Anno triceſimo ſecundo

Georgii II. Regis.

An Act for making Compenſation to the Proprietors of ſuch Lands and Hereditaments as have been purchaſed for the better ſecuring His Majeſty's Docks, Ships, and Stores, at *Chatham*, *Portſmouth*, and *Plymouth*, and for better fortifying the Town of *Portſmouth*, and Citadel of *Plymouth*, in purſuance of an Act of the laſt Seſſion of Parliament; and for other Purpoſes therein mentioned.



WHEREAS, in purſuance of an Act of Parliament paſſed in the Thirty firſt Year of His Majeſty's Reign, intituled, 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) His Majeſty was moſt graciouſly pleaſed to iſſue a Commiſſion, by His Letters Patent under the Great Seal of Great Britain, bearing Date at Weſtminſter Preamble, reciting Act 31 *Geo.* II.

ster the Twenty seventh Day of July, in the Two and thirtieth Year of His Reign, to impower and authorize certain Persons therein named, or any Five or more of them, to be Commissioners for putting in Execution the said Act; and did give to them, or any Five or more of them, full Power and Authority to do, perform, and execute, all Powers, Directions, Clauses, Matters, and Things, whatsoever in the said Act contained, thereby willing them, or any Five or more of them, from time to time, to proceed and act according to the Rules and Directions of the said Act of Parliament: And whereas by virtue of the said Commission, and in pursuance of the said Act, Five or more of the said Commissioners in the said Commission named, did, on the Eleventh Day of September, in the said Two and thirtieth Year of His Majesty's Reign, meet, pursuant to Notice thereof given and fixed up at the Dock Gate of His Majesty's Yard near the Town of Plymouth, and at the Town Hall of the Borough of Plymouth, and likewise published in the London Gazette Thirty Days and more before such Meeting, at the House of Timothy Bayley, known by the Name or Sign of The King's Arms in Plymouth Dock, and did then and there, in a summary Manner, proceed and act by and upon the Testimony of Witnesses, Inspection and Examination of Deeds, Writings, and Records, and by and upon the Inquest of Twenty good and lawful Men, substantial Gentlemen and Freeholders of the County of Devon, impanelled, summoned, and returned, by Peter Comyns Esquire, Sheriff of the said County of Devon, to take the Inquest; Twelve of which Jury did, upon their Oaths, enquire into, and present, the true and real Value of the said Messuages, Lands, Tenements, and Hereditaments, mentioned in the said Act to be situate at Plymouth, and Plymouth Dock, in the said County of Devon, and of every Part and Parcel thereof, and who respectively were the Owners and Proprietors thereof, and their respective Estates and Interests therein; and thereupon, Five or more of the said Commissioners then present, did adjudge and determine who respectively were the Owners and Proprietors of the said Messuages, Lands, Tenements, and Hereditaments, at Plymouth, and Plymouth Dock aforesaid, and their respective Estates and Interest therein, and in every Part and Parcel thereof, and what each respective Owner and Proprietor thereof was intitled to for his respective Estate and Interest therein, amounting together to the Sum of Twenty five thousand one hundred fifty nine Pounds, Seventeen Shillings, and Six Pence, of lawful Money of Great Britain: And whereas by virtue of the said Commission,

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sion, and in pursuance of the said Act, Five or more of the said Commissioners in the said Commission named, did, on the First Day of November, in the said Two and thirtieth Year of His Majesty's Reign, meet, pursuant to Notice given and fixed up at the Dock Gate of His Majesty's Yard at Chatham, and at the Town Hall of the City of Rochester, and likewise published in the London Gazette Thirty Days and more before such Meeting, at the Guild Hall of the City of Rochester, and did then and there, in a summary Manner, by and upon the Testimony of Witnesses, Inspection and Examination of Deeds, Writings, and Records, and by and upon the Inquest of Fifteen good and lawful Men, substantial Gentlemen and Freeholders of the County of Kent, impanelled, summoned, and returned, by Thomas Whitaker Esquire, Sheriff of the said County of Kent, to take the Inquest; who, upon their Oaths, did enquire into, and present, the true and real Value of the Lands in the said Act mentioned to be situate in or near Chatham aforesaid, in the said County of Kent, and of every Part and Parcel thereof, and who respectively were the Owners and Proprietors thereof, and their respective Estates and Interests therein; and thereupon, Five and more of the said Commissioners then present did adjudge and determine who respectively were the Owners and Proprietors of the said Lands and Hereditaments in or near Chatham aforesaid, and their respective Estates and Interest therein, and in every Part and Parcel thereof, and what each respective Owner and Proprietor thereof was intitled to, for his, her, and their respective Estates and Interest therein, amounting together to the Sum of Six hundred fifty two Pounds and Ten Shillings of like lawful Money of Great Britain; and the said Commissioners then present at the said Town Hall of the said City of Rochester, upon the Complaint of several Persons, Owners of Lands adjoining to Part of the Lands by the said Act vested, that they had respectively received Damage by making the Fortifications there, did certify and estimate the respective Damages done to the respective Lands of the several Persons complaining, amounting together to the Sum of Fifty five Pounds and Thirteen Shillings of like lawful Money of Great Britain: And whereas by virtue of the said Commission, and in pursuance of the said Act, Five or more of the said Commissioners in the said Commission named, did, on the First Day of January, in the said Two and

