

discharge the Person or Persons paying the same, from being obliged or concerned to see to the Application thereof, or from being answerable for the Non-application or Mis-application of the same.

An Award to be made by the Committee Men, specifying Exchanges and Partitions.

XXVII. And be it further enacted, That the said Committee Men for the Time being shall, within Six Calendar Months from the Time of passing this Act, or as soon afterwards as conveniently may be, form and draw up or cause to be formed and drawn up an Award or Instrument in Writing, specifying and declaring the several Exchanges and Partitions which have been made under the Authority of the said first-recited Act; and the said Award or Instrument in Writing shall be signed and sealed by the said Committee Men, and the same shall, within the Space of Six Calendar Months next after such signing and sealing as aforesaid, be enrolled with the Clerk of the Peace for the Parts of *Holland* in the said County of *Lincoln*; and a Copy of the Enrolment, attested by the said Clerk of the Peace or his sufficient Deputy, shall from Time to Time be admitted in all Courts whatsoever as legal Evidence, which Copy the said Clerk of the Peace or his Deputy is hereby required to make and deliver to any Person or Persons whomsoever desiring the same, he, she, or they paying for such Copy after the Rate of Four-pence per Sheet (reckoning Seventy-two Words to each Sheet); and every Person shall have liberty to inspect and peruse the Enrolment of the said Award, paying for every such Inspection or Perusal One Shilling, and no more; and every such Exchange or Partition shall be as valid and effectual as if an Award specifying and declaring the same had been made pursuant to the Directions in that Behalf contained in the said first-recited Act; and after the Enrolment of the said Award, the same shall be lodged in the Town Chest belonging to the said Parish of *Holbeach*.

Arrears of Taxes, &c. to be paid to Committee Men, and to be recovered by Distress and Action of Debt.

XXVIII. And be it further enacted, That all the Taxes

and Assessments authorized by the said first-recited Act, and already made by the said Commissioners upon the Lands within the Drainage directed by the said first-recited Act, or within any Angle or District of Land which hath been taken into the said Drainage on Petition, including the Lands draining by the said *Lord's Drain*, although the same Taxes or Assessments may not have been made according to the Forms directed in the said Acts or either of them, shall be deemed and taken to be good and valid (except that it shall be lawful for the said Committee Men to correct any manifest Errors therein), and that all Arrears of the said Taxes and Assessments, and all Arrears of Bank Rents, and all the other Monies herein-before vested in the Trustees under this Act, shall be payable to the said Committee Men or their Collector or Collectors for the Time being; and that the said Committee Men shall cause Notice to be given to the Occupier or Occupiers of the several Lands and Grounds in respect whereof such Arrears of Taxes and Assessments respectively are due, and to the Person or Persons charged with or liable to the Payment of any Bank Rents in Arrear, or of any other Monies herein-before vested in the Trustees under this Act, requiring that all such several Arrears or other Monies shall be paid to the said Committee Men or their Collector or Collectors within Two Calendar Months after such Notice shall have been delivered to or left at the Dwelling House or usual Place of Abode of the Person or Persons to whom such Notice is herein-before required to be given as aforesaid; and that after the Expiration of the said Two Calendar Months, the Powers and Remedies of Distress and Entry, and Action of Debt, herein-after respectively provided for compelling and enforcing the Payment of the Taxes and Rates hereafter to be assessed by the said Committee Men for the Time being, and of the Bank Rents hereafter to become payable, and all the Clauses and Provisions relating thereto, shall extend and be construed to extend to the compelling and enforcing the Payment of the Arrears of the said Taxes and Assessments already assessed and made as aforesaid, and the Arrears of Bank Rents now due or owing, and the same Powers and Remedies respectively shall or may be exercised accordingly.

Power of Appeal in respect of Arrears of Taxes.

XXIX. Provided always, and be it further enacted, That all Persons who shall think themselves aggrieved by any Tax or Assessment made by the said Commissioners under the Provisions of the said first-recited Act, and now in Arrear (other than or except for or on account of Length of Time or Defect in Matters of Form) may appeal to the Justices of the Peace for the Wapentake of *Elloe*, in the said County of *Lincoln*, at the next *Michaelmas* Quarter Sessions of the Peace to be held for the said Wapentake after the passing of this Act; the Person or Persons so appealing first entering into a Recognizance to prosecute such Appeal with Effect, and to pay the Costs which shall be ascertained by the said Quarter Sessions, in case the Tax or Assessment appealed against shall be affirmed; and the Determination of the Justices at such Sessions shall be final and conclusive, and shall not be removeable by *Certiorari* or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Committee Men to lay a Tax of Five Shillings per Acre, payable by Five Annual Instalments.

