



ANNO QUADRAGESIMO SEXTO

GEORGI II. REGIS

Cap. 93.

An Act for better enabling the Company of Proprietors of the *Croydon, Merstham, and Godstone* Iron Railway, to complete the same.

[3d July 1806.]

WHEREAS by an Act, made in the Forty-third Year of the Reign of His present Majesty, intituled, "*An Act for making and maintaining a Railway from or from near a Place called Pitlake Meadow, in the Town of Croydon, to or near the Town of Reigate, in the County of Surrey, with a collateral Branch from the said Railway, at or near a Place called Merstham, in the Parish of Merstham, to or near to a Place called Godstone Green, in the Parish of Godstone, all in the said County of Surrey,*" certain Persons therein named; and their Successors, together with such Person or Persons as should; at any Time thereafter, be possessed of any Share or Shares of and in the said Railway, were incorporated by the Name and Style of "*The Croydon, Merstham, and Godstone Iron Railway Company,*" with Powers to make and maintain the said Railway, 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 Sixty 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 raise an additional Sum of Thirty thousand Pounds, by the Ways and Means in the said recited Act mentioned: And whereas the said Company of Proprietors have hitherto been only able to raise the Sum of Forty-five thousand five hundred Pounds; Part of the said Sums of Sixty thousand Pounds and Thirty thousand Pounds,

43 Geo. III.
c. 35.

[Loc. & Per.]

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by

Powers of
former Act
extended.

by the Means prescribed by the said recited Act, and the said Undertaking cannot be completed except the Powers and Provisions of the said recited Act are altered and amended: 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 Act, 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 present Act.

II. 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 finishing and completing the said Undertaking, and of the several Works by the said recited Act directed to be made and supported, not exceeding in the Whole the Sum of Forty-four thousand five hundred Pounds, being the Remainder of the said Sums of Sixty thousand Pounds and Thirty thousand Pounds, now remaining to be raised by the said Company of Proprietors; and the Money so to be raised after defraying the 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 then in defraying the Costs, Charges, and Expences of carrying on, completing, and repairing and maintaining the said Undertaking, and also in making such Alterations and Improvements therein as to them, the said Company of Proprietors, shall from Time to Time seem right and proper.

Company
may create
New Shares.

III. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors for the Time being to raise the Whole of the said Sum of Forty-four thousand five hundred Pounds, or any Part or Parts thereof, as to them shall seem right and proper, by creating new or Additional Shares of One hundred Pounds each, or at such other Rate or Value *per* Share as the said Company of Proprietors shall from Time to Time think proper, and to dispose of the same at such Price or Prices as to the said Company of Proprietors shall from Time to Time seem meet and convenient: Provided always, that no Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so purchasing any Share or Shares, 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 of serving upon any Committee or Committees elected or chosen by virtue of the said recited Act, for, or on account, or in respect of any such Share or Shares so purchased at a less Rate than One hundred Pounds, any Thing in the said recited Act or in this Act contained to the contrary thereof in anywise notwithstanding.

IV. Provided

IV. Provided always and be it further enacted, That it shall and may be lawful to and for any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, possessed of any 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 equal in Number to the Original Shares holden by such Person or Persons, as he, she, or they shall think proper, within One Month after Notice shall have been given in any Newspaper or Newspapers published or usually circulated in the County of *Surrey*, or in such other Manner, as the said Company of Proprietors, at any General or Special Assembly, shall think proper, of the Intention to create such new or Additional Shares, and, in Default thereof, after the Expiration of the said Time any other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, possessed of any Share or Shares in the said Undertaking, who shall make Application for any of such new or Additional Shares, at the next ensuing General or Special Assembly of the said Company, shall be entitled to any Number of such new or Additional Shares at such Rate or Value as shall be fixed by the said Company of Proprietors, pursuant to the Power hereinafore given for that Purpose; and in case any such Share or Shares shall remain undisposed of after such last-mentioned General or Special Assembly, it shall and may be lawful to and for the said Company, or their Committee, 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.

Disposition
of New
Shares.

