



ANNO SEPTIMO

GEORGIIV. REGIS.

Cap. lxxviii.

An Act for making, maintaining, and repairing certain Roads leading into and from the Town of *Tewkesbury*, in the County of *Gloucester*, towards the Cities of *Gloucester* and *Worcester*, and the Towns of *Cheltenham*, *Stow-on-the-Wold*, *Evesham*, and *Pershore*, and certain other Roads therein mentioned, in the Counties of *Gloucester* and *Worcester*.
[5th May 1826.]

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing the Roads into and from the Town of* 58G.3. c.30. *Tewkesbury in the County of Gloucester*: And whereas the present Line of Road leading from *Tewkesbury* towards *Cheltenham* (being one of the Roads in the said Act mentioned) is circuitous and inconvenient; and in consequence of the increased and increasing Intercourse between the Towns of *Tewkesbury* and *Cheltenham*, a new and more direct Communication between those Places is desirable, and will be of great public Utility: And whereas a certain public Carriage Road leading from a Place called *The Oak Field*, situate on one of the said Turnpike Roads, to a certain other Place called *Isabel's Elm*, situate on another of the said Turnpike Roads, and also a certain other public Carriage Road leading from a Point near *Beckford Inn*, situate on one of the said Turnpike Roads, and adjoining another of the said Turnpike Roads beyond a Place called

[*Local.*]

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Short

Short Lane Bridge, in the Parish of *Alderton* in the County of *Gloucester* aforesaid, at the Corner of a Field of *Evan Beavan* Clerk, wherein is a Direction Post adjoining the said Turnpike Road, are narrow and inconvenient, and cannot be effectually improved and kept in repair by the ordinary Course of Law, and it would be beneficial to the Public if the same were made Turnpike: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas it would facilitate the Execution of the Purposes aforesaid if the said first-recited Act were repealed, and if the Powers thereby given, and such further and other Powers and Provisions as may be necessary for making and maintaining the said new Branch of Road, and for repairing and maintaining the said public Carriage Roads, were granted and comprized in one Act: 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 upon the Fourth Day of *August* next after the passing of this Act, the said recited Act passed in the Fifty-eighth Year of the Reign of His said late Majesty King *George* the Third shall be and the same is hereby declared to be repealed, and instead thereof this Act shall be put in execution for and during the Term hereinafter mentioned, for the Purpose of more effectually amending, widening, improving, and keeping in repair the present Turnpike Roads leading from the said Town of *Tewkesbury* in the County of *Gloucester*, through the Village of *Church Stanway*, to *Stump Cross* in the Parish of *Didbrook* in the said County of *Gloucester*, to join the Turnpike Road leading to *Stow-on-the-Wold* in the said County, and from *Isabel's Elm* in the Parish of *Ashchurch* in the said County, across the said Road to *Gotherington Elm* in the Parish of *Bishop's Cleeve* in the said County, to join the Turnpike Road leading to *Cheltenham*, and from *Gotherington Elm* aforesaid, to the Turnpike Road leading from *Cheltenham* to *Stow-on-the-Wold* aforesaid, near *Sireford Inn*; and also the Road leading from *Tewkesbury* aforesaid to the *Old Bell* otherwise the *Old Blue Bell*, in the Parish of *Earl's Croome* in the County of *Worcester*, to join the Turnpike Road leading to the City of *Worcester*; and also the Road leading from *Tewkesbury* aforesaid, through the Village of *Bredon*, to the Turnpike Road leading to *Evesham*, at or near *Beckford Inn*, in the Parish of *Beckford* in the said County of *Gloucester*, and from *Bredon* aforesaid to *Eckington Bridge* in the Parish of *Eckington* in the said County of *Worcester*, and from thence to join the Turnpike Road leading from *Upton-upon-Severn* to *Pershore* in the Parish of *Birlingham* in the said County of *Worcester*; and also the Road leading from *Tewkesbury* aforesaid to the *Hermitage* in the Parish of *Tewkesbury*, and from thence to *Coombe Hill* in the Parish of *The Leigh* in the County of *Gloucester*, and from thence to *Norton Bridge*

Recited Act,
58 G. 3. re-
pealed, and
this Act to
take effect
instead
thereof.