XXX. And be it further enacted, That it shall be lawful for the said Committee Men for the Time being to assess and tax all and every the Lands included within the several Boundaries particularly described and set forth in the said first-recited Act, and also all the Lands which have been and now are included within the Operation of the same Act, on Petition, and also all and every the Lands draining by the said Lords Drain, and benefited by the Purchase of the same Drain, under the said first-recited Act, with a Tax not exceeding the Sum of Five Shillings an Acre, to be raised by Five equal Annual Instalments, the First of such Instalments to be paid on the Eleventh Day of *October* next after the passing of this Act, and the subsequent Instalments to be paid on the same Day in each of the successive Four Years; but a Deduction after the Rate of Five Pounds *per Centum per Annum* to be allowed to any Proprietor or Proprietors who may choose to pay his, her, or their Share or Proportion

or respective Shares or Proportions of the Money so to be assessed and taxed, at earlier Periods.

Committee Men to pay the Expences of this Act, &c.

XXXI. And be it further enacted, That the Committee Men for the Time being shall pay and apply all the Arrears of Taxes and Assessments, and all Arrears of Bank Rents and other Monies herein-before vested in the Trustees under this Act, and also the Taxes to be assessed by the said Committee Men under the Power herein-before in that Behalf contained, in the first Place, in satisfying and discharging all the Expences which have been incurred in the obtaining and passing of this Act; and then in discharging the Principal Money and Interest due to the several Persons who have lent Money on the Credit of the Taxes assessed under the said first-recited Act; and then in paying the Arrears of the Rents fixed by the said Commissioners for the Lands cut or covered, or otherwise taken or used by the said Commissioners, the Purchase whereof hath not been completed; and then in paying for the Fee-Simple thereof, in such Manner and according to such Directions as are provided by the said first-recited Act for ascertaining the Purchase Monies thereof respectively; and then in discharging such Expences of carrying the said recited Acts or either of them into Execution as have not been paid; and shall lay out the Surplus thereof (if any) in repairing the said Works of Drainage, or the said Barrier Bank, or for any other of the general Purposes of the said recited Acts or either of them, or of this Act.

Where Proprietors were entitled to Land cut and covered and liable to pay Taxes, the Taxes to go towards the Purchase, and Arrears of Rent to abate proportionably.

XXXII. And be it further enacted, That in all Cases where any Tax or Assessment already charged by the said Commissioners is due or owing in respect of any Land, the Owner or Owners whereof for the Time being was and were also entitled at the Time of making such Tax or Assessment to any Land cut or covered or otherwise taken or used by the said Commissioners, the Amount of such Tax or Assessment

shall be considered to have been originally a Deduction from the Purchase Money to be paid for the Land so cut or covered or otherwise taken or used, or such Purchase Money shall be considered to have been originally a Deduction from the Amount of such Tax or Assessment (as the Case may require), and accordingly a Deduction of Interest at the Rate of Five Pounds *per Centum per Annum* for the Amount of such Tax or Assessment shall be made from the Rent fixed by the said Commissioners for the Land so cut or covered or taken or used, or if the Amount of such Interest shall be equal to or shall exceed the Amount of such Rent, then no Rent shall be paid for the Land so cut or covered or otherwise taken or used.

If the Tax of Five Shillings per Acre shall prove insufficient the Trustees may lay a further Tax of Two Shillings per Acre.

XXXIII. And be it further enacted, That in case the limited Tax of Five Shillings *per Acre* herein-before directed to be raised shall prove insufficient for the Purposes to which the same is to be applied as herein-before is mentioned, it shall be lawful for the said Committee Men for the Time being, and they are hereby required to call a Special Meeting of the Trustees under this Act, by advertising the same in the *Lincoln, Rutland, and Stamford Mercury*, or some other Newspaper or Newspapers circulating in the said County of *Lincoln*, once a Week for at least Three successive Weeks, immediately previous to the Day appointed for such Meeting, in order to take into Consideration the Propriety or Expediency of raising a further Sum of Money for the Purposes aforesaid; and if at such Meeting it shall be agreed to invest the said Committee Men for the Time being with the Power to raise a further Tax, not exceeding Two Shillings an Acre for the Purposes aforesaid, then and in such Case it shall be lawful for the said Committee Men for the Time being, and they are hereby required, to assess and tax the Lands and Grounds herein-before made liable to be charged with the said limited Tax of Five Shillings an Acre, with such further Tax not exceeding the Sum of Two Shillings an Acre as shall or may be agreed upon at the Special Meeting of the