V. 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 or Special Assembly to be holden or convened in the Manner and agreeably to the Directions contained in the said recited Act, 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 in the said Undertaking, in order to raise the said Sum of Forty-four thousand five hundred Pounds, or so much thereof as shall be deemed requisite, in the Manner and subject to the Regulations hereinafter mentioned, so that no One Call shall exceed the Sum of One hundred Pounds for each Share in the said Undertaking, and so that no Call shall be made at a less Distance than One 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 or Special Assembly, or Committee shall from Time to Time appoint and direct; and all and every the Owners or Owner of One or more Share or 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 Twenty Days' Notice shall be given, by publishing the same in some Two or more Newspapers published or usually circulated in the said County of *Surrey*, or in any other Manner, as the said Company of Proprietors shall at any General or Special Assembly direct or appoint; and such Sum or Sums of Money as shall be paid in respect of every Share in the said Undertaking, shall be, and the same is and are hereby declared to be consolidated with every such 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

Authorizing
the Company
to raise
amongst
themselves
the Sum of

tors 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 of their Testators and Intestates respectively, and charge the same to the Accounts of such Persons Estate and Effects.

Manner of enforcing Payment on Calls.

VI. 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 for Money shall or may hereafter be made, under or by virtue of this Act, for or in respect of any Share or 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, 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 Two Calendar Months 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 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 hereinafter mentioned: Provided always, that no Share or 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 in whose Name or Names such Share or Shares shall, at the Time of giving such Notice, stand registered in the Books of the said Company, or left to his, her, or their Dwelling-house, or usual or last known Place of Abode, Twenty Days at the least before such Share or Shares shall vest in or accrue to the said Company; or until Notice be published once in the *London Gazette*, and in Two Newspapers published or usually circulated in the said County of *Surrey*, 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, for his, her, or their Call or Calls, in respect of his, her, or their Share or 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 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 any wise notwithstanding.

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

VII. And be it further enacted, That, when any Share or 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 public Auction, to the best Bidders, at such Time and Place as the said Company, or their Committee, shall direct (of which Sale Twenty Days' Notice at the least shall be given, by publishing the same in the *London Gazette* and in Two Newspapers published or usually circulated in the said County of *Surrey*); and it shall and may be lawful to and for the said Company of Proprietors,

tors, or their Committee, to assign and transfer the Share or Shares of such Defaulter or Defaulters, or such and so many of the Share or Shares of such Defaulter or Defaulters as the said Company, or their Committee, shall from Time to Time find necessary 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, 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; and such Assignment and Transfer shall be good, valid, and effectual against the Owner and Owners of every such Share or 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 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 shall have belonged: Provided always, That no such Share or Shares shall be sold, or advertised for Sale, until the Expiration of Twenty 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 Person or Persons in whose Name or Names such Share or 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 once in the *London Gazette*, and in Two Newspapers published, or usually circulated in the said County of *Surrey* 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 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 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 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 to whom such Share or Shares had before belonged, in such Manner as if all such Calls had been duly and regularly paid.

VIII. Provided always, and be it enacted, That if any Proprietor or Proprietors of any such Share or Shares, or the Executors, Administrators, Guardians, or Trustees of any such Proprietor or Proprietors, or any Mortgagee or Mortgagees of any such Share or Shares, shall, within Two Calendar Months next after the passing 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 shall not be forfeited

Shares may be relinquished and sold after Notice.

or vested in the said Company, by the Non-payment of any Call or Calls, but such Share and Shares shall, within Thirty Days after such Notice, be sold by Public 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 to whom the Share or Shares so sold shall have belonged.

The Com-
pany not to
sue for Calls
or forfeit
Shares.

IX. Provided also and be it enacted, That nothing in the said recited Act 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 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 of the said respective Proprietor, as shall be necessary for the Purposes, and under the Regulations and according to the Tenor, true Intent, and Meaning of this present Act, any Thing in the said recited Act contained to the contrary thereof in anywise notwithstanding.

New Proprie-
tors to enjoy
the same Pri-
vileges as
Old Proprie-
tors.

X. And be it further enacted, That each and every Proprietor of each and every Share, which shall or 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, 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 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.

Company
may raise the
said 44,500 l.
by Promis-
sory Notes.

XI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, in case they shall think it meet and expedient, to borrow the Whole of the said Sum of Forty-four thousand five hundred Pounds, or any Part or Parts thereof, upon Promissory Notes under the Common Seal of the said Company of Proprietors, and all such Notes shall be made payable in such Manner and at such Time or Times, and with such legal Rate of Interest as the said Company of Proprietors shall think proper, and all such Notes shall be made, either with or without a Power in the respective Holders thereof to have an Option of becoming a Proprietor of One Share of One hundred Pounds, in the said Undertaking, in lieu of the Principal Money by such several Promissory Notes to be secured, or so much, or such Part thereof as the said Company of Proprietors or their Committee for the Time being, and the Person or Persons advancing such Money, on the Security of the said Notes, shall jointly agree upon: Provided always, That no Person shall, in any Case, be admitted to be a Proprietor of any Share in the said Undertaking, in lieu of a less Principal Sum of Money than One hundred Pounds, advanced on the Security of such Notes,

Notes, and the Terms and Particulars upon which the respective Holders of such Notes shall be entitled to such Option of becoming a Proprietor or Proprietors in the said Undertaking, shall be fully expressed and set forth in the said several and respective Notes.

