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T H E

Statutes at Large,

From the Tenth Year of

KING *WILLIAM* the THIRD

To the End of the Reign of

Q U E E N *A N N E*.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private Statutes during that Time.

VOLUME the FOURTH.



L O N D O N :

Printed for MARK BASKET, Printer to the King's Most Excellent Majesty, and by the Assigns of ROBERT BASKET ;

And by HENRY WOODFALL and WILLIAM STRAHAN, Law Printers to the King's Most Excellent Majesty.

MDCCLXIII.

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T A B L E

OF THE

Publick and Private Statutes,

CONTAINING

The TITLES of the ACTS from the Tenth Year of the Reign of
WILLIAM III. to the End of the Reign of Queen ANNE.

P U B L I C K A C T S.

Anno 10 W. 3.

1. **A**N A&t for granting an Aid to his Majesty, for disbanding the Army, and other necessary Occasions.
2. An A&t to prevent the making or selling Buttons made of Cloth, Serge, Drugget, or other Stuffs.
3. An A&t to prohibit the Exportation of any Corn, Malt, Meal, Flower, Bread, Biscuit, or Starch, for one Year, from the tenth Day of *February* one thousand six hundred ninety eight.

Anno 10 & 11 W. 3.

4. An A&t to prohibit the excessive distilling of Spirits and Low Wines from Corn, and against the exporting of Beer and Ale, and to prevent Frauds in Distillers.
5. An A&t for the clearing, repairing, preserving, and maintaining the Haven and Piers of *Great Yarmouth* in the County of *Norfolk*.
6. An A&t to enlarge the Trade to *Russia*.
7. An A&t for preventing irregular Proceedings of Sheriffs and other Officers, in making the Returns of Members chosen to serve in Parliament.
8. An A&t for making and keeping the River *Tone* navigable from *Bridgewater* to *Taunton*, in the County of *Somerset*.
9. An A&t for granting to his Majesty the Sum of one Million four hundred eighty-four thousand and fifteen Pounds, one Shilling, eleven Pence three Farthings, for disbanding the Army, providing for the Navy, and for other necessary Occasions.
10. An A&t to prevent the Exportation of Wool out of the Kingdoms of *Ireland* and *England* into foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of *England*.
11. An A&t to enable such Officers and Soldiers as have been in his Majesty's Service, during the late War, to exercise Trades; and for Officers to account with their Soldiers.

12. An A&t for raising the Militia for the year one thousand six hundred ninety-nine, although the Month's Pay formerly advanced be not repaid.
13. An A&t for the continuing the Imprisonment of *Counter*, and others, for the late horrid Conspiracy to assassinate his sacred Majesty.
14. An A&t for limiting certain Times within which Writs of Error shall be brought for the reversing Fines, Common Recoveries, and ancient Judgments.
15. An A&t for continuing the A&t for the more easy Recovery of small Tithes.
16. An A&t to enable posthumous Children to take Estates, as if born in their Father's Life-time.
17. An A&t for suppressing of Lotteries.
18. An A&t for taking off the remaining Duties upon Glass Wares.
19. An A&t for making and keeping navigable the Rivers of *Aire* and *Calder*, in the County of *York*.
20. An A&t for making and keeping the River *Trent*, in the Counties of *Leicester*, *Derby*, and *Stafford*, navigable.
21. An A&t for laying further Duties upon Sweets, and for lessening the Duties as well upon Vinegar, as upon certain Low Wines and Whale Fins, and the Duties upon Brandy imported, and for the more easy raising the Duties upon Leather, and for charging Cinders, and for permitting the Importation of Pearl Ashes, and for preventing Abuses in the brewing of Beer and Ale, and Frauds in Importation of Tobacco.
22. An A&t for the more full and effectual charging of the Duties upon Rock Salt.
23. An A&t for the better apprehending, prosecuting, and punishing of Felons that commit Burglary, House-breaking, or Robbery, in Shops, Warehouses, Coach-houses, or Stables, or that steal Horses.
24. An A&t for making *Billingsgate* a free Market for Sale of Fish.
25. An A&t to encourage the Trade to *Newfoundland*.
26. An A&t for opening the ancient and making any new Roynes and Water-courses in and near *Sedgmore*, in the County of *Somerset*, for rendring the said Moor more healthful and profitable to the Inhabitants.

The TITLES of the STATUTES.

PRIVATE ACTS.

Anno 10 W 3.

1. AN Act for the more easy and certain Payment of the Debts of *Edward Earl of Derwentwater*, by Sale of Woods and Timber; and for enabling him to raise Money for Discharge of Incumbrances upon Part of his Estate.
2. An Act for naturalizing *Elizabeth Farewell*.
3. An Act for for naturalizing *Philip Lepell*.
4. An Act for naturalizing *Bartholomew Ogilby*, and others.

Anno 10 & 11 W. 3.

5. An Act for the Ships *Margaret*, and *Friendship*, of *Bristol*, to trade as free Ships.
6. An Act to naturalize *James St. Pierre*, *John Denny*, and *Remond Hensbergh*.
7. An Act to naturalize *Charles de Siburg*, and *Francis St. George*.
8. An Act to naturalize *William Lloyd*, *Cornelius de Witt*, and *Godfrey Lloyd*.
9. An Act to naturalize *John Meoles*.
10. An Act for the Relief of the Creditors of *Sir Robert Viner*, Knight and Baronet, deceased.
11. An Act for the Naturalization of *Theophilus Rabesiners*, and others.
12. An Act for enabling *George Penn*, Esq; to sell Lands for the Payment of his Debts, and other Purposes therein mentioned.
13. An Act to naturalize *Philip de Chenevix*, and others.
14. An Act to naturalize *William Lower*, *William Darnel*, and *Peter Godby*.
15. An Act for naturalizing *Anthony Columbiere*, and others.
16. An Act to naturalize *George Burnet*.
17. An Act to naturalize *Mark Anthony Davisseins de Moncall*, and *David Loches*.
18. An Act for the Naturalization of *John Francis de Carcasonet*, and others.
19. An Act for naturalizing Captain *Thomas Brown*, and others.
20. An Act to naturalize *John de Philipneau*, *Sieur de Montargiore*, and others.
21. An Act for naturalizing *Peter Barailleau*, and others.
22. An Act for the Ship *Charles Flyboat of Exeter*, to trade as a free Ship.
23. An Act to naturalize *Isaac Gouyquette de St. Eloy*.
24. An Act for settling Augmentations on certain Vicarages for ever.
25. An Act for confirming of a Grant and Settlement made by *William Forster*, Esq; of divers Manors and Lands in the County Palatine of *Durham*, and County of *Northumberland*, to *Thomas Lord Fairfax*, and others, upon certain Trusts therein mentioned.
26. An Act for Sale of some Part of the Estate of *Sir Thomas Darcy*, deceased, for Payment of Debts.
27. An Act to enable *Edward Price*, Esq; to transfer a Charge of one thousand Pounds, for the Use of his younger Children, from an Estate in the County of *Montgomery*, to an Estate in the County of *Hereford* and *Radnor*, of better Value.
28. An Act to enable Trustees to sell Part of the Estate of *George Scot*, Esq; to pay Debts, and raise Portions for his Brother and Sister, and to settle other Parts of his Estate.
29. An Act for Sale of the Estate of *Dudley Vesey*, in

