

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CXXX.

An Act for making Compenſation to the Proprietors of ſuch Lands and Hereditaments as have been purchaſed for better ſecuring His Majeſty's Docks, Ships, and Stores at *Chatham*, and for the Uſe of of His Majeſty's Ordnance at *Warley Common* and *Woolwich*, in purſuance of an Act made in the Forty-fourth Year of His preſent Majeſty. [21ſt *July* 1806.]

WHEREAS by an Act of Parliament made in the Forty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act to veſt certain Meſſuages, Lands, Tenements, and Hereditaments in Truſtees for better ſecuring His Majeſty's Docks, Ships, and Stores at* Chatham, *and for the Uſe of His Majeſty's Ordnance at* Warley Common *and* Woolwich; certain Meſſuages, Lands, Tenements, and Hereditaments therein mentioned were veſted in the Right Honourable *Charles Abbot* and other Perſons therein named, their Heirs and Aſſigns for ever, in Truſt nevertheleſs for ſuch Perſon or Perſons as at or immediately before the Time of making the ſaid 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 ſhould be adjudged and determined or Poſſeſſion thereof taken by the principal Officers 44 G. 3. c. 89.

ficers of His Majeſty's Ordnance, or their Engineers, or other Officers acting under their Authority, which they were thereby empowered to do whenever it ſhould 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 ſhould be agreed upon or aſſeſſed as the true Value thereof ſhould be paid and the Commiſſioners to be appointed in purſuance of the ſaid Act, or any Five or more of them, were thereby 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, according to their reſpective Eſtates, Rights, and Intereſts therein; and all Bodies Politick or Corporate, Eccleſiaſtical or Civil, and all Tenants for Life and Tenants in Tail, and the Huſbands, Guardians, Truſtees, Committees, or Attornies of ſuch of the Owners or Proprietors of and Perſons intereſted in any of the ſaid Meſſuages, Lands, Tenements, or Hereditaments, as ſhould be Femes Covert, Infants, Lunaticks, Idiots, Perſons beyond the Seas, or otherwiſe incapable of acting for themſelves, were thereby authorized and empowered to contract for 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, and Hereditaments, Rights and Intereſts, for the Purpoſes in the ſaid Act mentioned, and it was by the ſaid Act alſo enacted, that immediately from and after the Time that Payment ſhould be made of the Sum and Sums of Money ſo to be agreed for or aſſeſſed, and decreed and adjudged by the ſaid Commiſſioners, or any Five or more of them, to the Owners and Proprietors of and Perſons intereſted in ſuch Meſſuages, Lands, Tenements, and Hereditaments, or to any or either of them, the ſaid Truſtees and their Heirs ſhould 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 could or might 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 whatſoever: And whereas His Majeſty, by virtue of the ſaid Act, iſſued His Commiſſion by Letters Patent under the Great Seal, bearing Date at *Weſtminſter* the Nineteenth Day of *November* One thouſand eight hundred and four, in purſuance whereof Five or more of the Commiſſioners in the ſaid Commiſſion named did, on the Eighth Day of *October* laſt, meet at His Majeſty's Office of Ordnance ſituate in *Saint Margaret Street, Weſtminſter*, and the Owners and Proprietors of and Perſons intereſted in ſuch of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, in the ſaid Act comprized, as are mentioned to be ſituate in the ſaid County of *Kent*, having then and there by themſelves or through their reſpective Attornies or Agents made Propoſals for the Sale of their reſpective Meſſuages, Lands, Tenements, and Hereditaments, Rights and Intereſts, in purſuance of Notice for that Purpoſe given, they the ſaid Commiſſioners thereupon proceeded to treat and agree with certain of the ſaid Owners or Proprietors of and Perſons intereſted, their ſaid Attornies or Agents, for the abſolute Purchaſe of their reſpective Meſſuages, Lands, Tenements, and Hereditaments, and all Eſtates, Rights, and Intereſts therein, and ſuch Contracts, Sales, and Agreements, were afterwards reduced into Writing, and ſigned

