ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 102.

An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from the *Alfreton* Turnpike Road, near a Place called *Little Robins*, in the Parish of *Mansfield*, in the County of *Nottingham*, to the *Nottingham* Turnpike Road near *Tansley*, in the County of *Derby*, and from *Woolley Moor* to the *Chesterfield* Turnpike Road at *Kelstidge*, in the said County of *Derby*. [18th *May* 1810.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for repairing and widening the Road from the* Alfreton *Turnpike Road near a Place called* Little Robins, *in the Parish of* Mansfield, *in the County of* Nottingham, *through* Woolley Moor, *to the* Nottingham *Turnpike Road near* Tansley, *in the County of* Derby, *and from* Woolley Moor *to the* Chesterfield *Turnpike Road at* Kelstidge, *in the said County of* Derby: And whereas an Act was passed in the Twenty-eighth Year of the Reign of His said present Majesty, intituled, *An Act for reviving, continuing, and enlarging the Term and Powers of an Act made in the Fifth Year of the Reign of His present Majesty King* George *the Third, for repairing and widening the Road from the* Alfreton *Turnpike Road, near a Place called* Little Robins, *in the Parish of* Mansfield, *in the County of* Nottingham, *through* Woolley Moor, *to the* Nottingham *Turnpike Road,* 5 G. 3. c. 90. 28 G. 3. c. 87.

near Tanſley, *in the County of* Derby, *and from* Woolley Moor *to the* Cheſterfield *Turnpike Road at* Kelſtidge, *in the ſaid County of* Derby: And whereas the Truſtees appointed in or by virtue of the ſaid Acts have proceeded to put the ſame in Execution, for which Purpoſe they have borrowed conſiderable Sums of Money on the Credit of the Tolls granted and continued by the ſaid Acts, which Money 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 and continued by the ſaid Acts be further continued, and ſome of the Powers and Proviſions thereof altered, amended, and enlarged; May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, paſſed in the Fifth and Twenty-eighth Years of the Reign of His ſaid preſent Majeſty, and all and every the Clauſes, Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Matters and Things therein reſpectively contained, (except ſuch as relate to Exemptions from Stamp Duties, and alſo except ſo much and ſuch Part or Parts thereof as are by this Act varied, altered or repealed,) ſhall be and the ſame are hereby declared to be in full Force and Effect, and ſhall be executed for and during the Term hereinafter-mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Amendments, Variations, Alterations and Additions herein contained, and which ſhall commence and take Effect from the paſſing of this Act; and this Act, and the additional Term hereby granted, ſhall be ſubject and liable as well to the Payment of all Money now due and owing on the Credit of the ſaid Acts, or on the Credit of the Tolls thereby granted and continued, and now payable at the ſeveral Gates or Turnpikes now erected or hereafter to be erected on the ſaid Roads, as alſo to the Payment of all Money which ſhall hereafter be borrowed for the Purpoſes of this Act, and of the Intereſt due and to grow due for the ſame reſpectively.

The ſaid Acts further continued.

II. And be it further enacted, That *Robert Alſop*, *Richard Adlington*, *John Aram*, *John George Aram*, *John Andrews* the Younger, *John Andrews*, *Paul Boot*, *Paul Boot* the Younger, *Thomas Burton*, *Thomas Bakewell*, *Francis Bagſhaw*, *Samuel Catlow*, *George Catlow*, *Henry Cowliſhaw*, *Thomas Leeſon Curſham*, *William Chriſhop*, *William Cowpe*, *John Chambers*, *Benjamin Chambers* the Younger, *Iſaac Dodſley*, *William Eaton*, *William Fiſher*, *George Flower*, *David Flower* the Elder, *David Flower* the Younger, *William Green*, *Thomas Goſſage*, *William Holding*, *Samuel Hurt*, *Joſeph Hurt*, *Francis Humphrey*, *Robert Hill*, *Joſeph Hufton*, *John Heath*, the Reverend *George Holt* the Elder, the Reverend *George Holt* the Younger, *George Johnſon*, *William Johnſon Tanner*, *Richard Jenkinſon*, *William Wilſon Kent*, *James Maltby*, *Richard Mellers*, *John Need* Eſquire, *Thomas Neale*, *William Paulſon*, *Iſaac Spencer Page*, *Francis Rolling*, *William Roper*, *John Rooth*, *John Savage*, *Joſeph Senior*, *Thomas Senior*, *John Stirrup*, *William Siddon* the Younger, *James Alexander Stevens*, *John Stevens*, *William Sanders*, *William Taylor*, *Jabez Unwin*, *George Walkden*, *William Woodcock*, *John Wragg*, *Thomas Watſon*, *George Wragg*, *Thomas Wilſon*, *William*

For appointing additional Truſtees.