- Hintlesham*, in the County of *Suffolk*, for the Payment of his Debts.
30. An Act to enable *Robert Aldworth*, and his Wife, to sell their Estate in or near *Wantage*, in the County of *Berks*, for raising three hundred Pounds for Payment of his Debts, and for applying the Residue of the Money for purchasing some other Estate for the sole Use of his Wife and Children.
 31. An Act for the Encouragement of a new Invention by *Thomas Savery*, for raising Water, and occasioning Motion to all Sorts Mill-work, by the impellent Force of Fire.
 32. An Act to naturalize *Scipio Guy*, and others.
 33. An Act for the Sale of the Manor of *Halwill*, and *Becket*, in the County of *Devon*, the Estate of *John Moor*, for Payment of Debts.
 34. An Act for vesting the Real Estate, late of *Thomas Lasfels*, Esq; deceased, in Trustees, to be sold for the Payment of his Debts.
 35. An Act to enable *John Young*, Gent. to sell Lands for Payment of Debts and Legacies.
 36. An Act to enable the Town of *Liverpool* in the County Palatine of *Lancaster*, to build a Church, and endow the same, and for making the said Town and Liberties thereof, a Parish of itself, distinct from *Walton*.
 37. An Act to enable *Thomas Okeover*, Gent. Son and Heir Apparent of *Rowland Okeover* in the County of *Stafford*, Esq; together with the said *Rowland Okeover*, to make a Jointure and Settlement upon the Marriage of the said *Thomas Okeover*.
 38. An Act to enable *Katharine Leeke*, an Infant under the Age of one and twenty Years, to settle and dispose of her Estate upon her Marriage.
 39. An Act for vesting certain Lands of *Sir Thomas Seyliard*, Baronet, in the County of *Kent*, in Trustees, to be sold for the Payment of his Sisters Portions, charged thereon.
 40. An Act to enable *Thomas Byde*, Esq; an Infant (with the Consent of his Guardians and next Relations) to make a Contract for the buying in his Mother's Jointure, and to settle a small Estate in *Great Amwell* in the County of *Hertford*, and likewise for the securing and raising Portions for *Barbara Byde*, Sister to the said *Thomas Byde*, and for other Purposes in the Act mentioned.
 41. An Act for the Sale of the Manor of *Lordington*, alias *Lurtington*, and *Whitwey*, and divers Lands in the County of *Suffex*, and for laying out 5,000*l.* in purchasing other Lands to be settled in lieu thereof.
 42. An Act to enable *Samuel Wake*, alias *Jones*, Esq; to sell Lands to pay Debts, and to purchase other Lands adjoining to and formerly Parcel of his Manor.
 43. An Act for the vesting and settling the Estate of *Anne Bridges*, an Infant, in *Bermudas*, alias the *Summer Islands*, in *America*, in and upon Trustees, to be sold, and laying out the Money arising by such Sale in *England*, for the Use of the said *Anne Bridges*.
 44. An Act for the enabling *Cyriat West*, Esq; to sell some Part of his Estate, which by Articles upon his Marriage was agreed to be settled upon his Wife and Children, and for settling of other Part of his Estate, of better Value, to the same Uses.
 45. An Act for the Ships *Hawk* and *Rainbow* to trade as *English* built Ships.
 46. An Act to enable *John Bull*, an Infant, to sell his Lands in *Kent* for the Payment of Debts and Annuities charged thereon, and for Provision for younger Children.
 47. An Act for enabling the surviving Trustees of *Sir William Pultney*, Knight, deceased, to make Leases for the

The TITLES of the STATUTES.

- the raising of Monies, for the Payment of his Son *William Pulteney's* Debts, and other Purposes therein mentioned.
48. An Act to enable *Popham Conway, Francis Seymour,* and *Charles Seymour,* Esquires, and their Issue Male severally and successively, to make Leases of their Estates.
 49. An Act for Sale of the Estate of *Zenobia Hough,* for the Payment of the Debts of her Husband, and other Uses.
 50. An Act to enable the Ship *Hope* (of great Length, and very serviceable for bringing Masts into this Kingdom) to trade as an *English* built Ship.
 51. An Act to enable *William Wraford,* Gent. and Dame *Anne Rich,* Widow, to make Leases of Houses, and Ground in *Covent Garden,* late the Estate of *John Athy,* Citizen and Haberdasher of *London.*
 52. An Act for Sale of the Manor of *Downham* in the County of *Essex* (the Estate of *Sir Francis Andrews*) and for buying and settling other Lands to the same Uses.
 53. An Act to discharge the Ships *King William,* and *Charles the Second,* from the Penalties of the Act of Navigation.
 54. An Act to enable *Thomas Methwold,* Esq; to raise the Sum of 1200 *l.* upon his Estate, by him laid out in improving the same.
 55. An Act for selling divers Freehold and Leasehold Houses, the Estate of *Thomas Cowslade,* an Infant, and others, to discharge a Mortgage, and to purchase other Lands to be settled to the like Uses.
 56. An Act for naturalizing *Augustine Cloribus,* and others.
 57. An Act for naturalizing *Samuel Benardeau, Peter Chantree des Gaudree,* and others, private Gentlemen belonging to his Majesty's three Troops of Guards and Grenadiers.
 58. An Act to naturalize *Richard Legg,* and others.
 59. An Act to naturalize *Sir David Collier, Isaac la Melinere, Peter de Belcastle,* and *William Reiatore.*

PUBLICK ACTS.

