ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 138.

An Act for enabling the *Kennet* and *Avon* Canal Company to raise a sufficient Sum of Money to complete the said Canal; and for amending the several Acts for making the same. [3d *June* 1809.]

WHEREAS by an Act passed in the Thirty-fourth Year of the Reign of His present Majesty, intituled, *An Act for making a Navigable Canal from the River* Kennet *at or near the Town of* Newbury *in the County of* Berks, *to the River* Avon *at or near the City of* Bath; *and also certain Navigable Cuts therein described*; certain Persons and their Successors, incorporated by the Name of "The Company of "Proprietors of the *Kennet* and *Avon* Canal Navigation," were authorized to make, complete, and maintain the said Canal Navigation, in Manner thereby directed, and to raise and contribute amongst themselves certain Sums of Money therein mentioned, for completing the same; and for the better carrying on the Purposes of such Act, the general Affairs and Business of the said Company of Proprietors were thereby directed to be transacted by a Committee of Twenty-four of the said Company of Proprietors, to be elected in the Manner therein mentioned, and to be called, "The Committee of Management: And whereas another Act was made in the Thirty-sixth Year of the Reign of His present Majesty, intituled, *An Act to vary and alter the Line of the Canal authorized to be made by an Act passed in the Thirty-fourth Year of the Reign of His present Majesty, intituled, 'An Act for making a navigable Canal from the River* Kennet, *at or near the Town of* Newbury, *in the County of* Berks, *to the River* Avon, *at or near the City of* Bath, *and also certain navigable Cuts therein described;' and to amend the said Act, and also to make a certain navigable Cut therein described:* 34 G. 3. c. 90. 36 G. 3. c. 44.

And whereas another Act was made in the Thirty-eighth Year of the
38 G. 3. c. 18. Reign of His present Majesty, intituled, *An Act to vary the Line of the* Kennet *and* Avon *Canal, authorized to be made by Two Acts passed in the Thirty-fourth and Thirty-sixth Years of the Reign of His present Majesty, and also to extend the Powers of and to amend the said Acts:* And whereas by an Act passed in the Forty-first Year of the Reign
41 G. 3. c. 23. of His said Majesty, intituled, *An Act for enabling the Company of Proprietors of the* Kennet *and* Avon *Canal Navigation to complete the same*; Power was given to the said Company of Proprietors to raise a further Sum of Money therein mentioned for the Purposes and in Manner in the said Act expressed: And whereas another Act was made in the Forty-fifth Year of the Reign
45 G. 3. c. 70. of His said Majesty, intituled, *An Act for enabling the Company of Proprietors of the* Kennet *and* Avon *Canal Navigation to complete the same, and for altering and enlarging the Powers of the several Acts passed for making the said Canal:* And whereas the said Company of Proprietors have proceeded in making and completing certain Parts of the said Canal; and there will yet be a further Sum of Money wanting and necessary, more than the said Company of Proprietors have been or are able to raise or borrow by virtue of the said several recited Acts, or can raise by the Sale and Disposal of certain Lands, and other Property belonging to the said Company, to complete the said Canal and other Works; and the said Proprietors are desirous that they may be empowered to raise an adequate Sum for the Completion of the said Canal and Works, and all other the Purposes of the said several recited Acts in the Manner after mentioned: 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 it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered to raise in all, or such one or more of the Ways or Means by which the said Company of Proprietors are authorized to raise any Money by virtue of the said recited Acts, any or either of them, or by such one or more of the Ways and Means herein-after mentioned, as shall from Time to Time be determined upon by the said Company of Proprietors, at a Special Meeting or Special Meetings to be held for that Purpose, or by Three Parts in Four of the Proprietors who shall be present at such Special Meeting or Special Meetings, according to the Number of Votes they shall have a Right to give either as Principals or Proxies, the Sum of Eighty thousand Pounds, or so much thereof as shall be necessary for the making, completing, and maintaining the said Canal and Works, and for promoting the Objects of the said Canal and Undertaking, over and above the Sum of Money authorized to be raised by the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, although the Whole of the Money intended to be raised by virtue of the said last mentioned Act, or of the several Acts herein-before respectively mentioned, or either of them, hath not been fully raised and paid; which said Sum of Eighty thousand Pounds, or such Part thereof as shall be raised by virtue of this Act, shall be applied in paying and discharging the Debts owing by the said Company of Proprietors, and in maintaining, improving, and completing the said Canal and Works, and in executing the several Purposes of the said recited Acts and this Act, and the Surplus thereof (if any) shall be considered as Part of the general Stock of the said Company of Proprietors.