in the Parish of *Norton* in the said County, near *Norton Mill*, to join the Turnpike Road leading to the City of *Gloucester*, and from the *Hermitage* aforesaid to the River *Severn* at the *Lower Lode Ferry* in the Parish of *Forthampton* in the said County, and from *Coombe Hill* aforesaid to *Piff's Elm* in the Parish of *Elmstone Hardwick* in the said County, to join the Turnpike Road leading to *Cheltenham* aforesaid; and also for making Turnpike, and maintaining, repairing, widening, improving, and keeping as Turnpike, a certain Highway or public Carriage Road leading out of the Turnpike Road from *Tewkesbury* aforesaid, through the Village of *Bredon* aforesaid, at or near a Place called *The Oak Field* in the Parish of *Bredon* aforesaid, and which said Highway passes from, through, or into the several Parishes, Townships, Hamlets, or Places of *Bredon* and *Kinsbam* in the County of *Worcester*, and *Kemerton*, *Aston-on-Carrant*, and *Ashchurch* in the County of *Gloucester*, and joins the Turnpike Road leading from *Isabel's Elm*, in the Parish of *Ashchurch*, to *Gotherington Elm* in the Parish of *Bishop's Cleeve* in the County of *Gloucester*, at or near *Isabel's Elm* aforesaid; and also for making Turnpike, and maintaining, repairing, widening, improving, and keeping as Turnpike, a certain other Highway or public Carriage Road commencing from the Turnpike Road leading from *Beckford Inn* to *Evesham* aforesaid, at a Point near to *Beckford Inn* aforesaid, and leading through the several Parishes, Townships, Hamlets, or Places of *Beckford*, *Great Washbourn*, and *Alderton* in the County of *Gloucester*, and *Overbury* and *Little Washbourn* in the County of *Worcester*, or some of them, until it joins the Turnpike Road leading from *Tewkesbury* aforesaid to *Stow-on-the-Wold* in the County of *Gloucester* aforesaid, beyond a Place called *Short Lane Bridge* in the Parish of *Alderton* in the County of *Gloucester* aforesaid, at the Corner of a Field of *Evan Beavan* Clerk, wherein is a Direction Post adjoining the said Turnpike Road; and also for making and maintaining a new Branch of Road to commence at or near to a Place called *Gubshill* in the Parish of *Tewkesbury* aforesaid, situate on the present Turnpike Road leading from *Tewkesbury* aforesaid to the City of *Gloucester*, and to pass through or into the several Parishes, Townships, Hamlets, or Places of *Tewkesbury*, *Tredington*, *Stoke Orchard*, *Bishop's Cleeve*, and *Elmstone Hardwick*, in the said County of *Gloucester*, or some of them, and to terminate in *Elmstone Hardwick Common Field*, in the Parish of *Elmstone Hardwick* aforesaid, there to join an intended new Turnpike Road from the Town of *Cheltenham* in the County of *Gloucester* to *Elmstone Hardwick Common Field* aforesaid; and that this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all Monies heretofore borrowed and now due and owing upon the Credit or on Account of the said first-recited Act, or secured upon or made payable out of the Tolls thereby authorized to be taken, 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 and become due on the Credit of this Act or of the Tolls hereby authorized to be collected.

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

Powers of recited Acts, 3, 4, & 5 G. 4. to extend to this Act.

Act

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

Former Debts, &c. vested in new Trustees.

III. And be it further enacted, That all Arrears of Tolls or Rents or other Monies due to, and Property Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the said Trustees under the said first-recited Act, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, who shall be and are hereby enabled to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act; or such Arrears of Tolls or Rents or other Monies so due to the said Trustees under such Act, by virtue of any Deed or Specialty, shall and may be sued for and recovered in the Name or Names of the Trustee or Trustees to or with whom such Deed or Specialty shall have been so made or entered into, at the Option or Election of the Trustees for executing this Act; and all the Costs to be incurred by the Trustees or Persons in whose Names such Proceedings shall be had, shall be paid and defrayed by and out of the Monies to be received by virtue of this Act, and the Monies, when recovered, shall be paid over to the Treasurer or Treasurers of the said Trustees, to be applied for the Purposes of this Act.

Former Books to be Evidence, and Mortgages, &c. under old Act to be valid.