William Wood, *William Wragg* of *Ashover*, and *Thomas Walker* Esquire, shall be, and they and their Successors to be elected in the Manner directed by the said first recited Act, are hereby appointed Trustees, and shall be joined with the Trustees appointed by or elected in pursuance of the said Acts, to put the same and this Act in Execution, for the Purpose of amending, widening, improving, and keeping in Repair the said Roads.

Meetings on Emergencies.

III. And be it further enacted, That if after any Adjournment of any Meeting of the said Trustees it shall be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by any Adjournment, or if for want of a proper Adjournment or otherwise it shall be necessary to call a Meeting of the said Trustees, the Clerk or Clerks to the said Trustees, upon an Order in Writing signed by any Three or more of them, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in Manner directed by the said first recited Act, and of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Ten Days after such Notice), and such Meeting shall and may be held accordingly, Notice of such intended Meeting having been fixed upon all the Toll Gates Six Days previous to the Meeting; and all the Proceedings of the Trustees at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

Trustees to hold their Meetings at certain Places.

IV. And be it further enacted, That the said Trustees shall, and they are hereby required, in every Year during the Continuance of the said recited Acts and this Act, to hold their Meetings for executing the said recited Acts and this Act, at the following Towns or Places (that is to say), One Meeting to be held at some convenient House or Place in the Town of *Ashover*, during the Months of *June*, *July*, or *August*; One Meeting to be held at some convenient House or Place in the Town of *Mansfield*, during the Months of *June*, *July*, or *August*; Two Meetings to be held at some convenient House or Place in the Town of *Tibshelf*, and all other Meetings to be held at some convenient House or Place in the said Town of *Tibshelf*.

Toll Collectors not incompetent Witnesses.

V. And be it further enacted, That in case any Dispute, Suit or Litigation shall arise touching or in any way relating to the Tolls granted by the said Acts, or the Amount or Recovery thereof, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit or Litigation, by reason of his, her, or their being appointed to collect such Tolls, or by reason of his, her, or their acting under the Authority of the said Trustees.

Exemptions from Tolling.

VI. And be it further enacted, That from and after the passing of this Act, no Toll shall be demanded or received for any Horse, Mare, Gelding, Mule, or other Cattle, drawing any Carriage going for or returning laden or unladen, having been laden only with Stones, Gravel or other Materials for repairing the said Roads, or any of the Roads in the Parishes

riſhes or Places in which the Roads by the ſaid recited Acts and this Act directed to be repaired, or any Part thereof, do or doth lie; or any Dung, Mould, Soil, or Compoſt of any Kind (except Lime) for the manuring of any Garden or other Land or Ground; nor ſhall any Toll be demanded or received for any Carriage or Cattle going for the Purpoſe of or returning from ploughing, ſowing, tilling, or cultivating of any Land or Ground, or going for or returning unladen, or only laden with Hay, Straw, Corn in the Straw, or Wood, not ſold or diſpoſed of, but to be laid up in the Houſes, Outhouſes, Yards, or on the Premiſes of the Owner or Owners thereof; nor for any Plough, Harrow, Dray, or other Implement of Huſbandry; nor for any Horſe or other Beaſt or Cattle drawing or carrying the ſame, in order for the repairing thereof, or uſing the ſame in Huſbandry; nor for any Horſe or other Beaſt or Cattle going to or returning from Water or Paſture, or going to be or returning from being ſhoed or farried; nor for any Horſes, Cattle or Carriages of whatſoever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding the ſame, or in returning back from conveying the ſame; nor for the Horſes of Soldiers on their March or on Duty, or Carriages, Horſes, or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor for any Horſe, Mare or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively at the Time of claiming ſuch Exemptions; nor for any Carriage, Horſe, or other Beaſt employed in the Conveyance of Vagrants, travelling with legal Paſſes; nor ſhall any Toll be demanded or taken from any Inhabitant of any Pariſh in which any Part of the ſaid Roads doth lie, who ſhall paſs through any of the ſaid Turnpikes to or from his, her or their reſpective Pariſh Church, Chapel, or other Place of religious Worſhip tolerated by Law, on *Sundays*, or on *Chriſtmas Day*, *Good Friday*, or on any other Day on which Divine Service is or ſhall be ordered by Authority to be celebrated, or who ſhall attend the Funeral of any Perſon dying and to be buried in any of the ſaid Pariſhes; nor from any Clergyman going to or returning from viſiting any ſick Perſon, or upon other his Parochial or Miniſterial Duty, on a *Sunday*, *Chriſtmas Day*, *Good Friday*, or any other Day on which Divine Service is or ſhall be ordered by Authority to be celebrated; nor ſhall any Toll be demanded or taken for or in reſpect of any Horſe, Cattle or Beaſt carrying any Paſſenger, or drawing any Coach, Landau, Berlin, Chariot, Calaſh or Chair, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Nottingham* or *Derby*, on the Day or Days of ſuch Election, or on the Day before or on the Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall claim