Anno 11 *W.* 3.

1. AN Act for taking away the Bounty Money, for exporting Corn, from the ninth of *February* one thousand six hundred ninety-nine, to the nine and twentieth Day of *September* one thousand seven hundred.

Anno 11 & 12 *W.* 3.

2. An Act for granting an Aid to his Majesty, by Sale of the forfeited and other Estates and Interests in *Ireland,* and by a Land Tax in *England,* for the several Purposes therein mentioned.
3. An Act for laying further Duties upon wrought Silks, Muslins, and some other Commodities of the *East Indies,* and for enlarging the Time for purchasing certain Reversionary Annuities therein mentioned.
4. An Act for the further preventing the Growth of Popery.
5. An Act for the Repair of *Dover* Harbour.
6. An Act to enable his Majesty's natural-born Subjects to inherit the Estate of their Ancestors, either lineal or Collateral, notwithstanding their Father and Mother were Aliens.
7. An Act for the more effectual Suppression of Piracy.
8. An Act for the appointing Commissioners to take, examine, and determine the Debts due to the Army, Navy, and for Transport Service; and also an Account of the Prizes taken during the late War.
9. An Act for preventing of frivolous and vexatious Suits in the Principality of *Wales,* and the Counties Palatine.

10. An Act for the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom.
11. An Act to repeal an Act made in the ninth Year of his Majesty's Reign, intituled, *An Act for rendring the Laws more effectual for preventing the Importation of Foreign Bone Lace, Loom Lace, Needle Work, Point, and Cut Work,* three Months after the Prohibition of the Woollen Manufactures in *Flanders* shall be taken off.
12. An Act to punish Governors of Plantations in this Kingdom, for Crimes by them committed in the Plantations.
13. An Act for continuing several Laws therein mentioned, and for explaining the Act, intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of Ireland and England into Foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of England.*
14. An Act for raising the Militia for the Year one thousand seven hundred, although the Month's Pay formerly advanced be not repaid.
15. An Act for the ascertaining the Measures for retailing Ale and Beer.
16. An Act for the better ascertaining the Tithes of Hemp and Flax.
17. An Act to prevent Disputes that may arise by Officers and Members of Corporations, having neglected to sign the Association, and taken the Oaths in due Time.
18. An Act for the more effectual punishing of Vagrants, and sending them whether by Law they ought to be sent.
19. An Act to enable Justices of Peace to build and repair Gaols in their respective Counties.
20. An Act for taking away the Duties upon the Woollen Manufactures, Corn, Grain, Bread, Biscuit, and Meal exported.
21. An Act for the Explanation and better Execution of former Acts made touching Watermen, and Wherry-men rowing on the River of *Thames,* and for the better ordering and governing the said Watermen, Wherry-men, and Lightermen upon the said River, between *Gravesend* and *Windsor.*
22. An Act for making the River *Lark, alias Burne,* navigable.
23. An Act for the better preserving the Navigation of the Rivers *Avon* and *Froome,* and for cleaning, paving, and enlightning the Streets of the City of *Bristol.*
24. An Act to enable the Mayor and Citizens of the City of *Chester* to recover and preserve the Navigation upon the River *Dee.*

PRIVATE ACTS.

Anno 11 *W.* 3.

1. AN Act to enable *Thomas Noble* Gent. to sell the undivided third Part of the Manor of *Foxton* in the County of *Leicester,* when he shall have settled Lands (an entire Estate) of a greater Value, to the same Uses.

Anno 11 & 12 *W.* 3.

2. An Act to dissolve the Duke of *Norfolk's* Marriage with the Lady *Mary Mordant,* and to enable him to marry again.
3. An Act for the better enabling *Anne Baldwin,* Widow, to sell a Capital Messuage and Lands called *Wiltens,* and other Lands in the County of *Bucks,* devised by her Husband's Will.
4. An Act for continuing the Governor and Company of Merchants of *London,* trading to the *East Indies,* a Corporation.

The TITLES of the STATUTES.