Trustees to be called as aforesaid, the same to be raised by Two equal Annual Instalments, and the First of such Instalments to be paid on the Eleventh Day of *October* which will be in the Year One thousand eight hundred and twenty-three, and the other of such Instalments to be paid on the Eleventh Day of *October* which will be in the Year One thousand eight hundred and twenty-four, but a Deduction after the Rate of Five Pounds *per Centum per Annum* to be allowed to any Proprietor or Proprietors who may choose to pay his, her, or their Share or Proportion or respective Shares or Proportions of the Money so to be assessed and taxed as last aforesaid at earlier Periods; and that the Committee Men for the Time being shall apply the Money so to be assessed and taxed as last aforesaid for the same Purposes and in the same Manner as is herein-before expressed with respect to the said limited Tax of Five Shillings an Acre.

Notice of such additional Tax to be published in the Stamford Mercury for Three Weeks.

XXXIV. And be it further enacted, That the said Committee Men shall and they are hereby required to give or cause to be given Notice in Writing of their having assessed the said Lands and Grounds with the said additional Tax, by advertising the same in the *Lincoln, Rutland, and Stamford Mercury*, or some other Newspaper usually circulating in the County of *Lincoln*, once a Week for Three successive Weeks, immediately previous to the Time appointed for Payment of the First Instalment thereof.

Committee Men may execute new Works.

XXXV. And be it further enacted, That it shall and may be lawful for the Committee Men for the Time being under this Act, and they are hereby authorized and empowered, from Time to Time when Need or Occasion shall seem to them to require, to cause such new Drains, Engines, Mills, or other Works to be from Time to Time made or executed, as in their Judgement may be proper and necessary for the Improvement of the said Drainage; and from Time to Time to pay and discharge the Expences of making and executing such new Drains, Engines, Mills, and Works out of any

Monies applicable to the general Purposes of the said recited Acts or either of them, or of this Act.

Power to purchase Land for the Purposes of the Drainage.

XXXVI. And be it further enacted, That the said Committee Men under this Act shall have full Power and Authority to agree on Behalf of the Trustees under this Act, with the Proprietors of and Persons interested in any Lands, Tenements, or Hereditaments which the said Committee Men shall adjudge necessary to be cut, digged, taken, or otherwise made use of for the Purposes of this Act, for the Purchase of such Lands, Tenements, and Hereditaments, or for the Recompence to be made to such Proprietor or Proprietors and Persons interested for the Damage they may sustain, and also to settle and ascertain in what Proportions the Sum or Sums so agreed for shall be paid to the several Persons interested in the Premises; and that it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees 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, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert, who are or shall be seised or interested in their own Rights, and to and for all and every other Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any such Lands, Tenements, or Hereditaments, to contract for, sell, and convey unto the Trustees under this Act for the Time being and their Successors, any Lands, Tenements, or Hereditaments for the Purposes aforesaid, or to agree with the said Committee Men for the Time being, for any Recompence or Compensation to be made for the Damages which may be done to any such Lands, Tenements, and Hereditaments, by the Execution of any of the Powers of this Act; and all such Contracts, Sales, Conveyances, and Agreements shall be valid and effectual in Law, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary notwithstanding;

and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, are hereby indemnified for what they or any of them shall lawfully do in pursuance of this Act; but if it shall happen that any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons interested or concerned as aforesaid, shall, for the Space of Forty Days after Notice in Writing given to the principal Officer or Officers of such Body Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at his, her, or their respective Place or Places of Abode, or at the House of the Tenant or Tenants, Occupier or Occupiers of such Lands, Tenements, or Hereditaments, neglect or refuse to treat, or shall not agree with the said Committee Men for the Time being, or by reason of Absence shall be prevented from treating, or cannot be found or discovered, then and in every such Case the said Committee Men for the Time being are hereby empowered from Time to Time to issue out their Warrant or Warrants under their Hands and Seals to the Sheriff of the County of *Lincoln*, or if such Sheriff shall be immediately interested in such Matter, then to One of the Coroners of the said County, commanding such Sheriff or Coroner to impanel, summon, and return a Jury, and the said Sheriff or Coroner is hereby required accordingly to impanel, summon, and return Twenty-four Men, resident within *South Holland* aforesaid, and qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in His Majesty's Courts at *Westminster*, to appear before the said Committee Men, at such Time and Place as in such Warrant or Warrants shall be appointed, in order that out of them a Jury of Twelve may be sworn, to inquire touching the Matters in question; and in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff or Coroner shall return other honest and indifferent Men that can speedily be procured to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of Twelve, and all Parties concerned may have their lawful Challenges against any of the said Jurymen; and the said Committee Men are hereby empowered, by Warrant or Warrants under their Hands and Seals, from Time to Time, as Occasion shall require, to summon