thirtieth Year of His Majesty's Reign, meet, pursuant to Notice given and fixed up at the Dock Gate of His Majesty's Yard at Portsmouth, and at the Town Hall of Portsmouth aforesaid, and likewise published in the London Gazette Thirty Days and more before such Meeting, at the Guild Hall of the Borough of Portsmouth, and did then and there, in a summary Manner, by and upon the Testimony of Witnesses, Inspection and Examination of Deeds, Writings, and Records, and by and upon the Inquest of Fourteen good and lawful Men, substantial Gentlemen and Freeholders of the County of Southampton, impanelled, summoned, and returned, by Henry Compton Esquire, Sheriff of the said County of Southampton, to take the Inquest; who, upon their Oath, did enquire into, and present, the several Lands, Tenements, and Hereditaments, in the said Act mentioned to be respectively situate in the several Parishes of Wimering, Portsea, and Alverstoke, in the said County of Southampton, and of every Part and Parcel thereof, and who respectively were the Owners and Proprietors thereof, and their respective Estates and Interest therein; and thereupon, Five or more of the said Commissioners then present did adjudge and determine who respectively were the Owners and Proprietors of the said Lands, Tenements, and Hereditaments, at Wimering, Portsea, and Alverstoke aforesaid, and their respective Estates and Interest therein, and in every Part and Parcel thereof, and what each respective Owner and Proprietor thereof was intitled to for his, her, and their respective Interest therein, amounting together to the Sum of Six thousand nine hundred thirty seven Pounds, Thirteen Shillings, and Seven Pence Halfpenny, of lawful Money of Great Britain: And whereas by the said recited Act, Interest is directed to be paid for the gross Sum which should be assessed for the real Value of the Lands and Hereditaments aforesaid: Now, for making Compensation to the said Owners and Proprietors, and for the more effectual carrying the said Act into Execution, May it 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 out of all or any the Aids or Supplies granted to His Majesty for the Service of the Year One thousand seven hundred and fifty nine, there shall and may be issued

and applied any Sum or Sums of Money not exceeding the Sum of Thirty four thousand five hundred twenty one Pounds, Fifteen Shillings, and Nine Pence, for and towards making a reasonable and just Compensation and Satisfaction to all and every Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil, who at the Time of making the said Act, were the several and respective Owners and Proprietors of the Messuages, Lands, Tenements, and Hereditaments, in the said Act mentioned, according to their several Estates and Interest therein, in Possession, Reversion, Remainder, or otherwise.

A Sum not exceeding 34,521 *l.* 15 *s.* 9 *d.* to be issued and applied out of the Aids granted for the Service of the Year 1759, towards making Compensation to the Parties interested.

And to the Intent that all and singular the Proprietors aforesaid may be paid for their respective Estates and Interest, all and every such Sum or Sums of Money as they have been adjudged and determined by the said Commissioners to be respectively intitled unto, together with Interest for the same, be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Surveyor General of the Ordnance for the time being, to make out and allow One or more Bill or Bills to the respective Person or Persons, Bodies Politic or Corporate, for such Sum and Sums of Money as is or are to them respectively adjudged, together with Interest for the same after the Rate of Four Pounds per Centum per Annum; which Bill or Bills so made out and allowed, shall express the respective House or Houses, Number of Acres, or Parcel of Lands, together with the Name of the Person or Persons, Bodies Politic or Corporate, and the respective Sum or Sums of Money he, she, or they, is or are to receive; and thereupon, One or more Debenture or Debentures shall be prepared for the several and respective Sums as aforesaid, by the Clerk of the Ordnance for the time being, and signed by Three or more of the Principal Officers of the Ordnance for the time being; which Debenture or Debentures is and are hereby required to be paid by the Treasurer of the Ordnance for the time being, who shall take Acquittances from the Parties indorsed thereon.