by

by them the ſaid Commiſſioners, and the ſaid Owners or Proprietors, and Perſons intereſted reſpectively: And whereas the other or remaining Owners or Proprietors of and Perſons intereſted, having neglected or refuſed to treat or agree with the ſaid Commiſſioners, or to accept what they the ſaid Commiſſioners thought a reaſonable Recompence or Satisfaction for their reſpective Meſſuages, Lands, Tenements, and Hereditaments, Rights and Intereſts, they the ſaid Commiſſioners did on the Twenty-ſecond Day of *October* laſt, meet at the *White Hart Inn* at *Brentwood*, in the ſaid County of *Eſſex*, purſuant to Notice in Writing as directed by the ſaid Act, and did then and there proceed by and upon the Inqueſt of Twelve good and lawful Men (before whom Witneſſes were examined) to enquire into and aſcertain the true and real Value of ſuch of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, as are ſituate in the ſaid County of *Eſſex*, and of the reſpective Eſtates, Rights, and Intereſts therein: And whereas Five or more of the ſaid Commiſſioners did afterwards meet purſuant to Adjournment and did make their Determination and Decree purſuant to the ſaid recited Act, and thereby they determined and decreed that the true and real Value of the ſaid Meſſuages, Lands, Tenements, and Hereditaments ſituate in the ſaid County of *Eſſex*, ſo aſſeſſed as aforeſaid, agreeably to the Verdict of the ſaid Jury, was Five thouſand four hundred Pounds, and Poſſeſſion hath been taken of ſuch Meſſuages, Lands, Tenements, and Hereditaments, by the ſaid principal Officers or Engineers, or other Officers acting under their Authority: And whereas Five or more of the ſaid Commiſſioners did, on the Twenty-ninth Day of *October* laſt, meet at the *Crown Inn* in the City of *Rocheſter* in the ſaid County of *Kent*, purſuant to Notice in Writing as directed by the ſaid Act, and did afterwards meet by Adjournment at the *Crown Inn* aforeſaid, on the Fourth Day of *November* laſt, and did then and there proceed by and upon the Inqueſt of Twelve good and lawful Men (before whom Witneſſes were examined), to inquire into and aſcertain the true and real Value of ſuch of the ſaid Meſſuages, Lands, Tenements, and Hereditaments as are ſituate in the ſaid County of *Kent*, and as had not been contracted and agreed for as aforeſaid, and of the reſpective Eſtates, Rights, and Intereſts therein: And whereas Five or more of the ſaid Commiſſioners did afterwards meet purſuant to Adjournment, and did make their Determination and Decree purſuant to the ſaid recited Act, and thereby they determined and decreed that the true and real Value of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, ſituate in the ſaid County of *Kent*, ſo contracted and agreed for and aſſeſſed as aforeſaid, agreeably to the Terms of the ſaid Contracts and Agreements, and the Verdicts of the ſaid Jury, was Forty-four thouſand Three hundred and ſeventy-eight Pounds ſeven Shillings and Sixpence, and Poſſeſſion hath been alſo taken of ſuch laſt mentioned Meſſuages, Lands, Tenements, and Hereditaments, by the ſaid principal Officers or Engineers, or other Officers acting under their Authority: And whereas the ſaid Sums ſo agreed, aſſeſſed, adjudged, and decreed, under the ſaid Act by the ſaid Commiſſioners to be paid as aforeſaid, amount together to the Sum of Forty-nine thouſand ſeven hundred and ſeventy-eight Pounds Seven Shillings and Sixpence, but no Proviſion hath been yet made for Payment of the ſaid Money, or any Part thereof: Now, for making Compenſation to the ſeveral Owners and Proprietors of and Perſons having Eſtates, Rights, and Intereſts in ſuch ſeveral Meſſuages, Lands, Tenements, and Hereditaments, in the ſaid Counties of *Kent* and *Eſſex*, and to the Perſons entitled to receive the ſeveral Sums of Money agreed for, aſſeſſed, and allowed by the ſaid Commiſſioners, as mentioned