5. An Act for rectifying a Mistake in the Marriage Settlement of *Thomas Hopwood* Gent. on *Elizabeth* his Wife, in order to raise Portions for younger Children, and to pay Debts.
6. An Act for the more speedy Payment of the Debts of *John Clobery* Esq; deceased, and for the raising Portions and Maintenance for his Children.
7. An Act to enable *Thomas May* Gent. to sell Lands in the County of *Suffolk*, which were settled upon his Marriage, and to convey other Lands in the same County, of a greater Value, to the same Uses.
8. An Act for vesting the real Estate of *Joseph Gardiner* and *Sarah* his Wife, late the Estate of *William Ridges* Esq; deceased, in Trustees, to be sold for Payment of the Debts and Legacies therein mentioned, and for applying the Residue of the Money upon the Trusts therein specified.
9. An Act for Sale of several Western Manors, and Lands, the Estate of *Arthur Lacy* Esq; for discharging a Mortgage thereupon, and for laying out the Surplus Monies in the Purchase of Demesne Lands, to be settled to the same Uses.
10. An Act for vesting the Manor of *Exton*, and other Lands in the County of *Somerset*, late the Estate of *Thomas Siderfin* Esq; deceased, in Trustees, to be sold for Payment of Debts.
11. An Act for the speedy and effectual making a convenient Way out of *Chancery Lane* to *Lincoln's Inn Fields*, and Places adjacent.
12. An Act for settling of the Lands, Tenements, and Hereditaments, late of *Robert Merefield* and *John Merefield*, Esquires, deceased, and for ascertaining the Proportions between the Widow of the said *Robert*, and his surviving Children.
13. An Act for the settling all Differences concerning Dame *Mary Bond's* Will, and for performing the same.
14. An Act for charging the Estate of *Sir Thomas Robinson*, Baronet, with seven thousand Pounds, for the Portion of *Anne* his Sister; and for settling her Estate upon the said *Sir Thomas Robinson*, in lieu thereof.
15. An Act for confirming a Lease and certain Indentures between the City of *Norwich*, and *Richard Barry*, Esq; *George Sorocold*, Gent. and *James Soame*, Merchant, and for enlightening the Streets of the said City.
16. An Act for settling the Estate of *Catharine-Fitzgerald Villers*, and raising of Money for Payment of Debts, and better securing the Portions of her five younger Children by *Edward Fitzgerald Villers*, Esq; her late Husband.
17. An Act to enable *Edward Mansell*, Esq; to Mortgage or sell the Improprate Rectories of *Llanriddian*, and *Pwrice*, for Payment of Debts, and raising Portions for younger Children, and for settling the Manor of *Honleys*, and other Lands, of more Value.
18. An Act for the selling the Reversion and Inheritance of the Farm of *Nethercotti* in the County of *Oxon*, for Payment of the Debts and Legacies of *George Harrison*, Esq; deceased.
19. An Act for vesting certain Lands and Tenements of *Sir Josiah Child*, Baronet, deceased, in Trustees, for the better Performance of certain Covenants entered into by the said *Sir Josiah Child*, upon the Marriage of his eldest Son with the Daughter of *Sir Thomas Cooke*, Knight.
20. An Act to supply the Loss of certain Indentures of Lease and Release, heretofore made by *Philip Holman*, Esq; deceased, to *George Holman* his Son, now also deceased.
21. An Act to enable *Henry Butler*, Esq; to make Lease of Part of his Estate in *Lancashire*, for Discharge of Incumbrances thereupon.
22. An Act for vesting Part of the Estate of *Thomas Cowper*, of the City of *Chester*, Esq; in Trustees, for Payment of Debts.
23. An Act for confirming the Sale of the Manor of *Stanfall*, and certain Tenements in the County of *York*, made by *Thomas Barlow*, Gent. and for settling other Lands of greater Value to the same Uses, and for vesting other Lands and Hereditaments in Trustees, to be sold for purchasing other Lands to be settled to the same Uses.
24. An Act for selling the Manor of *Fenham* in the County of *Northumberland*, for the Payment of the Debts of *Thomas Riddell*, Esq; and *Edward Riddell* his Son, and raising Portions for the Daughters of the said *Thomas Riddell*.
25. An Act for Sale of Part of the Estate of *Charles Hore*, Esq; for Payment of his Debts, for settling other Part in Trust, for raising a Portion and Maintenance for *Elizabeth* his only Daughter by his former Wife, and for making a Jointure for *Mary* his now Wife, and for a Provision for the Children by the said *Mary*.
26. An Act to enable *Dalby Thomas*, Esq; to sell Lands in *Islington* in *Middlesex*, settled on his Marriage by *Dorothy* his now Wife, as Part of her Jointure, he settling another Estate of equal or greater Value in lieu thereof.
27. An Act to enable Trustees to make Sale of the Inheritance of the twelfth Part of several Manors, Lands, and Tenements of *Bluet Wallop*, Esq; during his Minority, and to purchase other Lands with the Money to be raised by such Sale, to be settled for the same Uses, as the said twelfth Part was settled.
28. An Act to enable *Leonard Wessel*, Esq; to sell the Manor of *Acresfleet* in the County of *Essex*, settled on his Marriage with *Sarah* his now Wife, as Part of her Jointure, laying out the Money arising by such Sale in Purchase of other Lands.
29. An Act for taking the Estate in Law, of several Messuages and Lands, mortgaged to *Jeffery* and *Samuel Howland*, and their Heirs, out of *Wriothesly Russel*, commonly called Lord Marquis of *Tavistock*, and his Lady.
30. An Act for confirming a Lease of a Piece of Ground from the Rector, and Churchwardens of the Parish of *St. Martin's Orgars, London*, for Liberty to build a Church thereon, for the Worship and Service of God in the *French Tongue*, according to the Usage of the Church of *England*.
31. An Act for Sale of the Estate of *Bryan Janson*, Esq; deceased, for Payment of Debts, and Provision for his Wife and Children.
32. An Act for the Ship *Martha* of *Margam* to trade as a free Ship.
33. An Act for the naturalizing *Theodore Jacobson*, and others.
34. An Act for the naturalizing of *Oliver D' Hartcourt*, and others.
35. An Act for naturalizing *John Burges*, and others.
36. An Act for the naturalizing *John Richard*, *Jacob Dabladie*, and others.
37. An Act for naturalizing *Francis Vandertyd*, and *Agnetta Vandermerseh*, *Henry Lowman*, and *James Gabriel Le Tresor*.
38. An Act for naturalizing *Isaac Delagarde*, *John Batero*, and others.

The TITLES of the STATUTES.

PUBLICK ACTS.

Anno 12 W. 3.

1. AN Act for the renewing the Bills of Credit, commonly called Exchequer Bills.
2. An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject.
3. An Act for preventing any Inconveniencies that may happen by Privilege of Parliament.
4. An Act for appointing Wardens and Assay Masters, for assaying wrought Plate in the Cities of *York*, *Exeter*, *Bristol*, *Chester*, and *Norwich*.
5. An Act for continuing a former Act to prevent false and double Returns of Members to serve in Parliament.
6. An Act for continuing the Acts therein mentioned, for preventing Theft and Rapine upon the Northern Borders of *England*.
7. An Act for the better settling and preserving the Library kept in the House at *Westminster*, called *Cotton-House*, in the Name and Family of the *Cottons*, for the Benefit of the Publick.
8. An Act for raising the Militia for one Year, although the Month's Pay formerly advanced be not repaid.
9. An Act for the recovering, securing, and keeping in Repair the Harbour of *Minehead*, for the Benefit and Support of the Navigation and Trade of this Kingdom.
10. An Act for granting an Aid to his Majesty for defraying the Expence of his Navy, Guards and Garrisons, for one Year, and for other necessary Occasions.
11. An Act for granting to his Majesty several Duties upon Low Wines, or Spirits of the first Extraction, and continuing several additional Duties upon Coffee, Tea, Chocolate, Spices, and Pictures, and certain Impositions upon Hawkers, Pedlars, and Petty Chapmen, and the Duty of fifteen *per Cent.* upon Muslins, and for improving the Duties upon japanned and lacquered Goods, and for continuing the Coinage Duty, for the several Terms and Purposes therein mentioned.
12. An Act for appropriating three thousand seven hundred Pounds weekly out of certain Branches of Excise, for publick Uses, and for making a Provision for the Service of his Majesty's Household and Family, and other his necessary Occasions.
13. An Act to enable his Majesty to make Leases and Copies of Offices, Lands, and Hereditaments, Parcel of his Duchy of *Cornwall*, or annexed to the same; and for Confirmation of Leases already made.

