



ANNO SEPTIMO & OCTAVO

# GEORGII IV. REGIS.

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## *Cap. xxv.*

An Act for more effectually repairing and maintaining the Road from *Chapel-en-le-Frith* to or near to *Enterclough Bridge* in the County of *Derby*, and other Roads therein mentioned, in the said County of *Derby* and in the County Palatine of *Chester*. [12th April 1827.]

**W**HEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and improving the Road from the Town of Chapel-en-le-Frith to or near to Enterclough Bridge in the County of Derby; and also the Road from the Village of Hayfield to Marple Bridge in the said County; and also the Road from the Village of Glossop to a certain Gate called Claylands Gate, in the Township of Longdendale, on or near to the Side of the Turnpike Road leading from Mottram to Woodhead in the County Palatine of Chester*: And whereas an Act was passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act passed in the Thirty-second Year of the Reign of His present Majesty, for repairing and improving the Road from the Town of Chapel-en-le-Frith to or near to Enterclough Bridge in the County of Derby, and other Roads therein mentioned, in the said County and in the County Palatine*

[Local.] 4 Y 32G.3.c.128.  
47 G. 3. c. 8.  
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*tine of Chester: And whereas considerable Sums of Money have been borrowed on the Credit of the Tolls authorized by the said recited Acts to be demanded and taken, which Money cannot be repaid, nor can the said Roads be properly and effectually kept in repair, unless the Term granted and continued by the said Acts be further continued; and it is expedient that the said recited Acts passed in the Thirty-second and Forty-seventh Years of the Reign of His said late Majesty should be repealed, and further, better, and more effectual Provisions made for repairing and maintaining the said Road; but the Purposes aforesaid cannot be effected without the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 King George the*

3 G. 4. c. 126. *Fourth, 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*

4 G. 4. c. 95. *Reign of His said 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*

5 G. 4. c. 69. *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 from and after the First Day of June next after the passing of this Act the said recited Acts passed in the Thirty-second and Forty-seventh Years of the Reign 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.*

Recited Acts of 32 and 47 G. 3. repealed.

Roads herein mentioned to be kept in repair under this Act.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, improving, maintaining, and keeping in repair the present Turnpike Road from *Chapel-en-le-Frith* to *Enterclough Bridge* in the County of *Derby*, and also the Road from *Hayfield* to *Marple Bridge* in the said County, and also the Road from *Glossop* in the said County of *Derby* to *Claylands Gate* in the Parish of *Mottram in Longdendale* in the County Palatine of *Chester*.

New Term and Tolls liable to former Debts.

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, by the said recited Acts of the Thirty-second and Forty-seventh Years of the Reign of His late Majesty King George the Third, to be taken at the several Turnpikes, Toll Gates, and Side Gates erected or authorized to be erected upon, across, or by the Sides of any Part of 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 on the Credit or Security of the Tolls granted by



this Act, but subject nevertheless to such Deeds, Contracts, Covenants, Agreements, Provisions, and Regulations as have been made and entered into respectively, the same Monies or any Part thereof, and which Deeds, Contracts, Covenants, Agreements, Provisions, and Regulations, as have been made, shall not be affected 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 for carrying the said recited Acts hereby repealed into Execution, shall be liable to the Payment thereof to the Trustees for executing this Act.

IV. 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 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 respectively be as good, valid, and effectual, for carrying this Act into Execution, as if the same had been respectively repeated and re-enacted in the Body of this Act.

Powers of the General Turnpike Acts extended to this Act.

V. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made and entered into by any Person or Persons to or with any of the Trustees for executing the said recited Acts hereby repealed, according to the Provisions and Directions thereof respectively, 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; and all Contracts, Agreements, Demises, Mortgages, and Securities, duly made or entered into by the Trustees for executing the said recited Acts, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively, notwithstanding the Repeal of the said recited Acts.

Bonds, Covenants, &c. under old Acts to be valid.

VI. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts of the Thirty-second and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, 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 be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts of the Thirty-second and

Officers under the former Acts to account to



the Trustees  
for executing  
this Act.

and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account, pay, and deliver over the same to the Trustees employed in the Execution of this Act, in the same and like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or either of them, inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Acts and this Act.

Present  
Leases and  
Agreements  
to continue  
in force.

