

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CV.

An Act to veſt certain Meſſuages, Lands, Tenements, and Hereditaments, in Truſtees, for better ſecuring His Majeſty's Docks, Ships, and Stores, at *Portſmouth*; and for extending the Lines and Works at *Dover*. [16th *July* 1806.]

WHEREAS, for better ſecuring His Majeſty's Docks, Ships of War, and Stores at *Portſmouth*, and for extending the Lines and Works at *Dover*, it is neceſſary to erect and raiſe additional Fortifications at or near the Town of *Goſport*, in the County of *Southampton*, and at or near the Town and Port of *Dover*, in the County of *Kent*; and in order thereunto, to purchaſe the Meſſuages, Lands, Tenements, and Hereditaments herein-after mentioned: And whereas the ſaid Meſſuages, Lands, Tenements, and Hereditaments are or may be veſted in, or belong to, Infants, Femes Covert, Truſtees, or other Perſons, who by Law are diſabled to make any Contracts or Conveyances; in all which Caſes, as alſo when any Owner or other Perſons entitled to or intereſted in the ſame, deſigning to obſtruct the publick Service, or to make any unreaſonable Gain to themſelves, inſiſt on extravagant Rates, it will be neceſſary to have Recourſe to the ſame Methods that have been taken in Caſes of the like Nature: To the End therefore that the true and real Value of the ſaid Eſtates, Rights, and Intereſts, may be aſcertained, and the Owners and Proprietors thereof, or Perſons entitled

titled thereto, may have a juſt and reaſonable Satisfaction for the ſame; 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 all that Piece or Parcel of Land (being Part of the Waſte Lands of the Manor and Borough of *Goſport*, belonging to the See of *Wincheſter*,) containing by Eſtimation (excluſive of the Sea Beach) Ten Acres or thereabouts, be the ſame more or leſs, and abutted and bounded as follows; that is to ſay, on the Eaſt, South, and Weſt Sides thereof by the Harbour of *Portſmouth* and certain Inlets thereupon called *Stoke Lake* and *Oyſter Pool Lake*; on the North-weſt Side thereof by Lands belonging to His Majeſty; and on the North Side thereof partly by other Lands belonging to His Majeſty, and partly by a Road or Way leading from the North-eaſt Corner of the ſame Piece or Parcel of Waſte Land to the North-weſt Corner thereof, near the new Gate to *Haſlar*, and from thence to the Town of *Goſport*; and alſo ſo much and ſuch Part of the ſaid Road or Way as abuts on the North Side of the ſaid Piece or Parcel of Waſte Land (ſave and except nevertheleſs all ſuch Right as any Perſon or Perſons now hath or have to paſs and repaſs with Horſes, Carts, and Carriages, or on Foot, in, upon, and over the ſaid Road or Way); and alſo all and ſingular the Meſſuages, Tenements, or Dwelling Houſes, and other Erections and Buildings, now ſtanding and being on the ſaid Piece or Parcel of Waſte Land, or any Part thereof; and alſo all ſuch Parts and Parcels of the Beach or Sea Shore immediately adjoining the Piece or Parcel of Land herein-before deſcribed, or any Part thereof, as may be found to be the Property of or to belong to the ſaid See of *Wincheſter*, in reſpect of the ſaid Manor; and alſo all that Piece or Parcel of Arable Land called *The further Sixteen Acres*, containing in Statute Meaſure Twelve Acres and Eleven Perches, or thereabouts; and alſo all that Piece or Parcel of Arable Land adjoining the South Eaſt Side of the ſaid laſt mentioned Premiſes, called *The Sixteen Acres*, containing in Statute Meaſure Twelve Acres Two Roods and Twenty-ſeven Perches, or thereabouts, and alſo all that Piece or Parcel of Arable Land, containing in Statute Meaſure Two Acres Three Roods and Sixteen Perches, or thereabouts, being nearly of a triangular Form, and being Part of another Piece or Parcel of Land, called *The Five Acres*, and adjoining the Eaſt Part of the ſaid laſt-mentioned Field, called *The Sixteen Acres*, all which ſaid Three ſeveral Pieces or Parcels of Land belong to *John Hellier* Eſquire, and are ſituate in the Pariſh of *Portſea*, in the County of *Southampton*, near His Majeſty's Gunpowder Magazine at *Tipner Point*, and are bounded as follows, that is to ſay, on the North Eaſt by Land belonging to His Majeſty; on the North Weſt and South Sides thereof by Lands belonging to the Heirs or Repreſentatives of *John Ridge* Eſquire deceaſed; and on the South Eaſt Part thereof, by the other Part of the ſaid laſt mentioned Field; and alſo all that Piece or Parcel of Ground partly covered with Furze, formerly called *The Warren*, belonging to the Heirs or Repreſentatives of the ſaid *John Ridge*, and containing Twenty-ſix Acres Two Roods and Thirty-ſeven Perches, or thereabouts, extending to the Weſtward from the Weſt Part of His Majeſty's Lands at *Tipner Point*, on Part whereof the Gunpowder Magazines are erected, and then ranging to the Southward,