Bills to be made out for the respective Sums and Interest by the Surveyor General of the Ordnance,

and Debentures to be issued thereupon;

which are to be paid by the Treasurer of the Ordnance.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, Bodies Politic or Corporate, shall wilfully refuse to accept of or receive such Debenture or Debentures as aforesaid; that then, and in such Case, it shall and may be lawful for the Clerk

Where the Debentures shall be refused to be accepted,

they are to be deposited with the Clerk of the Peace of the County, and Acquittances taken for the same;

Clerk of the Ordnance for the time being, to leave and deposit such Debenture or Debentures with the Clerk of the Peace of the respective Counties where the Messuages, Lands, or Tenements do lie, in respect whereof such Sum of Money is to be paid, and to take his Acquittance or Acquittances for the same, which such Clerk of the Peace is hereby required to give without any Fee or Reward, and which shall be taken and deemed to be valid; and the Messuages, Lands, Tenements, and Hereditaments, of such Person or Persons, Bodies Politic or Corporate, so refusing to accept such Debenture or Debentures, shall be vested to the Use of His Majesty, His Heirs, and Successors, for ever, as if he, she, or they, had received such Debenture or Debentures, and the Money thereon due had been fully satisfied and paid.

and the Lands thereupon to vest to His Majesty's Use.

Where the Parties interested shall be disabled by Law from taking and disposing of the Money,

And be it further enacted by the Authority aforesaid, That if any of the said Messuages, Lands, Tenements, and Hereditaments, so vested by the said Act, or any Interest therein, shall belong to any Corporation, or Body Politic, Ecclesiastical, or Civil, or to any other Person or Persons whatsoever, who, by reason of any Disability, is or are not capable by Law to take and dispose of the several Sums of Money which shall be due and payable for and in respect of their several Interests in the said Lands, Tenements, or Hereditaments, or any Part thereof, by the said Act vested; that then, and in every such Case, the Money due to such Body or Bodies Politic or Corporate, Ecclesiastical or Civil, or such Person or Persons under such Disability as aforesaid, shall be paid into the Hands of the Deputy Remembrancer of His Majesty's Court of Exchequer for the time being, for the Use of such Body or Bodies Politic or Corporate, and the respective Persons interested therein as aforesaid: Which several Sums of Money shall, with all convenient Speed, be laid out in the Purchase of other Lands, Tenements, or Hereditaments, in Places most convenient for the Parties interested, their Heirs and Successors; any Law, Statute, or Custom, to the contrary thereof notwithstanding: And the Estate or Estates so to be purchased, shall be conveyed and settled to the same Uses, Intents, and Purposes, as the former Estates were settled at such Time as they became vested in the Trustees appointed by the said Act: And that until such Purchases can be made,

it is then to be paid to the Remembrancer of the *Exchequer*,

and to be laid out in the Purchase of other Lands,

to be conveyed and settled to the same Uses;

it shall and may be lawful for the said Deputy Remembrancer to place such Monies out at Interest on Parliamentary Funds, or other good Securities; which Interest shall, from time to time, as the same shall grow due, be paid to the several and respective Parties who are respectively intitled to such Principal Sums.

and till such Purchases can be made, is to be placed out at Interest.

And whereas the Lands lately purchased at or near Portsmouth and Chatham for fortifying the Docks there, were before and at the Time of taking in the same, liable to, and charged with, the Land Tax, Poor and other Rates, of the respective Parishes wherein such Lands respectively lie, and no Consideration was or has been allowed or paid to discharge such Lands from, or any Provision made for, the Payment thereof: And whereas such Lands are chiefly under the Care and Management of His Majesty's Officers of Ordnance at the respective Places aforesaid: Now in order to obviate all Difficulties concerning such Taxes and Rates, be it further enacted by the Authority aforesaid, That the Lands and Premisses taken in for the Purposes aforesaid, shall from henceforth stand and be subject, liable to, and chargeable with, the Payment of the Land Tax, and all Parish Taxes and Rates, in Proportion with other Lands and Premisses in such respective Parishes charged and chargeable therewith; and that the said Lands and Premisses hereby so charged and chargeable with such Taxes and Rates, shall, as to so much thereof as shall not be otherwise demised or occupied by any particular Person or Persons, stand, and be charged to, and in the Name of, and paid by, the Storekeeper of His Majesty's Ordnance for the time being at the said respective Ports or Places where such Lands respectively lie, and that such Storekeeper paying the same, shall be repaid and allowed such Sum and Sums of Money as such Storekeeper shall so pay, by the Treasurer or Paymaster of His Majesty's Ordnance for the time being, on Demand thereof, who shall be allowed the same in his Accounts; and that in case such Storekeeper so charged and chargeable therewith, shall neglect or refuse to pay any such Tax or Rate, so to be made on him as aforesaid, when demanded, that then, and in every such Case, the Sum or Sums so to be assessed and charged to and on such Storekeeper, in respect of such Lands and Premisses,

The Lands, *&c.* taken in for fortifying the Docks at *Portsmouth* and *Chatham*, chargeable to the Land Tax and Parish Taxes, *&c.*

which are to be paid by the Storekeeper,

and allowed in his Accounts;

and in case of Nonpayment, may be levied on him.

misses, shall and may be levied on such Storekeeper by such Ways and Means, and in such Manner, as upon any other Occupier of Lands liable to the Payment of any such Tax or Rate; any Law, Statute, Custom, or Usage, to the contrary in any wise notwithstanding.

FINIS.