ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. CXII.

An Act to amend an Act paſſed in the Forty-fourth Year of His preſent Majeſty, to provide for the Defence of the Realm, with reſpect to the Purchaſe of Lands and Hereditaments for the Public Service. [15th *June* 1809.]

WHEREAS an Act paſſed in the Forty-third Year of the Reign of His preſent Majeſty, intituled, *An Act to enable His Majeſty more effectually to provide for the Defence and Security of the Realm during the preſent War; and for indemnifying Perſons who may ſuffer in their Property, by ſuch Meaſures as may be neceſſary for that Purpoſe*: And whereas another Act paſſed in the Forty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act to amend certain of the Proviſions of an Act made in the Forty-third Year of His preſent Majeſty, to enable His Majeſty to provide for the Defence and Security of the Realm, which reſpect the Purchaſe of Lands and Hereditaments for the Public Service*: And whereas Difficulties have occurred in the giving of Notices, in Caſes where Perſons abſent, or Perſons claiming Rights of Common, are intereſted in Lands, Tenements, or Hereditaments, propoſed to be taken under the ſaid laſt recited Act for the Public Service: May it therefore 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

43 G. 3. c. 55.

44 G. 3. c. 95.

In what Manner Notice shall be given when Lands are marked out for Public Service.

Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in all Caſes where any Perſons who ſhall be intereſted in any Lands, Tenements, and Hereditaments, propoſed to be taken under the ſaid laſt recited Act, ſhall be abſent or cannot be found, and in all Caſes where the Intereſt claimed by any Perſon or Perſons in any ſuch Lands, Tenements, and Hereditaments, ſhall conſiſt of any Rights of Common thereon, it ſhall be ſufficient that the Notice of ſuch Lands having been marked out for the Public Service ſhall be affixed upon the Church Door of the Pariſh wherein the ſaid Lands, Tenements, and Hereditaments are ſituated, Three ſucceſſive *Sundays* before Morning Service, and ſhall be publiſhed in Three ſucceeding Weeks, One Day in each Week, in ſome Newſpaper uſually circulated in the County or Place wherein the ſaid Lands, Tenements, and Hereditaments are ſituated; and in caſe any ſuch abſent Perſons or Commoners ſhall for the Space of Fourteen Days after the laſt Day of ſuch Notice being ſo affixed as aforeſaid, and after the laſt Publication thereof as aforeſaid, refuſe or neglect to treat or agree, or be by Abſence or otherwiſe prevented from treating or agreeing with the General Officer or other Perſon duly authorized in Manner directed by the ſaid recited Act of the Forty-fourth Year aforeſaid, for a Compenſation for their reſpective Rights and Intereſts in ſuch Lands, Tenements, and Hereditaments, then and in ſuch Caſe His Majeſty's Officers ſhall be put into Poſſeſſion of ſuch Lands, Tenements, and Hereditaments, if not then in Poſſeſſion, and a Jury ſhall be ſummoned and ſuch further Proceedings ſhall be had for the Purpoſe of finding the Compenſation to be paid to ſuch abſent Perſons or Commoners, for their reſpective Rights and Intereſts in ſuch Lands, Tenements, or Hereditaments, with ſuch Power of Appeal from any Verdict of any ſuch Jury, as by the ſaid recited Act of the Forty-fourth Year aforeſaid is directed.

If Parties do not treat His Majeſty's Officers to be put in Poſſeſſion, &c.

Recited Act of 44 G 3. c. 95 (unleſs hereby altered), extended to this Act.

II. And be it further enacted, That all Rules, Regulations, Clauſes, Matters, and Things, contained in the ſaid recited Act of the Forty-fourth Year aforeſaid (unleſs hereby altered) ſhall be in force in relation to this Act, and ſhall be conſtrued herewith in all Reſpects as if the ſame were inſerted herein and formed a Part thereof.

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