing and widening the Road from Mullen's Pond, in the County of Southampton, to the Eighteen Mile Stone from the City of Salisbury, and several other Roads in the Act mentioned; and also for repairing*
[Local.]

and widening several other Roads leading out of the said Roads, and for other Purposes therein mentioned: And whereas another Act was passed in the Forty-fourth Year of the Reign of His said late Majesty, intituled

44 G. 3. c. 5. *An Act for continuing the Term and enlarging the Powers of Two Acts passed in the Second and Fifth Years of the Reign of His present Majesty, for repairing the Road from Mullen's Pond, in the County of Southampton, to the Eighteen Mile Stone from the City of Salisbury, and several other Roads in the said Acts mentioned: And whereas the Trustees appointed in and by virtue of the said Act have proceeded in the Execution thereof, and have borrowed divers large Sums of Money upon the Credit of the Tolls thereby granted, the whole of which, with a considerable Arrear of Interest, still remains due and owing, and cannot be paid off, nor can the said Roads be properly and effectually amended, widened, improved, and kept in Repair, unless the Term granted by the said last-mentioned Act be further extended: And whereas an Act was passed in the Third*

3 G. 4. c. 126. *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 another Act was passed in*

4 G. 4. c. 95. *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*

5 G. 4. c. 69. *another Act was passed in the Fifth Year of the Reign of His 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 from and after the Day next before the Fourth Wednesday next after this Act shall have received the Royal Assent, the said Acts passed in the Second, Fifth, and Forty-fourth Years of the Reign of His Majesty King George the Third, shall be and the same are hereby declared to be repealed, and instead thereof this Act shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, improving, and keeping in repair the Turnpike Roads herein-after described.*

2, 5 & 44 G. 3. repealed, and this Act to be executed instead thereof.

Powers of the recited Acts of 3, 4, & 5 G. 4. 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, 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, 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 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. And

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized to be taken by the said Three first-recited Acts, or either of them, on the said Roads, and of all Interest due and to grow due thereon, 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 Security of the Tolls granted by this Act; and all and every Person and Persons who may owe, or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees of the said Roads; or any other Person or Persons for the Benefit of the said Trust, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

New Term
and Tolls
liable to
former
Debts, &c.

IV. And be it further enacted, That all Bonds, Covenants and Agreements, Contracts and Securities, entered into by any Person or Persons to or with the Trustees of the said Roads, either in their own Names or in the Name of their Treasurer or Clerk, or any of them, according to the Provisions and Directions of the said Acts, or either of them, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed on account of the Trust created by this Act; and all Contracts or Agreements duly made or entered into by the Trustees of the said Roads, or their Treasurer or Clerk on their Behalf as aforesaid, to or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms or Stipulations thereof respectively, notwithstanding the Repeal of the said Acts.

Former
Bonds, &c.
to continue.

V. And be it further enacted, That in all Cases where the Trustees acting under the said Acts hereby repealed shall have instituted or commenced any Action, Suit, or other Proceeding, for the Recovery of any Sum or Sums of Money due or owing under or by virtue of the said Acts, or either of them, such Actions, Suits, or other Proceeding shall not abate or be discontinued by or by reason of the Repeal of the said Acts, nor shall the Plaintiff or Plaintiffs become or be nonsuit therein, but such Action, Suit, or other Proceeding shall and may continue to Judgment and Execution or final Determination in the same Manner, and the Money or Monies to arise and be recovered thereby shall be applied for such and the like Intents and Purposes to or for which the same would be applicable, if such Action, Suit, or other Proceeding had been instituted or commenced under or by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty.

Actions, &c.
not to abate.

VI. And be it further enacted, That all and every Book and Books 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 used
under former
Acts to be
Evidence.

VII. And

Trustees.

