ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 137.

An Act for the Application of the Purchaſe Money of certain Land taken from the Poſſeſſions of the See of *Winchester*, under the Proviſions of an Act of the Forty-ſixth Year of His preſent Majeſty, intituled, *An Act for veſting certain Meſſuages, Lands, Tenements, and Hereditaments in Truſtees, for better ſecuring His Majeſty's Docks, Ships, and Stores, at* Portſmouth; *and for extending the Works and Lines at* Dover. [3d *June* 1809.]

Recites Act of 46 Geo. 3. whereby

WHEREAS by an Act of Parliament made in the Forty-ſixth 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* Portſmouth, *and for extending the Lines and Works at* Dover, it was enacted, that certain Lands therein mentioned, in the County of *Kent*, and all that Piece or Parcel of Land (being Part of the Waſte Lands of the Manor and Borough of *Goſport*, belonging to the See of *Winchester*, containing, by Eſtimation, (excluſive of the Sea Beach) Ten Acres or thereabouts, (were the ſame more or leſs) and abutted and bounded, as in the ſaid Act is expreſſed; and alſo all and ſingular the Meſſuages, Tenements, or Dwelling Houſes, and other Erections and Buildings then ſtanding, and being on the ſaid Piece or Parcel of Waſte Land, or any Part thereof; and alſo all

Waſte Land, Part of the Manor and Borough of Goſport, belonging to the See of Winchester, con-

taining Ten Acres, exclusive of the Sea Beach,

all such Parts and Parcels of the Beach or Sea Shore, immediately adjoining the Piece or Parcel of Land therein-before described, or any Part thereof, as might be found to be the Property of or to belong to the said See of *Winchester*, in respect of the said Manor, should be, and the same

were vested in Charles Abbott and others,

were thereby vested in the Right Honourable *Charles Abbott*, Sir *William Heathcote* Baronet, *William Chute* Esquire, *Filmer Honeywood* Esquire, and Sir *William Geary* Baronet, their Heirs and Assigns, in Trust, nevertheless,

in Trust for the Owners, and according to their Estates,

for such Person or Persons as at or immediately before the Time of making the said Act was or were 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 of His Majesty's Ordnance, or their Engineers, or other Officers acting under their Authority (which they were thereby empowered to do when 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 that the said Purchase Monies should be paid and applied to such and the same Uses, Intents, and Purposes as the said Estates, Rights, and Interests so vested in the above-mentioned Trustees were limited and settled previous to the passing of the said Act, so far as the Rules of Law would allow thereof, and that in the mean Time, and until such Possession taken, or Payment made as aforesaid, the Rents and Profits of the said Messuages, Lands, Tenements, and Hereditaments should be paid and applied by the said Trustees to, and all such Rights and Interests should be held and enjoyed by such Person or Persons as was or were entitled to have, receive, hold, and enjoy the same respectively, and in such Proportions, Manner, and Form as the same were payable and held and enjoyed previous to the passing of the said Act: And it was further enacted, that such Compensation and Satisfaction as should be agreed upon, or should be found by the Verdict of a Jury, for or in respect of the Messuages, Lands, Tenements, and Hereditaments thereby vested, should be made to all and every Person and Persons, out of the next Aids to be granted by Parliament: And it was further enacted, that for the better ascertaining the several Owners and Proprietors of, and Persons interested in the said Messuages, Lands, Tenements, and Hereditaments, vested by and to be purchased in pursuance of the said Act, and the respective Titles, Rights, Interests, and Claims of such Owners and Proprietors, and other Persons thereto, it should and might be lawful to and for His Majesty, by One or more Commission or Commissions, by Letters Patent under the Great Seal of *Great Britain*, to authorize and appoint any Number of Persons to be Commissioners to hear and determine all Titles, Rights, Interests, and Claims that should or might be made or set up to the said Messuages, Lands, Tenements, and Hereditaments, or to any Part or Parcel thereof; which Commissioners so to be appointed, or any Five or more of them, should and might, and they were thereby authorised and required, in a summary Way, by and upon the Testimony of Witnesses upon Oath, (which Oath they or any Five or more of them were thereby empowered to administer), or upon the Inspection and Examination of Deeds, Writings, and Records, or by the Inquest of Twelve good and lawful Men, to be impannelled and

until their Estates should be determined or Possession taken by the Officers of His Majesty's Ordnance;

and Purchase Money for the same paid with Five Pounds per Cent. Interest.

The Compensation for the same to be made out of the next Aids.

Power to His Majesty to appoint Commissioners to determine Titles.