VIII. And be it further enacted, That all Contracts, Leases, and Agreements whatsoever, which shall be in existence at the Time of passing this Act, shall respectively continue in force until the Time when, by the Terms and Conditions of the same, they shall expire and become determined; and all Persons who, under or by virtue of such Leases, Contracts, or Agreements, shall owe any Sum or Sums of Money to the said Trustees, shall, notwithstanding the Repeal of the said recited Acts of the Thirty-second and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, continue liable to the Payment of the said Sum or Sums of Money unto the Trustees acting in execution of this Act.

Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the Counties of *Derby* and *Chester* respectively, together with The Right Honourable Lord *George Henry Cavendish*, The Right Honourable the Earl of *Surrey*, *Thomas Andrew*, *John Atherton*, *Joseph Armfield*, *James Andrew*, *George Andrew*, *Robert Ashton*, *Joshua Bruckshaw*, *William Barber*, *James Bosley*, *John Beely*, *Edward Blount*, *Joseph Brocklehurst*, *John Barnes*, *Thomas Barnes*, *Ralph Bower*, *Richard Bennett*, *John Bostock*, *William Bennett*, *Stephen Bellot*, *James Beard*, *John Crowther Clerk*, *John Clayton*, *Thomas Dalton*, *John Dalton*, *Matthew Ellison*, *Michael Ellison*, *Thomas Ellison*, *John Gee*, *Thomas Goodman*, *Samuel Grundy Clerk*, *John Goddard*, *Christopher Howe Clerk*, *Moses Hadfield*, *John Hobson*, *James Hibberson*, *George Hadfield*, *Philip Heacock*, *James Hadfield*, *Ralph Higham*, *Joseph Hadfield*, *James Jowett*, *Jonathan Jowett*, *John Kershaw*, *James Kershaw*, *Paul Slade Knight*, *Henry Kirk of the Eaves*, *Henry Kirk of Town End*, *Robert Lees*, *Thomas Lees*, *Samuel Marland*, *Henry Marland*, *James Mander*, *Francis Marriott*, *John Marriott of Hayfield*, *John Marriott of Little Hayfield*, *Thomas Marriott*, *John Marriott of Kinder*, *Thomas Moulton*, *Samuel Oldknow*, *Charles Potter*, *James Rhodes*, *Benjamin Rolfe*, *Samuel Roberts*, *John Ridgeway*, *John Rhodes*, *John Reddish*, *Joshua Reddish*, *William Radcliffe*, *Joseph Robinson*, *Samuel Shepley of Charlsworth*, *Samuel Shepley of Brookfield*, *William Sidebottom*, *John Sidebottom*, *James Sidebottom*, *Robert Shepley*, *Robert Slack*, *John Slack*, *Thomas Slack*, *George Sidebottom*, *Joe Sidebottom*, *James Sidebottom the younger*, *Thomas Thornely*, *John Turner*, *William Taylor*, *John Thornton*, *John Thomasson*, *James Tomlinson*, *John Thornely*, *John Thornely the younger*, *William Wardlow*, *John Wood of Hadfield*, *John Wood of Glossop*, *John Kenyon*



*Kenyon Winterbottom, Emanuel Wyld, Samuel Waller, Ralph Waller, Robert Woolley, Daniel Whittle Clerk, Joseph Whittle,* 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 they are hereby appointed the Trustees for carrying the said Acts and this Act into Execution.

X. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First Meeting to be held in pursuance of this Act, to elect any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Persons so elected and appointed (being duly qualified according to the Provisions and Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty) shall be and they are hereby invested with the same Power and Authorities for executing this and the said recited Acts as if they had been named and appointed Trustees in and by this Act.

Power to appoint additional Trustees.

XI. And be it further enacted, That the Trustees shall hold their First Meeting at the *Norfolk Arms Inn in Glossop*, or some other convenient Place on the Line of the said Road, upon the First Day of *June* next after the passing of this Act, 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 Roads, as they the said Trustees shall think proper.

First Meeting of the Trustees.

XII. Provided always, and be it further enacted, That the Clerk, Surveyors, and all other Officers, except the Treasurer, who have been duly appointed under and by virtue of the said recited Acts of the Thirty-second and Forty-seventh Years of the Reign of His said late Majesty, hereby repealed, and are now employed in the Execution thereof, shall hold and enjoy such their respective Offices and Employments under the Trustees for executing this Act, until they shall respectively die, resign, or become removed by the Trustees for executing this Act; and each and every such Clerk, 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.

Old Officers (except the Treasurer) to continue.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath 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 the Clerk or other Person in the Service or Employ of the Partner of such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who hath 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 the Clerk or other Person in the Service or Employ of the Partner of such Treasurer,

Treasurer and Clerk not to be the same Person.