PRIVATE ACTS.

Anno 12 W. 3.

1. AN Act for the more speedy Payment of the Creditors of *James* late Duke of *Ormond*, and of the present Duke of *Ormond*.
2. An Act to enable the Right Honourable *Elizabeth* Viscountess *Bulkeley* of *Casbels* in the Kingdom of *Ireland*, to sell certain Lands in the County of *Devon*, and City and County of the City of *Exon*, for the Payment of Debts.
3. An Act to enable *Robert* Lord Viscount *Kilmorey* of the Kingdom of *Ireland* (being an Infant) to settle divers Manors, Lands, and Hereditaments in the Kingdom of *England*, upon a Treaty of Marriage.
4. An Act to enable *Sir Charles* *Barrington*, Baronet, to settle a Jointure, and make Provision for his younger Children.
5. An Act to enable *Sir Robert* *Warsham*, Knight and Ba-

- ronet, to dispose of Lands in *Hertfordshire*, and to settle other Lands of better Value in *Kent*, to the same Uses as the Lands in *Hertfordshire* are settled.
6. An Act for erecting Hospitals and Workhouses within the Borough of *King's Lynn* in the County of *Norfolk*, for the better employing and maintaining the Poor there.
7. An Act for erecting a Court of Request or Conscience in the City and County of the City of *Norwich*, for the Recovery of Small Debts under forty Shillings.
8. An Act to enable *Stephen* *Fermyn* to make Provision for his younger Children, and for the Advancement of his eldest Son.
9. An Act for the vesting and settling certain Manors and Lands in *South Pickenham*, and other Places in the County of *Norfolk*, in Trustees, to be sold, and for laying out the Monies arising by Sale thereof, in the Purchase of other Lands to be settled to such and the same Uses as the said Manors and Lands, so to be vested, are and stand settled.
10. An Act for discharging a Mortgage upon the Estate of *Peter* *Trevisa*, Esq; deceased, and providing a Maintenance for his Widow and Children.
11. An Act for the more speedy Payment of the Debts of *Christopher* *Killiwow*, Esq; and for the raising Portions and Maintenance for his Brothers and Sisters, in Pursuance of his Father's Will.
12. An Act for vesting the Estate of *Humphry* *Hide*, Esq; deceased, in Trustees, for raising Portions for his younger Children.
13. An Act for furnishing the Town of *New Dale* with Fresh Water.
14. An Act for vesting a Messuage and Lands in *Stevenage*, in the County of *Hertford*, the Estate of *Richard* *Nodes*, in Trustees, to be sold for making a Provision for his Wife and Children, equal to the Provision secured to them out of the said Estate.
15. An Act for Sale of the Estate of *William* *Davison*, Esq; deceased, for Payment of Debts, and raising his Childrens Portions charged thereupon.
16. An Act for separating *James* Earl of *Anglesea* from *Katharine* Countess of *Anglesea* his Wife, for the Cruelty of the said Earl.
17. An Act for dissolving the Marriage of *Sir John* *Dillon* with *Mary* *Boyle*; and for other Purposes therein mentioned.
18. An Act to dissolve the Marriage of *Ralph* *Box* with *Elizabeth* *Eyre*, and to enable him to marry again.
19. An Act for the vesting several Messuages, Lands, and Tenements belonging to *John* *Fauconer*, Esq; in Trustees, to be sold for Payment of Debts.
20. An Act for transferring a Trust in Lands, belonging to the City of *London*, unto new Trustees.
21. An Act for removing the County Gaol of *Hertford*.
22. An Act for the better Performance of the last Will of *Henry* *Apshy*, Esq; deceased.
23. An Act for vesting the Estate of *Thomas* *Bennet*, late of *Newton cum Larton*, in the County of *Chester*, in Trustees, for the Use of the Poor of *West Kirby*, pursuant to the Will of the said *Thomas* *Bennet*.
24. An Act to enable *William* *Vaughan*, Esq; and *Frances* *Vaughan*, his intended Wife (being both under the Age of one and twenty Years) to perform Articles made for their Marriage.
25. An Act to change the Surname of *Ellis* *Mewes*, and his Heirs, to the Surname of *St. John*.
26. An Act for making good the Deficiency of the Charges of making a Way out of *Chancery Lane* into *Lincoln's Inn Fields*.
27. An Act for declaring the Will of *Sir Joseph* *Herne*, Knight,

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- Knight, dated the five and twentieth Day of *February* one thousand six hundred ninety-eight, to be taken and esteemed the Last Will of the said Sir *Joseph Herne*.
28. An Act for naturalizing *Jane Barkstead*, Widow, and vesting several Mortgages and Securities in her, to enable her to convey or assign the same.
 29. An Act for naturalizing *Archibald Arthur*, and enabling him to dispose of his Estate.
 30. An Act for naturalizing *Jacob Auguste Pyngor*, and others.
 31. An Act for naturalizing *Adrian Lofland*, and others.
 32. An Act to enable Sir *Thomas Stanley*, Baronet, to charge certain Manors and Lands in the County of *Lancaster*, with three hundred Pounds, for Payment of his Sisters Portions, and his Debts.
 33. An Act for the Sale of the Estate of *James Deane*, and for securing the Monies raised thereby for the Benefit of himself and Family, according to the Settlement thereof.
 34. An Act to enable *Richard Bigg* to charge Part of his Estate in the County of *Hertford* and *Bedford*, with the Payment of his Debts.
 35. An Act for naturalizing *Peter Bagneol*, *Daniel Senault*, and others.
 36. An Act for naturalizing *Gasper Cordoso*, *Herman Vantwedd*, and others.

P U B L I C K A C T S .

Anno 13 W. 3.

