Anno tricesimo primo

Georgii II. Regis.

An Act for vesting certain Messuages, Lands, Tenements, and Hereditaments, for the better securing His Majesty's Docks, Ships, and Stores, at *Portsmouth*, *Chatham*, and *Plymouth*, and for the better fortifying the Town of *Portsmouth*, and Citadel of *Plymouth*, in Trustees, for certain Uses; and for other Purposes therein mentioned.



WHEREAS by the unjust and hostile Invasion lately made on His Majesty's Dominions in America, and the Mediterranean, and by great Preparations made in France, for invading these Realms, it became absolutely necessary for the Security of His Majesty's Docks, Ships of War, and Stores, to erect and raise Fortifications and Intrenchments near the Docks of Portsmouth, Chatham, and Plymouth: And whereas certain Lands herein after particularly mentioned, lying near the said Docks of Portsmouth, Chatham, and Plymouth, have been made use of in making Intrenchments, and raising Lines and Fortifications, for the Defence and Security of the said Docks: And whereas some Part of the said Lands made use of for that Purpose, lies open, and in common, to many Owners and Proprietors of Lands near adjoining, for which they claim a Right of Common

Preamble.

on the said Lands; and other Parts of the said Lands so made use of, are so limited by Settlement, that the Owners thereof cannot make a clear Title and Conveyance, without the Authority of Parliament; and other Parts of the said Lands may be the Property of Ecclesiastical Persons, or Persons not capable of making a legal Conveyance thereof; and all the said Lands may be subject and liable to Quit Rents, Tythes, and other small Outgoings, from which the Owners thereof may not, without the Authority of Parliament, be able to discharge the said Lands: And whereas many of the Owners and Proprietors of the said Lands so made use of (to make an unreasonable Gain to themselves) may insist on large and extravagant Demands, for the Damage and Injury they may pretend to have sustained by Means or Reason of erecting the said Fortifications: And whereas many Persons may pretend or claim to have Title to the same Lands, so that it may be doubtful to whom a Compensation ought to be made, which cannot be determined without the Aid of Parliament: To the end therefore that the true and real Value of the said Lands may be ascertained, and the actual and real Owners and Proprietors may have a just and reasonable Satisfaction for the said Lands, or for any Claim or Right thereto; 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 Parliament assembled, and by the Authority of the same, That all those several Pieces or Parcels of Land on which the Line ranging North from the Gun Wharf Wall at Plymouth Dock, in the Parish of Stoke Damerell, in the County of Devon, to the Wharf of Joseph Hooper Ship-Wright, on the South; and all those several Fields and Pieces or Parcels of Land lying on the North and East Sides of the said Line; and all those several Fields and Pieces or Parcels of Land lying within the Line, as the said Land is bounded and marked out for compleating the Fortifications, or intended for the Security of His Majesty's Dock Yards, Ships, and Stores, at Plymouth aforesaid; all which said several Pieces and Parcels of Land are situate, lying, and being, in the said Parish of Stoke Damerell, and contain together One hundred ninety five Acres, One Rood, and Nine Rod, by Statute Measure, together with all Houses, Outhouses, Mills, Edifices, and Buildings thereon, or on any Part thereof, erected and built, and all Ways, Waters, Watercourses, Paths, Passages, Easements, and Appurtenances, thereunto belonging; and also all that Messuage or Tenement with the Outhouses, Yards, Gardens, and Appurtenances, situate,