and

and take the Benefit of any of the said Exemptions, not being entitled to the same, or shall make use of any Fraud whatsoever, whereby the Payment of the said Tolls, or any Part thereof, shall be evaded, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied for the Purposes of this and the said recited Acts.

Carriages employed in the Public Service not subject to Penalties for Overweight, &c.

VII. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack or Commissariat, or other Publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the said recited Acts contained, to the contrary notwithstanding.

Statute Labour.

VIII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto; and it shall be lawful for any Two or more Justices of the Peace for the County in which such Road is situate (as the Case may be), and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Two or more of them, or by their Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or to their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices, from Time to Time, to summon the Surveyor or Surveyors of the Highways of every such Parish or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force or effect for the Repair of the Public Highways; and

and out of such Lists the said Justices shall and may appoint, allot, and order such and so many of the Persons who shall appear subject and liable to Statute Work, as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct, and in default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force or effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be so found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer of or to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false and imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Application of Compensation Money exceeding 200l.

IX. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts or this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Cestui que* Trust, or to any Person whose Lands or Hereditaments are limited in strict or other Settlement, or to any Person under

any other Disability or Incapacity whatsoever; such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said Acts and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other 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 at aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities, shall, from Time to Time, be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments to be purchased by virtue of the said recited Acts and this Act, in case such Purchase or Settlement were made.

Application of such Money when less than 200*l.*

X. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall be 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 High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like

Option

Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Three of the Truſtees for executing the ſaid recited Acts and this Act, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the Dividends ariſing thereon or therefrom, may be applied in any Manner herein-before directed, ſo far as the Caſe ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application of ſuch Money when under 20*l.*

XI. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as next before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of Lands, Tenements or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Acts and this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit, or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, &c. Purchaſe Money to be paid into the Bank, ſubject to the Order of the Court of Chancery.

XII. 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 Lands, Tenements, or Hereditaments to be purchaſed by virtue of the ſaid recited Acts and this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [*deſcribing them*], ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title, or 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 ſuch Sum or Sums into the Bank as aforeſaid.

XIII. Provided

XIII. Provided always, 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 Chancery in purſuance of the ſaid Acts and 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 of the ſaid recited Acts and of this Act, 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 and taken to have been lawfully entitled to ſuch Lands, Tenements or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly; unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion of the Lands at the Time of ſuch Purchaſe ſhall be deemed entitled thereunto.

XIV. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of the ſaid recited Acts and this Act, the Purchaſe Money of the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands or Hereditaments to be ſettled to the like Uſes, in purſuance of the ſaid recited Acts and this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees out of the Money to be received by virtue of the ſaid recited Acts and this Act, who ſhall from Time to Time pay ſuch Sum or Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XV. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act ſhall be paid by the Truſtees for executing the ſaid recited Acts and this Act, or any Five or more of them, out of any Money already raiſed by virtue of the ſaid Acts, or out of the firſt Money which ſhall be collected or received by virtue of the ſaid recited Acts and this Act, in preference to all other Payments whatſoever, ſave and except the Amount of One Half of the annual Receipts, which ſhall go to and be applied by the Surveyor or Surveyors towards repairing and amending the Road.

For paying the Expences of the Act.

XVI. 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.

Term and Continuance of this Act.

XVII. And be it further enacted, That this Act, and all the Powers and Provisions therein contained, shall commence upon the passing thereof, and shall, together with the said recited Acts, continue and be in force, and be executed for and during the Residue now to come and unexpired of the Term granted and continued by the said recited Acts, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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