and call before them all such Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question; and the said Committee Men for the Time being may order and authorize the Jury, or any Six or more of them, to view the Place or Places or Matters in controversy, which Jury, upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Committee Men for the Time being are hereby empowered to administer) shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands, Tenements, or Hereditaments, or the Recompence to be made for Damages or Losses that may or shall be sustained as aforesaid, and to settle and ascertain in what Proportions the Sum or Sums so assessed shall be paid to the several Persons interested in the Premises; and the said Committee Men under this Act shall give Judgment for such Purchase Monies or Recompence so as aforesaid to be assessed by such Juries; which said Verdict, and the Judgment thereupon pronounced by the said Committee Men, shall be binding and conclusive to all Intents and Purposes against all Parties, Bodies Politic, Corporate, and Collegiate, and all Persons whomsoever.

Penalty on Sheriff or Coroner or Jurors for Neglect.

XXXVII. Provided always, and be it enacted, That if any such Sheriff or his Deputy or Coroner shall make Default in the Premises, every such Person shall for every such Offence forfeit the Sum of Twenty Pounds; and if any Person so summoned and returned as aforesaid on such Jury shall not appear, or appearing refuse to be sworn, or being sworn refuse to give his Verdict, or in any other Manner wilfully attempt to avoid or neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned to give Evidence shall not appear, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences; or appearing, refuse to be sworn or examined, or to give Evidence, or being of the People called *Quakers*, shall refuse to affirm or to be examined, or to give Evidence, every Person so offending respectively, having no reasonable Excuse, to be allowed by the

Committee Men for the Time being, shall for every such Offence forfeit and pay such Sum as the said Committee Men for the Time being shall appoint, not exceeding the Sum of Five Pounds for any one Offence.

Form of Conveyance.

XXXVIII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Trustees under this Act, may be made in the Form or to the Effect following; *videlicet*,

‘ I *A. B.* of _____ in Consideration
 ‘ of the Sum of _____ paid by the
 ‘ Committee Men acting by virtue of an Act made in the
 ‘ Fifty-seventh Year of the Reign of King *George* the Third,
 ‘ intituled [*here set forth the Title of this Act*] do hereby
 ‘ grant and convey to the Trustees of the *South Holland*
 ‘ Drainage Act, all [*here describe the Premises to be conveyed*]
 ‘ to hold to the said Trustees for ever.
 ‘ In Witness whereof I have hereunto set my Hand and
 ‘ Seal, this _____ Day of _____
 ‘ in the Year of our Lord _____

And every such Sale, Conveyance, and Assurance so made, shall be good, valid, and effectual to vest the Premises so conveyed in the said Trustees, freed and absolutely acquitted and discharged of and from all Claims, Rights, Interests, Charges, and Incumbrances of all Persons whomsoever, to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary notwithstanding.

Conveyances and Verdicts to be recorded with the Clerk of the Peace for Parts of Holland.

XXXIX. And be it further enacted, That all Agreements, Contracts, Sales, and Conveyances, and also all Verdicts and Judgements which shall be made and given in relation to any of the

Matters aforesaid so left to a Jury, (such Verdicts and Judgements being signed by the Committee Men for the Time being who shall be present at the taking of the Inquest), shall be delivered to the Clerk of the Peace for the Parts of *Holland*, and shall be filed with the Rolls of such Parts; and the same, or a true Copy thereof, shall be admitted as Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, and take Copies thereof, upon Payment for every such Inspection of the Sum of One Shilling, and for every such Copy at the Rate of Four-pence for every Sheet of Seventy-two Words.

Expences of Trials.