VII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Southampton* and *Wilts* respectively, together with *John Andrews*, Sir *Edmund Antrobus* Baronet, *Edmund Antrobus* the younger, *Gibbs Crawford Antrobus*, *Henry Atkins*, *Edward Baker*, *George Baker*, *Harry Biggs*, *William Bennett Blackmore*, *Thomas Blake*, *John Bloxham*, *William Bowles*, the Right Honourable *William Pleydell Bouverie* commonly called *Lord Viscount Folkestone*, *George Brown*, *Thomas Brown*, *John Crocker Case*, *Richard Bethell Cox*, *John Crockford*, *John Davis*, *Thomas Davis*, *Edward Bullock Douglas*, *Edward Duke*, *Thomas Webb Dyke*, Lieutenant Colonel *Charles Grene Ellicombe*, *John Gale Everett*, *William Marvin Everett*, *Charles William Everett*, *Henry Everett*, *William Finch* Medical Doctor, *Isaac Flower*, *William Fowle*, the Reverend *William Fulwar Fowle*, *Walter Goddard*, the Reverend *Launcelot Greenthwait Halton*, *John Hayter*, *Henry Hetley*, *Richard Hetley*, *Edward Hinxman*, *William Hicks*, *Richard Hutchence*, the Reverend *John Henry Jacob*, *Charles James Christopher Ingram*, *Thomas Lawrence*, Lieutenant Colonel *James Lindsey*, *Stephen Francis Long*, Sir *Alexander Mallet* Baronet, Sir *John Majoribanks* Baronet, *Stewart Majoribanks*, *Edward Majoribanks*, *John Maton*, *James Maton*, *Edward Micklam*, *Harry Noyes*, *John Noyes*, the Reverend *Parr*, *John Parkinson*, *George Patient*, *Ambrose Patient*, *Thomas Perrior*, *John Perrior*, *Robert Pinckney*, *William Pinckney*, *Philip Pinckney*, *John Pinckney*, Sir *John Pollen* Baronet, Sir *Edward Poore* Baronet, *Alexander Powell*, *Joseph Purnell*, the Reverend *Hugh Price*, *John Raxworthy*, *John Read*, *James Roles*, the Reverend *James Roles*, *Henry Selfe*, *Henry Selfe* the younger, *Henry Seymer*, *Edward Stevens*, *John Slade*, *Charles Sutherland*, *Thomas Swayne*, *James Swayne*, *John Pyle Swayne*, *John Swayne*, *Samuel Smith*, *John Tanner*, *John Tanner* the younger, *Joseph Tanner*, *Thomas Tanner*, Sir *Coutts Trotter* Baronet, *Charles Howard Wansborough*, *John Wansborough*, *John Waters*, *Thomas Waters*, *Thomas Waters* of *Boscomb*, *Richard Webb*, the Reverend *Richard Webb*, Lieutenant Colonel *John Willard*, *Wadham Wyndham*, *William Wyndham*, and their Successors, being duly qualified in manner directed by the said recited Acts made in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby nominated and appointed Trustees for executing the said last-recited Acts and this Act; and they and their Successors so duly qualified shall be and they are hereby appointed Trustees for repairing, altering, widening, and improving the present Turnpike Road, leading from *Mullen's Pond*, in the Parish of *East Cholderton* in the County of *Southampton*, through the Town of *Amesbury*, the Parish of *Wily*, and through *Chicklade Street*, to the Eighteen Mile Stone from the City of *New Sarum*, near a Place called *Willoughby Hedge*, in the Parish of *East Knoyle* in the County of *Wilts*, and from *West Amesbury*, through *Shrewton* and *Chittern*, to the Turnpike Road at *Antslow Hill* in the Parish of *Knook* in the County of *Wilts*; and from the Top of *Antslow Hill* to the Junction of the Roads leading from *Amesbury* and *Salisbury* near the East End of the Town of *Heytesbury*, and the Roads from the Town of *Amesbury*, through *Bulford*, *Alton Farm*, and *Netherhaven*, to the further End of *Fiddleton*, commonly called *The Bourn Road*; and from the House formerly called *The New Inn*, but now a private Dwelling House in the Occupation of *Joseph Purnell* in the Town of *Amesbury*, to the End of the Parish of *Amesbury*, leading to *Durrington*; and from *Wily* aforesaid to a Public House called *Cook's House*, in the Parish of *Codford* in the County

County of *Wilts*; and from *Wily* aforesaid to the East End of the Parish of *Langford* in the County of *Wilts*; and from *Beacon Hill*, through *Bulford*, and through the Water, to a House known by the Sign of *The Nag's Head*; and from thence for One Mile of the Road up to the Down towards *Shrewton*; also the Road leading out of the aforesaid Road from *Mullen's Pond* to *Amesbury* on the North Side thereof, at or near a certain Place called *Thrupton Inclosures*, over an Open Ground called *The Cow Downs*, to a certain other Place called *Kempton Bushes*; and from thence across another Ground called *Kempton Field* to the Blacksmith's Shop in *Littleton* in the said Parish of *Kempton*; and from thence Eastward along the high Road to *Weyhill* for the Length of Fifty Yards; and also a certain Road leading out of the said Road from *Mullen's Pond* to *Amesbury* on the South Side thereof, at a Place about Half a Mile to the West of *Mullen's Pond*, and leading to a Place called *Jenning's Well*; and from thence through a Road formerly called *Salter's Lane* in the Parish of *East Cholderton*; and also a Road leading Westward out of the Turnpike Road from *Andover*, near *Mullen's Pond* aforesaid, into *Cholderton Street*.