Company empowered to raise 80,000*l*.

II. And

Money may be raised by optional Notes or new Shares.

II. And be it enacted, That in case the said Company of Proprietors at a Special Meeting or Special Meetings to be appointed for that Purpose shall determine to raise all or any Part of the said Sum of Eighty thousand Pounds by Promissory Notes under the Common Seal of the said Company of Proprietors, payable with Interest and transferrable by Indorsement, and with an Option to the Holder of every such Note of converting the same into a Share in the said Navigation in Manner authorized by the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, or by the Creation of new or additional Shares in the said Undertaking, or by both those Modes, it shall be lawful for the said Company of Proprietors at such Special Meeting or Special Meetings, or at any other Special Meeting or Special Meetings, to determine and direct in what Manner and by what Description of Persons, and at what Rates respectively, and with what Rate of Interest not exceeding the Rate of Five Pounds *per Centum per Annum*, to become due in respect thereof, and on what other Terms and Conditions such Notes and Shares, or any Part of them or either of them, shall or may be taken and subscribed for, and by what Instalments, in what Shares and Proportions, and at what Time or Times the Money agreed to be advanced for and in respect of such Shares or Notes, by the several Persons who shall subscribe for and be admitted Proprietors of the same, shall be paid to the Treasurer or Treasurers of the said Company for the Time being; and Notice of such Times or Days of Payment so appointed by the said Proprietors shall be inserted in some Newspaper or Newspapers published in the Counties of *Berks*, *Wilts*, and *Somerset*, and also in some *London* Newspaper, Twenty-eight Days at least before the Day appointed for the Payment of the First of such Instalments.

Company may sell the Right of subscribing.

III. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, if they shall at any such Special Meeting or Meetings as aforesaid so determine, to sell by Auction or otherwise the Right of subscribing at such Price and respective Prices as they the said Company shall at some such Meeting as aforesaid determine, for any new Shares or Promissory Notes to be created under the Authority of this Act: Provided always, that in case the said Company shall determine to sell and shall sell as aforesaid, the Right of subscribing for any such Shares at a Price not being less than Twenty Pounds for every Share, and for any such Notes as aforesaid, at a Price or Prices not being less than Thirty-three Pounds Six Shillings and Eight-pence for every such Note, then and in such Case the Premium or Purchase Money contracted for and agreed to be paid to the said Company for such Right of subscribing as aforesaid, shall go and be paid and applied in executing the several Purposes of the said recited Acts and this Act, over and above the said Sum of Eighty thousand Pounds.

Power to raise Money to pay off Notes or Mortgages.

IV. Provided always, and be it further enacted, That in case the said Company of Proprietors shall raise all or any Part of the said Sum of Eighty thousand Pounds hereby authorized to be raised, by Promissory Optional Notes in Manner before mentioned, or by Mortgage of the said Navigation, or any Part or Parts thereof, or by both of those Modes, and shall afterwards be required to pay off or shall be desirous and entitled to pay off all or any Part of the principal Sum or Sums secured or intended to be secured by such Promissory Notes and Mortgage, or any or either of them, that then and in every such Case the said Company of Proprietors shall be authorized and empowered

empowered to raiſe by all or any and ſuch one or more of the Ways or Means herein-before mentioned, as ſhall from Time to Time be determined upon by the ſaid Company of Proprietors, at any Special Meeting of the ſaid Proprietors, in lieu of the Money to be paid off by them, ſo much and ſuch Sum of Money as they ſhall from Time to Time be required or be deſirous to pay off to the Holders of the ſaid Promiſſory Notes or any of them, or the Mortgagees of the ſaid Navigation or any Part or Parts thereof, together with all Intereſt upon the ſaid Notes and Mortgages, notwithſtanding the full Amount of the ſaid Sum of Eighty thouſand Pounds ſhall have been previouſly ſubſcribed for and raiſed.

Intereſt of Promiſſory Notes.