XL. And be it further enacted, That in all Cases where any Verdict shall be given for a greater Sum or Recompence than shall have been offered by or on the Behalf of the said Committee Men before the summoning of any such Jury, for or in respect of any of the Matters aforesaid, that then all the Expences of such Jury and the Witnesses attending in consequence thereof, and of taking such Inquest, shall be paid by the said Committee Men for the Time being, out of any Monies which may be applicable thereto by virtue of this Act; but if any Verdict shall be given for no more or for a less Sum than shall have been so previously offered by or on the Behalf of the said Committee Men for the Time being, then and in every such Case such Expences shall be paid by the Owners of or Persons interested in the Lands, Tenements, or Hereditaments and Premises upon or in respect of which such Jury shall have been summoned: Provided, that in all Cases, where by reason of Absence any Person or Persons shall have been prevented from treating with the said Committee Men touching the Matters aforesaid, the whole of such Expences shall be paid by the said Committee Men.

Application of Purchase Monies when exceeding Two hundred Pounds.

XLI. And be it further enacted, That if any Money which

is or shall be payable for any Land cut or covered, or otherwise taken or used by the said Commissioners, or for any Land to be purchased under the Directions of this Act, or for the Recompence for any Damages or Losses to be assessed and ascertained in Manner herein-before provided for, in respect of any Land belonging to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed 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 Trustees of the *South Holland Drainage*," 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 Land, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid affecting the same Land, or affecting other Lands or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; 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 or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Land in question stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three *per Cent.* Consolidated or Three *per Cent.* Reduced Bank Annuities; and in the meantime 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 Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands and Hereditaments, so hereby directed to be purchased, in case such Purchase and Settlement were made.

Application of Purchase Monies when less than 200l., and exceeding 20l.

XLII. And be it further enacted, That if any Money so payable or to be payable for any such Land as aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the said Land, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, 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, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Committee Men (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends arising therefrom may be applied in Manner herein-before directed, so far as the same may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application of Purchase Monies when less than Twenty Pounds.

XLIII. And be it further enacted, That where such Money

so payable or to be payable as herein-before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to or for the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Land in question; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of Persons refusing to receive Purchase Monies or Arrears of Rent, or not being found, or not being able to make a good Title, the same to be paid into the Bank of England.

XLIV. And be it further enacted, That in case the Person or Persons to whom any such Purchase Money, or any Arrears of Rent for any Land cut or covered or otherwise taken or used by the said Commissioners, or to whom the Purchase Money for any Land to be bought under the Directions of this Act, or any Recompence for any Damages or Losses, to be assessed and ascertained in Manner herein-before provided for, is or are or shall be payable, shall refuse to accept the same, or in case such Person or Persons cannot be found, or if the Person or Persons entitled to the Land in question be not known or discovered, or if the Person or Persons claiming any such Purchase Money, or Arrears of Rent, or Recompence, shall not be able to make a good Title to the Land in respect whereof the same shall be payable, to the Satisfaction of the said Committee Men for the Time being; then and in every such Case it shall be lawful for the said Committee Men for the Time being to order the said Purchase Money, or Arrears of Rent, or Recompence, to 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 to the Credit of the Parties interested in the said Lands (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of the 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, or to order 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 Purchase Money, or Arrears of Rent, or Recompence, 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.

In case of questionable Title, the Persons in Possession to be deemed entitled to the Money till the contrary be shewn.

XLV. 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 or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments, or any Rent or Arrears of Rent as aforesaid, 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 or Hereditaments at the Time of the same being taken Possession of or used by the Commissioners under the said first-recited Act, or by the Committee Men under 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 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 to appear to the said Court, that such Possession was a wrongful Possession, or that some other Person or Persons was or were lawfully entitled to such Lands, or to some Estate or Interest therein.

Court of Chancery may order Costs.

XLVI. 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 or Hereditaments which have been cut or covered, or otherwise taken or used as aforesaid, or which shall or may be purchased under the Directions of this Act, or for which any Recompence shall be to be made as aforesaid, or otherwise, the Purchase Money or Recompence for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands or Hereditaments to be settled to the like Uses, it shall be lawful for the said Court to order 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 Trustees under this Act, or their Committee Men for the Time being, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct, out of any Monies applicable to the general Purposes of the said recited Acts or either of them, or of this Act.

Power to Proprietors to charge the Arrears of Taxes and the new limited Taxes on their Estates.

XLVII. And be it further enacted, That it shall and may be lawful to and for the Husbands, Guardians, Trustees, Committees, or Attornies of or Persons acting as Guardians, Trustees, Committees, or Attornies for the Owners or Proprietors of any Part or Parts of the Lands or Grounds within the Operatinn of this Act, or any Part or Parts thereof, being under Coverture, Minors, Lunatics, or beyond the Seas, or otherwise incapable to act for themselves, and to and for