ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CLV.

An Act for applying certain Balances arising from the Forfeited Estates in *Scotland*, towards making Canals, Harbours, and other Publick Works there. [23d *July* 1806.]

WHEREAS by an Act made in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for annexing certain forfeited Estates to the Crown unalienably, and for making Satisfaction to the lawful Creditors thereupon, and to establish a Method of managing the same, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future*, all and every the Lands and Estates which were then in the Hands of His Majesty, by the Attainder of *Simon* late Lord *Lovat*, and certain other Persons therein named were declared to be unalienably annexed to the Imperial Crown of these Realms; and it was declared lawful for His Majesty, His Heirs and Successors, by Commissions under the Privy Seal of *Scotland*, to authorize Commissioners and Trustees for managing the said Estates, and applying the Produce thereof: And whereas His late Majesty and His present Majesty did, in pursuance of the said Act, from Time to Time by Commissions under the said Privy Seals of *Scotland*, authorize the Persons therein severally named as Commissioners and Trustees to manage the said Estates, and apply the Produce thereof for the better civilizing and improving the Highlands of *Scotland*, and securing the Peace and Loyalty of the Inhabitants: And whereas by an Act passed in the Fourteenth Year of His present Majesty's Reign, intituled, *An Act to enable His Majesty to grant unto Major General* Simon Fraser *the Lands and Estates of the late* Simon *Lord* Lovat *upon*

25 G. 2. c. 41.

14 G. 3. c. 22.

upon certain Terms and Conditions, the ſaid Act of the Twenty-fifth Year of His late Majeſty was repealed, in as far as related to the Eſtate of *Lovat*, which formerly belonged to the late *Simon* Lord *Lovat*, which was thereby diſannexed from the Crown, and was afterwards granted by His Majeſty to the ſaid Major General *Simon Fraſer*: And whereas by an Act paſſed in the Twenty-fourth Year of the Reign of His preſent Majeſty, intituled,
24 G. 3. c 57. *An Act to enable His Majeſty to grant to the Heirs of the former Proprietors, upon certain Terms and Conditions, the forfeited Eſtates in* Scotland *which were put under the Management of a Board of Truſtees, by an Act paſſed in the Twenty-fifth Year of the Reign of His late Majeſty King* George *the Second, and to repeal the ſaid Act*, it was enacted that it ſhould be lawful for His Majeſty, His Heirs and Succeſſors, to give, grant, and diſpone to the ſeveral Perſons therein named, their reſpective Heirs and Aſſignees, the ſeveral Lands and Eſtates therein mentioned, and chargeable with the ſeveral principal Sums of Money thereby made payable or directed to be paid into the Court of Exchequer in *Scotland*; and certain Sums, Part of the Money ſo directed to be paid into the ſaid Court of Exchequer, were appropriated by the ſaid Act for the Purpoſes, and to the Uſes of the Perſons and Societies therein mentioned; and it was enacted, that in caſe the Sums to be paid into the ſaid Court, in Conſideration of the ſaid annexed forfeited Eſtates being reſtored, ſhould not be exhauſted by the ſeveral Applications or Appropriations in the ſaid Act ſpecified, the Balance of the Money ſo paid in ſhould remain under the Care of the ſaid Court of Exchequer in *Scotland*, and be lodged in one or other of the Publick Banks or Publick Funds, ſubject to the future Diſpoſition of Parliament: And whereas the Sums of Money, ſo directed by the ſaid Act to be paid into the ſaid Court of Exchequer in *Scotland*, have, in purſuance of the ſaid laſt recited Act, been paid into the ſaid Court, and all the Applications in the ſaid Act directed to be made have been accordingly made, as have ſeveral other Applications directed by ſubſequent Acts made in the Twenty-ſixth, Twenty-eighth, and Twenty-ninth Years of His preſent Majeſty's Reign: And whereas the following Balances now appear to ariſe from the ſaid forefeited Eſtates, *videlicet*, the Sum of Fifteen thouſand one hundred and twenty-five Pounds, lodged in the Royal Bank of *Scotland*, bearing an Intereſt at Four Pounds *per Centum per Annum*, reſerved for Payment of the Salaries of the Officers and Servants employed under the late Board of the annexed Eſtates, allowed to them by the ſaid Act of the Twenty-fourth Year of His Majeſty's Reign, and for the Rent of an Inn at *Dalwhinnie*, the Sum of Twenty-five thouſand Pounds advanced and lent to the Company of the Proprietors of the *Crinan* Canal Navigation, by an Act paſſed in the Thirty-ninth Year of His preſent Majeſty's Reign, bearing an Intereſt at Five Pounds *per Centum per Annum*, to be applied in completing the ſaid Navigation; and for Security of which Principal and Intereſt an Aſſignment was granted of the Tolls and Rates, a like Sum of Twenty-five thouſand Pounds was advanced and lent to the Provoſt and Magiſtrates of the City of *Edinburgh*, by an Act paſſed in the Thirty-ninth and Fortieth Year of His preſent Majeſty's Reign, for enlarging and improving the Harbour of *Leith*, bearing Intereſt at Five Pounds *per Centum per Annum*, and for Security of which Principal and Intereſt, a like Aſſignment was granted of the Dock or Harbour Duties, and a Balance of Twenty-two thouſand three hundred and twenty-nine Pounds Eighteen Shillings and Four-pence, on the Twenty-ſixth Day of *March* One thouſand eight hundred and ſix, of Monies depoſited by the ſaid Barons of the