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surer, 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, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the 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 shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, 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 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.

Toll Gates may be continued, or new ones erected.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to continue, replace, or remove all or any of the Toll Gates or Toll Houses which have at any Time heretofore been erected, or which now stand, or are in, upon, or across the said Roads or any of them, or on the Side or Sides of the said Roads or any of them, and to erect, set up, and build, or cause to be erected, set up, and built, in, upon, or across the said Roads or any Part of them, or upon the Side or Sides of the same, such and so many Toll Gates, Turnpikes, Side Bars, Chains, and Weighing Machines, with Toll Houses, Outbuildings, Lamps, and other Conveniences thereto, and also to take in and enclose on the Side or Sides of the said Roads or any of them, convenient Garden Spots for each of the said Toll Houses (not exceeding One Eighth Part of a Statute Acre to each Toll House), as the said Trustees shall think fit and direct or appoint, and shall and may from Time to Time remove, alter, or discontinue the same or any of them, as they the said Trustees shall think expedient.

Tolls to be taken.

XV. And be it further enacted, That the Tolls following shall and may be demanded and taken by the said Trustees, or any Person or Persons by them authorized, at each and every of the Turnpikes or Toll Gates to be continued or erected by virtue of this Act, 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 or other Beast of Draught drawing any Coach, Berlin, Landau, Sociable, Chariot, Curricule, Calash, Hearse, Chaise, Phaeton, Taxed Cart, Van, Whiskey, Gig, or Chair, the Sum of Sixpence:

For every Horse or other Beast of Draught drawing any Wain, Waggon, Cart, or other such Carriage, having the Sole or Bottom of the Wheels thereof of the Breadth of Six Inches or more, the Sum of Sixpence:

For



For every Horse or other Beast of Draught drawing any Cart or other such Two-wheeled Carriage, having the Sole or Bottom of the Wheels thereof of the Breadth of Four Inches and One Half of an Inch, and less than Six Inches, the Sum of Seven-pence Half-penny :

For every Horse or other Beast of Draught drawing any Cart or other such Two-wheeled Carriage, having the Sole or Bottom of the Wheels thereof of the Breadth of Three Inches, and less than Four Inches and One Half of an Inch, the Sum of Nine-pence :

For every Horse or other Beast of Draught drawing any Wain, Waggon, Drag, or other such Carriage, having more than Two Wheels, the Sole or Bottom whereof shall be of a less Breadth than Six Inches, the Sum of One Shilling :

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

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any greater or lesser Number :

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or lesser Number.

XVI. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized to be collected, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Fractional Part of a Halfpenny in Tolls.

XVII. And be it further enacted, That all the several and respective Tolls hereby authorized to be taken shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, and disposed of in such Manner as herein is mentioned.

Tolls vested in Trustees.

XVIII. Provided always, and be it further enacted, That after the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, or Beast through any one of the Toll Gates to be continued or erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting such Payment being produced, be permitted to pass Toll-free through the same Toll Gate, and also through such other Toll Gate or Toll Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day, except as herein-after is provided.

Tolls to be paid but Once a Day.

XIX. And be it further enacted, That no more than Three full Tolls shall be demanded and taken the same Day, for the passing of any Horse, Beast, or Cattle through all the Toll Gates now erected and standing or hereafter to be erected upon the said Road between *Chapel-en-le-Frith* and *Enterclough Bridge*.

Tolls between Chapel-en-le-Frith and Enterclough Bridge.

XX. And be it further enacted, That after One full Toll shall have been paid at *Hayfield Bar* for the passing of any Horse, Cattle, or Beast,

Tolls at Hayfield Bar and Fisher's Bar,



Beast, upon a Ticket being produced denoting such Payment (which Ticket the Collectors of the said Tolls are hereby required to furnish gratis); such Horse, Cattle, or Beast shall be allowed to pass through *Fisher's Bar* the same Day Toll-free; and after One full Toll shall have been paid for the passing of any Horse, Cattle, or Beast through *Fisher's Bar* aforesaid, such Horse, Cattle, or Beast shall, *vice versâ*, be exempt from the Payment of Toll at *Hayfield Bar* during the same Day.

Toll to be paid at only One of the Three Bars in Glossopdale.

XXI. And be it further enacted, That after One full Toll shall have been paid for the passing of any Horse, Cattle, or Beast through any one of the Three Toll Gates or Bars within *Glossopdale*, called *Charlstown Bar*, *Glossop Bar*, and *Woolley Bridge Bar*, upon a Ticket being produced denoting such Payment, such Horse, Cattle, or Beast shall be permitted to pass Toll-free through either or both of the remaining Two of the Three aforesaid Toll Gates or Bars during the same Day.

