



ANNO QUADRAGESIMO NONO

# GEORGI III. REGIS.

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## Cap. 112.

An Act for altering, amending, and enlarging the Powers of several Acts for making and maintaining the *Thames* and *Severn* Canal Navigation.

[27th May 1809.]

**W**HEREAS by an Act passed in the Twenty-third Year of the Reign of His present Majesty, intituled, *An Act for making and maintaining a Navigable Canal from the River Thames or Isis, at or near Leachlade, to join and communicate with the Stroudwater Canal at Wallbridge, near the Town of Stroud; and also a Collateral Cut from the said Canal at or near Siddington to or near the Town of Cirencester, in the Counties of Gloucester and Wilts; certain Persons therein named, and their Successors, were incorporated by the Name and Style of 'The Company of Proprietors of the Thames and Severn Canal Navigation,' with Powers to make and maintain the said Navigation, and other Works in the said recited Act mentioned; and the said Company of Proprietors were thereby authorized to raise and contribute amongst themselves, any Sum of Money not exceeding One hundred and thirty thousand Pounds, for defraying the Expences of the said Undertaking; and in case such Money should not be sufficient for finishing and completing the said Undertaking, and other Works by the said recited Act authorized to be made, the said Company of Proprietors were enabled to borrow and take up at Interest any further Sum, not exceeding Sixty thousand Pounds on Mortgage of the Tolls, Rates, and Duties arising or to arise by virtue of the said Act: And whereas by another Act passed in the*

[Loc. & Per.] 23 G. 3. c. 38.

24 2 Thirty-

31 G. 3.

Thirty-first Year of the Reign of His present Majesty, intituled, *An Act to enable the Company of Proprietors of the Thames and Severn Canal Navigation to borrow a further Sum of Money, to enable them to complete the said Navigation*, the said Company of Proprietors were authorized and empowered to borrow and take up at Interest an additional Sum of Money, for making and completing the said Navigation and other Works, not exceeding in the Whole the Sum of Sixty thousand Pounds, upon the Credit of the said Navigation: And whereas the said Company of Proprietors have raised and contributed amongst themselves the said Sum of One hundred and thirty thousand Pounds, and have borrowed and taken up at Interest on Mortgage the Sum of Fifty-nine thousand nine hundred Pounds, Part of the said First Sum of Sixty thousand Pounds, and also Fifty-seven thousand two hundred and twenty-five Pounds, Part of the said last mentioned Sum of Sixty thousand Pounds; and have applied the same in making and maintaining the said Navigation, in Manner by the said recited Acts directed: And whereas by one other Act passed in the

36 G. 3.

Thirty-sixth Year of the Reign of His present Majesty, intituled, *An Act to enable the Company of Proprietors of the Thames and Severn Canal Navigation to raise a certain Sum of Money for discharging some Arrears of Interest, and other Debts relating thereto, and to maintain and support the said Navigation*, the said Company of Proprietors were enabled to raise, in Manner therein directed, the additional Sum of Sixty-five thousand Pounds, by dividing the same into One thousand three hundred Half Shares (being the Number of Shares of One hundred Pounds each in the Capital Stock of the said Company of Proprietors), each Half Share to be of the Value of Fifty Pounds; and the said Company of Proprietors have disposed of Eight hundred and Seventy-four of such Half Shares, and have applied the Monies raised thereby in Manner by the said recited Acts directed: And whereas the said several Sums of Money so raised on Mortgage, together with the Interest thereon, and the Interest due to the Subscribers to the Undertaking, for or on account of the several Sums of Money subscribed by them, and directed to be paid by the said recited Acts, are still due and owing, amounting in the Whole to the Sum of One hundred and ninety-eight thousand two hundred and eighty-four Pounds Thirteen Shillings and Nine-pence: And whereas such several Sums due and owing on Mortgage, and such Interest, cannot be paid off and discharged, nor the Canal Navigation, or the Works thereunto belonging, be maintained and supported, except the Powers and Provisions of the said recited Acts are altered and extended: 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 and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Rates, Duties, Clauses, Powers, Exemptions, Rules, Remedies, Regulations, Penalties, Forfeitures, Articles, Matters, and Things whatsoever therein contained (save and except such Parts of the same as are varied, altered, or repealed), shall be, and the same is and are hereby declared to be, in full Force and Effect, and shall be as good, valid, and effectual for carrying this Act into Execution, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted in the Body of this Act.

Powers of  
recited Acts  
confirmed,  
except as here  
altered.