Exchequer, in Terms of the ſaid Act of the Twenty-fourth Year of His preſent Majeſty's Reign, in the Royal Bank of *Scotland*: And whereas there has been in this Seſſion of Parliament granted out of the above Balances the Sum of Twelve thouſand Pounds for taking down and rebuilding the Chambers and Offices of the Court of Exchequer in *Scotland*, and the Sum of Seven thouſand five hundred Pounds to the Society for extending the Fiſheries and improving the Sea Coaſt of the Kingdom; and the Sum of Eight hundred Pounds annually for the Term of Ten Years, to the Highland Society of *Scotland*, and the Sum of Two thouſand Pounds, for erecting an Hoſpital or Aſylum for Lunatics in the City of *Edinburgh*: And whereas an Act was paſſed in the Forty third Year of His preſent Majeſty's Reign, intituled, *An Act for granting to His Majeſty the Sum of Twenty thouſand Pounds, to be iſſued and applied towards making Roads and building Bridges in the Highlands of* Scotland; *and for enabling the Proprietors of Land in* Scotland *to charge their Eſtates with a Proportion of the Expence of making and keeping in Repair Roads and Bridges in the Highlands of* Scotland: And whereas it would be of Publick Advantage if the Reſidue of the Balances remaining after the Appropriations above-mentioned ariſing from the ſaid Forfeited Eſtates, and the other Funds therewith connected, were veſted in the Commiſſioners appointed by the laſt recited Act, to be applied by them as they ſhall think proper, in or towards making Canals or Iron Rail Roads, and conſtructing or improving Harbours, Piers, or Quays, or upon any Works of the like Sort, for the Improvement of that Part of the United Kingdom; be it therefore 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 the Reſidue of the ſaid Balances ariſing from the Forfeited Eſtates in *Scotland*, and the other Funds therewith connected, ſhall be, and the ſame are hereby veſted in and put under the Management of the Commiſſioners appointed by the ſaid Act of the Forty-third Year of His preſent Majeſty's Reign, to be applied by them as they ſhall think fit, in or towards making Canals, or Iron Rail Roads, and conſtructing or improving Harbours, Piers, or Quays, or upon any Works of the like Sort, for the Improvement of that Part of the United Kingdom; and for that Purpoſe, the ſaid Barons of the Court of Exchequer in *Scotland* ſhall, as ſoon as may be after the paſſing of this Act, render an Account in Writing to the ſaid Commiſſioners, ſetting forth the Nature and Particulars of ſuch Reſidue of the Balance of the Monies ariſing from the Forfeited Eſtates, and the Sureties taken therefore, and of all other Funds, Aſſignments, Tolls, or Duties, and other Documents connected therewith, and ſhall forthwith transfer ſuch Reſidue to the ſaid Commiſſioners, and when the ſame ſhall be ſo transferred to the ſaid Commiſſioners, and ſhall come into their Hands, they ſhall apply the ſame for the Ends and Purpoſes aforeſaid; and the ſaid Commiſſioners ſhall have the like Powers for the Purchaſe of Lands, and in all other Reſpects, and ſhall cauſe the like Rules and Directions to be obſerved for carrying into Execution the Purpoſes of this Act with reſpect to the ſaid Reſidue, as are given or preſcribed by the ſaid recited Act, with reſpect to the making Roads and Bridges in ſo far as ſuch Powers, Rules, and Regulations ſhall, in their Judgement, be applicable to the Objects of this Act: Provided always, That the Monies ſo to be transferred by virtue of this Act to the ſaid Commiſſioners ſhall be by them forthwith inveſted in the Purchaſe of Exche-

43 G. 3. c. 80.

Reſidue of the Balances herein recited ariſing from Forfeited Eſtates in Scotland ſhall be veſted in the Commiſſioners appointed by the recited Act of 43 G. 3 c 80. towards making Canals, &c. and the Barons of Exchequer in Scotland ſhall render an Account thereof and transfer the ſame to the Commiſſioners.

Application of the Money till wanted for the Purpoſes of this Act.

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quer Bills or India Bonds, to be depoſited in ſuch Place as the ſaid Commiſſioners ſhall think proper, until the ſame ſhall be wanted and applied by them for the Purpoſes of this Act; any Thing in the ſaid recited Act, or otherwiſe, to the contrary notwithſtanding.

When the Balance is transferred, the Commiſſioners may ſue for the Recovery.

II. And be it further enacted, That when the ſaid Barons of the Court of Exchequer ſhall have transferred to the ſaid Commiſſioners, the Balance of the ſaid Monies, and all Securities, Funds, Aſſignments, Tolls, Duties, and Documents relating thereto as aforeſaid, it ſhall and may be lawful for the ſaid Commiſſioners to ſue for and recover the ſaid Balance, or any Part thereof, in any of His Majeſty's Courts of Record in *England*, or Court of Seſſion in *Scotland*, together with all Intereſt due or to become due thereon.

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