1. AN Act for reviving and continuing an Act, intituled, *An Act for the appointing Commissioners to take, examine, and determine the Debts due to the Army, Navy, and for Transport Service, and also an Account of the Prizes taken during the late War.*
 2. An Act for punishing of Officers and Soldiers, that shall mutiny or desert in *England* or *Ireland*.
 3. An Act for the Attainder of the pretended Prince of *Wales* of High Treason.
 4. An Act for continuing an Act, intituled, *An Act that the solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in the usual Form.*
 5. An Act for granting an Aid to his Majesty, by laying Duties upon Malt, Mum, Cyder, and Perry.
 6. An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors.
- Anno 1 Annæ.*
7. An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown.
 8. An Act for explaining a Clause in an Act made at the Parliament begun and holden at *Westminster*, the two and twentieth of *November*, in the seventh Year of the Reign of our Sovereign Lord King *WILLIAM* the Third, intituled, *An Act for the better Security of his Majesty's Royal Person and Government.*
 9. An Act for continuing the Act made in the eighth Year of his late Majesty's Reign, for better preventing the counterfeiting the current Coin of this Kingdom.
 10. An Act for taking, examining and stating the publick Accounts of the Kingdom,
 11. An Act for reviving the Act, intituled, *An Act for exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving upon Juries.*
 12. An Act for granting an Aid to her Majesty, by divers Subsidies and a Land Tax.
 13. An Act for making good Deficiencies, and for preserving the publick Credit.
 14. An Act for enabling her Majesty to appoint Commissioners to treat for an Union between the Kingdoms of *England* and *Scotland*.
 15. An Act to ascertain the Water-measure of Fruit.
 16. An Act for the enlarging and encouraging the *Greenland* Trade.
 17. An Act for continuing and amending the Act made in the ninth Year of his late Majesty's Reign, intituled, *An Act for the settling and adjusting the Proportions of fine Silver and Silk, and for the better making of Gold and Silver Thread, and to prevent the Abuses of Wire-drawers.*
 18. An Act to explain and alter the Act made in the two and twentieth Year of King *Henry* the Eighth, concerning repairing and amending of Bridges in the Highways; and for repealing an Act made in the twenty-third Year of Queen *ELIZABETH*, for the re-edifying of *Cardiffe* Bridge in the County of *Glamorgan*; and also for changing the Day of Election of the Wardens and Assistants of *Rocheſter* Bridge.
 19. An Act for the rebuilding and repairing the Piers of the Town and Port of *Whitby* in the County of *York*.
 20. An Act for making the River *Derwent*, in the County of *York*, navigable.
 21. An Act for preventing Frauds in the Duties upon Salt, and for the better Payment of Debentures at the Custom-house.
 22. An Act to declare the Alterations in the Oath appointed to be taken by the Act, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors; and for declaring the Association to be determined.*
 23. An Act for raising the Militia for the Year one thousand seven hundred and two, notwithstanding the Month's Pay formerly advanced be not repaid.
 24. An Act for the continuing the present Sheriffs in *England* and *Wales*, until the first Day of *Hilary* Term next, unless her Majesty shall think fit to determine them sooner.
 25. An Act for the Relief of poor Prisoners for Debt.
 26. An Act for the Relief of the Masters of Hoys, and other Vessels carrying Corn, and other Inland Provisions, within the Port of *London*.
 27. An Act for the Importation of fine *Italian* thrown Silk.
 28. An Act for importing into *England* thrown Silk of the Growth of *Sicily*, from the Port of *Leghorne* in *Italy*.
 29. An Act for the continuing the Imprisonment of *Counter*, and others, for the horrid Conspiracy to assassinate the Person of his late sacred Majesty King *WILLIAM* the Third.
 30. An Act to oblige the Jews to maintain and provide for their Protestant Children.
 31. An Act for making more effectual the Provision out of the forfeited Estates in *Ireland*, for the building of Churches, and augmenting small Vicarages in *Ireland*.
 32. An Act for the Relief of the Protestant Purchasers of the forfeited Estates in *Ireland*.

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PRIVATE ACTS.