Toll upon Horses drawing Carts, &c. laden with Coal or Stone.

XXII. Provided always, and be it further enacted, That every Person passing through any of the Toll Gates or Bars upon the said Roads with any Horse or Horses, Beast or Beasts of Draught, when drawing any Cart or other Carriage laden with Coal or Stone (such Stone not being then carried for the Repairs of the said Roads), shall be liable to the Payment of Toll during the same Day for every First, Third, Fifth, and Seventh Time of such Horse or Horses, Beast or Beasts of Draught, passing through the said Toll Gates or Bars, or any one of them, when drawing any Cart or other Carriage so laden with Coal or Stone as aforesaid.

Stage Coaches to pay every Time of passing and repassing.

XXIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Stage Coach, Van, Caravan, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads.

Post Chaises to be subject on every new Hiring.

XXIV. And be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts let out for Hire, and drawing any Post Chaise or other Carriage, every Time of passing or repassing along the said Roads, whenever a new Hiring thereof shall be made.

Application of Tolls and other Monies.

XXV. And be it further enacted, That all Monies and other Effects which the said Trustees or any of them, or any Treasurer or other Person on their Behalf, may be entitled to, or are or is possessed of such, by virtue of the said recited Acts of the Thirty-second and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, and all Monies which shall arise and be hereafter received from the Tolls granted by the said recited Acts of the Third and Fourth Years of His present Majesty's Reign, and by this Act, shall be applied, first in paying the Expences of procuring and passing this Act, then in paying the Interest and Principal of all Monies now due and owing on the Credit of the Tolls granted by the said recited Acts of the  
Thirty-



Thirty-second and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, or which may hereafter become due and owing upon the Credit of this Act or the Tolls hereby granted ; and afterwards in repairing, widening, altering, and improving the said Roads, or otherwise paying and defraying the Expences attending the Execution of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and to and for no other Use or Purpose whatsoever.

XXVI. And be it further enacted, That the said Trustees shall and may receive in and cancel all or any of the Mortgages now standing out, and give and execute another Mortgage or other Mortgages instead and in lieu thereof respectively.

Old Mortgages may be cancelled.

XXVII. And be it further enacted, That where any Money shall be agreed or awarded for any Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act, or of any Body Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Feoffees in Trust, Guardians or Committees, or any Trustees, or for any Femes Covert, or other incapacitated Person or Persons, or of any Tenant or Tenants for Life, or for any particular Estate, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General for 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 passed in the First Year of the Reign of His present Majesty, intituled *An Act for the 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 Orders 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 or Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing charged therewith, and settled or assured to the same Uses, Intents, or Purposes ; or where such Monies 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 so 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, taken, or used as aforesaid stood settled or limited to, 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,

Application of Compensation when amounting to 200*l*.

1 G. 4. c. 35.

[*Local.*]

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and until such Purchase shall be made, the said Money shall, by Order of the Court of Exchequer 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 Lands, Tenements, and Hereditaments so to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* but amounting to 20*l.*

XXVIII. 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 Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands, to 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 the Manner herein-before directed; or otherwise the same shall be paid, at the like Option, of Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the Trustees of the said Road, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising therefrom, may be applied in 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 Exchequer.

When less than 20*l.*

XXIX. And be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in such Cases the same shall be applied to the Use of the Person or Persons who would have been for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said 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.

XXX. 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 the Purchase of any Lands, Tenements, or Hereditaments



to be 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 so 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 Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, and 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 be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to adjudge and determine respecting the Right and Title of the Person or Persons so applying, and to order the said Money to be paid to such Person or Persons if the said Court shall think fit, or 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, Titles 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 or Purpose 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.

XXXI. And be it further enacted, That when 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 this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in the Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons respectively, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; 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 some other Person or Persons was or were lawfully entitled

Where any Question shall arise as to the Title to Money.



entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

XXXII. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation or Corporations, 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 Court of Exchequer, and to be applied in the Purchase of other Lands and Premises, 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, and so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the Trustees of this Act, who shall from Time to Time pay such Sum of Money for such Purposes as the Court shall direct.

Public Act.

XXXIII. 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.

Commencement and Continuance of this Act.

XXXIV. And be it further enacted, That this Act shall commence and take effect upon the First Day of June next after the passing of this Act, 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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