



ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. lxxiii.

An Act for more effectually improving the Road from *Creed* to *Ruan Lanehorne*, and from *Dennis Water* to *Trethim Mill*, in the County of *Cornwall*.
[28th May 1827.]

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 Road from the Lestwithiel Turnpike Road in the Parish of Creed in the County of Cornwall, through Tregony, to Ruan Lanehorne, and from Dennis Water to Three hundred Yards on the South Side of Trethim Mill in the Parish of Saint Just in the said County*: And whereas an Act was passed in the Twenty-fourth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to enlarge the Term and Powers of an Act made in the Second Year of the Reign of His present Majesty, for repairing and widening the Road from the Lestwithiel Turnpike Road in the Parish of Creed in the County of Cornwall, through Tregony, to Ruan Lanehorne, and from Dennis Water to Three hundred Yards on the South Side of Trethim Mill in the Parish of Saint Just in the said County*: And whereas an Act was passed in the Forty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to continue the Term and alter and enlarge the Powers of Two Acts passed in the Second and Twenty-fourth Years*

2 G. 3. c. 46.

24 G. 3. c. 27.

45 G. 3. c. 48.

[Local.]

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of

of His present Majesty, for repairing the Road from the Lestwithiel Turnpike Road, through Tregony, to Ruan Lanehorne, and from Dennis Water to Three hundred Yards on the South Side of Trethim Mill, in the County of Cornwall: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King George the Fourth, 3 G. 4. c. 126. 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 said present Majesty King George the Fourth, 4 G. 4. c. 95. 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 King George the Fourth, 5 G. 4. c. 69. intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas the Trustees appointed in and by virtue of the said recited Acts of His late Majesty King George the Third have proceeded in the Execution thereof, and have borrowed several Sums of Money upon the Credit of the Tolls authorized by the said recited Acts to be demanded and taken, some Part of which Money still remains due and owing; and the said Road cannot be kept in good and complete Repair, unless the Term granted and continued by the said Acts be further continued; and it would be more convenient if the said recited Acts of His late Majesty were repealed, and further, better, and more effectual Powers and Provisions granted for more effectually improving and keeping in repair the said Road; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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 passing of this Act the said recited Acts of the Second, Twenty-fourth, and Forty-fifth 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.

Recited Acts
of 2, 24, and
45 G. 3. re-
pealed;

and this Act
to be put into
Execution.

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 more effectually improving and keeping in repair the Road from the *Lestwithiel* Turnpike Road in the Parish of *Creed*, to the Eastern End of the Borough of *Tregony*, from the Western End of the said Borough to *Ruan Lanehorne*, also from the said Western End to *Trethim Mill*, and also from the said Western End to *Dennis Water*, all in the County of *Cornwall*; and for otherwise putting the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty and this Act in execution.

New Term
and Tolls
subject to
Debts, &c.

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

taken by the said recited Acts hereby repealed; or any or either of them; 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 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 for executing the said recited Acts hereby repealed, or any or either of them, or to any Person or Persons for the Benefit of the said Road, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

IV. And be it further enacted, That all Deeds, Bonds, Covenants, and Agreements, Contracts and Securities, Conveyances and Assurances, entered into by any Person or Persons to or with the Trustees for carrying the said recited Acts hereby repealed into Execution, or to or with the Clerk or Treasurer or any other Person or Persons on behalf of the said Trustees, according to the Provisions of the said recited Acts or any 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 and for the Benefit of the Trust created by this Act; and all Contracts or Agreements, Demises, Mortgages, or Securities, Conveyances, Assurances, Bargains, and Notices, duly made, entered into, or given by the said Trustees, 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 for executing this Act, according to the Terms and Stipulations and Tenor thereof respectively, notwithstanding the Repeal of the said first Three recited Acts; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Conveyances, Securities, &c. under former Acts to be valid, notwithstanding the Repeal of those Acts.

V. And be it further enacted, That all and every the Books and Book of Proceedings, or of Accounts of Receipts and Disbursements, which may have been kept by the Trustees acting in the Execution of the Acts hereby repealed, or of any Act then in force, or by their Clerk or Treasurer under their Direction, according to the Provisions of such Acts, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others, notwithstanding the Repeal of the said Acts.

Books used under former Acts to be Evidence under this Act.

VI. And be it further enacted, That all Persons who are or who have been employed, or who have received any Tolls or other Money on account of the said Road comprised in the said first Three recited Acts, or any or either of them, or who have or shall have in their Custody or Possession any Money, Books, Papers, Writings, or other Things relating to the said Road, shall account for and pay and deliver over the same in like Manner and under the like Penalties as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act are required to pay or account for the same.

Officers under former Acts to account.