mentioned in the ſaid Determinations and Decrees, and for the more effectual carrying the ſaid recited 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 of the Aids or Supplies granted or to be granted to His Majeſty for the Service of the Year One thouſand eight hundred and ſix, there ſhall and may be iſſued and applied the aforeſaid Sum of Forty-nine thouſand ſeven hundred and ſeventy-eight Pounds Seven Shillings and Sixpence, together with the Sum of Five thouſand ſeven hundred and twenty-nine Pounds Eleven Shillings and Two-pence, amounting together to the Sum of Fifty-five thouſand five hundred and ſeven Pounds Eighteen Shillings and Eightpence, for Intereſt for the ſeveral Sums of Money adjudged to the ſeveral Proprietors and Perſons intereſted aforeſaid, from ſuch Time as Poſſeſſion of the Meſſuages, Lands, Tenements, and Hereditaments, in reſpect whereof the ſame are payable, was taken as aforeſaid as herein-after is mentioned for the Purpoſe of making a reaſonable and juſt Compenſation and Satisfaction to all and every Perſon and Perſons, Bodies Politick and Corporate, Eccleſiaſtical and Civil, who were the ſeveral and reſpective Owners and Proprietors of and Perſons intereſted in the Meſſuages, Lands, Tenements, and Hereditaments, reſpectively adjudged and decreed of according to their ſeveral and reſpective Eſtates and Intereſts therein, in Poſſeſſion, Reverſion, Remainder, or otherwiſe, and to the Perſons entitled to receive the ſeveral Sums of Money agreed for, aſſeſſed, and allowed by the ſaid Commiſſioners as mentioned in the ſaid ſeveral Determinations and Decrees.

Out of the Supplies for 1806, there ſhall be iſſued 49,778l. 7s. 6d. and 5,729l. 11s. 5d. for Compenſation to the Proprietors and Perſons intereſted in the Premiſes taken Poſſeſſion of by the Ordnance.

II. And, to the Intent that all and ſingular the Proprietors and other Perſons having ſuch Eſtates, Rights, and Intereſts as aforeſaid, may be paid for the ſame, and that the Perſons entitled to receive ſuch Sums of Money as aforeſaid may be paid the ſame; be it further enacted, That it ſhall and may be lawful for the Surveyor General of the Ordnance for the Time being, and he is hereby directed and required to make out and allow one or more Bill or Bills to the reſpective Perſons, Bodies Politick or Corporate, Eccleſiaſtical or Civil, for ſuch Sum and Sums of Money as is or are to them reſpectively adjudged by the ſaid ſeveral Determinations and Decrees of the ſaid Commiſſioners, together with Intereſt on ſuch Sums reſpectively, of which ſaid Payment ſufficient Notice ſhall be given by the ſaid principal Officers of the Ordnance in the *London Gazette*, or otherwiſe; and which Bill or Bills ſo made ſhall expreſs the reſpective Lands, Tenements, or Hereditaments, or other Eſtate, Right, or Intereſt, for or in reſpect of which ſuch Bill or Bills ſhall be made out, together with the Name of the Perſon or Perſons, Bodies Politick or Corporate, Eccleſiaſtical or Civil, 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 ſuch ſeveral and reſpective Sums as aforeſaid, by the Clerk of the Ordnance, 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 directed to be paid by the Treaſurer of the Ordnance, who ſhall take Acquittances from the Parties endorſed thereon; and ſuch Payment ſhall be made without Fee or Reward, and without any Deduction or Abatement on any Ground or Pretence whatſoever.

Surveyor General of the Ordnance to make out Bills to the Perſons entitled, ſpecifying the Sums to be paid, and the Premiſes; and Debentures ſhall be iſſued thereupon.