II. And

II. And be it further enacted, That so much of the said recited Act, made in the Twenty-third Year of the Reign of His present Majesty, as directs that no Person becoming a Proprietor in such Navigation do become a Proprietor of less than One Share or more than One hundred Shares, either in his own Name or in the Name of any other Person or Persons in Trust for him (except the same shall come to him by Will or Act in Law), upon Pain of forfeiting to the said Company of Proprietors, their Successors or Assigns, all such Shares exceeding One hundred Shares as aforesaid, shall be and the same is hereby repealed, and declared to be null and void to all Intents and Purposes whatsoever.

So much of the 23 G. 3. repealed, as restrains Proprietors from holding more than 100 Shares.

III. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered, to raise by all or any of the Ways and Means herein mentioned, such Sum or Sums of Money as shall from Time to Time be found necessary for the several Purposes of the said recited Acts and this Act, not exceeding in the Whole the Sum of Two hundred thousand Pounds; and the Money so to be raised, after paying and defraying the Costs, Charges, and Expences of obtaining and passing this Act, shall be applied and disposed of in paying the several Sums of Money now due and owing by the said Company of Proprietors, and in defraying the Costs, Charges, and Expences of carrying on, completing, repairing, and maintaining the said Undertaking, and in carrying the several Purposes of the said recited Acts and this Act into Execution.

Company enabled to borrow a further Sum of Money, not exceeding 200,000 l.

IV. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise the Whole, or any Part or Parts of the said Sum of Two hundred thousand Pounds, as to them shall seem right and proper, by creating new additional Shares of One hundred Pounds each, or at such other Rate or Value *per* Share as to the said Company of Proprietors shall from Time to Time seem most meet and convenient: Provided always, that no Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, so purchasing or holding any Share or Shares to be created by virtue of this Act in the said Undertaking, at a less Rate than One hundred Pounds *per* Share, shall be entitled to vote at any Assembly or Meeting of the said Company of Proprietors, or serving upon any Committee or Committees elected or chosen by virtue of the said recited Act, made in the Twenty-third Year of the Reign of His present Majesty, for or on account or in respect of any such Share or Shares so purchased or held at a less Rate than One hundred Pounds.

Company may create new Shares.

V. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, possessed of any Share or Shares, or Half Share or Shares in the Capital Stock of the said Company, to accept and take any Number of such new Shares as shall be created by virtue of this Act, in Proportion and in equal Number to the original Shares, and Half the Number of Half Shares holden by such Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, as he, she, or they shall think proper, within Thirty-one Days after Notice shall have been given in a *Gloucester, Oxford, Reading, Salisbury, and London* Newspaper, or in such other Manner as the said Company of Proprietors, at any General Assembly or Special Meeting, shall think proper, of the Intention to create such new

Disposition of new Shares.

new additional Shares; and in Default thereof after the Expiration of the said Time, any other Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, possessed of any Share or Shares, or Half Share or Half Shares in the said Undertaking, who shall make Application for any of such new additional Shares, at the next ensuing General Assembly or Special Meeting of the said Company, shall be entitled to any Number of such new additional Shares, at such Rate or Value as shall be fixed by the said Company of Proprietors, pursuant to the Power herein-before given for that Purpose; and in case any such Share or Shares shall remain undisposed of, after such last mentioned General Assembly or Special Meeting, it shall and may be lawful to and for the said Company to sell or dispose of the same to any Person or Persons whomsoever, in such Manner, and at such Price or Prices as they shall think proper and expedient.

Authorizing  
the Company  
to raise among  
themselves the  
Sum of  
200,000 l.

VI. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered, at any General Assembly or Special Meeting to be holden or convened in the Manner, and agreeable to the Directions contained in the said recited Act made in the Twenty-third Year of the Reign of His present Majesty, or for their Committee for the Time being, from Time to Time to make any Call or Calls for Money from the Proprietor or Proprietors of a Share or Shares, or of any Half Share or Shares in the said Undertaking, in order to raise the said Sum of Two hundred thousand Pounds or so much thereof as shall be deemed requisite, in the Manner and subject to the Regulations herein-after mentioned, so that no One Call shall exceed at any One Time the Sum of Ten Pounds, for each Whole Share, and the Sum of Five Pounds for each Half Share in the said Undertaking, and so that no Call shall be made at a less Distance of Time than One Calendar Month from the preceding Call, and the Money so called for shall be paid to such Person or Persons, and in such Manner as the said General Assembly, or Special Meeting or Committee shall from Time to Time appoint and direct; and all and every the Owners and Owner of One or more Share or Shares, Half Share or Half Shares in the said Undertaking, shall pay his, her, and their Share and Shares, or Proportion of the Monies to be called for as aforesaid, at such Time and Place, and in such Manner as shall be appointed as aforesaid, and of which Time and Place Fourteen Days Notice shall be given, by publishing the same in a *Gloucester, Oxford, Reading, Salisbury, and London* Newspaper, or in any other Manner as the said Company of Proprietors shall, at any General Assembly or Special Meeting, direct or appoint; and such Sum or Sums of Money as shall be paid in respect of every Share and Half Share in the said Undertaking, shall be, and the same is and are hereby declared to be, consolidated with every such Share and Half Share, and shall entitle the respective Owners thereof to a proportionable increased Share of the Profits and Advantages of the said Undertaking; and all Executors and Administrators shall be, and are hereby empowered, to pay their respective Proportions of the said Money, to be called for as aforesaid, in respect of the Share or Shares, Half Share or Half Shares of their Testators and Intestates respectively, and charge the same to the Accounts of such Persons Estate and Effects.