Specification of Land to be taken into the intended Works and Fortifications at *Plymouth*, *Portsmouth*, and *Chatham*, and to vest in certain Trustees, till the Purchase-money for the same be ascertained and paid;

situate, lying, and being, in or near the Town of Plymouth, in the said County of Devon, and adjoining or very near to the North Side of the Citadel of Plymouth aforesaid; and also all that Piece or Parcel of Marsh Ground containing in Statute Measure Sixteen Acres, Three Rood, and Twenty five Rod, near Portsea Lake, being Part of a Marsh called the Great Marsh, belonging to William Pike of Portsmouth, in the County of Southampton Esquire; and also all that Piece or Parcel of Meadow or Pasture Ground containing, in Statute Measure, Two Acres, Two Rood, and Twenty eight Perch, adjoining to the said Piece of Marsh Ground last-mentioned, being Part of a Meadow or Piece of Pasture Ground belonging to the said William Pike; and also all that Cottage and Garden situate near the said Meadow or Pasture Ground last-mentioned; and also all that Piece or Parcel of Waste Ground containing in Statute Measure Ninety five Acres, One Rood, and eight Rod, being Part of a large Piece of Marshy Waste Ground commonly called Hilsey Green, otherwise Hilsey Common; all which said Cottage, Garden, Meadow, Marsh, and waste Ground, are situate and being in the Parish of Wimering, in the said County of Southampton; and also all that the common Field of Hilsey, commonly called or known by the Name of Breach, situate and being in the said Parish of Wimering, containing together, in Statute Measure, Sixteen Acres, Two Roods, and Twenty three Rods and an Half; and all that Piece or Parcel of Garden Ground, now taken into the said Field on the East Side thereof, from a Tenement called Griffin's Tenement; and all that Piece or Parcel of Pasture Land adjoining to, and at the North End of the said Field, containing, in Statute Measure, One Acre and Nineteen Rods; and all that Barn and Yard adjoining to the West Side of the Field, now or late in the Occupation of William Watmore; all which said Premisses last mentioned are situate in the said Parish of Wimering; and also all that Piece or Parcel of Land, containing, in Statute Measure, Two Acres, Three Rood, and Thirty one Rod, Part of a Close of Land called Moor Close, otherwise Morrice Close; and all that Piece or Parcel of Pasture Land, containing, in Statute Measure, Two Acres, Three Rood, and One Rod, Part of a Close of Land called Hambrooke; and all that Piece or Parcel of Pasture Land, containing, in Statute Measure, One Acre, Three Rood, and Twenty two Rod, Part of a Close of Land called Haven's Croft; all which said Three Pieces or Parcels of Land are situate in the Parish of Portsea, in the said County of Southampton, near the Fortifications of the Town of Portsmouth

mouth aforesaid; and also those Three Pieces or Parcels of Furze Land, containing together, by Statute Measure, Twenty-five Acres, Three Rood, and Sixteen Perches; and also Two Pieces or Parcels of Arable Land, containing together, by Statute Measure, Fourteen Acres, Two Rood, and Two Perch; all which five several Pieces or Parcels of Furze and Arable Land, are situate on the North Side of Forton Lake, near Gosport, in the Parish of Alverstoke, in the said County of Southampton; and also all that Piece or Parcel of Land, situate near Brompton, containing Two Acres, Two Rood, and Twenty Rod, be the same more or less; and all that Piece or Parcel of Land adjoining to the said last mentioned Piece of Land, containing Six Acres, Three Rood, and Thirteen Rod, be the same more or less; which said Two Pieces of Land were formerly Part of Two Fields called Brick Kiln Field, and Great Binsteads; and also all that Piece or Parcel of Land lying at the South East Corner of His Majesty's Lines at Chatham, containing Four Acres and One Rood, be the same more or less, now in the Tenure or Occupation of Thomas Field, Innholder, his Undertenants or Assigns; all which said Three Pieces or Parcels of Land are situate and being in or near Chatham aforesaid, in the County of Kent; shall be, and are hereby vested and settled, and declared and taken to be in the actual and real Possession and Seisin of the Right Honourable Arthur Onslow Esquire, the Right Honourable Charles Powlett Esquire, commonly called Marquis of Winchester; Alexander Thistlethwayte, Esquire; Sir William Courtenay, Baronet; Sir Richard Warwick Bampfylde, Baronet; the Honourable Lewis Watson, Esquire; the Honourable Robert Fairfax, Esquire; Sir John Molesworth, Baronet; James Buller, Esquire; their Heirs and Assigns, for ever, in Trust nevertheless for such Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, as at or immediately before the Time of making this Act, were the several and respective Owners and Proprietors thereof, according to their several Estates and Interests therein at the same Time, in Possession, Reversion, Remainder, or otherwise, until such Estates and Interests shall be respectively adjudged and determined, and the several Sum or Sums of Money, and Interest for the same, after the Rate of Four Pounds per Centum for One Year, for the gross Sum that shall be assessed for the true and real Value thereof, in Manner and Form as is herein after mentioned and expressed, shall be paid.