VIII. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at a Meeting to be held for that Purpose (of which Meeting and of 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 respecting the Appointment of Trustees on Vacancies), to elect, nominate, and appoint any Number of fit Persons duly qualified, according to the Provisions and Directions of the said recited Acts made in the Third and Fourth Years of the Reign of His present Majesty, not exceeding Five in the whole, to be Trustees for the Purposes of this Act in addition to the Trustees hereby nominated and appointed; and such Trustees or Trustee so elected and appointed shall be and they and he are and is hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, as if they or he had been named and appointed in and by this Act.

Power to
appoint
additional
Trustees.

IX. And be it further enacted, That the said Trustees shall meet at *The George Inn* in *Amesbury*, or some other convenient Place in the said County of *Wilts*, upon the Fourth *Wednesday* next after this Act shall have received the Royal Assent, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution.

First Meet-
ing.

X. Provided always, and be it further enacted, That the Clerk, Surveyor, and other Officers (except the Treasurer) who have been appointed under and employed in the Execution of the said former Acts hereby repealed, shall respectively continue to exercise the several Offices under this Act until they shall respectively die, resign, or be displaced or removed by the said Trustees, or be incapable of executing the Duties thereof, and shall be subject to the like Rules and Regulations, and Pains and Penalties, in all respects whatsoever, as if they had been appointed under or by virtue of this Act.

Former
Officers to
continue.

Treasurer
and Clerk
not to be
the same
Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or 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, or of his Partner or Partners, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or 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, or of his Partner or Partners, 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 Partner or Partners, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service of any such Treasurer, or of his Partner or Partners, shall accept the Office of Clerk in the Execution of this Act; or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person 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.

Monies,
Books, &c.
to be deli-
vered to new
Trustees.

XII. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or Money on account of the said Roads, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the Roads by this Act directed to be improved and repaired, shall account for and pay and deliver over the same and every Part thereof to the Trustees in and by this Act named and appointed, in like Manner, and under the like Penalties and Forfeitures, as the several Collectors, and other Persons receiving any Money by virtue of this Act, are by the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty and this Act required to pay or account for the same.

Power to
continue
and erect
Toll Gates,
&c.

XIII. And be it further enacted, That the said Trustees may and they are hereby authorized to continue or remove all or any of the Toll Gates, Toll Bars, and Toll Houses which have been erected in, upon, or across any Part of the said Roads by virtue of the said Acts hereby repealed, and shall and may erect or cause to be erected such and so many other Toll Gates, Toll Bars, and Toll Houses, Weighing Machine or Weighing Machines in, upon, or across such of the said Roads, and the Sides thereof, as they the said Trustees shall think proper and expedient, and from Time to Time to remove the same, or any of them, to any other Part of the said Roads: Provided always, that the said Trustees shall and they are hereby directed and required to erect or cause to be erected a Turnpike or Toll Gate on every Branch of the said Road.

Tolls not to
be applied

XIV. And be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed

upon the Credit thereof, shall be laid out or expended in the Amendment, Repair, or Improvement of the Branches of Road included in this Act, if there shall be no Toll Gate thereupon respectively and Tolls taken thereat.

to repair
of Branch
Roads unless
Toll Gate
thereon.

XV. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons already appointed or to be appointed by virtue of this Act Collector or Collectors as aforesaid, to demand and take (subject to the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty), the several Tolls following, at the Toll Gates or Toll Bars, or Toll Gate or Toll Bar, or Side Gate or Side Bar already erected or to be erected by virtue of the said Acts upon the said Roads to be repaired by virtue of this Act, and which by virtue of this Act shall be continued or erected in, upon, or across any Part of the said Roads, and on the Sides thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; that is to say,

For collect-
ing Tolls.

For every Horse, or other Beast drawing any Carriage, the Sum of Three-pence :

Tolls.

For every Horse, Mule, Ass, or other Beast, laden or unladen and not drawing, the Sum of One Penny :

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score; and so in proportion for any greater or less Number :

For every Drove of Calves or Pigs, the Sum of Five-pence *per* Score; and so in proportion for any greater or less Number :

For every Drove of Sheep or Lambs, the Sum of Two-pence Halfpenny *per* Score; and so in proportion for any greater or less Number.

And the said Tolls shall be demanded and taken before any Horse, Mule, or other Beast, or Drove of Oxen or Neat Cattle, Calves, Pigs, Sheep, or Lambs, be permitted to pass through any Toll Gate or Toll Bar erected or to be erected or continued upon the said Roads by virtue of this Act, or in, upon, or across any Lane, Street, or Way leading into the same.

Tolls to be
paid before
passing Gate.

XVI. And be it further enacted, That in case Toll shall have been paid for or in respect of any Horse, Beast, Cattle, or Carriage for passing through any of the Turnpikes, Toll Gates, or Side Gates erected or to be erected by virtue of this Act, upon, across, or on the Sides of the said Road, no Toll shall be demanded or taken for or in respect of such Horse, Beast, Cattle, or Carriage for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night; but that every Person, on producing a Note or Ticket denoting the Payment of Toll, shall be permitted to pass through such Turnpike, Toll Gate, or Side Gate with such Horse, Beast, Cattle, or Carriage Toll-free.