ſworn in Manner therein-after mentioned and directed, or by all or any of the ſaid Ways, or otherwiſe, according to their Diſcretion, to enquire into, and to proceed, act upon, and determine, all and all Manner of Rights, Titles, Eſtates, Claims, and Intereſts, and all Controverſies, Debates, and Queſtions, which ſhould happen to ariſe between any Perſon or Perſons whomſoever, or any other Matter or Thing relating to any of the Premiſes, or any Part thereof; and ſhould have Power to ſend for any Perſon or Perſons, and oblige them to produce their Deeds or Writings upon Oath, relating to any of the ſame Premiſes; and alſo ſhould and might by Agreement with the reſpective Perſon or Perſons that ſhould be determined to be the Owners and Proprietors of, and Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments, veſted by and to be purchaſed in purſuance of the ſaid Act, or by the ſaid Inqueſt of Twelve good and lawful Men, to be impannelled and ſworn as aforeſaid, enquire into, proceed, act, and determine, touching and concerning the true and real Value of the ſaid Premiſes, or any Part or Parcel thereof; and the ſaid Commiſſioners ſo to be appointed, or any Five or more of them, were thereby required to cauſe all their Judgments and Decrees to be entered fairly in Books, which Judgments and Decrees ſhould expreſsly mention and ſpecify the reſpective Number of Acres, or Parcels of Land, with their ſeveral Abuttals and Boundaries, together with the Name or Names of all and every Perſon and Perſons intereſted reſpectively in the ſame, and the Sum and Sums of Money that ſhould be ſo agreed for, or aſſeſſed by the ſaid Jury to be paid for the ſame reſpectively, which Judgments and Decrees ſhould be fairly engroſſed on Parchment, and certified to the Clerk of the Crown in Chancery, and to the King's Remembrancer in His Majeſty's Court of Exchequer; and ſuch Judgments and Decrees, ſo made as aforeſaid, ſhould be final, and ſhould conclude all and every Perſon and Perſons, Bodies Politic and Corporate, Eccleſiaſtical and Civil, their Heirs, Succeſſors, Adminiſtrators, and Aſſigns reſpectively, notwithſtanding any Diſability or Incapacity whatſoever; any Law, Statute, or other Matter or Thing whatſoever to the contrary notwithſtanding; Copies of which ſaid Judgments and Decrees ſhould be laid forthwith before both Houſes of Parliament, that full Compenſation and Satisfaction might be made to the ſeveral Owners and Proprietors of and Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments: And it was thereby enacted, that the ſaid Commiſſioners ſo to be appointed, or any Five or more of them, ſhould and might and they were authoriſed and empowered to treat and agree with all or any of the Owners and Proprietors of and the Perſons intereſted in the ſaid Meſſuages, Lands, Tenements, and Hereditaments, for the abſolute Purchaſe thereof, and of all Eſtates, Rights, and Intereſts therein; and it ſhould and might be lawful for all Bodies Politic or Corporate, Eccleſiaſtical or Civil, and for all Tenants for Life and Tenants in Tail, and for Huſbands, Guardians, Truſtees, Committees, or Attornies of ſuch of the Owners or Proprietors or Perſons intereſted in any of the ſaid Meſſuages, Lands, Tenements, or Hereditaments, as ſhould be Femes Coverts, Infants, Lunatics, Idiots, Perſons beyond the Seas, or otherwiſe incapable of acting for themſelves, and for all and every other Perſon or Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, Remainder Men, or other Perſon or Perſons, to contract and agree with the ſaid Commiſſioners, or any Five or more of them, for the

This Determination to be final.

Power to Commiſſioners to agree with the Perſons entitled for the Purchaſe of their Lands.