XII. And be it further enacted, That the several Rates authorized to be demanded and taken by virtue of the said recited Act, shall be a Security for each and every Sum and Sums of Money so to be borrowed as aforesaid, with Interest, to the Person or Persons who shall, from Time to Time, be entitled to such Securities; and all Persons to whom any such Securities as aforesaid shall be given, shall be equally entitled to a Claim or Lien on the said Rates, in proportion to the respective Sums of Money advanced and lent by them respectively, on the Credit of the said Rates, without any Preference, by reason of the Priority of the Date of any such Notes, in like Manner as if such Sums of Money had been advanced and lent upon Mortgage or Assignment of the said Rates, in pursuance or by virtue of the said recited Act.

Rates to be a Security for the Money borrowed.

XIII. Provided always, and be it enacted, That in case the said Company of Proprietors, shall think it more adviseable or proper to raise the Whole of the said Sum of Forty-four thousand five hundred Pounds, or any Part or Parts thereof, by Mortgage of the Rates, authorized to be collected by virtue of the said recited Act, or by granting Annuities, payable out of the said Rates, then and in every such Case, it shall and may be lawful to and for the said Company of Proprietors, either to borrow and take up at legal Interest, by any such Mortgage as aforesaid, from any Person or Persons, upon the Credit of the said Rates, or any of them, the Whole of the said Sum of Forty-four thousand five hundred Pounds, or any Part or Parts thereof, or to raise any such Money, by the granting of any such Annuity or Annuities as aforesaid, to or for the Use of the Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer or Treasurers to the said Company of Proprietors, any Sum or Sums of Money, for the absolute Purchase of any such Annuity or Annuities, such Annuity or Annuities to be paid and payable for any Term or Number of Years, or during the natural Life of any such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor, at the Time of the Payment of his or her Contribution and Purchase Money, and either with or without Benefit of Survivorship; and the said Company of Proprietors are hereby authorized and empowered, to assign and make over their Interest and Property in the said Undertaking and other Works, and the Rates to arise by virtue of the said recited Act, or any Part thereof, as a Security or Securities for any Sum or Sums of Money so to be borrowed, with Interest to the Person or Persons who shall advance the same, or to his, her, or their Trustee or Trustees, by Deed of Mortgage, in like Manner and Form, and with and subject to the like Powers and Directions, for transferring every such Mortgage, and registering the same, and with and subject to the like Remedies, Regulations, and Provisions, touching and concerning the same, and the Interest arising therefrom, as are mentioned or contained in and by the said recited Act, respecting the borrowing of Money, and the Securities to be made for the same.

Power to raise the Money by Mortgage, or by Annuities.

XIV. And

XIV. And be it further enacted, That the Grant of every such Annuity as aforesaid, shall be by Deed, under the common Seal of the said Company, according to the Form following, (that is to say):

Form of
Grant of An-
nuity.

“ WE, the *Croydon, Merstham, and Godstone Iron Railway Company*,
 “ in consideration of the Sum of _____ to
 “ us paid by *A. B.* of _____ (*or, if intended to be granted,*
 “ *with Benefit of Survivorship by E., F., G., H., &c.*) do hereby, by
 “ virtue of an Act of Parliament, passed in the Forty-sixth Year of the
 “ Reign of King George the Third, intituled, (*set forth the Title of the*
 “ *Act.*) grant unto the said *A. B.* and his (*or her*) Assigns, (*or, if by Sur-*
 “ *ivorship, unto the said E. F., G. H., &c., and to the Survivors and*
 “ *Survivor of them.*) One Annuity or Yearly Sum of _____
 “ to be issuing out of all and singular the Rates, arising by virtue of an
 “ Act of Parliament, made in the Forty-third Year of the Reign of his
 “ present Majesty, intituled, ‘An Act for making and maintaining a
 “ Railway from or from near a Place called *Pitlake Meadow*, in the Town
 “ of *Croydon*, to or near to the Town of *Reigate*, in the County of *Surrey*,
 “ with a Collateral Branch from the said Railway, at or near a Place
 “ called *Merstham*, in the Parish of *Merstham*, to or near to a Place called
 “ *Godstone Green*, in the Parish of *Godstone*, all in the said County of
 “ *Surrey*,’ to hold unto the said *A. B.* Executors, Administrators,
 “ and Assigns, for the Term of _____ Years, or
 “ (*as the Case shall be,*) to hold unto the said *A. B.* and
 “ Assigns, during _____ natural Life, or to hold unto the said *A. B.*
 “ Executors, Administrators, and Assigns, for and during the natural
 “ Life of *C. D.*, (*or, if by Survivorship, unto and among them the said*
 “ *E. F., G. H. &c. and the Survivors or Survivor of them,*) and such An-
 “ nuity, or Yearly Sum, shall be payable and paid at
 “ upon the _____ Yearly, by equal Portions, and the first Payment
 “ thereof to be made upon the _____ Day of
 “ _____ next. Given under our Seal, this
 “ Day of _____.”