IV. And be it further enacted, That all and every the Books and Book of Proceedings which have been kept by the Trustees acting in the Execution of the Act hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Act, and made Evidence thereby, and also the Book or Books to be kept for the Purposes of this Act, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others; and all Conveyances, Assurances, Mortgages, and Securities, and all Deeds, Bonds, Contracts, and Agreements, granted, made, or entered into under the Powers and Provisions of the said recited Act, shall be as valid and effectual to all Intents and Purposes as the same respectively would have been in case the said recited Act had remained unrepealed.

Where old Securities are lost, new ones may be executed.

V. And whereas divers Creditors on the said Roads may have lost or mislaid the Mortgages or Assignments of the Tolls executed by the Trustees for securing to him, her, or them the Principal Money lent on the Credit of the said Act hereby repealed, or the Tolls thereby granted, with

with Interest for the same, or the Transfers of such Mortgages or Assignments; and it is reasonable that in Cases where it can be proved to the Satisfaction of the Trustees that any Person is truly and *bonâ fide* entitled to any Sum or Sums of Money secured on the Tolls granted by the said last-mentioned Act, although they may not be able to produce the said Mortgage Security, that another Assignment of the Tolls hereby granted shall be executed for securing the Repayment of the Money now due on the Credit of the said Act or the Tolls thereby granted; be it therefore further enacted, That in all Cases where it shall appear by the Books kept by the Clerk or Treasurer to the said Trustees for executing this Act, or by any other satisfactory Evidence adduced at any Meeting of the said Trustees, that any Person or Persons is or are a Creditor or Creditors on Security of the Tolls granted by the said Act hereby repealed, and that the Mortgage or Assignment of the Tolls for securing any such Sum or Sums of Money, or the Transfer thereof, has been lost, mislaid, or by Accident destroyed, it shall and may be lawful for the said Trustees, or any Five or more of them, to execute, at the Expence of the Person or Persons applying for the same, an Assignment of the Tolls by this Act granted for the Sum or Sums of Money mentioned in such original Assignment or Transfer; and every Assignment so to be executed shall be valid and effectual for the Purposes thereby intended.

VI. And be it further enacted, That the said Trustees shall and may, if thereunto required by the Person or Persons entitled thereto, destroy and cancel all or or any of the Mortgages, Assignments, Declarations of Trust, or Securities now subsisting that have been made by virtue of the said Act hereby repealed, of the Tolls thereby authorized to be collected, and to give and execute, at the Expence of the Person or Persons requiring the same, a Mortgage or Mortgages of the Tolls by this Act granted in manner herein-before directed, for such Sum or Sums of Money as may be expressed in any Mortgage, Assignment, or Security to be cancelled by virtue of this Act.

Old Securities may be cancelled, and new ones granted.

VII. And be it further enacted, That all His Majesty's Justices of the Peace acting for the Counties of *Gloucester* and *Worcester* respectively for the Time being, together with *Richard Alcock*, *Jacob Allis*, *John Ashley* Clerk, *John Attwood*, *John Attwood* the younger, *Thomas Baldwyn*, *Bernard Baldwyn*, *John Baldwyn*, *William Henry Baldwyn*, *Stephen Baldwyn*, *George Banaster*, *Charles Banaster*, *John Barber*, *Richard Barlow*, *Samuel Barnes*, *William Barnett*, *Job Walker Baugh* Clerk, *James Bennett*, *William Berkeley*, *Thomas Barker Berkeley*, *William Bethell*, *Thomas Blizzard*, *Joseph Boughton*, *William Boughton* Clerk, *Edward Humphrey Brown*, *Edward Brydges*, *Henry Brydges*, *Thomas Caddick*, *William Caldwell*, *Charles Edward Chandler*, *Nathaniel Chandler*, *James Wakeman Newport Charlett*, *John Dobbins Clifton*, *Sir Christopher Bethell Codrington* Baronet, *William John Codrington*, *John Cowles*, the Honourable *Henry Augustus Berkeley Craven*, the Honourable *Richard Keppell Craven*, *Joseph Crump*, *Richard Darke* Clerk, *Daniel Darke*, *Francis Darke*, *Nathaniel Darke*, *William Dillon*, *John Edmund Dowdeswell*, *Edmund Christopher Dowdeswell* Doctor in Divinity, *George Dowdeswell*, *William Dowdeswell*, *William Dowdeswell* the younger, *John Dowdeswell*, *George Dumble*, *George Dumble* the younger, *Charles Dunne* Clerk, *Nathaniel Dyer*, *Thomas*

Appointment of Trustees.

[Local.]