V. Provided always, and be it enacted, That the Holders of ſuch Promiſſory Notes as were created under and by virtue of the ſaid laſt mentioned Act ſhall be entitled to receive, as well all the Intereſt as alſo the Principal Sums ſecured upon ſuch Notes, out of the Rates and Tolls ariſing from the ſaid Navigation, before any ſuch Intereſt ſhall be paid upon any Notes to be created under and by virtue of this Act.

Determination of Special Meetings binding on Proprietors.

VI. And be it further enacted, That at all Special Meetings of Proprietors to be held for the Purpoſes of this Act, the Determination of Three Parts in Four of the Votes according to the Number of Votes in Perſon and by Proxy which the Perſons attending any ſuch Meeting ſhall have a Right to give, and ſhall give, ſhall be and is hereby made neceſſary in order to be binding and concluſive upon the Reſt of the Proprietors, and ſuch Determination ſo made ſhall be binding and concluſive upon the Reſt of the Proprietors, and ſhall be obſerved and acted upon accordingly; any Thing contained in either of the before-mentioned Acts to the contrary notwithſtanding.

Powers of former Acts extended to this Act.

VII. And be it further enacted, That all and every the Proviſions, Powers, Directions, Penalties, Forfeitures, Clauſes, Regulations, Matters, and Things whatſoever, mentioned or contained in the ſaid ſeveral recited Acts ſhall, in the Execution of this Act, ſo far as the ſame are applicable, (and except where the ſame are hereby expreſsly varied or altered, or allowed to be altered), be uſed and applied, extended and conſtrued, in like Manner as if the ſame (except as aforeſaid) were ſpecially repeated and re-enacted in or by this Act.

Act not to annul the Power of borrowing 50,000l.

VIII. Provided always that nothing in this Act or in the ſaid recited Act of the Forty-fifth Year aforeſaid contained, ſhall be deemed or conſtrued in anywiſe to impeach or annul the Power given to the ſaid Company of Proprietors in and by the ſaid recited Act of the Forty-firſt Year aforeſaid, to borrow and raiſe any Sum not exceeding the Sum of Fifty thouſand Pounds therein mentioned, and to apply the ſame in ſuch Manner as in the ſaid laſt recited Act is mentioned.

Company may ſell or let Lands not wanted.

IX. And whereas the ſaid Company of Proprietors are ſeiſed or poſſeſſed of, or otherwiſe entitled to divers Lands, Tenements and Hereditaments, of conſiderable Value, and many Parts thereof cannot now be ſold conſiſtently with the Proſecution of the ſeveral Purpoſes of the ſaid ſeveral recited Acts, nor without great Diſadvantage to the ſaid Company; but there is Reaſon to believe that certain Parts thereof may at ſome Time or Times hereafter become no longer neceſſary to be retained by the ſaid Company for the Purpoſes of the ſaid recited Acts; be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, and they