Manner of  
enforcing  
Payment of  
the Calls.

VII. And, for the better enforcing the Payment of such Calls, be it further enacted, That if any Person or Persons upon whom any Call or  
Calls

Calls for Money shall or may hereafter be made under or by virtue of this Act, for or in respect of any Share or Shares, Half Share or Half Shares in the said Undertaking, and who shall not have given Notice in Manner in this Act directed, of his, her, or their Intention of relinquishing any such Share or Shares, Half Share or Half Shares, shall neglect or refuse to pay his, her, or their rateable or proportionable Share or Shares of the said Money to be called for and raised by virtue of this Act, for the Space of One Calendar Month after such Call or Calls shall have been made and published as aforesaid, then and in such Case all and every the Share and Shares, Half Share and Half Shares of such Person or Persons so refusing or neglecting as aforesaid, shall be vested in the said Company of Proprietors, their Successors, Executors, Administrators, and Assigns, to and for the Uses and Purposes herein-after mentioned: Provided always, that no Share or Shares, Half Share or Half Shares of and in the said Undertaking, shall vest in or accrue to the said Company, until Notice in Writing thereof shall be given by the Treasurer or by the Clerk of the said Company, to the Owner or Owners of, or Person or Persons, or to the Clerk or Clerks of the Body or Bodies Politick, Corporate, or Collegiate, in whose Name or Names such Share or Shares, Half Share or Half Shares, shall at the Time of giving such Notice stand registered in the Books of the said Company, or left at his, her, or their Dwelling House, or usual or last known Place of Abode, Fourteen Days at the least before such Share or Shares, Half Share or Half Shares, shall vest in or accrue to the said Company, or until Notice be published in the *London Gazette*, and in a *Gloucester, Oxford, Reading, Salisbury, and London Newspaper*; and in such Notices respectively shall be contained a Statement and Account of how much Money is due from such Owner or Owners, Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, for his, her, or their Call or Calls in respect of his, her, or their Share or Shares, Half Share or Half Shares in the said Undertaking; and no such Share or Shares shall be vested in or accrue to the said Company if the Owner or Owners of such Share or Shares, or Half Share or Half Shares, or such Person or Persons shall pay up what shall appear by such Statement to be due, together with Interest on the same, and all Expences attending the applying for the same, within the Time specified in such Notice; any Thing contained in the said recited Act or this Act to the contrary thereof in anywise notwithstanding.

VIII. And be it further enacted, That when any Share or Shares, Half Share or Half Shares of the said Undertaking, shall by virtue of this Act have become vested in or accrue to the said Company of Proprietors as aforesaid, then and in every such Case it shall and may be lawful to and for the said Company, or their Committee for the Time being, and they are hereby authorized and empowered to sell or cause to be sold by publick Auction to the best Bidders, at such Time and Place as the said Company shall direct (of which Sale Fourteen Days Notice at the least shall be given by publishing the same in the *London Gazette*, and in a *Gloucester, Oxford, Reading, Salisbury, and London Newspaper*), and it shall and may be lawful to and for the said Company of Proprietors, or their Committee, to assign and transfer the Share or Shares, Half Share or Half Shares of such Defaulter or Defaulters, or such and so many of the Share or Shares, or Half Share or Half Shares of such Defaulter or Defaulters, as the said Company, or their Committee, shall from Time to Time find necessary

Company empowered to sell Shares and Half Shares that shall become vested in them by the Default of Owners not paying the Calls thereon.