Trustees Names.

4 *l. per Cent.* Interest allowed for 1 Year, on the gross Sum assessed for the Value of the Premisses.

And be it further enacted by the Authority aforesaid, That reasonable and just Compensation and Satisfaction shall be made out of the next Aids to be granted in Parliament,

liament, for and in respect of the said Lands herein before mentioned; to all and every Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil.

Purchase-money to be paid out of the next Aids granted in Parliament.

And be it further enacted, That for the better ascertaining the several Owners and Proprietors of the said Lands, and their respective Titles and Claims thereto, it shall and may be lawful to and for His Majesty, by One or more Commission or Commissions, by Letters Patent under the Great Seal of Great Britain, to authorize and appoint any Number of Persons to be Commissioners to hear and determine all Titles and Claims that shall or may be made to the said Lands, Tenements, and Hereditaments, or to any Part or Parcel thereof; which Commissioners so to be appointed, or any Five or more of them, are hereby authorized and required, and shall and may, in a summary Manner, proceed, act, and determine, by and upon the Testimony of Witnesses, upon Oath (which Oath they, or any Five or more of them, are hereby impowered to administer) Inspection and Examination of Deeds, Writings, and Records, or by Inquest of Twelve good and lawful Men to be impanelled and sworn in Manner herein after mentioned and directed, or by all or any of the said Ways, or otherwise according to their Direction, all and all Manner of Rights, Estates, and Interests, and all Controversies, Debates, and Questions, which shall happen and arise between any Person or Persons whatsoever, or any other Matter or Thing relating to any of the Premisses, or any Part thereof; and shall have Power to send for any Person or Persons, and oblige them to produce their Deeds or Writings, upon Oath, relating to any of the same Premisses; and also shall and may, by Agreement with the respective Person or Persons that shall be determined to be the Owners and Proprietors of the said Lands, or by the said Inquest of the said Twelve good and lawful Men to be impanelled and sworn, inquire, proceed, act, and determine, touching and concerning the true and real Value the said Premisses, or any Part or Parcel thereof, were or was of at the Time the same were first made use of for the Purposes aforesaid; and the said Commissioners, or any Five or more of them, are hereby required to cause all their Judgements and Decrees to be entered fairly in Books; which Judgements and Decrees shall expressly mention and specify the respective House or Houses, Number of Acres, or Parcels of Lands, with their several Abuttals and Boundaries, together with the Name or Names of every Person or Persons interested respectively in the same, and the respective Sum or Sums that shall be so agreed for, or assessed by the

Commissioners of Claims to be appointed by His Majesty;

who are to proceed in a summary Way in their Determinations, by Examination of Witnesses, and Inspection of Evidences, or by a Jury of Inquest;

with Power to send for Persons and Papers;

and to agree for, or determine the Value of, the Premisses, by any of those Ways and Means;

their Judgements and Decrees to be entered in proper Books, specifying the Particulars of the Lands, the Proprietors, and Purchase-money;

and a Duplicate thereof, ingrossed on Parchment, to be certified to the Clerk of the Crown in Chancery, and to the Remembrancer in the *Exchequer*; the same to be final and conclusive;

the said Jury to be paid for the same respectively; which Judgements and Decrees shall likewise be fairly ingrossed on Parchment, and certified to the Clerk of the Crown in Chancery, and to the King's Remembrancer in his Majesty's Court of Exchequer; and such Judgements and Decrees made, as aforesaid, shall be final, and shall conclude all and every Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil, their Heirs, Successors, Executors, Administrators, and Assigns, respectively, notwithstanding any Disability or Incapacity whatsoever; any Law, Statute, or Custom, or other Matter or Thing whatsoever, to the contrary notwithstanding; Copies of which said Judgements and Decrees shall be laid forthwith before both Houses of Parliament, that a just and reasonable Compensation and Satisfaction may be made to the several Owners and Proprietors of the said Lands, Tenements, and Hereditaments.