The Lands and Premiſes herein deſcribed veſted in Truſtees.

ward, along the Seashore in Portsmouth Harbour, to a Spot on the South West Side of *Tipner Point*, meeting the Extremity of a Line drawn diagonally from the South East Corner of His Majesty's said Lands at *Tipner*, adjoining the Lands of *John Brain*, across the said Field of the said *John Hellier* called *The Five Acres*, and forming the Eastern Boundary of the Triangular Piece of Land, containing Two Acres Three Roods and Sixteen Perches above described; and which said Piece of Ground, formerly called *The Warren*, is bounded on the West and South Sides thereof by *Portsmouth* Harbour, on the South East by other Land belonging to the Heirs or Representatives of the said *John Ridge*, and on the North and East Sides thereof, partly by Land belonging to His Majesty, and partly by the said Three Pieces or Parcels of Land belonging to the said *John Hellier*; and also, all those Five several Pieces or Parcels of Meadow or Pasture Land belonging to *John Mouins* Esquire, lying and being in the Parish of *Hougham* in the County of *Kent*, and containing in the Whole, by Admeasurement, Five Acres Three Roods and Twenty six Perches, or thereabouts, late in the Tenure or Occupation of *George Stringer* Esquire, his Undertenants or Assigns, and abutted and bounded as follows, that is to say, on the South by Lands late of *Peter Fector* Esquire, now belonging to His Majesty, on the North and East by Grounds lately used as a Publick Road or Highway, now also belonging to His Majesty, and on the West by other Land, late of *Thomas Bigg* Esquire, now also belonging to His Majesty; and also all those Nine other several Pieces or Parcels of Meadow or Pasture Land, belonging to *David Papillon* Esquire, lying and being in the said Parish of *Hougham*, and containing in the Whole, by Admeasurement, Twenty-one Acres, One Rood, and Nineteen Perches, or thereabouts, late in the Tenure or Occupation of *William Coleman*, his Undertenants, or Assigns, and abutted and bounded as follows; that is to say, on the North and East by Lands belonging to His Majesty, on the South by Land belonging to the said *George Stringer* and *Baker*, and on the West by the Piece or Parcel of Land next herein-after described; and also all that other Piece or Parcel of Arable Land, also belonging to the said *David Papillon*, lying and being in the said Parish of *Hougham*, containing, by Admeasurement, Fourteen Acres, One Rood, and Six Perches, or thereabouts, late also in the Tenure or Occupation of the said *William Coleman*, his Undertenants, or Assigns, and abutted and bounded as follows; that is to say, on the East by the Land lastly herein-before described, on the North by Land belonging to His Majesty, on the South by the said Ground lately used as a publick Road or Highway, but now belonging to His Majesty, and on the West by Land belonging to the Archiepiscopal See of *Canterbury*, late under Lease to the said *David Papillon*, but now on Lease to the principal Officers of His Majesty's Ordnance, for the Use of His Majesty; and also all that other Piece or Parcel of Common or Pasture Land, also belonging to the said *David Papillon*, lying and being in the said Parish of *Hougham*, containing, by Admeasurement, Fifteen Acres, Two Rood, and Thirty-seven Perches, or thereabouts, late also in the Tenure or Occupation of the said *William Coleman*, his Undertenants or Assigns, and abutted and bounded as follows; that is to say, on the East by Land belonging to *James Gunman* Esquire, on the South and West by Land belonging to His Majesty,