[*Loc. & Per.*]

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and direct, in order to make good the Deficiency or Deficiencies of such Defaulter or Defaulters who shall not pay his, her, or their Call or Calls: pursuant to the Directions of this Act, unto such Person or Persons as shall become the Purchaser or Purchasers of such Share or Shares, or Half Share or Half Shares, his, her, or their Executors, Administrators, or Assigns; and to receive and give Receipts for the Money agreed to be paid or given for such Share or Shares, or Half Share or Half Shares; and such Assignment and Transfer shall be good, valid, and effectual against the Owner or Owners of every such Share or Shares, or Half Share or Half Shares, so vested in the said Company and sold as aforesaid, and all Persons claiming under him, her, or them: Provided also, that in case the Money produced by the Sale of any such Share or Shares, or Half Share or Half Shares, shall be more than sufficient to pay any such Arrears as aforesaid, and the Expences attending the Sale or Sales thereof, the Surplus arising from such Sale, after Payment of all Arrears of Money due thereon, shall be paid on Demand, to the Person or Persons to whom such Share or Shares, or Half Share or Half Shares shall have belonged: Provided always, that no such Share or Shares, or Half Share or Half Shares, shall be sold or advertized for Sale until the Expiration of Ten Days next after Notice in Writing shall have been given by the Treasurer, or by the Clerk to the said Company, to the Owner or Owners thereof, or to the Person or Persons, or to the Clerk or Clerks of the Body or Bodies Politick, Corporate, or Collegiate, in whose Name or Names such Share or Shares, or Half Share or Half Shares shall, at the Time of the giving such Notice, stand registered in the Books of the said Company, or left at his, her, or their Dwelling House, or usual or last known Place of Abode; or until Notice shall have been published in the *London Gazette*, and in a *Gloucester, Oxford, Reading, Salisbury, and London* Newspaper as aforesaid; in which Notice shall be contained a Statement and Account of what Money is due from such Owner or Owners, Person or Persons, for his, her, or their Call or Calls, in respect of his, her, or their Share or Shares, or Half Share or Half Shares in the said Undertaking: Provided also, that the said Company of Proprietors, or their Committee, shall not by virtue of this Act at any Time or Times sell or transfer, or direct to be sold or transferred, any more of such Shares and Half Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be at the Time of such Sale, to pay the Arrears due by such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after Payment of all and every the Call or Calls to be made by virtue of this Act, and the Interest and Expences as aforesaid, any Share or Shares, Half Share or Half Shares, vested in the said Company of Proprietors as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, to whom such Share or Shares, Half Share or Half Shares had before belonged, in such Manner as if such Calls had been duly and regularly paid.

Shares may be  
re-quired  
after Notice.

IX. Provided always, and be it enacted, That if any Proprietor or Proprietors, Mortgagee or Mortgagees of any such Share or Shares, or Half Share or Half Shares (not being under any legal Disability, incapacitating him, her, or them from so doing), or if the Executors or Administrators of any Proprietor or Proprietors, Mortgagee or Mortgagees  
of

of any such Share or Shares, or Half Share or Half Shares shall, within Twenty-one Days next after any Call or Calls for Money shall be made in pursuance of this Act, give Notice in Writing to the Treasurer or Clerk to the said Company of his, her, or their Intention to relinquish any such Share or Shares, Half Share or Half Shares, then and in every such Case such Share or Shares, Half Share or Half Shares, shall not be forfeited by the Non-payment of any Call or Calls, but the same respectively shall be vested in the said Company of Proprietors, their Successors, Executors, Administrators, and Assigns, to and for the Uses and Purposes herein mentioned.

X. Provided always, and be it enacted, That if the Guardians, Committees, Attornies, or Trustees of any Proprietor or Proprietors, or of any Mortgagee or Mortgagees of any such Share or Shares, or Half Share or Half Shares, shall within Twenty-one Days after any Call or Calls for Money made in Execution of this Act, give Notice in Writing to the Treasurer or Clerk to the said Company of his, her, or their Intention of relinquishing any such Share or Shares, then and in every such Case such Share or Shares, or Half Share or Half Shares, shall not be forfeited by the Non-payment of any Call or Calls, but such Share and Shares, or Half Share or Half Shares shall be vested in the said Company of Proprietors, their Successors, Executors, Administrators, and Assigns, to and for the Uses and Purposes herein-after mentioned, and shall, within Fourteen Days after such Notice, be sold by publick Auction to the highest Bidder in Manner aforesaid; and the Monies arising from such Sale, after deducting the necessary Charges and Expences attending the same, and the Arrears of all Calls before that Time made, shall be paid to the Person or Persons so relinquishing such Share or Shares, or Half Share or Half Shares.

Shares may be relinquished and sold after Notice.