and Copies thereof to be laid before Parliament, in order to the granting a Compensation to the Proprietors.

Commissioners may issue Warrants to the respective Sheriffs for impanelling and summoning Juries;

And be it further enacted by the Authority aforesaid, That for the better carrying the said Commission or Commissions into Execution, the said Commissioners to be appointed in and by the said Commission or Commissions, or any Five or more of them, shall, and lawfully may, and are hereby authorized and required, to issue forth their Warrant or Warrants, under their Hands and Seals, to be directed to the respective Sheriffs of the respective Counties wherein such Messuages, Lands, Tenements, or Hereditaments, shall lie, thereby commanding them respectively to impanel, summon, and return, before the said Commissioners, at such Times and Places as shall be appointed in such Warrant or Warrants, a good and sufficient Jury of substantial Gentlemen and Freeholders, who, upon their Oaths (which the said Commissioners, or any Five or more of them, shall have Power to administer) shall inquire into the true and real Value of the said Messuages, Lands, Tenements, and Hereditaments, and every Part or Parcel thereof, and who respectively are the Owners and Proprietors thereof, and their respective Estates and Interests therein; and the Sheriffs of the said Counties respectively, upon Receipt of such Warrant or Warrants from the said Commissioners as aforesaid, are hereby required to impanel, summon, and return, Twenty four good and lawful Men, substantial Gentlemen and Freeholders of the respective Counties; and at the Return of such Warrant or Warrants to attend the said Commissioners, with his Bailiffs or Officers, to prove, if necessary, the Summons of the Jurors so to be impanelled and returned respectively, upon Oath; which Oath the said Commissioners, or any Five or more

Sheriff to obey the said Warrants, and summon and return a Jury accordingly;

and to attend on the Return, with his Officers, to prove the Service of such Summons, if necessary.

of them, shall have Power to administer to the said Sheriff, and his Bailiffs and Officers, or any or either of them; and in case the said Sheriff or Sheriffs of the said Counties, or any or either of them, shall neglect or refuse, being duly served with such Warrant or Warrants of the said Commissioners Fourteen Days before the Return thereof, to impanel, summon, and return such Jury of good and lawful Men as aforesaid, or shall not attend the said Commissioners with his Bailiffs and Officers, who shall summon the said Jurors at the Return of such Warrant or Warrants as aforesaid, then, and in either of the said Cases, upon Complaint made upon Oath, in his Majesty's High Court of Chancery, it shall and may be lawful to and for the said Lord High Chancellor, Lord Keeper of the Great Seal of Great Britain, or Lords Commissioners for executing the Office of Keeper of the Great Seal of Great Britain, or for the Master of the Rolls for the time being, to proceed in a summary Way, by Motion made in the said Court against the said Sheriff, as for a Contempt of that Court, until the said Sheriff or Sheriffs shall have made Satisfaction to his Majesty, and all other Person and Persons that shall receive any Injury by such Neglect or Refusal of the said Sheriff or Sheriffs respectively to comply with such Warrant or Warrants as aforesaid; and in case the said Jurors so to be impannelled, summoned, and returned, or any or either of them, shall neglect or refuse to appear at the Return of such Warrant or Warrants, and to be sworn for the Purposes aforesaid; then, and in such Case, it shall and may be lawful to and for the said Commissioners then assembled and met, to set a Fine upon each and every of the Jurors so impannelled, summoned, and returned, and without lawful Excuse (to be allowed of by the said Commissioners then sitting, or the major Part of them) making Default, or refusing to be sworn, not exceeding the Sum of Twenty Pounds of lawful Money of Great Britain; which Fine and Fines so to be set, the said Commissioners are hereby authorized and required to estreat into his Majesty's Court of Exchequer, to be levied to the Use of His Majesty.