1. AN Act to naturalize *Charlotte* the Wife of *High Boscawen*, Esq;
2. An Act for enabling *Lionel* Earl of *Orrery*, in the Kingdom of *Ireland*, by Sale of certain Lands, and Tenements, to raise Money for Payment of his Debts, and settle other Lands to the Uses and Purposes in this Act mentioned.
3. An Act to enable the Right Honourable Lady *Henrietta O'Brien*, Mother and Guardian of the Right Honourable *Henry* Earl of *Thomond*, an Infant, to make Leases of his Estate in *Ireland*, for the discharging of Incumbrances thereon, and of a Charge of 4000*l.* for his Sister's Portion.
4. An Act for the Relief of *Frances* Countess of *Tyrconnel*, Relict of *Richard* late Earl of *Tyrconnel*, of the Kingdom of *Ireland*.
5. An Act for enabling Sir *William Meredith*, Baronet, to sell Part of a capital Messuage, Lands, and Hereditaments, herein after mentioned; in *Ashley* in the County of *Chester*, he having settled other Lands and Tenements in lieu thereof.
6. An Act to enable Trustees to sell certain Lands, Tithes, and Tenements, for the Payment of the Debts of *Francis Purefoy*, Esq; deceased.
7. An Act for vesting several Messuages, Lands, and Tenements, in the Parish of *Whitchurch*, in the County of *Chester*, in Trustees, to be sold for paying off the Incumbrances charged thereon, and for other Uses therein mentioned.
8. An Act to enable *Warner Lee*, alias *Warner Warner*, to make a Jointure upon his Marriage.
9. An Act for the settling and vesting divers Manors and Lands of *Francis Wightwicke*, an Infant, lying in the County of *Stafford*, in Trustees, to enable them to settle and convey the same, upon the Marriage of the said *Francis Wightwicke*, to such Uses, Intents, and Purposes, as shall be agreed upon.
10. An Act for confirming the Title of *Thomas Rose*, Gent. to Lands called *Rempstone*, and for Sale of Lands called *Currants Court*, in the County of *Dorset*, for Payment of the Debts of *William Rose*, Gent. deceased, and for settling the Manor of *Cbeddar Fitzwaters*, in the County of *Somerset*, with the Overplus on the Sale, on *Mary Rose*, an Infant, Daughter of the said *William*, in lieu of three thousand Pounds Portion for the said Infant.
11. An Act for confirming a Purchase made by her Majesty, and an Exchange between her Majesty and the Dean and Canons of the King's Free Chapel, within the Castle of *Windsor*.
12. An Act for the Sale of certain Manors, and Lands, of *John* late Earl of *Exeter*, for Payment of the Debts, and Performance of the Will of the said Earl.
13. An Act for vesting certain Lands and Tenements of *Montague* Earl of *Abingdon*, in Trustees, to be sold, and purchasing other Lands of equal Value, and limiting the Lands to be purchased to the same Uses, as the Lands to be sold are limited.
14. An Act for Relief of *Dorothy* Baroness Dowager of *Upper Ossory*, and Captain *James Roche*, with relation to the *Irish* Forfeitures.
15. An Act for the Sale of the Manor of *Attingham*, in the County of *Salop*, and settling a Farm called *Selly Hall*, and a Moiety of the Manor of *Temple Lawrne*, in the County of *Worcester*, of better Value, in lieu thereof.
16. An Act for charging the Estate late of *William Adams* Esq; deceased, with Portions and Maintenances for *William Adams*, and *Elizabeth Adams*, his younger Children.
17. An Act for Sale of Part of the Estate of *Stephen Soam*, Gent. and *Dorothy* his Wife, and for applying the Monies raised thereby for Payment of his Debts, and for the Portions of *Mary* and *William Soam*, two of their younger Children.
18. An Act to enable *Robert Appreece* the Elder, and *Robert Appreece* the Younger, Esquires, to raise Money out of their Estate for Payment of a Debt due to her Majesty, and other Debts.
19. An Act for confirming and settling of divers Charities, given by the last Will of *Job Marston*, Gent. deceased.
20. An Act for the Relief of *Thomas Keightley* Esq; with relation to the forfeited Estates in *Ireland*.
21. An Act to enable *Jessrey Palmer* Esq; to settle a Jointure upon *Elizabeth* his Wife.
22. An Act for the Relief of *Hannab Mac Donnel*, with relation to the forfeited Estates in *Ireland*.
23. An Act for the Relief of Captain *Thomas Bellew*, with relation to the forfeited Estates in *Ireland*.
24. An Act for the Relief of *Edward Singleton* Esq; with relation to the forfeited Estates in *Ireland*.
25. An Act for vesting the Estates of *William Matthews* Gent. and *Katharine* his Wife, in Trustees, to be sold for the Purposes therein mentioned.
26. An Act for the better Government of the Hospital of *Balsall* in the County of *Warwick*, founded by the Lady *Katharine Leveson*.
27. An Act for the Relief of *Nicholas Bagenall* Esq; with relation to the forfeited Estates in *Ireland*.
28. An Act for the Relief of Colonel *Henry Luttrell*, with relation to the forfeited Estates in *Ireland*.
29. An Act to enable the Dean and Chapter of the Cathedral Church of *St. Peter* in *Exeter*, and their Farmers, and Tenants, to make Leases of and in the Manor of *Culmstock* in the County of *Devon*.
30. An Act for vesting in Trustees the Estate late of Sir *William Powell* Baronet, deceased, for raising Portions for the younger Children of Sir *John Williams*, and Dame *Mary* his Wife (Daughter of the said Sir *William Powell*) and to enable *William Williams*, their eldest Son, to make a Jointure to such Wife as he shall marry.
31. An Act for vesting certain Messuages and Tenements in the County of *Bedford* and *Middlesex*, in Trustees, to be sold, and for purchasing Lands or Rents, to be settled to the same Uses.
32. An Act for the more effectual Settlement of the Estate of *John Stone* of *Baldwin Brighwell* in the County of *Oxford*, Esq; in his Family and Name.
33. An Act to enable Trustees to make Sale of Part of the Estate of *Humphry Bury*, for paying of a Mortgage, and a Portion charged thereupon.
34. An Act for erecting Hospitals and Workhouses within the Town of *Sudbury* in the County of *Suffolk*, for the better employing and maintaining the Poor thereof.
35. An Act to vest several Lands and Tenements, in the County of *York*, in Trustees, to be sold for the raising of a Portion for *Henrietta Tempest*, an infant.
36. An Act to enable the Trustees of *James Hunt* Esq; deceased, to sell Timber, for the Payment of his Debts and Legacies.
37. An Act to enable *Edward Mansfell* Esq; to raise a further Sum of one thousand Pounds on a Mortgage of the Improprate Rectory of *Llanriddian*, for the Payment of his Debts.
38. An Act for enlarging the Time for *John Lord Haversham* to make his Claim before the Trustees for the forfeited Estates in *Ireland*.