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Easthope, John Eddy Clerk, William Seale Evans, John Evans, Thomas Firkins, John Foxton, George Foxton Clerk, George Foxton the younger, Clerk, George Freeman, Harris Freeman, Josiah Gist, Samuel Gist Gist, William Gist, Godfrey Goodman Clerk, James Gorle, Sir Berkeley William Guise Baronet, John Hampton Hampton, Charles Edward Handford, Henry William Harris, Nathaniel Hartland, Nathaniel Hartland the younger, John Allis Hartland, Samuel Healing, William Hill, Benjamin Holland, William Hopton Clerk, John Hopton Clerk, William Parsons Hopton, James Horniblow, Thomas James, Leigh James, Arthur Jones, Baynham Jones, Edmund Warden Jones, Benjamin Goolden Kent, John Keysall Clerk, Charles Woodcock Keysall Clerk, John Lane, William Lane, William Leaver, Sir Anthony Lechmere Baronet, Edmund Hungerford Lechmere, Anthony Berwick Lechmere, Thomas Dawson Lewis, Joseph Longmore, John Lord, Joseph Lord, William Lord, Richard Lord, Alexander Luders Clerk, John Martin, James Martin, Joseph Martin, John Williams Martin, Charles Martin (of Severn Stoke), Charles Martin Clerk, Paul Martin, James Mathews, William George Maxwell Clerk, Leonard Middleton Clerk, Thomas Moore, William Moore, John Moore, William Mumford, William Munro, Thomas Nash Doctor in Divinity, John Neale Clerk, Henry Edward Neale Clerk, Francis Neale, John New, James Nind, James Sutton Olive, Thomas Orme, Thomas Packer, John Packer, David Charles Parry Clerk, Joseph Pensam, James Petley, James Petley the younger, William Law Phelps, Frederick Phelps, Charles Porter, Thomas Chinnall Porter, George Prior, William Prior, James Pritchit, Michael Procter, William Procter, Thomas Procter, Bradley Procter, William Prosser Clerk, John Prosser Clerk, Osman Ricardo, William Ricketts (of Bredon), William Ricketts (of Tewkesbury), John Sadds, Henry Salmon Clerk, Lewis Goodin Senior, Joseph Shapland Clerk, Richard Skillicorne Skillicorne Clerk, Richard Smith (of Didcote), Joseph Cooper Straford, John Robert Surman, George Talbot, John Taylor, Thomas Taylor, John Terrett, William Thomas, Charles Tidmarsh, Henry Tidmarsh, Joseph Benedict Tidmarsh, John Timbrill Doctor in Divinity, Thomas Tolley, Robert Lawrence Townsend Doctor in Divinity, Charles Hanbury Tracy, George Turberville Clerk, William Tyler, Thomas Vernon, William Wakeman, John Walker, George Watson, Edward Webb, Edmund Francis Welles, William Whitcombe, Thomas Phillips White, Charles White Clerk, Thomas Whithorn, Henry Kear Whithorn, Joseph Wickes, Joseph Wickes the younger, Thomas Williams, Lindsey Winterbotham, Henry Woodcock Doctor in Divinity, William Woodward, Reginald Wynniatt Clerk, Thomas Wynniatt, Charles Yeend, Joseph Yorke, Robert Young, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, widening, improving, and keeping in repair the said Roads, and for otherwise carrying this Act into Execution.

Meetings of
Trustees.

VIII. And be it further enacted, That the said Trustees shall meet together on the Fourth Day of *August* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, at the *Cross Keys Inn*, or at some other convenient Place in the Town of *Tewkesbury* aforesaid, and shall then and there proceed to carry this Act into Execution; and shall and may then and from Time to Time afterwards
adjourn

adjourn to and meet at such Times, and at such Place or Places on or near to the said Roads; as the said Trustees or the major Part of them present at any such Meetings shall think proper and appoint.

IX. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered to elect and appoint any Number of Persons, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, not exceeding Four in the whole, in addition to the Number of Trustees herein named and appointed, to be Trustees for the Purposes of this Act, and such Persons so elected and appointed, and being duly qualified, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to appoint Four additional Trustees.