Sheriff neglecting his Duty in any of the Premisses, to be proceeded against in a summary Way, upon Complaint to the Court of Chancery, &c. till he shall have made Satisfaction, and complied with such Warrant. Juror neglecting his Duty, without lawful Excuse, may be fined in a Sum not exceeding 20 l. Fines to be estreated into the Exchequer.

And be it enacted by the Authority aforesaid, That in case a sufficient Jury shall not appear upon the Return of the said Warrant or Warrants to take the Inquest, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to adjourn the said Inquest to any future Day, not exceeding Fourteen Days, nor less than Four Days from the Adjournment thereof; and to issue out their Warrant or Warrants for impannelling, summoning,

Inquest to be adjourned for want of a sufficient Jury; and Warrants to be issued for returning a proper Number of Jurors.

summoning, and returning an equal Number of Jurors with the said Jurors so making Default, who, together with the Jurors before returned by the Sheriffs of the respective Counties, upon such Second Warrant or Warrants, afterwards to be issued, or upon any future Warrant or Warrants, Adjournment or Adjournments, which the said Commissioners are hereby authorized to issue and make, from time to time, until a sufficient Jury can be had, shall inquire as aforesaid.

Twelve to be a Jury; and upon the Jurors being sworn, Commissioners to continue sitting, till the Inquest be taken, and Judgement be given thereon.

Provided always, That Twelve good and lawful Men shall be sufficient to take the Inquest aforesaid; and that in case Twelve or more (not exceeding Twenty three in the Whole) shall appear and be sworn to take such Inquest, then, and in such Case, the said Commissioners shall continue and sit, from Day to Day, until the said Inquest shall be taken, and the Judgements and Decrees thereon made.

30 Days previous Notice to be given of Commissioners Meeting for the Purposes aforesaid;

And, to the Intent that no Person or Persons may have any Excuse or Pretence for not appearing to make out their Claim or Title to the said Messuages, Lands, Tenements, or Hereditaments, or any Part or Parcel thereof; be it further enacted by the Authority aforesaid, That Five or more of the said Commissioners, shall give Notice in Writing Thirty Days at least before their Meeting at each Place; which Writing shall be affixed at the Gates of the respective Docks of Portsmouth, Chatham, and Plymouth; and on the Door of the respective Town Halls of Portsmouth, Rochester, and Plymouth; and shall likewise cause to be published in the London Gazette: And

and where Persons refuse to appear, or produce the Evidences of their Claims,

if any Person or Persons shall neglect or refuse to appear; or when he or they shall appear, shall wilfully refuse to shew his or their Deeds or Writings relating to the Premisses, that then the said Commissioners, or any Five or more of them, and the Jurors to be impannelled and sworn upon such Inquest, shall proceed, upon the best Information they can get or have, to make such Inquest, Judgements, and Decrees, as before directed; and all such Judgements and Decrees being entered and certified as aforesaid, shall be final and conclusive.

Inquest, &c. to be made upon the best Information can be had,

Upon Payment of the Sums awarded to the Proprietors,

And be it further enacted by the Authority aforesaid, That from and after the Time that Payment shall be made of the Sum and Sums of Money so to be agreed for or assessed by the said Jury, and decreed and adjudged by the said Commissioners, or any Five or more of them, to the said Owners and Proprietors of the said Lands, Tenements, and Hereditaments, herein before mentioned, or to any or either of them, the said Trustees, herein before mentioned, shall be deemed and adjudged to stand

seised of such Part or Parcel of the said Premisses as shall be so paid for, to and for the Use of His Majesty, His Heirs, and Successors, for ever, freed and discharged of and from all and all Manner of Right, Title, Claim, and Demand whatsoever, that can or may be made by any Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil.

the Trustees are to stand seised of the Premisses, divested of all Right and Claim.