Tolls to be
paid only
Once a Day.

XVII. Provided always, and be it enacted, That nothing herein or in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained shall authorize and empower the said Trustees,

Number of
Tolls to be
taken.

Trustees, or any Person or Persons employed by them, to demand or take Toll for the same Horse, or other Beast or Cattle whatever, at more than Six Toll Gates or Toll Bars, Side Gates or Side Bars, in one and the same Day, except as is herein-after mentioned.

Horses, &c. drawing different Carriages to pay each Time of passing.

XVIII. Provided always, and be it further enacted, That no Horse or Horses, or other Beast or Beasts of Draught, for which Toll shall have been paid at any of the said Toll Gates or Toll Bars, or Side Gates or Side Bars, returning the same Day through the same Toll Gates or Toll Bars, or Side Gates or Side Bars, drawing any other or different Waggon, Wain, Cart, or other like Carriage, shall be permitted to repass Toll-free through the same Toll Gates or Toll Bars, or Side Gates or Side Bars, or either of them, the same Day; any thing herein or in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained to the contrary thereof in anywise notwithstanding.

Stage Coaches, &c. to pay each Time of passing.

XIX. Provided also, and be it further enacted, That for and in respect of all Horses, or other Beasts of Draught, drawing any Stage Coach or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage for the Conveyance of 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, Toll Bar, or Side Gate, the Tolls hereby made payable shall be paid for every Time of passing and re-passing through every such Toll Gate, Toll Bar, or Side Gate, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for and in respect of all Horses, or other Beasts of Draught, travelling for Hire, drawing any Post Chaise or other Carriage, as often as a fresh Hiring thereof shall take place.

Tolls vested in Trustees.

XX. And be it further enacted, That all and every the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act authorized to be taken on the said Roads shall be vested in the said Trustees, and the same and every Part thereof shall be levied, collected, paid, applied, disposed of, and assigned in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act.

Application of Compensation Money if amounting to 200/.

XXI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee in Trust, Guardian, Committee, Trustee, Feme Covert, or otherwise incapacitated Person or Persons, such Money shall, if the same 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 the Method prescribed by an Act made in the First Year of the Reign of King George the Fourth, intituled *An Act for the better securing the 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 Orders of the said Court, and without Fee or Reward, and shall when

1 G. 4. c. 35.

when so paid in be paid, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or in the Discharge of any Debt or Debts, or such or 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 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, 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 meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the 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 and Profits of the said Lands, Tenements, or Hereditaments to be purchased by virtue of this Act in case such Purchase or Settlement were made.

XXII. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Body 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 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, Idiotcy, 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 for executing 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 and Interest arising thereon, may be applied in 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 said Court of Exchequer.

Where less than 200l. and exceeding 20l.

Where under
20/.

XXIII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before mentioned shall be less than the Sum of 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, in such Manner as the said Trustees, or any Three or more of them, shall think fit; or in case of Infancy, Idiocy, 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 a good
Title, &c.
Purchase
Money to be
paid into the
Bank, subject
to the Order
of the Court
of Exchequer
on Motion or
Petition.

XXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be so purchased by virtue of 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 the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded or assessed as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, 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 Exchequer; which said Court, 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 and is hereby empowered in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money (mentioning and specifying for what and for whose Use the same is or are received) to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

Person in
Possession
presump-
tively en-
titled.

XXV. Provided always, 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 Exchequer in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, (or to the Dividends 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

deemed and taken to be 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 Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Monies, 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 some Estate or Interest therein.

XXVI. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of 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, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court may order reasonable Expence of Purchase to be paid by Trustees.

XXVII. And be it further enacted, That all the 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 by this Act directed to be kept in repair, 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 and Fourth Years of the Reign of His present Majesty and this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall 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, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining and passing this Act, and otherwise relative thereto respectively, 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 altering, raising, widening, repairing, and preserving the said Roads by this Act directed to be kept in repair as aforesaid, and of erecting and making necessary and convenient Bridges upon the same, and otherwise executing the other Purposes of this Act, and in reducing, paying off, and discharging the several Principal Sums of Money and Interest due and owing thereupon, which shall have been borrowed and secured in pursuance of and for the Purposes of the said Acts hereby repealed in respect of the said Roads, and the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of this Act, and the Interest to become due thereupon.

Application of the Monies to be raised by this Act.

XXVIII. And

Public Act.

XXVIII. 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:

Commence-
ment and
Continuance
of this Act.

XXIX. And be it further enacted, That this Act shall commence on the Fourth *Wednesday* next after the same shall have received the Royal Assent, and shall continue and be in force 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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