they are hereby authorized and empowered by any Deed Poll or Indenture under their Common Seal, to enfeoff, bargain, fell, convey, or difpofe of, either in Fee Simple or for any leffer Eftate or Intereft, to any Perfon or Perfons willing to purchafe fuch Eftate therein as aforefaid, all and every fuch Lands, Tenements, Hereditaments, and Premifes already purchafed by or conveyed to the faid Company of Proprietors, as to them the faid Company of Proprietors at any General Meeting, or to their Committee of Management for the Time being, fhall feem meet; and that any fuch Conveyance may be made in and according to the Form authorized in and by the faid recited Act of the Thirty-fourth Year aforefaid, or in fuch other Form as Circumftances may permit or require; and that all Conveyances heretofore made by the faid Company to any Perfon or Perfons whomfoever, of any Lands or Hereditaments according to the faid Form in the faid laft mentioned Act, and alfo every fuch Conveyance as aforefaid, fhall be good, valid, and effectual, to all Intents and Purpofes, to pafs the Eftate or Intereft thereby purported to be conveyed; and that all and every Perfon and Perfons taking any fuch Eftate or Intereft by and under any fuch Deed Poll or Indenture, fhall and may lawfully have, hold, and enjoy all and fingular the Premifes thereby conveyed, with all the Rights, Powers, Advantages, Members, Privileges, and Appurtenances thereto or therewith, or to or with any of them now or at any Time heretofore ufed, exercifed, occupied, or enjoyed, belonging, in as ample a Manner as the faid Company of Proprietors now have, or do, or may, or at any Time heretofore had, did, or might, or as any other Perfon or Perfons from or under whom the faid Company of Proprietors derive their Title thereto, had, or did, or might have, hold, occupy, poffefs, and enjoy the fame refpectively; and that the Money to arife and be produced by every fuch Sale or Conveyance of the fame, fhall and may be applied towards the feveral Purpofes of the faid feveral recited Acts and this Act, or towards the difcharging of the Principal Money to be fecured by the faid Promiffory Notes created under the laft recited Act and this Act, or towards any other Objects connected with the Purpofes of the faid Navigation, as to the faid Company of Proprietors, or their Committee of Management for the Time being, fhall feem fit; and that the Refidue thereof, if any, after fatisfying fuch Purpofes as aforefaid, fhall become Part of the general Stock of the faid Company of Proprietors: Provided always, that in any Cafe in which the Perfon or Perfons from whom any Lands, Tenements, or Hereditaments have already been purchafed or fhall hereafter be purchafed, fhall be entitled to any Right of Pre-emption of the fame, under and by virtue of the Rules, Regulations, and Provifions of the faid feveral recited Acts, nothing in this Act contained fhall empower the faid Company of Proprietors to fell the fame Lands, Tenements, and Hereditaments to any other Perfon or Perfons than as aforefaid, in Derogation of any fuch Right of Pre-emption as aforefaid.

Expences of the Act.

X. And be it further enacted, That the Coffs and Expences of applying for, obtaining, and paffing this Act, and all Coffs and Expences incident thereto, fhall be borne, paid, and defrayed by the faid Company of Proprietors out of any Money received or to be received by virtue of the faid recited Acts and of this Act, or either of them.

Appointing Engineers for erecting Gauges at Oakhill Mills.

XI. And whereas by the faid recited Act of the Thirty-fourth Year aforefaid, it was enacted, that for preventing the faid Company of Proprietors from taking into or for the Ufe of the faid Canal, more than One-third Part of the Stream which paffes at *Oakhill Mill* in the County of *Wilts*, One or more proper and fufficient Gauge or Gauges fhould be erected or made at

or near *Oakhill Mill* aforesaid, of such Size, Construction, and Dimensions, and to be guarded and protected in such Manner as Two Engineers to be for that Purpose nominated and appointed within the Space of Sixteen Months next after the passing of that Act, One of them by the said Company of Proprietors under their Common Seal, and the other of them by *Dorothy Popham*, therein described and since deceased, her Heirs or Assigns, by Writing under her or their Hand and Seal, should within Three Months next after such Nomination and Appointment should be made, ascertain and determine: And whereas the said Company of Proprietors omitted within Sixteen Months next after the passing of the said Act of the Thirty-fourth Year aforesaid, to nominate and appoint an Engineer in Manner therein mentioned, and the Engineer appointed by the said *Dorothy Popham* is since deceased, without having executed the Authority in him reposed; be it therefore enacted, That the said Company of Proprietors and *Edward William Leybourn Popham* Esquire, the present Owner of the Estate of the said *Dorothy Popham*, through which the said Stream passes, or the Owner of the said Estate for the Time being shall and they are hereby authorized and required to nominate and appoint within Sixteen Months next after the passing of this Act, Two Engineers in such Manner and for such Purposes as in the said Act of the Thirty-fourth Year aforesaid is mentioned; and such Engineers so to be nominated and appointed, and any Umpire to be chosen by them in case of their Disagreement, in such Manner as in the said last recited Act is mentioned, shall and may have and exercise all and singular the same Powers and Authorities given to them in this Behalf, in and by the said last recited Act, as they might or could have had if they had been appointed within Sixteen Months next after the passing of the said Act of the Thirty-fourth Year aforesaid.

Allowing the Place of the Gauge to be varied.

XII. Provided always, and it is hereby further enacted, That it shall and may be lawful to and for the said Engineers (by and with the Consent in Writing of the said Company of Proprietors under their Common Seal, and of the said *Edward William Leybourn Popham*, or the Owner of the said Estate for the Time being, under their Hand or Hands, but not otherwise) to alter, change, or vary the Place and Manner of erecting such Gauge or Gauges so as best to effect the Purposes aforesaid.