and

and on the North by other Lands belonging to the ſaid *David Papillon*; and alſo all that other Piece or Parcel of Land lately arable, (but now converted into a Road), belonging to the ſaid *James Gunman*, lying and being in the ſaid Pariſh of *Hougham*, and in the Pariſh of *Saint Mary the Virgin* in the Town and Port of *Dover*, in the ſaid County, containing, by Admeaſurement, One Rood and Eighteen Perches, or thereabouts, and abutted and bounded as follows; that is to ſay, on the Weſt by the Piece or Parcel of Land laſtly herein-before deſcribed, on the Eaſt by the Piece or Parcel of Land next herein after deſcribed, and on the North and South by the adjoining Lands of the ſaid *James Gunman*, from which the ſame hath been lately taken; and alſo all that other Piece or Parcel of Land, lately Paſture, (now alſo converted into a Road) belonging to *Robert Walker* Eſquire, lying and being in the Pariſh of *Saint Mary the Virgin* aforeſaid, containing by Admeaſurement Seventeen Perches, or thereabouts, and abutted and bounded as follows; that is to ſay, on the Weſt by the Land laſtly herein-before deſcribed, on the Eaſt by the publick Road or Highway there, on the North by Lands of the ſaid *William Coleman*, and on the South by other Land of the ſaid *Robert Walker*, ſhall be and the ſame are hereby veſted in the Right Honourable *Charles Abbot*, Sir *William Heathcote* Baronet, *William Chute* Eſquire, *Filmer Honywood* Eſquire, and Sir *William Geary* Baronet, their Heirs and Aſſigns, in Truſt nevertheleſs for ſuch Perſon or Perſons as at or immediately before the Time of making this Act was or were the Owner or the ſeveral and reſpective Owners thereof, or had any Rights or Intereſts therein, according to their ſeveral Eſtates, Rights, and Intereſts in Poſſeſſion, Reverſion, Remainder, or otherwiſe, until ſuch Eſtates, Rights, and Intereſts reſpectively, ſhall be adjudged and determined, or Poſſeſſion thereof taken by the Principal Officers of His Majeſty's Ordnance, or their Engineers or other Officers acting under their Authority, (which they are hereby empowered to do, when it ſhall be found neceſſary for His Majeſty's Service,) and until the Purchaſe Monies for the ſame, together with Intereſt from the Time of taking Poſſeſſion, after the Rate of Five Pounds *per Centum* for the Year, for the Sum that ſhall be agreed upon or aſſeſſed as the true Value thereof ſhall be paid; and that the ſaid Purchaſe Monies ſhall be paid and applied to ſuch and the ſame Uſes, Intents, and Purpoſes as the ſaid Eſtates, Rights, and Intereſts ſo veſted in the above-mentioned Truſtees, were limited and ſettled previous to the paſſing of this Act, ſo far as the Rules of Law will allow thereof; and that in the mean Time, and until ſuch Poſſeſſion taken, or Payment made as aforeſaid, the Rents and Profits of the ſaid Meſſuages, Lands, Tenements, and Hereditaments ſhall be paid and applied by the ſaid Truſtees to and all ſuch Rights and Intereſts ſhall be held and enjoyed by ſuch Perſon or Perſons as was or were entitled to have, receive, hold, and enjoy the ſame reſpectively, and in ſuch Proportions, Manner, and Form, as the ſame were payable and were held and enjoyed previous to the paſſing of this Act.

Truſtees Names.

Premiſes to remain in Truſt for the Owners, till taken Poſſeſſion of by the Principal Officers of the Ordnance, and Purchaſe Money paid, &c.

II. And be it further enacted, That ſuch Compenſation and Satisfaction as ſhall be agreed upon, or ſhall be found by the Verdict of a Jury, for and in reſpect of the Meſſuages, Lands, Tenements, and Hereditaments,

Compenſation agreed on, or aſſeſſed by a Jury, to be paid out of the next Aids.

diaments, hereby veſted, ſhall be made to all and every Perſon and Perſons, out of the next Aids to be granted by Parliament.