the Sale of all or any of the ſaid Meſſuages, Lands, Tenements, or Hereditaments, Rights, and Intereſts, for the Purpoſe aforeſaid; and all ſuch Contracts or Agreements ſhould be valid and effectual in the Law, to all Intents and Purpoſes whatſoever, and all Bodies Politic or Corporate, Eccleſiaſtical and Civil, and all Perſons whomſoever were thereby indemnified for what they or any of them ſhould do in purſuance of the ſaid Act; but if it ſhould happen that any ſuch Body Politic or Corporate, Eccleſiaſtical or Civil, Tenant for Life, Tenant in Tail, Huſband, Guardian, Truſtee, Committee, or Attorney aforeſaid, or any other Perſon or Perſons intereſted in ſuch Meſſuages, Lands, Tenements, or Hereditaments, ſhould, for the Space of Thirty Days next after Public Notice in Writing, ſubſcribed by the ſaid Commiſſioners, or any Five or more of them, ſhould have been affixed on the principal Doors of the Chapel of *Goſport*, and of the reſpective Pariſh Churches of *Portſea*, *Hougham*, and *Saint Mary the Virgin* aforeſaid, and inſerted in the *London Gazette*; and alſo in all Caſes where the ſame ſhould be convenient or practicable, next after Notice ſhall have been given to the principal Officer or Officers of any ſuch Body Politic or Corporate, or to ſuch Tenant for Life, in Tail, Huſband, Guardian, Truſtee, Committee, or Attorney, or to ſuch other Perſon or Perſons as aforeſaid, or left at his, her, or their reſpective Place or Places of Abode, neglect or refuſe to treat or agree, or by Reaſon of Abſence ſhould be prevented from treating or agreeing with the ſaid Commiſſioners, or any Five or more of them, and ſhould refuſe to accept what they the ſaid Commiſſioners, or any Five or more of them, ſhould think a reaſonable Recompence or Satisfaction for ſuch Lands or Hereditaments, Rights and Intereſts, as aforeſaid; then and in every ſuch Caſe the ſaid Commiſſioners, or any Five or more of them, ſhould, with all convenient Speed, proceed to enquire into, aſcertain, and aſſeſs the true and real Value of ſuch Meſſuages, Lands, Tenements, Hereditaments, Rights, and Intereſts, by the Inqueſt of Twelve good and lawful Men, or by ſuch other Ways and Means, and in ſuch Manner and Form, in all Reſpects whatſoever, as therein was particularly mentioned and directed: And it was thereby further enacted, that for the better carrying into Execution the ſaid Commiſſion or Commiſſions by virtue of the ſaid Act to be iſſued, the ſaid Commiſſioners ſo to be appointed, or any Five or more of them, ſhould and lawfully might, and they were thereby authoriſed and required, to iſſue forth their Warrant or Warrants under their Hands and Seals, to be directed to the reſpective Sheriffs of the Counties of *Southampton* and *Kent*, and the Conſtable of the Caſtle of *Dover*, and Warden of the Cinque Ports, and his Deputy, thereby commanding them to impannel, ſummon, and return, before the ſaid Commiſſioners, at ſuch Time and Place as ſhould be appointed in ſuch Warrant or Warrants, Twenty-four good and lawful Men, ſubſtantial Gentlemen, and Freeholders of the ſaid Counties of *Southampton* and *Kent*, and Town and Port of *Dover* reſpectively, qualified to ſerve upon Special Juries at the Aſſizes, who, upon their Oaths, (which Oath the ſaid Commiſſioners, or any Five or more of them, were thereby empowered to adminiſter), ſhould enquire into, and by their Verdict aſcertain and aſſeſs the true and real Value of ſuch Meſſuages, Lands, Tenements, and Hereditaments, and of the reſpective Eſtates, Rights, and Intereſts therein; and the ſaid Sheriffs, Conſtable, and Warden, and his Deputy, reſpectively, were thereby required to impannel, ſummon, and return ſuch Jury as aforeſaid, and at the Return of ſuch Warrant or Warrants.

Such Agreement to be binding.

Modes of aſcertaining the Value.