III. And

III. And be it further enacted, That the Sums which ſhall in and by ſuch Debentures be payable to Perſons to whom ſuch Sums are by the ſaid ſeveral recited Decrees of the Commiſſioners determined or decreed to belong and be abſolutely paid to them, ſhall be paid to ſuch Perſons accordingly. Such Debentures ſhall be paid accordingly.

IV. And whereas it is by the ſaid ſeveral Decrees of the Commiſſioners determined and decreed that the ſeveral Sums of Money therein mentioned, as being the Value of ſeveral of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, or of the Eſtates and Intereſts of the ſeveral Perſons therein, ſhould, on account of the particular Eſtates or Intereſts of ſuch Perſons, be paid to ſome proper Perſon or Perſons on certain Truſts and for certain Purpoſes therein mentioned, or ſhould be laid out in ſome Manner for the Benefit of certain Perſons therein mentioned; be it therefore further enacted, That all the Money to be by ſuch Debentures as aforeſaid made payable for or in reſpect of all and every the Sum and Sums of Money which is and are by the ſaid Decrees decreed or determined to be paid to any Truſtee or Truſtees, or to be in ſome Manner laid out, ſhall be paid by the Treaſurer of the Ordnance for the Time being into the Hands of the Deputy of the King's Remembrancer of His Majeſty's Court of Exchequer at *Weſtminſter* for the Time being, for the Uſes, Intents, and Purpoſes herein-after mentioned; and ſuch Deputy Remembrancer is hereby authoriſed, empowered, and required to receive ſuch Sum and Sums of Money, and to give a ſufficient and effectual Diſcharge for the ſame; and the ſaid Deputy Remembrancer ſhall, upon the Receipt of each of the ſeveral Sums ſo to be paid in for the Uſe and Benefit of each of the ſaid Owners and Proprietors and Perſons intereſted reſpectively, ſign a Certificate to the Barons of the ſaid Court of Exchequer, under his Hand, purporting and ſignifying that every ſuch Sum was paid to and received by him in purſuance of this Act for the Uſe and Benefit of ſuch Owner or Proprietor and Perſon intereſted reſpectively, and who in ſuch Certificate ſhall be named and deſcribed, and which ſaid Certificate ſhall be filed in the ſaid Court of Exchequer; and a true Copy thereof, ſigned by the ſaid Deputy of the King's Remembrancer, ſhall and may be read and allowed as Evidence for the Purpoſes herein-after mentioned. Money directed to be paid to Truſtees, ſhall be paid to the Deputy of the King's Remembrancer,

V. And be it further enacted and declared, That the ſaid Deputy Remembrancer for the Time being, upon Receipt of any ſuch Sum or Sums of Money hereby directed and appointed to be paid to him as aforeſaid, ſhall pay the ſame into the Bank of *England*. who ſhall pay it into the Bank.

VI. And be it further enacted, That the Barons of His Majeſty's Court of Exchequer at *Weſtminſter* for the Time being, or any Two or more of them, ſhall, and they are hereby authorized and empowered in a ſummary Way, upon Motion or by Petition for or on Behalf of any Perſon or Perſons intereſted in or entitled to the Benefit of the Money to be paid to and received by the ſaid Deputy Remembrancer, or the Intereſt or Produce thereof, and upon reading the Certificate directed to be ſigned by the ſaid Deputy Remembrancer, concerning the ſame as aforeſaid, and receiving ſuch further Satisfaction as they ſhall think neceſſary, to make and pronounce ſuch Orders and Directions as they ſhall think juſt and reaſonable for paying the ſaid Money and every or any Part or Parts thereof, or for placing out ſuch Part thereof as ſhall be Principal in the Publick Funds, or upon Barons of Exchequer to direct the Application of the Money ſo paid in.