X. And be it further enacted, That the said Trustees at any of their Meetings shall and may from Time to Time appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Roads, and such other Officers as they the said Trustees shall think necessary, and from Time to Time remove any such Officer or Officers, and on the Death, Resignation, or Removal of any such Officer or Officers, may appoint another or others in his or their Stead, and every such Appointment shall be entered in the Book of the Proceedings of the said Trustees; and the said Trustees shall and may and they are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries and make such Allowance to such Officers as shall be appointed or continued by virtue of this Act, for their Services in or about the carrying of this Act into Execution, as the said Trustees shall think reasonable.

Appointment of Officers.

XI. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Act passed in the Third Year of the Reign of His present Majesty, and not contrary to the Provisions and Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said Act hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers to continue until removed by 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 has or have been or 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 the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to

Clerk not to act as Treasurer, and vice versa.

continue

continue or appoint any Person or Persons who has or have been or 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, the Clerk or Clerks 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 or Persons, being the Partner or Partners of any such Clerk or Clerks; or the Clerk or Clerks or Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, 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 the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any other Place or Office of Profit or Trust under the said Trustees, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

Power to
continue and
erect Toll
Gates.

XIII. And, for the Purpose of collecting and receiving the Tolls hereby granted and made payable, be it further enacted, That it shall be lawful for the said Trustees to continue or to remove all and every or any of the Toll Gates and Toll Houses, Turnpikes, Side Bars, and Chains now standing or being in, upon, or across any of the said Roads, or on the Sides thereof, by virtue of the said Act hereby repealed, 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 Roads or any Part thereof, or upon or across the Entrance to any public Road, Lane, Street, or Way leading into the same, or any Part thereof, when, where, and as the said Trustees shall judge necessary or expedient, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Bar or Side Bars, Chain or Chains, and also to continue, or where Need shall be to erect and build; or cause to be erected and built, proper Toll Houses, with sufficient Outhouses and Conveniences thereto, at or near each and every such Toll Gate, Turnpike, Side Bar, or Chain; and to inclose on the Sides of the said Roads suitable Gardens, not exceeding One-eighth Part of a Statute Acre each, for the Use and Convenience of the Occupiers of the said Toll Houses, and from Time to Time to take down and remove or alter and discontinue the aforesaid Toll Gates, Turnpikes, Side Bars, and Chains, Toll Houses and Gardens, or any of them, as the said Trustees shall from Time to Time think proper and expedient.

Power to
remove Toll
Gates.

XIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered from Time to Time, when and as often as they shall think proper, to cause any of the Toll Gates or Toll Bars already erected, or which shall be continued or erected in, upon, or across, or on the Side or Sides of any Part of the said Roads; to be removed to and erected in, upon, or across, or on the Side or Sides of such other Part or Parts of the said Roads as the said Trustees shall

from Time to Time order and direct; provided that none of the said Toll Gates or Toll Bars shall be removed as aforesaid, unless Notice in Writing of the Intention to remove the same shall have been affixed Twenty-one Days at the least upon all the Toll Gates then standing upon the said Roads.

XV. And be it further enacted, That the said Trustees shall and they are hereby required to erect, set up, continue, and keep in repair, during the Continuance of this Act, One or more Toll Gate or Toll Gates, Bar or Bars, upon or across some Part or Parts of each of the said Branches of Road, and to demand and take at such Toll Gate or Toll Gates; Bar or Bars, the several Tolls hereby made payable; provided always, that no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied to the Repair of any Branch Road upon which there shall not be any Toll Gate or Bar erected or put up and continued, under the Authority of the Trustees for carrying this Act into Execution.

Gates to be placed on Branch Roads.

XVI. And be it further enacted, That it shall and may be lawful for the Trustees from Time to Time to order and direct such and so many Lamps to be placed and erected on each and every of the Toll Gates or Toll Bars to be continued or erected by virtue of this Act, or by the Sides thereof, as they shall think proper, and also to order and direct at what Times of the Year and during what Hours such Lamps or any of them shall be kept lighted; and all and every Toll Collectors and Collector, whether appointed by the Trustees or by any Person or Persons to whom such Tolls may be let, who shall neglect or omit to observe and fulfil the Orders of the said Trustees in respect to the keeping such Lamps lighted, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect or Omission.

Lamps to be lighted at Toll Gates.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or is or shall be standing or being, or continued or erected, by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads or any Part thereof; Once 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),

Power to take Tolls.

For every Horse, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing any Carriage, the Sum of Sixpence: Tolls.