Warrants to attend the ſaid Commiſſioners, with their reſpective Bailiffs or Officers, to prove, if neceſſary, upon Oath (which Oath the ſaid Commiſſioners, or any Five or more of them, were thereby empowered to adminiſter) the ſummoning the Jurors ſo to be impannelled and returned reſpectively: And it was further enacted, that the ſaid Commiſſioners, by virtue of the ſaid Act to be appointed, or any Five or more of them, ſhould cauſe Notice to be given in Writing of the Days appointed for the Meeting of the ſaid Jurors as aforeſaid, Fourteen Days at the leaſt before any ſuch Meeting, which Notice ſhould be affixed on the Doors of the Chapel of *Goſport*, and of the reſpective Pariſh Churches of *Portſea*, *Hougham*, and *Saint Mary the Virgin* aforeſaid, and ſhould likewiſe cauſe the ſame to be publiſhed in the *London Gazette*, and if any Perſon or Perſons ſhould not appear purſuant to ſuch Notice, or ſhould refuſe to ſhew his, her, or their Deeds or Writings relating to the Premiſes, that then the ſaid Commiſſioners, or any Five or more of them, and alſo the ſaid Jury, ſhould proceed, upon the beſt Information they could then procure or obtain, to make ſuch Inqueſts, Judgments, and Decrees, as herein-before directed; and all ſuch Judgments and Decrees, being entered and certified as aforeſaid, ſhould be final and concluſive: And it was further enacted, that immediately from and after the Time that Payment ſhould be made of the Sum and Sums of Money to be agreed for or aſſeſſed by the ſaid Jury, and decreed and adjudged by the ſaid Commiſſioners to be by virtue of the preſent Act appointed, or any Five or more of them, to the Owners and Proprietors of, and Perſons intereſted in, the ſaid Meſſuages, Lands, Tenements, and Hereditaments, veſted by and to be purchaſed in purſuance of the ſaid Act, or to any or either of them, the Truſtees therein-before mentioned, and their Heirs, ſhould be deemed and adjudged to ſtand ſeized 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, into, out of, or upon, or in reſpect of the Meſſuages, Lands, Tenements, and Hereditaments, by any Bodies Politic, Corporate, Eccleſiaſtical or Civil, or any Perſon or Perſons whomſoever, on any Account whatſoever: And whereas before the paſſing of the ſaid Act, the Board of Ordnance took Poſſeſſion of all the ſaid Lands herein particularly mentioned, excepting a Piece of Land containing about Half an Acre and claimed by *Page*, and have ſince continued in Poſſeſſion thereof, without paying any Rent or other Compenſation for the ſame: And whereas the Right Reverend Father in God, the Honourable *Brownlow* Lord Biſhop of *Winchеſter*, at the Time when the ſaid Lands were ſo taken, was and yet is the Incumbent of the ſaid See, and, as ſuch, was and yet is intereſted in the Compenſation to be made for the ſaid Lands: And whereas, by reaſon of the ſaid Board of Ordnance having ſo taken Poſſeſſion of the ſaid Land, the ſaid *Brownlow* Lord Biſhop of *Winchеſter* has been prevented from granting a Leaſe or Leaſes thereof, as he and his Predeceſſors Biſhops of *Winchеſter* have been accuſtomed to do, and from obtaining the Benefit of the Fines which would have been paid for ſuch Leaſe or Leaſes, and alſo further Fines on the Renewal or Renewals thereof: And whereas no Compenſation hath yet been aſcertained or made to the ſaid *Brownlow* Lord Biſhop of *Winchеſter*, for his Intereſt in the ſaid Lands, and it is uncertain how long the Execution of the ſaid Act may be delayed: And whereas it is reaſonable and expedient that ſome Proviſion ſhould

After Payment of the Money decreed by the Commiſſioners, the Truſtees to be ſeized of the Land for the Uſe of His Majeſty.

Poſſeſſion taken of the ſaid Land.

The Honourable Brownlow North Biſhop of the See.

The Biſhop prevented from granting Leaſes.

No Compenſation yet made to the Biſhop.

Reaſons for the Act.

ſhould be made by Authority of Parliament for veſting in the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, his Executors and Adminiſtrators, ſuch Proportion of the ſaid Compenſation, when the ſame ſhall be made, as of Right he would be entitled to as the exiſting Incumbent of the ſaid See, if ſuch Compenſation were or had been already made; and alſo for ſecuring and ſettling the Reſidue of ſuch Compenſation for the Benefit of his Succeſſors in the ſaid See: 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 all Sum and Sums of Money together with the Intereſt thereupon, which, by virtue of or under the Proviſions of the ſaid recited Act, ſhall become payable for the Purchaſe of, or as a Compenſation or Satisfaction for the Lands, Tenements, Hereditaments, Rights, and Intereſts in the ſaid Act mentioned, which are Part of the Poſſeſſions of or which belong to the See of *Wincheſter*, ſhall be paid, apportioned, and divided in the Manner following; that is to ſay), Six equal Parts or Shares (the Whole into Thirteen equal Parts or Shares being divided) of and in all ſuch principal Sum and Sums of Money, together with lawful Intereſt upon ſuch Six equal Parts or Shares, from the Time the ſaid Lands were taken, until ſuch Compenſation ſhall be paid, ſhall be the Proportion to which the ſaid *Brownlow* Lord Biſhop of *Wincheſter* ſhall, and is hereby declared to be entitled, in his own perſonal and individual Right, and ſhall accordingly be payable and paid to the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, his Executors, Adminiſtrators, or Aſſigns, for his or their abſolute Uſe and Benefit, as Part of his Perſonal Eſtate; and the remaining Seven equal Parts or Shares of and in the ſame principal Sum and Sums of Money, and of the Intereſt, ſhall be the Proportion to which the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, and his Succeſſors Biſhops of *Wincheſter* ſhall be entitled in Right of the ſaid See of *Wincheſter*; and that ſo much of the Intereſt upon ſuch remaining Seven equal Parts or Shares as ſhall have accrued or ſhall accrue during the Life of the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, ſhall be paid to the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, his Executors, Adminiſtrators, or Aſſigns, and the Reſidue of ſuch Intereſt ſhall be paid to the Incumbent of the ſaid See of *Wincheſter*, for the Time being; and the Principal of ſuch remaining Seven equal Parts or Shares ſhall be applied and diſpoſed of in Manner herein-after mentioned: Provided, that before the ſaid Principal of ſuch remaining Seven equal Parts or Shares of and in ſuch Sum or Sums of Money ſhall be applied and diſpoſed of in Manner herein-after mentioned, there ſhall be paid thereout to the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, his Executors, Adminiſtrators, or Succeſſors, as the Caſe may require, ſuch proportional Part of all Coſts, Charges, and Expences which have been occaſioned to the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, or which may be occaſioned to him the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, his Executors, Adminiſtrators, or Succeſſors, by reaſon or in conſequence of the ſaid Act, in the Forty-ſixth Year of His preſent Majeſty, or the preſent Act, or the carrying of the Truſts and Purpoſes of the ſame Acts reſpectively into Execution, as the ſaid Proportion or Share of and in the ſaid Sum or Sums of Money ſo to be payable and paid to the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, and his Succeſſors Biſhops of *Wincheſter*, in Right of the ſaid See, ſhall bear to the whole Sum or Sums of Money ſo aſcertained, aſſeſſed, ſettled,