VII. And

Part of the
Road ex-
empted from
the Operation
of the Act.

VII. And be it further enacted, That such Part of the said Turnpike Road as is situated within the Borough of *Tregony* shall be and the same is hereby exempted from the Operation of this Act, and shall no longer be under the Direction and Superintendence of the said Trustees; and that the Toll Gates now standing and being within the said Borough, or immediately adjoining thereto, shall be removed by the said Trustees within Six Months from the passing of this Act.

Powers of
General
Turnpike
Acts ex-
tended to
this Act.

VIII. 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,) 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, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or otherwise provided,) 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.

Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Cornwall*, together with *Charles Foss Andrew*, *Richard Budd* Clerk, *William Baker* Clerk, *Edward Collins*, *Edward Collins* the younger, *William Curgenvon* Clerk, *Matthew Garland Cregoe*, *William Cock*, *Stephen Doble* Clerk, *George Davey*, *Nicholas Donnithorne*, *Robert Lovel Gwatkin*, *Gordon William Francis Gregor*, *John Gummo*, *William Hennah*, *Humphrey Hicks*, *Peter Hill*, *Edmund Hearle*, *Joseph Hennah*, *Samuel Jewel*, *Richard Johns*, *John Kempe* Clerk, *Charles Trevanion Kempe* Clerk, *John Arthur Kempe*, *William Peter Kempe*, the Mayor of *Tregony* for the Time being, *George Moore* Clerk, *William Martyn*, *William Moorman*, *Richard Polwhell* Clerk, *John Penhallow Peters*, *Joseph Peters*, *John Peter* Clerk, *William Franklin Peter*, *William Perryman*, *Edward Rodd* Clerk, *William Stackhouse*, *Thomas Spry*, *Samuel Symonds* Clerk, *Francis Symons*, *John Hearle Tremayne*, *Jeremiah Trist* Clerk, *Thomas Trist*, *Samuel Thomas Trist* Clerk, *John Trevenen* Clerk, *John Trevanion*, *Purnell Bettesworth Trevanion*, *Thomas Vaughan* Clerk, *John Williams* Clerk, *John Wethiel*, 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 executing the Powers and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act.

Power to ap-
point addi-
tional
Trustees.

X. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings to be held under or by virtue of
this

this Act, to elect and appoint any Number of Persons, being duly qualified as directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Three in the whole, in addition to the Trustees herein named and appointed,) to be Trustees for the Purposes of the said Acts and this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing the same as if they had been herein named and appointed.

XI. And be it further enacted, That the said Trustees shall hold their First Meeting at some convenient House or Place in the Neighbourhood of the said Road and Branches, as the said Trustees shall think proper, on the First *Monday* next after the passing of this Act, or as soon after as conveniently may be; and the said Trustees shall and may then, and from Time to Time after, adjourn to and meet at the same Place, or at such Times and Places in the Neighbourhood of the said Road as they shall think proper; and shall and may, by Writing under their Hands, elect and appoint a Treasurer or Treasurers, and a Clerk or Clerks, and also a Collector or Collectors of the Tolls and of all the Monies to be collected by virtue of this Act, and shall likewise appoint some fit and proper Person or Persons to be a Surveyor or Surveyors of the said Road, and all such other Officers as they the said Trustees shall think proper; and out of the Tolls and other Monies to be collected and received under or by virtue of this Act and the said recited Acts, shall make such Allowance, by way of Salaries or otherwise, unto the Treasurers, Clerks, Collectors, Surveyors, and other Officers so to be appointed, for and in consideration of the Care and Pains by them respectively taken in the Execution of their respective Offices, and to such other Person or Persons as shall be assisting in and about the Execution of the said recited Acts and this Act, as to the said Trustees shall seem proper.

First Meeting
of Trustees.

XII. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who hath or have been or who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his, her, or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint the Person or Persons who hath or have been or who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and that if any Person or Persons shall hold or accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall hold or accept the Office of Treasurer, or shall act as

Same Person
not to be
Clerk and
Treasurer.

[Local.]

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Deputy

Deputy or Deputies of the Treasurer or Treasurers, or in any Manner officiate for the Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall hold or accept the Office of Clerk in the Execution of this Act, or shall act as Deputy or Deputies of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under this Act 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 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* or elsewhere, 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.

Power to
continue pre-
sent Gates,
and to erect
others.