XI. Provided also, and be it enacted, That nothing in the said recited Act made in the Twenty-third Year of the Reign of His present Majesty contained, shall empower the said Company of Proprietors to sue for any Call or Calls for Money directed to be made by virtue of this Act, or to forfeit or declare forfeited any Share or Shares, Half Share or Half Shares, on Non-payment of any such Call or Calls, or in any Manner to recover or enforce Payment of the same, other than by selling such and so many of the Shares or Half Shares of the said respective Proprietors, as shall be necessary for the Purposes, and under the Regulations and according to the Tenor, true Intent, and Meaning of this Act; any Thing in the said recited Act, made in the Twenty-third Year of the Reign of His present Majesty, contained to the contrary thereof in anywise notwithstanding.

The Company not to sue for Calls on forfeited Shares.

XII. And be it further enacted, That each and every Proprietor of each and every Share which shall and may be created by virtue of this Act, shall be entitled to such and the same Powers, Privileges, and Advantages (save and except as herein excepted), and shall be subject to such and the same Rules, Regulations, Restrictions, Penalties, and Forfeitures, as if the Share or Shares so holden by him, her, or them, were Part of the Shares already created by virtue of the said recited Act, made in the Twenty-third Year of the Reign of His present Majesty, and now vested in the several and respective Proprietors of the said Undertaking; and the Admission of all and every Person and Persons to any such new Share or

New Proprietors to enjoy the same Privileges as old Proprietors.

Shares by any Order or Resolution of the said Company of Proprietors, shall be and be deemed to be a good and effectual Title to such Person or Persons, and his, her, or their respective Executors, Administrators, and Assigns, on his, her, or their paying to the said Company, or their Treasurer or Treasurers, the Purchase Money or Price agreed to be paid for such Shares respectively.

Creditors may accept a proportionable Share in the Navigation.

XIII. And whereas from the Inability of the said Company of Proprietors to pay and discharge the several Sums of Money lent and advanced on the Security of the Tolls, Rates, and Duties of the said Navigation, Undertaking, and Premises, it may be of Advantage to the several Persons who have so lent and advanced such several Sums of Money on Mortgage, and his, her, and their Executors, Administrators, and Assigns, to accept a proportionable Share or Shares in the said Navigation, and to deliver up their several Securities to be cancelled; be it therefore enacted, That it shall and may be lawful to and for the several Persons to whom any Assignment or Assignments of the said Navigation, Undertaking, Premises, Tolls, Rates, or Duties shall have been made by virtue of the said recited Acts, or any of them, his, her, or their Executors, Administrators, or Assigns, and to and for the Attorney or Attornies of any such Person or Persons being beyond the Seas, to enter into any Agreement or Agreements with the said Company of Proprietors for the delivering up and cancelling such Assignment or Assignments, on Condition of receiving a certain Sum of Money to be agreed on, and also One Whole Share in the said Undertaking for every One hundred Pounds, and also a proportionable Part of any Share for any less Sum than One hundred Pounds, by such Assignment or Assignments due and owing, as a Satisfaction for the same, and all Interest due for the same; and upon the Receipt of such Sum of Money, and such Share or Shares, to deliver up and surrender such Assignment and Assignments, in order that the same may be cancelled and rendered null and void.

Purchase Money or Compensation due to Corporate Bodies, Minors, &c. to be laid out to the same Uses.

XIV. And be it further enacted, That all Sums of Money which shall be agreed or awarded to be paid to any Bodies Politick, Corporate, or Collegiate, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees or Persons acting as Guardians, Committees, or other Trustees, for or on Behalf of any Lunaticks, Idiots, Femes Covert, or other *Cestuique* Trusts, or to any Person or Persons whose Lands or Estates are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, for the Purchase of or the Damages to be done to any Lands, Tenements, or Hereditaments, by virtue of the Powers of the said recited Acts, or any of them, or of this Act, such Money shall, in case the same amounts to or exceeds the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* 'The Company of Proprietors of the *Thames* and *Severn* Canal Navigation,' to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Redemption or Purchase of the Land Tax, or towards the Discharge of any Debt

or





said, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Hereditaments in respect whereof the same shall be paid, in such Manner as the said Committee of the said Company of Proprietors, or any Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the same shall be paid, shall be sufficient Discharges for the same.

In case of not making out Titles, etc.

XVII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts, or any of them, or of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Committee, or any Three or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Committee, or any Three or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (*describing them*), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or to any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estates or Estate, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession shall be deemed well entitled, unless the contrary be shewn.

XVIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in

Possession

Possession of such Lands, Tenements, or Hereditaments, in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XIX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said recited Acts or any of them, or of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Committee, or any Three or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct, and charge the same to the Account of the said Company.

The Court may order reasonable Expences on Purchases to be paid by the Company.

XX. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Publick Act.