His Majeſty may by Letters Patent appoint Commiſſioners to determine Titles to the Premiſes.

And be it further enacted, That for the better aſcertaining the ſeveral Owners and Proprietors of, and Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments, veſted by and to be purchaſed in purſuance of this Act, and the reſpective Titles, Rights, Intereſts, and Claims, of ſuch Owners and Proprietors, and other Perſons 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, Rights, Intereſts, and Claims, that ſhall or may be made or ſet up to the ſaid Meſſuages, Lands, Tenements, and Hereditaments, or to any Part or Parcel thereof, which Commiſſioners ſo to be appointed, or any Five or more of them, ſhall and may, and they are hereby authorized and required, in a ſummary Way, by and upon the Teſtimony of Witneſſes upon Oath (which Oath they or any Five or more of them are hereby empowered to adminiſter), or upon the Inſpection and Examination of Deeds, Writings, and Records, or by the Inqueſt of Twelve good and lawful Men, to be impannelled and ſworn in Manner hereinafter mentioned and directed, or by all or any of the ſaid Ways, or otherwiſe, according to their Diſcretion, to enquire into, and to proceed, act upon, and determine all and all Manner of Rights, Titles, Eſtates, Claims, and Intereſts, and all Controverſies, Debates, and Queſtions, which ſhall happen or ariſe between any Perſon or Perſons whomſoever, or any other Matter or Thing relating to any of the Premiſes 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 Premiſes, and alſo ſhall and may by Agreement with the reſpective Perſon or Perſons that ſhall be determined to be the Owners and Proprietors of and Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments, veſted by and to be purchaſed in purſuance of this Act, or by the ſaid Inqueſt of Twelve good and lawful Men, to be impannelled and ſworn as aforeſaid, enquire into, proceed, act, and determine, touching and concerning the true and real Value of the ſaid Premiſes, or any Part or Parcel thereof; and the ſaid Commiſſioners ſo to be appointed, 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 Number of Acres, or Parcels of Land, with their ſeveral Abuttals and Boundaries, together with the Name or Names of all and every Perſon and Perſons intereſted reſpectively in the ſame, and the Sum or Sums of Money that ſhall be ſo agreed for or aſſeſſed by the ſaid Jury, to be paid for the ſame reſpectively; which Judgements and Decrees ſhall be fairly engroſſed 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 ſo 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, Adminiſtrators, and Aſſigns, reſpectively, notwithſtanding any Diſability or Incapacity whatſoever, any

Judgments to be entered in Books,

and ſhall be final.

Law, Statute, 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 full Compenſation and Satisfaction may be made to the ſeveral Owners and Proprietors of and Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments.

Commiſſioners empowered to treat with the Owners of Premiſes.