For every Horse, Mule, or Ass, not drawing, the Sum of Two-pence:

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

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

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through any such Turnpike or Toll Gate, Side Bar or Side Gate, or Chain; and such respective Tolls or Sums of Money shall be and are

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hereby vested in the said Trustees, and shall be applied in manner hereinafter directed.

Tolls to be paid but once a Day.

XVIII. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any One of the said Toll Gates continued or erected, or to be erected, by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver *gratis* to the Person paying the same, and whereon shall be named and specified the Gate at which the same shall have been paid, and also the Gate or Gates (if any) freed by the Payment of such Toll), be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Limiting the Number of Tolls.

XIX. Provided also, and be it further enacted, That no more than Two full Tolls shall be demanded or taken of or from any Person or Persons, for or in respect of the same Horse or Horses or other Beasts or Cattle, or Carriage or Carriages, in any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, for passing and repassing once through all or any of the said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from the Town of *Tewkesbury*, through the Village of *Church Stanway*, to *Stump Cross* in the Parish of *Didbrook* in the said County of *Gloucester*, to join the Turnpike Road leading to *Stow-on-the-Wold* in the said County; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from *Gotherington Elm* aforesaid to the Turnpike Road leading from *Cheltenham* to *Stow-on-the-Wold* aforesaid, near *Sireford Inn*; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from *Tewkesbury* aforesaid to the *Old Bell* otherwise the *Old Blue Bell*, in the Parish of *Earl's Croome* in the County of *Worcester*, to join the Turnpike Road leading to the City of *Worcester*; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from *Tewkesbury* aforesaid, through the Village of *Bredon*, to the Turnpike Road leading to *Evesham*, at or near *Beckford Inn* in the Parish of *Beckford* in the said County of *Gloucester*; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the

said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from *Bredon* aforesaid to *Eckington Bridge* in the Parish of *Eckington* in the said County of *Worcester*, and from thence to join the Turnpike Road leading from *Upton-upon-Severn* to *Pershore*, in the Parish of *Birlingham* in the said County of *Worcester*; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from *Tewkesbury* aforesaid to the *Hermitage* in the Parish of *Tewkesbury*, and from thence to *Coombe Hill* in the Parish of *The Leigh* in the County of *Gloucester*, and from thence to *Norton Bridge* in the Parish of *Norton* in the said County, near *Norton Mill*, to join the Turnpike Road leading to the City of *Gloucester*; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from the *Hermitage* aforesaid to the River *Severn*, at the *Lower Lode Ferry*, in the Parish of *Forthampton* in the said County; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the said Toll Gates or Toll Bars erected or continued or to be erected on the Road leading from *Coombe Hill* aforesaid to *Piff's Elm*, in the Parish of *Elmstone Hardwick* in the said County, to join the Turnpike Road leading to *Cheltenham* aforesaid; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the Toll Gates or Toll Bars to be erected on the Road leading out of the Turnpike Road from *Tewkesbury* aforesaid, through the Village of *Bredon* aforesaid, at or near a Place called *The Oak Field* in the Parish of *Bredon* aforesaid, to the Turnpike Road leading from *Isabel's Elm* in the Parish of *Ashchurch*, to *Gotherington Elm* in the Parish of *Bishop's Cleeve*, in the County of *Gloucester*, at or near *Isabel's Elm* aforesaid, and from *Isabel's Elm* aforesaid, along the said Turnpike Road, to *Gotherington Elm* aforesaid; and no more than one full Toll in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the Toll Gates or Toll Bars to be erected on the Road commencing from the Turnpike Road leading from *Beckford Inn* to *Evesham* aforesaid, at a Point near to *Beckford Inn* aforesaid, to the Turnpike Road leading from *Tewkesbury* aforesaid to *Stow-on-the-Wold* in the County of *Gloucester*, beyond a Place called *Short Lane Bridge*, in the Parish of *Alderton* in the County of *Gloucester*, and from thence along the said Turnpike Road to *Stump Cross* aforesaid; and no more than Two full Tolls in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing once with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the Toll Gates or Toll Bars to be erected on the proposed new Branch of Road to commence at or near *Gubshill* in the Parish of *Tewkesbury* aforesaid, situate on the present
Turnpike

Turnpike Road leading from *Tewkesbury* aforesaid to the City of *Gloucester*, and to terminate in *Elmstone Hardwick Common Field* in the Parish of *Elmstone Hardwick* aforesaid.