Six equal Parts or Shares thereof ſhall be paid to the Biſhop of Wincheſter for his own Uſe;

and the remaining Seven equal Parts thereof be the Property of the See.

and determined to be the Satisfaction or Compenſation to be made for the Purchaſe of the ſaid Lands ſo taken as aforeſaid.

The remaining Seven equal Parts or Shares, the Property of the See, to be paid into the Bank in the Name of the Accountant-General, and inveſted in the Purchaſe of Land Tax or diſcharge of Incumbrances, or in Purchaſe of Lands for the Benefit of the See.

II. And be it further enacted, That the ſaid remaining Seven equal Parts or Shares of and in the ſaid Sum or Sums of Money ſo to be paid for the Purchaſe of the ſaid Lands, Tenements or Hereditaments taken and uſed by virtue of the Powers of the ſaid recited Act for the Purpoſes thereof, and to which remaining Seven equal Parts or Shares the ſaid *Brownlow* Lord Biſhop of *Wincheſter*, and his Succeſſors Biſhops of *Wincheſter* are hereby declared to be entitled in right of the ſaid See of *Wincheſter*, ſhall, (ſubject to the Payment of ſuch Proportional Part of the Expences aforeſaid) in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, be, with all convenient Speed, 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 See of *Wincheſter*," 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 ſaid Lord Biſhop of *Wincheſter* for the Time being, in the Purchaſe of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſaid Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements or Hereditaments belonging to the See of *Wincheſter*, or in the Purchaſe of the Land Tax affecting any Living or Livings in the Patronage of the ſaid See of *Wincheſter*; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements or Hereditaments which ſhall be conveyed and ſettled to the Uſe of the Biſhop of *Wincheſter* for the Time being, and his Succeſſors Biſhops of *Wincheſter*, ſo and in ſuch Manner as that the ſame may for ever thereafter go along with and be Part of the Poſſeſſions of the See of *Wincheſter*; and in the mean Time and until the ſame ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Lord Biſhop of *Wincheſter* for the Time being.

Money to be paid into the Bank if within a certain Sum.

III. Provided always, and be it further enacted, That if the ſaid Money ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to the Sum of Twenty Pounds, then and in ſuch Caſe the ſame ſhall, at the Option of the Lord Biſhop of *Wincheſter* for the Time being, to be ſignified in Writing under his Hand, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant-General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid, at the like Option, into the Bank, to the Account of the Archbiſhop of *Canterbury* and the Biſhop of *Saliſbury* for the Time being, in order that ſuch Principal Money and the Dividends ariſing therefrom

may

may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

If less than 20*l.* how to be applied.

IV. Provided also, and be it further enacted, That where such Money shall be less than Twenty Pounds, then and in such Case the same shall be applied to the Use of the Lord Bishop of *Winchester* for the Time being, in such Manner as the said Archbishop of *Canterbury* and the Bishops of *Salisbury* shall think fit, to and for the Use and Benefit of the Lord Bishop of *Winchester* for the Time being.

Expences to be paid thereout.

V. Provided also, and be it further enacted, That it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases of Land Tax, and of all the Lands and Hereditaments to be made and conveyed to the Use of the Bishop of *Winchester* for the Time being, and his Successors Bishops of *Winchester*, in pursuance of this Act, or so much of the said Expences as the said Court shall deem reasonable to be paid out of the said Fund so placed in the Bank of *England* as aforesaid.

Public Act.

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

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