And be it further enacted by the Authority aforesaid, That no private Building or Buildings, shall be made or erected upon any of the Lands vested in His Majesty, as aforesaid; and that the whole Profits arising, or that shall hereafter arise from the said Lands, be, and are hereby appropriated and applied for and towards the Erection and Reparation of the respective Fortifications of each Place, and to no other Use or Purpose whatsoever; and all and singular the Premisses, shall be, and are hereby enacted and declared to be, unalienable from the Crown, neither shall any Part of the Premisses be demised or demiseable, otherwise than during Pleasure only.

No private Buildings to be erected on the said Lands; and the Profits arising therefrom, to be applied in Reparation of the Fortifications.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, upon the Complaint of any Owner or Owners of any Messuages, Lands, or Hereditaments, adjoining to any Part of the Lands by this Act vested in the said Trustees, that he, she, or they, have received any Damage, by making and raising the said Intrenchments, Lines, or Fortifications, to inquire, hear, and make an Estimate of the Damage that shall be sustained by any such Owner or Owners of the neighbouring Lands so complaining, by Means or Reason of making and erecting the said New Works, and shall return such Estimate with, and in the Manner they return their Decrees and Judgements, touching the Lands actually made use of in the said Works; and may also consider and Report their Opinions and Sentiments, what Roads may be properly laid out for the Convenience of the Owners of adjacent Lands, without Prejudice to the said Fortifications.

Commissioners, upon Complaint made to them, are to enquire into, and make an Estimate of, the Damage done to private Grounds, by making the New Works; and to report their Opinions as to what Roads may properly be laid out for the Conveniency of the adjacent Lands.

Provided also, and be it further enacted, That it shall and may be lawful to and for the Lord and Lords of the Manor of Stoke Damerell for the time being, and their Tenants, Servants, and Agents, from time to time, and at all Times hereafter, within such Distance from the High Water Mark, as shall be allotted by the said Commissioners, or any Five or more of them, so as no Prejudice be done thereby to His Majesty's Soil, Lines, or Fortifications, to dig and get out of the Cliffs and Sea Banks, lying between Mutton Cove and the said Joseph Hooper's

Lord of the Manor of *Stoke Damerell*, allowed to dig Lime Stones, and other Stones, proper for building, or paving the Streets of the Town, within a certain Distance of the Works.

Hooper's Yard aforesaid, and between the said Yard and the House called the Passage House, near the Ferry at Stonehouse aforesaid, Lime Stones, and other Stones, to be employed in and for the building and repairing Houses, and paving Streets, in the Manor and Parish of Stoke Damerell aforesaid; and to make and build Kilns in or under the said Cliffs, for the burning and manufacturing the said Lime, so as no Stones be dug, nor any Kiln be made or erected within the Distance of One hundred and fifty Yards on either Side of the said Yard;

and to build Lime Kilns;

and to enjoy a Foot-way and Passage from the Ferry to *Dock Town*, &c.

and also to have, use, and enjoy, the Foot-way and Passage now used from Stonehouse Ferry aforesaid, to Dock Town aforesaid, and the Way or Passage now used, or some other convenient Way or Passage to be laid out and appointed by the principal Officers of His Majesty's Ordnance, or whom they shall appoint, leading from Mutton Cove aforesaid, to Dock Town aforesaid; and also some convenient Way or Passage to be laid out and appointed as aforesaid, from the Lime Kiln now erected between Hooper's Yard aforesaid, and the Passage House aforesaid, to the Dock Town aforesaid, for conveying and carrying such Stones and Lime, and all Materials proper for getting, burning, and manufacturing the same, with Horses, Cattle, Carts, and Carriages, at all convenient Garrison Hours and Times, from the said Cliffs and Sea Banks, to the Dock Town aforesaid, so as the laying out, making, using, or occupying, the Fortifications or other Works intended to be made and erected on the said Premisses, for the Use of His Majesty, His Heirs, and Successors, pursuant to this Act, shall not thereby be in any wise prejudiced, obstructed, or hindered.