XIII. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to continue or remove all or any of the Toll Gates, Toll Houses, Turnpikes, Bars, or Chains now standing in, upon, or across the said Road, and also from Time to Time to erect and set up, or cause to be erected and set up, in, upon, or across the said Road or any Part thereof, or on the Sides thereof, when, where, and as the said Trustees shall judge necessary or expedient, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Bar or Bars, Chain or Chains, or any Weighing Machine or Weighing Machines, and also to erect or provide a Toll House or Toll Houses, with suitable Outbuildings, Lamps, and Conveniences thereto, and to take in and inclose from the Sides of the said Road convenient Garden Plots to the said Toll Houses respectively, not exceeding One Eighth of a Statute Acre for each Toll House, and from Time to Time afterwards to remove, alter, or discontinue such Turnpikes, Toll Gates, Bars, Chains, or Toll Houses, or any of them, as they the said Trustees shall think proper and expedient.

Power to
take Tolls.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned upon the said Road hereby directed to be made and maintained, at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, now erected, or which shall be erected or placed, by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road, 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,)

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Chariot, Chair, Gig, Phaeton, Calash, Curricule, Chaise, Diligence, Caravan, Hearse, or Litter, the Sum of Sixpence:
For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Sixpence:

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

For each Ass drawing any kind of Carriage, the Sum of Sixpence :

For each Ass not drawing, the Sum of One Penny Halfpenny :

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 less Number :

And for every Drove of Calves, Sheep, Lambs, Hogs, or Swine, the Sum of Eight-pence ; and so in proportion for any greater or less Number :

Which said Tolls, and all other Tolls authorized to be taken upon the said Road, and all Monies arising by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, shall be and the same are hereby vested in the said Trustees, and shall and may be levied and recovered in the Manner directed by the said recited Acts of the Third and Fourth Years of His said present Majesty's Reign, and applied in manner herein-after directed.

Tolls vested in the Trustees.

XV. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) for or in respect of the passing and repassing of the same Horses, Cattle, Beasts, or Carriages through all or any of the Turnpikes, Toll Gates, or Side Gates placed on that Part or Division of the said Road lying between *Lestwithiel* Turnpike Road and the Parish Church of *Ruan Lanehorne*, nor on that Part or Division of the said Road lying between *Dennis Water* and Three hundred Yards on the South Side of *Trethim Mill*, which said Two Parts or Divisions comprise the whole Road ; but all and every Person and Persons, after having paid Toll Once as aforesaid on each Division respectively, and producing a Note or Ticket denoting the Payment of such Toll, shall afterwards pass with the same Horses, Cattle, Beasts, and Carriages Toll-free during such Day, to be computed as aforesaid, through all and every the Gates, Chains, or Side Bars erected and placed on the said Divisions respectively, or across any Road or Way leading out of the same or any of them ; and all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis* on Receipt of such Toll in manner aforesaid.

Tolls to be paid but Once a Day.

XVI. Provided always, 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 Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Turnpike or Toll Gate, 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 Carriage travelling for Hire, for every Time of passing or repassing along the said Road on the same Day, with a Ticket denoting a fresh Hiring.

Stage Coaches, &c. to pay every Time of passing ;

Post Chaises, &c. on every new Hiring.

XVII. And

Application
of the Tolls.

XVII. And be it further enacted, That all the Tolls and other Monies to arise by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, shall be applied, in the first place, and in preference to all other Payments whatsoever, in paying and defraying the Charges and Expences incident or in anywise relating to the obtaining and passing of this Act, and then in Payment of Interest upon the Money borrowed and to be borrowed for the Purposes thereof, and of the Salaries and Allowances to the Treasurers, Clerks, Collectors, Surveyors, and other Officers and Persons for the Time being employed by the said Trustees, and in paying and defraying all other Charges, Sums of Money, and Expences to be incurred or occasioned in or relating to the Execution of this and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and also in repaying the Principal Sum or Sums of Money to be borrowed upon the Credit of the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act granted, and to and for no other Use or Purpose whatsoever.

Application
of Compensation, when
amounting to
200*l*.

1 G. 4. c. 35.

XVIII. 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 and Fourth 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 of the Third and Fourth Years of the Reign of His said present Majesty is 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 the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, 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 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 same Lands, Tenements, and Hereditaments, or affecting other Lands, Tenements, or Hereditaments 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

the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the 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 hereby directed to be purchased, in case such Purchase or Settlement were made.

XIX. 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, or 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, 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.

Where less than 200*l.* and amounting to 20*l.*

XX. 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 Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, 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.

When less than 20*l.*

[*Local.*]

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XXI. And

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

XXI. 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 be lawful 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 the 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 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 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.

Persons in Possession presumptively entitled.

XXII. 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, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown 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 to 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,

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

XXIII. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any 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, 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 Expence 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.

Court may order reasonable Expences to be paid by Trustees.

XXIV. 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.

Public Act.

XXV. And be it further enacted, That this Act shall commence upon the passing thereof, and shall be and continue in full Force and Effect for and during 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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