upon Government or Real Securities, and for calling in, diſpoſing of, and placing out the ſame again in and upon ſuch new or other Funds or Securities as aforeſaid, and for Payment of the Dividends, Intereſt, or Produce thereof, to the ſeveral and reſpective Perſons entitled to receive the ſame, or for laying out the ſaid principal Sums, or any Part thereof, in the Purchaſe of other Meſſuages, Lands, Tenements, and Hereditaments, to be conveyed and ſettled to, for, and upon the ſame Uſes, Truſts, Intents, and Purpoſes, as the former Eſtates were ſettled at the Time of making the ſaid Decree, or as near thereto as the ſame can be done, or for and concerning the receiving, iſſuing, paying, applying, and diſpoſing of the ſaid Money for the Benefit of the Perſon and Perſons entitled to or intereſted in the ſame reſpectively, by virtue of and according to the Tenor and Purport of the ſaid recited Act, and this preſent Act, and for appointing a proper Perſon or Perſons to be a Truſtee or Truſtees for all or any of ſuch Purpoſes, and that ſuch Money ſhall be from Time to Time paid by the ſaid Deputy Remembrancer according to the Orders to be from Time to Time made.

In caſe of Death or Removal of the Deputy Remembrancer, Securities to veſt in his Succeſſor.

VII. And be it further enacted and declared, That upon the Death or Removal of the preſent or any future Deputy of the King's Remembrancer of the ſaid Court of Exchequer, all Mortgages, Stocks, and Securities veſted in him by virtue of this Act, ſhall veſt in the ſucceeding Deputy of the King's Remembrancer for the Time being, ſubject to the Truſts and for the Purpoſes herein-before mentioned, without any Aſſignment or Transfer; and all Monies paid into the Bank in purſuance of this Act, or remaining in the Hands of the preſent or any future Deputy of the King's Remembrancer at the Time of his Death or Removal, and not veſted in the Funds or placed out on Securities as aforeſaid, ſhall be paid over to the ſucceeding Deputy Remembrancer for the Time being.

Debentures to be depoſited with the Clerk of the Peace of the County where the Premiſes lie, in caſe of neglect of the Parties to apply for them, after One Month's Notice.

VIII. And be it further enacted, That if any Perſon or Perſons who by Law is or are capable of receiving ſuch Debenture aforeſaid, ſhall neglect or refuſe to take the ſame for the Space of One Calendar Month next after Perſonal Notice given to them, him, or her, or the ſame being inſerted in the *London Gazette* as aforeſaid, then and in ſuch Caſe it ſhall and may be lawful for the Clerk of the Ordnance for the Time being, to depoſit the ſame with the Clerk of the Peace of the County wherein the Meſſuages, Lands, Tenements, and Hereditaments therein mentioned, in reſpect whereof ſuch Debenture or Debentures ſhall be made out ſhall lie, 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 ſuch Meſſuages, Lands, Tenements, and Hereditaments, Eſtates, Rights, and Intereſts, of ſuch Perſon or Perſons reſpectively ſo neglecting or refuſing to take ſuch Debenture or Debentures ſhall from thenceforth be veſted to the Uſe of His Majeſty, His Heirs and Succeſſors, as if ſuch Debentures or the Money payable thereby, had been received by the Parties entitled thereto, and the Money thereon due had been fully ſatisfied and paid, and ſuch Clerk of the Peace ſhall and may afterwards deliver the ſame to the Party or Parties who ſhall appear to be entitled thereto, on being fully paid all ſuch reaſonable Charges and Expences (if any) as he ſhall or may ſuſtain or be put unto relating thereto.

IX. And

Limitation of Actions.

IX. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of the said herein-before recited Act, or any Thing to be done in pursuance of this Act, every such Action and Suit shall be commenced within Six Calendar Months next after the Cause of such Action or Suit shall have arisen and not afterwards, and the Defendant or Defendants in all such Actions and Suits may plead the General Issue, and give the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of the said recited Act, or in pursuance of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall not be commenced within the Time before limited, then and in either of such Cases the Jury shall find for the Defendant or Defendants; and if a Verdict shall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall be nonsuited or suffer or discontinue after the Defendant or Defendants shall have appeared, or if on any Demurrer Judgement shall be given for the Defendant or Defendants, in any of the Cases aforesaid, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for recovering Costs in other Cases by Law. Treble Costs.

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