IV. Provided always, and be it further enacted, That the ſaid Commiſſioners ſo to be appointed, or any Five or more of them, ſhall and may, and they are hereby authorized and empowered to treat and agree with all or any of the Owners or Proprietors of and Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments, for the abſolute Purchaſe thereof, and of all Eſtates, Rights, and Intereſts therein; and it ſhall and may be lawful for all Bodies Politick or Corporate, Eccleſiaſtical or Civil, and for all Tenants for Life, and Tenants in Tail, and for Huſbands, Guardians, Truſtees, Committees, or Attornies of ſuch of the Owners or Proprietors of, or Perſons intereſted in any of the ſaid Meſſuages, Lands, Tenements, or Hereditaments, as ſhall be Femes Covert, Infants, Lunatics, Ideots, Perſons beyond the Seas, or otherwiſe incapable of acting for themſelves, and for all and every other Perſon or Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo, for and on Behalf of their Ceſtuique Truſts, Remaindermen, or other Perſon or Perſons, to contract and agree with the ſaid Commiſſioners, or any Five or more of them, for the Sale of all or any of the ſaid Meſſuages, Lands, Tenements, or Hereditaments, Rights, and Intereſts, for the Purpoſe aforeſaid, and all ſuch Contracts and Agreements ſhall be valid and effectual in the Law to all Intents and Purpoſes whatſoever, and all Bodies Politick or Corporate, Eccleſiaſtical and Civil, and all Perſons whomſoever are hereby indemnified for what they or any of them ſhall do in purſuance of this Act; but if it ſhall happen that any ſuch Body Politick or Corporate, Eccleſiaſtical or Civil, Tenant for Life, Tenant in Tail, Huſband, Guardian, Truſtee, Committee, or Attorney, as aforeſaid, or any other Perſon or Perſons intereſted in ſuch Meſſuages, Lands, Tenements, or Hereditaments, ſhall for the Space of Thirty Days next after publick Notice in Writing, ſubſcribed by the ſaid Commiſſioners, or any Five or more of them, ſhall have been affixed on the principal Doors of the Chapel of *Goſport*, and of the reſpective Pariſh Churches of *Portſea*, *Hougham*, and *Saint Mary the Virgin* aforeſaid, and inſerted in the *London Gazette*, and alſo in all Caſes where the ſame ſhall be convenient or practicable, next after Notice ſhall have been given to the principal Officer or Officers of any of ſuch Body Politick or Corporate, or to ſuch Tenant for Life, Tenant in Tail, Huſband, Guardian, Truſtee, Committee, or Attorney, or to ſuch other Perſon or Perſons as aforeſaid, or left at his, her, or their reſpective Place or Places of Abode, neglect or refuſe to treat or agree, or by reaſon of Abſence, ſhall be prevented from treating or agreeing with the ſaid Commiſſioners, or any Five or more of them, or ſhall refuſe to accept what they the ſaid Commiſſioners, or any Five or more of them, ſhall think a reaſonable Recompenſe or Satisfaction for ſuch Lands or Hereditaments, Rights and Intereſts as aforeſaid, then and in every ſuch Caſe the ſaid Commiſſioners, or any Five or more of them, ſhall, with all convenient Speed,

In caſe of Neglect or Refuſal to treat, &c. Premiſes to be valued.

proceed

proceed to enquire into, aſcertain, and aſſeſs the true and real Value of ſuch Meſſuages, Lands, Tenements, Hereditaments, Rights, and Intereſts, by the Inqueſt of Twelve good and lawful Men, or by ſuch other Ways and Means, and in ſuch Manner and Form in all Reſpects whatſoever, as herein is particularly mentioned and directed [illegible]

Jury to be ſummoned for that Purpoſe.

CVI. And be it further enacted, That for the better carrying into Execution the ſaid Commiſſion or Commiſſions by virtue of this preſent Act to be iſſued, the ſaid Commiſſioners ſo to be appointed, or any Five or more of them, ſhall, and lawfully may, and they 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 Counties of *Southampton* and *Kent*; and the Conſtable of the Caſtle of *Dover*, and Warden of the Cinque Ports, and his Deputy, thereby commanding them to impannel, ſummon, and return before the ſaid Commiſſioners, at ſuch Time and Place as ſhall be appointed in ſuch Warrant or Warrants, Twenty-four good and lawful Men, ſubſtantial Gentlemen, and Freeholders of the ſaid Counties of *Southampton* and *Kent*, and Town and Port of *Dover* reſpectively, qualified to ſerve upon ſpecial Juries at the Aſſizes, who upon their Oaths (which Oaths the ſaid Commiſſioners, or any Five or more of them, are hereby empowered to adminiſter) ſhall enquire into, and by their Verdict aſcertain and aſſeſs the true and real Value of ſuch Meſſuages, Lands, Tenements, and Hereditaments, and of the reſpective Eſtates, Rights, and Intereſts therein, and the ſaid Sheriffs, Conſtable, and Warden, and his Deputy, reſpectively, are hereby required to impannel, ſummon, and return, ſuch Jury as aforeſaid, and at the Return of ſuch Warrant or Warrants, to attend the ſaid Commiſſioners, with their reſpective Bailiffs or Officers, to prove, if neceſſary, upon Oath, (which Oath the ſaid Commiſſioners, or any Five or more of them, are hereby empowered to adminiſter) the ſummoning the Jurors ſo to be impannelled and returned reſpectively; and in caſe the ſaid Sheriffs, Conſtable, and Warden, and his Deputy, or any of them, or their reſpective Bailiffs or Officers, ſhall neglect or refuſe (being duly ſerved with ſuch Warrant or Warrants Fourteen Days or more before the Return thereof) to impannel, ſummon, and return ſuch Jury as aforeſaid, or ſhall not attend the ſaid Commiſſioners with their or his Bailiffs or Officers, at the Return of ſuch Warrant or Warrants as aforeſaid, then and in either of the ſaid Caſes, the ſaid Commiſſioners, or any Five or more of them, ſhall and may, and they are hereby authorized and required to impoſe a Fine upon ſuch Sheriffs, Conſtable, and Warden, or his Deputy Bailiffs and Officers, or any of them, ſo making Default, not exceeding Ten Pounds nor leſs than Five Pounds, for any One Offence; and if any Perſon ſo to be impannelled, ſummoned and returned, ſhall not appear at the Return of ſuch Warrant or Warrants, or appearing ſhall refuſe to be ſworn for the Purpoſes aforeſaid, or being ſworn ſhall depart without the Licence of the ſaid Commiſſioners or any Five or more of them, before the Verdict is given, or ſhall not give his Verdict, or in any other Manner neglect his Duty in the Premiſes, in every ſuch Caſe the ſaid Commiſſioners then aſſembled or met, or any Five or more of them, may, and they are hereby empowered to ſet a Fine upon ſuch Perſon ſo offending, and not having lawful