Stage
Coaches and
Post Chaises
to pay every
Time.

XX. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Roads, and also for and 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 Roads, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Certain Per-
sons in
Tewkesbury
not to be
subject to
Statute Duty.

26G. 3. c. 17.

XXI. Provided always, and be it further enacted, That nothing in this Act or in the said recited Act passed in the Third Year of the Reign of His present Majesty contained, shall extend, or be deemed, taken, or construed to extend, to charge or make chargeable any Person or Persons who shall inhabit, hold, or occupy any House, Shop, Malthouse, Warehouse, Mill, Stable, Building, Cellar, Vault, Yard, Garden, Orchard, Tenement, or Hereditament within the said Town of *Tewkesbury*, and Precincts thereof, for or in respect of the Occupation thereof, with the Performance of any Statute Work, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, such Person or Persons being, by virtue and under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of His said late Majesty, intituled *An Act for paving, repairing, cleansing, lighting, and watching the Streets, Lanes, Ways, Passages, and Places within the Town of Tewkesbury, and the Precincts thereof, in the County of Gloucester; for the Removal of present and Prevention of future Encroachments, Nuisances, and Annoyances therein; for regulating Carts and other Carriages, and ascertaining the Rates of Carriage; and for widening some Part of the Street called Church Street within the said Town*, wholly and exclusively subject to the Repair of the Roads within the said Town and Precincts, and subjected to be rated in respect of such Property for that Purpose, distinct from the other Inhabitants of the said Parish.

Trustees not
to repair
Streets in the
Town of
Tewkesbury.

XXII. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Trustees, or make them liable to repair any Part of the public Streets, Passages, and Places within the said Town of *Tewkesbury*, or the Precincts thereof, which are within the Limits of the said Act passed in the Twenty-sixth Year of the Reign of His late Majesty, or which are or shall be placed under the Power or Authority of the Commissioners appointed under or by virtue of the said Act.

Application
of Tolls and
other Monies.

XXIII. And be it further enacted, That out of any Monies already received by virtue of the said recited Act hereby repealed, or out of the first Monies which shall be raised or received by virtue of this Act, the said Trustees shall in the first Place pay and discharge all the Expences and Costs relative to the procuring and passing of this Act, and the Remainder of such Monies shall from Time to Time be employed in erecting Turnpikes, Toll Houses, and Weighing Machines, and in making
amending,

amending, widening, altering, and improving the said Roads, and keeping the same in repair, and in defraying all the Charges and Expences of carrying this Act into Execution, and in repaying the Principal Monies by this Act charged or to be borrowed, and the Interest due and to grow due thereon.

XXIV. And be it further enacted, That all Demises or Leases of the Tolls arising on the said Roads by this Act authorized to be repaired, and all Bonds or other Securities which have been given for Payment of the Rents reserved by such Leases respectively, and for the Performance of the Covenants and Agreements in such Leases contained on the respective Lessee's Part, shall respectively continue in force until the Twenty-ninth Day of *September* inclusive next after the passing of this Act, on which Day the said respective Leases, Bonds, or other Securities aforesaid shall cease and determine, in the same Manner as if such Leases, Bonds, or other Securities had expired by Effluxion of Time, (save as to the Obligations, Covenants, or Agreements for Payment of Rent and Performance of Covenants in such Leases, Bonds, or Securities, on the respective Lessee's or Obligor's Part to be observed and performed during the Continuance of such Leases, Bonds, or Securities by virtue of this Act); and until such Determination of such Leases respectively, the respective Lessees thereof shall be entitled to collect and receive from the Commencement of this Act the respective Tolls by the said recited Act granted and made payable.

As to present
Leases of
Tolls.

XXV. And be it further enacted, That in case any of the Lessees of the said Tolls shall claim to be entitled to any Compensation or Satisfaction for or on account of such Continuance or Determination of his or their Lease or Leases as aforesaid, then, if the said Trustees and such Lessee or Lessees cannot agree as to the Amount of such Compensation or Satisfaction, such Lessee or Lessees may sue for and recover the same by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Differences
in vacating
Leases how
to be settled.