and also to enjoy a proper Landing Place on *Mutton Cove*, and Ground to erect Keys and Wharfs thereon, and a Carriage-way to the same;

Provided also, and be it further enacted, That it shall and may be lawful to and for the said Lord or Lords of the said Manor of Stoke Damerell for the time being, to have, use, and enjoy, a proper and convenient Landing Place, in and on a certain Place called Mutton Cove, with sufficient Ground not exceeding One Acre in the whole, to build and erect proper Keys and Wharfs, for landing, laying, bestowing, and keeping, all such Goods, Wares, and Merchandizes, as shall be brought thereto, and to load and unload the same, in, upon, or from, such Wharfs, Keys, and Landing Places, to, from, or on Board of, any Ship, Boat, or other Vessel, so as there shall be no other Buildings, Storehouses, or Sheds, erected on the said Acre of Land, than what are now erected there; and also the Way, Road, and Passage, or some other convenient Way, Road, or Passage, to be laid out and appointed as aforesaid, from Mutton Cove aforesaid,

aforesaid, to Dock Town aforesaid, for all Sorts of Horses, Cattle, and Carriages, to and from such Wharfs and Keys, to the Dock Town in the said Parish of Stoke Damerell aforesaid.

Provided also, and be it further enacted, That it shall and may be lawful to and for the Lord or Lords of the Manor of Stoke Damerell for the time being, to have, use, and enjoy, the several Landing Places now used for Boats passing over the Creek or River, to and from Dock Town aforesaid, and to and from Mutton Cove aforesaid, and the House at Stonehouse Passage, called the Passage House, with the Appurtenances, together with the said Roads, Ways, and Passages, herein before mentioned, to and from the said Places respectively. with the several Landing Places, &c. now used over the Creek and River.

Provided also, and it is hereby further enacted and declared, That no Ferry or Ferry Boat shall be made, set up, or used, for the Passage over the said Creek, to and from Dock Town aforesaid, or to and from Mutton Cove, on any of the Lands hereby vested in the said Trustees, other than for carrying and transporting Soldiers, Sailors, and Marines, and Ordnance, Naval, and Victualling Stores, or for any other Use or Service of His Majesty, His Heirs, and Successors, without the Licence and Consent of the Lord or Lords of the Manor of Stoke Damerell aforesaid for the time being. No Ferry Boat to be made use of for Passage over the Creek, except in the King's Service, without Licence of the Lord of the Manor.

Provided always, That no Commissioner who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act made in the Twenty fifth Year of the Reign of King Charles the Second, intituled, An Act for preventing Dangers which may happen from *Popish* Recusants; or in One other Act made in the First Year of the Reign of King William and Queen Mary, intituled, An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths; or in One other Act made in the Parliament holden in the Thirteenth and Fourteenth Years of the Reign of the late King William the Third, intituled, An Act for the better Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors; or in One other Act made in the Parliament begun and holden in the First Year of the Reign of the late King George, intituled, An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess *Sophia*, being Protestants, and for extinguishing Commissioners exempted from the Penalties of the Act of 25 *Car.* II. 1 *W.* & *M.* 13 & 14 *W.* III. and 1 *Geo.* I.

the Hopes of the pretended Prince of *Wales*, and his open and secret Abettors.

nor is their Seat in Parliament vacated thereby.

Provided also, and be it enacted, That such Commissioners as His Majesty shall nominate for the Purposes in this Act, or any of them, shall not by reason thereof in any sort be disabled or disqualified from sitting in the House of Commons, or their Election thereby become void; any Law or Statute to the contrary thereof in any wise notwithstanding.

FINIS.