Penalty for Default.

Penalty on Juryman making Default.

lawful Excuſe, to be allowed by the ſaid Commiſſioners then ſitting, or the major Part of them, not exceeding the Sum of Ten Pounds upon any One Perſon for any Offence, all which Fines 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.

Inqueſt may be adjourned till another Jury is ſummoned, in caſe of Default.

VI. And be it further enacted, That in caſe a ſufficient Jury ſhall not appear upon the Return of the ſaid Warrant or Warrants to take the Inqueſt, it ſhall be lawful to and for the ſaid Commiſſioners, by virtue of this Act, to be appointed, or any Five or more of them, from Time to Time to adjourn the 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, and returning an equal Number of Jurors to thoſe ſo making Default, and thereupon the Jurors who ſhall have been before returned by the ſaid Sheriffs, Conſtable, and Warden, or his Deputy reſpectively, and ſhall have appeared upon ſuch Return, together with thoſe who ſhall be returned, and ſhall appear upon ſuch Second or any future Warrant and Return, or Warrants and Returns, from Time to Time to be iſſued and made until a ſufficient Jury can be obtained, ſhall enquire as aforeſaid.

Twelve Men ſufficient to take the Inqueſt.

VII. Provided always, and be it further enacted, That Twelve good and lawful Men ſhall be ſufficient to take the Inqueſt aforeſaid; and that in caſe Twelve or more ſhall appear upon the Return of the ſaid Warrant or Warrants, then and in ſuch Caſe the ſaid Commiſſioners, by virtue of this Act to be appointed, ſhall proceed to take the ſaid Inqueſt, and after the Inqueſt ſhall be taken, may adjourn to ſome future Day for making their Judgements and Decrees thereon.

Notice to be given of the Meeting of Jurors.

VIII. And be it further enacted, That the ſaid Commiſſioners, by virtue of this Act to be appointed, or any Five or more of them, ſhall cauſe Notice to be given in Writing of the Days appointed for the Meeting of the ſaid Jurors as aforeſaid, Fourteen Days at the leaſt before any ſuch Meeting; which Notice ſhall be affixed on the Doors of the Chapel of *Goſport*, and of the reſpective Pariſh Churches of *Portſea*, *Hougham*, and *Saint Mary the Virgin* aforeſaid; and ſhall likewiſe cauſe the ſame to be publiſhed in the *London Gazette*; and if any Perſon or Perſons ſhall not appear purſuant to ſuch Notice, or ſhall refuſe to ſhew his, her, or their Deeds or Writings, relating to the Premiſes, that then the ſaid Commmiſſioners, or any Five or more of them, and alſo the ſaid Jury, ſhall proceed upon the beſt Information they can then procure or obtain, to make ſuch Inqueſts, Judgements, and Decrees, as hereinbefore directed; and all ſuch Judgements and Decrees being entered and certified as aforeſaid, ſhall be final and concluſive.