And every such Grant shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever, without any Inrolment or Registry of the Memorial thereof, any Law or Statute to the contrary thereof in anywise notwithstanding; and all the Grantees of such Annuities shall be equally entitled to their Proportion of the said Rates, according to their respective Annuities, without any Preference by reason of the Priority of Date of any such Grant, or on any other Account whatsoever, and an Entry or Memorial of every such Grant, containing the Date thereof, and an Account of the Name or Names of the Party or Parties to whom the same shall have been made, with their respective proper Additions, and of the Consideration of such Grant, and of the Annuity granted and the Duration thereof, shall within Ten Days, next after the Date thereof, be written and inserted in a Book to be kept for that Purpose by the Clerk to the said Company of Proprietors; and all and every Person and Persons to whom any such Grant shall have been made, or who shall be entitled to the Annuity thereby secured, may from Time to Time assign or transfer his, her, or their Right and Title therein to any Person or Persons, according to the Form following, (that is to say.)

“ I A.

" I A. B. of in consideration of the Sum of Form of
 " to me paid by C. D. of Transfer of
 " do hereby transfer unto the said C. D. Annuities.
 " a certain Grant made by the *Croydon, Merstham, and Godstone Iron-*
 " Railway Company, bearing Date the
 " Day of of an Annuity of
 " payable, (*here mention the Duration of the An-*
 " *nuity,*) and all my Right, Title, and Interest in and to the Annuity
 " thereby secured, to hold the same unto the said C. D.
 " Executors, Administrators, and Assigns. In Witness whereof I have
 " hereunto set my Hand and Seal, this Day of
 " in the Year of Our Lord .

And every such Transfer shall, within Ten Days after the Date thereof, be produced and notified to the Clerk to the said Company of Proprietors, who shall thereupon cause an Entry or Memorial to be made thereof in the said Book, containing the Date and Names of the Parties, and the Annuities thereby transferred, for which Entry such Clerk shall be paid the Sum of Two Shillings and Sixpence and no more; and after such Entry made every such Assignment shall entitle such Assignee or Assignees his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Grant; and it shall not be in the Power of the Person or Persons, who shall have made any such Transfer, at any Time afterwards to make void, release, or discharge the said Annuity, or any Part thereof; and the said Annuities, so to be granted as aforesaid, shall be paid to the several Persons entitled thereto in preference to any Interest or Dividends due and payable by virtue of the said recited Act to the said Company of Proprietors.

XV. 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 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 Committee of the said Company of Proprietors, 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 and may be lawful to and 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, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or 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 Estate or Estates, Title or Interest of the

In case of not making out Titles.

 Or if Persons cannot be found, Purchase Money to be paid into the Bank.

 Subject to the Order of the Court of Chancery, on Motion or Petition.

[Loc. & Per.] 21 Person

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.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of Lands, &c. at the Time of such Purchase, shall be deemed entitled.

XVI. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Person or Persons 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 the said recited Act, or 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 of the said recited Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase; 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 off 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.

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

XVII. Provided also, and be it 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 Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of the said recited Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases, from Time to Time to be made in pursuance of the said recited Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company of Proprietors, who shall, from Time to Time, pay such Sums of Money for such Purposes as the said Court shall direct.

Expences of Act.

XVIII. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and all other Costs, Charges, and Expences concerning the same, shall be borne, paid, and defrayed, by the said Company of Proprietors, by and out of the First Money that shall come to their Hands, by virtue of the said recited Act, or of this Act.

XIX. And

XIX. And be it further enacted, That this Act shall be deemed and Public Act.
taken to be a Public Act, and shall be judically taken Notice of as such
by all Judges, Justices, and others.

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