For consolidating Half Shares.

XIII. And whereas it would be convenient in the Management of the Concerns of the said Company of Proprietors, if the several Half Shares in the said Undertaking were consolidated into whole Shares, or the Number thereof lessened; be it therefore enacted, That in the Creation of New Shares under the Powers of this Act it shall be lawful to divide a sufficient Number thereof into Half Shares, for the Purpose of allotting One Half Share to every Person who shall be possessed of a single or odd Half Share in the said Undertaking, and who shall be desirous of subscribing for any additional Half Share therein, and that when and so soon as any Person or Persons shall be possessed of Two Half Shares in the said Undertaking, the same shall be consolidated into one whole Share therein, and One distinct Number shall be affixed and applied to such last mentioned whole Share by the principal Clerk of the said Company of Proprietors in the Register Books or Lists of Shareholders in the said Undertaking in lieu of the Numbers and Letters by which such last mentioned Half Shares were before distinguished.

Compensation to Mill Owners.

XIV. And whereas by the said recited Act of the Thirty-fourth Year aforesaid, it was enacted that no Water should be taken out of the River, Streams,

Streams, Springs, or Watercourſes therein mentioned, until the ſaid Company of Proprietors ſhould at their own Expence ſo improve the Conſtruction of certain Mills therein mentioned, as that the ſaid Mills ſhould perform as much Work and be as uſeful in every Reſpect to the reſpective Proprietors thereof as they could do, and were previous to the paſſing of that Act, or as near thereto as poſſible; and that if the ſame could not then be ſo fully improved as was thereby intended, Damages for the Injury done thereto ſhould be eſtimated in Manner therein directed: And whereas in certain Caſes the Owners of ſuch Mills may have rebuilt or improved the ſame at their own Expence ſince the paſſing of the ſaid laſt recited Act, or the ſaid Company of Proprietors may have omitted in ſome Caſes to make ſuch Improvement as aforeſaid; be it therefore enacted, That in all Caſes where the ſaid Company of Proprietors ſhall have taken any Water from the River, Streams, Springs and Watercourſes in that Behalf mentioned, and by reaſon that ſuch Water was heretofore neceſſarily uſed in working any ſuch Mill as aforeſaid, the ſaid Company ought to make Compenſation for the ſame, and the Owner or Occupier of any Mill ſhall have rebuilt or improved the ſame at his or their own Expence ſince the paſſing of the ſaid laſt recited Act, or the ſaid Company of Proprietors ſhall have omitted to make ſuch Improvement as in that Act is mentioned, the Owner or Owners of every ſuch Mill ſhall demand, receive, and accept from the ſaid Company of Proprietors as a Compenſation for the Damages by him, her, or them ſuſtained by reaſon of the Loſs of all ſuch Water requiſite for the Purpoſes of the ſaid Canal and other Works, which before the paſſing of the ſaid laſt recited Act was neceſſarily employed in working the ſame Mill, ſuch a Sum or Sums of Money as at the Time of paſſing the ſame Act would have been ſufficient to improve ſuch Mill, to the Extent in that Act required; and in caſe the ſaid Company and the Owner or Owners of ſuch Mill or Mills ſhall not be able to agree on the Amount of the Sum or Sums which would have been neceſſary for ſuch Purpoſe as aforeſaid, the Amount thereof ſhall be aſcertained by the Commiſſioners or by a Jury to be impannelled, or by the Trial of a feigned Iſſue under ſuch Regulations as in the ſaid laſt recited Act are contained.

In caſe of not making out Titles;

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank;

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 Acts and 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 Company of Proprietors; 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 Company of Proprietors, 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 any Part thereof, by Motion or Petition, ſhall be, and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and invested in the Public Funds, and to order

ſubject to the Order of the Court of Chancery on Motion or Petition.

Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, 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.

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

XVI. Provided always, and be it 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 the ſaid recited Acts or 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 Acts and this Act, 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 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 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.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid.

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 Acts and this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the 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 Acts and this Act, it ſhall and may be lawful to and 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 Acts and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Company of Proprietors out of the Monies to be received by virtue of the ſaid recited Acts and this Act, who ſhall, from Time to Time, pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Public Act.

XVIII. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1809.