After Payment of Money aſſeſſed, Premiſes to veſt in Truſtees.

IX. And be it further enacted, That, immediately from and after the Time that Payment ſhall be made of the Sum and Sums of Money to be agreed for or aſſeſſed by the ſaid Jury, and decreed and adjudged by the ſaid Commiſſioners to be by virtue of this preſent Act appointed, or any Five or more of them, to the Owners and Proprietors of and Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments

ments veſted by and to be purchaſed in purſuance of this Act, or to any or either of them, the Truſtees herein-before mentioned, and their Heirs, ſhall be deemed and adjudged to ſtand ſeiſed of the ſaid Premiſes reſpectively 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 Eſtates, Leaſes, Rights, Titles, Intereſts, Claims, and Demands whatſoever, which can or may be had, made, or ſet up, in, to, out of, or upon, or in reſpect of the ſame Meſſuages, Lands, Tenements, and Hereditaments, by any Bodies Politick or Corporate, Eccleſiaſtical or Civil, or any Perſon or Perſons whomſoever, on any Account whatever.

Premiſes liable to Tithes, Land Tax, &c. to continue ſubject thereto.

X. Provided alſo, and be it further enacted, That the Meſſuages, Lands, Tenements, and Hereditaments, veſted by and to be purchaſed in purſuance of this Act, which were before the paſſing of this Act liable to and charged with Tithes, Land Tax, Poor and other Rates, in the Pariſh where the ſame reſpectively lie, ſhall from the Time the ſame were or ſhall be taken Poſſeſſion of as aforeſaid, ſtand and be ſubject and liable to and chargeable with the Payment of Tythes, Land Tax, and all other Pariſh Taxes and Rates, in Proportion with other Lands and Premiſes in ſuch Pariſh, charged and chargeable therewith, and that the ſaid Meſſuages, Lands, Tenements, and Hereditaments ſo to be charged and chargeable with ſuch Tythes, Taxes, and Rates, ſhall as to ſo much thereof as ſhall not be otherwiſe demiſed to or occupied by any particular Perſon, ſtand and be charged to and in the Names of, and be paid by the reſpective Storekeepers of His Majeſty's Ordnance for the Time being at *Portſmouth* and *Dover* aforeſaid, and that ſuch Storekeepers paying the ſame ſhall be repaid and allowed ſuch Sum and Sums of Money as they reſpectively 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 Storekeepers or Storekeeper ſo charged and chargeable therewith, ſhall neglect or refuſe to pay any ſuch Tithes, Taxes, or Rates, charged on them or him as aforeſaid, when demanded, that then and in every ſuch Caſe the Sum or Sums ſo due and claimed for ſuch Tithes, Taxes, or Rates, and charged on ſuch Storekeepers reſpectively as aforeſaid, ſhall or may be levied on ſuch Storekeepers ſo neglecting or refuſing to pay the ſame, by ſuch Ways and Means, and in ſuch Manner as upon any other Occupier of Lands liable to the Payment of any ſuch Tithes, Taxes, or Rates; any Law, Statutes, Cuſtom or Uſage, to the contrary in anywiſe notwithſtanding.

Commiſſioners not liable to the Penalties mentioned in the Acts herein recited.

XI. And be it further enacted, That no Commiſſioner who ſhall be ſo employed in the Execution of this Act, ſhall be liable for or by Reaſon of ſuch Execution, to any of the Penalties mentioned in the Act of the Twenty-fifth Year of the Reign of King *Charles* the Second, Chapter the Second; nor the Firſt of *William* and *Mary*, Chapter the Eighth; nor the Thirteenth and Fourteenth of *William* the Third, Chapter the Sixth; nor the Firſt of *George* the Firſt, Chapter the Thirteenth.

Commiſſioners not diſqualified from ſitting in the Houſe of Commons.

XII. Provided always, and be it enacted, That ſuch Commiſſioners as His Majeſty ſhall nominate for the Purpoſes in this Act mentioned, or any

any of them, ſhall not by reaſon thereof in any Sort be diſabled or diſqualified from ſitting in the Houſe of Commons, nor their Election thereby become void; any Law, Statute, or Uſage to the contrary thereof in anywiſe notwithſtanding.

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