XXVI. And be it further enacted, That it shall be lawful for the Trustees for carrying this Act into Execution, and they are hereby authorized and empowered, to make the new Branch of Road herein-before described in, over, upon, or through any private Lands or Grounds, of such Width as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary or expedient, and for such Purpose or Purposes to pull down, or take and use, or lay into the said Road, any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof and Persons interested therein for the same, and for the Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Grounds; and it shall also be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the Lands and Premises through which or whereupon such Road, Footpaths, Causeways, Fences, Ditches, and Drains are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient,

New Branch
of Road may
be made.

[*Local.*]

25 N

without

without being deemed Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Plans to remain with Clerks of the Peace.

XXVII. And whereas Maps or Plans, describing the Line of the said new Branch of Road and the Lands to be taken for making the same, together with Books of Reference containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerks of the Peace for the Counties of *Gloucester* and *Worcester*, and the Borough of *Tewkesbury*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the respective Clerks of the Peace for the said Counties and of the said Borough, to the end that all Persons may at all seasonable Times have liberty to inspect and peruse the same, and to take Copies of or Extracts therefrom at their Will and Pleasure, paying to the Clerks of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts of the Maps or Plans and Books of Reference; and the said Trustees in making the said new Branch of Road shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Maps or Plans, without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Road not to deviate more than 100 Yards from Plan.

Lands marked in Plans may be used notwithstanding Errors in the Books of Reference.

XXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to take and use the Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises described in the said Maps or Plans as aforesaid, for the Purpose of making the said new Branch of Road, although the Name or Names of such Person or Persons may happen to be erroneously described or omitted in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the County of *Gloucester* or Borough of *Tewkesbury*, within their respective Jurisdictions, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees restrained from pulling down Houses, &c. not mentioned in the Schedule without Consent of the Owners.

XXIX. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively (other than and except such as are mentioned in the Schedule to this Act), without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

Power of purchasing limited to Five Years.

XXX. Provided also, and be it further enacted, That unless the Grounds and Hereditaments mentioned and specified in the said Schedule shall be purchased for the Purposes of this Act within Five Years next after the passing thereof, it shall not be lawful for the said Trustees to take

take or use any of such Grounds or Hereditaments, without the Consent in Writing of the Owners or Proprietors thereof for that Purpose first had and obtained.

XXXI. 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 Act passed in the Third Year of the Reign of His present Majesty, or of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said Act mentioned, 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 of the Court of Exchequer at *Westminster*, 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 and 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 settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with 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 Messuages, Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three 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, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of Compensation Money if amounting to 200*l*.

1 G. 4. c. 35.

XXXII. Pro-

Where less than 200*l.* and exceeding 20*l.*

XXXII. 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 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 in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore 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 Three or more of the Trustees for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where not more than 20*l.*

XXXIII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used 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.

In case of disputed Titles to Land.

XXXIV. 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 recited Act passed in the Third Year of the Reign of His present Majesty or 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 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 said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion

or Petition, shall 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 of Money into the Bank as aforesaid.

XXXV. Provided always, 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 said Court of Exchequer, in pursuance of the said recited Act passed in the Third Year of the Reign of His present Majesty or 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 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 shown to the Satisfaction of the said Court of Exchequer; 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.

Respecting
disputed
Titles to
Money.

XXXVI. 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 Act passed in the Third Year of the Reign of His present Majesty, or of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof, 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 the said last-mentioned Act or of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

Public Act.

XXXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commence-
ment and
Continuance
of this Act.

XXXVIII. And be it further enacted, That this Act shall commence on the Fourth Day of *August* next after the passing of this Act, and shall continue and be in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE referred to by this Act.

No. on the Plan.	Owners.	Occupiers.	Description of Property.
133	Edward Rogers Coxwell Rogers -	Henry Hone - -	Pasture Orchard.
134	John Kedwards - - -	In hand - - -	Ditto.
138	Edward Rogers Coxwell Rogers -	Henry Hone - -	Ditto.
145	The Honorable Henry Augustus } Berkeley Craven - - }	William Nind - -	Ditto.
148	Ditto - - -	John Long - - -	Ditto.
149	Ditto - - -	Ditto - - -	Ditto.
150	Ditto - - -	Ditto - - -	Ditto.
152	Ditto - - -	Ditto - - -	Ditto.
153	Ditto - - -	Ditto - - -	Ditto.
154	Ditto - - -	Ditto - - -	Ditto.
157	Susannah Surman, Widow - -	Joseph Holford - -	Ditto.
160	William Bick - - -	Thomas Eagles - -	Arable Orchard.

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