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39. An Act for the Relief of *Sir Thomas Donville* Baronet, with relation to the forfeited Estates in *Ireland*.
40. An Act for the Relief of *Francis* Earl of *Carlingford*, and others, against several Outlawries in the County of *Tipperary* in *Ireland*.
41. An Act for making Provision for the Protestant Children of the Earl of *Clanriccard*, and the Lord *Bapin*.
42. An Act for the Relief of *Thomas* Earl of *Limerick* of the Kingdom of *Ireland*, and *Euphemia* Countess Dowager of *Limerick*, with relation to the forfeited Estates in *Ireland*.
43. An Act to enable *Rebecca Wyndham* to sell and dispose of an Estate late *Sarah Vernon's* in the County of *Norfolk*.
44. An Act to enable the Bishop of *Gloucester*, and his Successors, to make distinct and separate Leases of the Manors, Lands, and Premises therein mentioned.
45. An Act for the enabling *Abraham Barnwell* to make a more ample Settlement of his Estate for the Benefit of his Family, and to sell Part thereof for raising Portions for his younger Children in his Life time, and for Payment of his Debts.
46. An Act for the better Improvement of *Suffolk Place* in the Borough of *Southwark* in the County of *Surrey*.
47. An Act for settling the Estate late of *John* and *Robert Window* Gent. deceased, in Trustees, to be sold, and the Purchase-money applied to the Uses therein mentioned.
48. An Act for vesting the Lands of *Henry Pawlet*, a Lunatick, in Trustees, in order to make suitable Provision for him, his next Heir, and next Relations.
49. An Act for the Relief of *Sir Edmund Everard*, *Peter Fagan*, and the Protestant Children of *Sir Anthony Mul-lady*, deceased; with relation to the forfeited Estates in *Ireland*.
50. An Act for the Relief of *William* Lord Viscount *Mount-joy* of the Kingdom of *Ireland*, with relation to the forfeited Estates in *Ireland*.
51. An Act for the Relief of *Robert Edgeworth* Esq; with relation to the forfeited Estates in *Ireland*.
52. An Act for vesting several Lands in the Counties of *Surrey* and *Suffex*, the Estate of *Mary Johnson*, Wife of *William Johnson* Gent. in Trustees, to be sold, for discharging several Mortgages and other Debts charged upon the Estate of the said *William Johnson*, and settling his Estate upon the said Wife and her Children by him, clear of Incumbrances.
53. An Act for enlarging the Time for *John Hill* Esq; and his Wife, to enter their Claims before the Trustees for Sale of the forfeited Estates in *Ireland*, with relation to a Judgment against *Robert Grace*, and for the Relief of the Creditors of *John Grace*, and the Widow, Protestant Children and Creditors of the late *Sir Patrick Trant*, with relation to the said forfeited Estates; and for the indemnifying the Earl of *Carlingford* touching Mortgage-money by him owing to the said late *Sir Patrick Trant*.
54. An Act for the Relief of *Edward Nugent* Esq; with relation to the forfeited Estates in *Ireland*.
55. An Act for the Relief of *Joseph Mitchell* Esq; with relation to the forfeited Estates in *Ireland*.
56. An Act for the Relief of *Dennis Molony* Gent. with relation to the forfeited Estates in *Ireland*.
57. An Act for the enlarging the Time for *Cæsar Bradshaw*, Esq; to prosecute his Claim before the Trustees for the *Irish* Forfeitures.
58. An Act for the Relief of *Jane Lavallin*, with relation to the forfeited Estates in *Ireland*.
59. An Act for the Relief of *James Eustace* of *Yeomans Town*, *Agmondisham Vesey* Esq; *George Field*, and *Thomas Brigstock*, with relation to the forfeited Estates in *Ireland*.
60. An Act for the Relief of *Francis Spring*, and other Protestant Tenants of the forfeited Estates in *Ireland*, in respect to their real Improvements, and for confirming a Protestant Settlement at *Portarlington*, and of a Charity at *Middleton*, in the County of *Cork*; and for Relief of *Alice* Countess Dowager of *Drogheda*, and *Sir John Dillon*.
61. An Act for the Relief of *Ignatius Gold* and his Family, with relation to the forfeited Estates in *Ireland*.
62. An Act for the Relief of *Sir William Ashburst* Knight, with relation to the forfeited Estates in *Ireland*.
63. An Act for the Relief of *Mary Vernon*, with relation to the forfeited Estates in *Ireland*.
64. An Act for the Relief of *Katharine Obrian*, Widow, and her Children, with relation to the forfeited Estates in *Ireland*.
65. An Act for the Relief of *William Spencer* Esq; and the Wife and Children of the late Lord *Kenmare*, in the Kingdom of *Ireland*, with relation to the forfeited Estates in *Ireland*.
66. An Act for the Relief of *Katharine Harris*, alias *Kife*, with relation to the forfeited Estates in *Ireland*.
67. An Act for the Relief of *Susannah Smith*, Widow, with relation to the forfeited Estates in *Ireland*.
68. An Act for the Relief of Captain *Richard Wolfely*, and other Protestant Lessees in *Ireland*.
69. An Act for enlarging the Time for *Sir Stephen Fox* to make his Claim before the Trustees for the forfeited Estates in *Ireland*.
70. An Act for enlarging the Time for *Rebecca* Viscountess *Faulkland* of the Kingdom of *Scotland*, to enter her Claim before the Trustees for the forfeited Estates in *Ireland*, to a Mortgage upon Part of the said Estates.
71. An Act for exempting and discharging of *Aribur French*, and *Sarah* his Wife, from accounting to the Trustees for the forfeited Estates in *Ireland*, for the personal Estate of *Irriell Farrel*, deceased.
72. An Act for the Relief of *Charlotte Talbot*, with Relation to the forfeited Estates in *Ireland*.
73. An Act to recompense *Philip Savage*, Esq; for the Charge of Outlawries, and attending the Trustees for the forfeited Estates in *Ireland*.
74. An Act for the Relief of *Maurice Annesley*, Esq; with Relation to the forfeited Estates in *Ireland*.
75. An Act for the Relief of *Thomas Lee*, Esq; and others, Executors of *Sir John Heley*, Knight, and *Peter Goodwin*, Esq; with Relation to the forfeited Estates in *Ireland*.
76. An Act for the Relief of *Thomas Plunket*, Gent. and *Katharine* his Wife, with Relation to the forfeited Estates in *Ireland*; and for empowering her Majesty to grant Writs of Error for reverting the Outlawries against *John Mapas*, and *Lawrence Fitzgerald*.
77. An Act for the Relief of *John Ellis*, Esq; with Relation to the forfeited Estates in *Ireland*.
78. An Act for naturalizing *Daniel Van Ryssen*, and others.
79. An Act for naturalizing *Thomas St. Leger de Bacolon*, *Joseph de Lanny*, *Alexander de Racquet des Fourneaux*, and others.
80. An Act for naturalizing *Stephen Benouad*, *John Girard*, and others.

P U B L I C K A C T S.

Anno 1 Annæ. Stat. 2.

1. AN Act for granting to her Majesty a Land Tax for carrying on the War against *France* and *Spain*.
2. An

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2. An Act for enabling her Majesty to settle a Revenue for supporting the Dignity of his Royal Highness Prince *George* Hereditary of *Denmark*, in case he shall survive her Majesty.
3. An Act for granting a supply to her Majesty by several Duties imposed upon Malt, Mum, Cyder, and Perry.
4. An Act for continuing the Duties upon Coals, Culm, and Cinders.
5. An Act for granting an Aid to her Majesty by Sale of several Annuities at the Exchequer, for carrying on the War against *France* and *Spain*.
6. An Act for the better preventing Escapes out of the *Queen's Bench* and *Fleet* Prisons.
7. An Act for explaining and making effectual a late Statute concerning the Haven and Piers of the Borough of *Great Yarmouth*, and for confirming the Rights and Privileges of the said Borough.
8. An Act for Explanation of a Clause in one Act made in the seventh Year of his late Majesty's Reign, relating to *Borelaps*, and to take off the additional Subsidy upon *Irish Linen*.
9. An Act for punishing of Accessaries to Felonies, and Receivers of stolen Goods, and to prevent the wilful burning and destroying of Ships.
10. An Act for the better repairing and amending the Highways from the North End of *Thorwood Common*, to *Woodford* in the County of *Essex*.
11. An Act for making the River *Cham* alias *Grant*, in the County of *Cambridge*, more navigable, from *Clayhithe Ferry*, to the *Queen's Mill*, in the University and Town of *Cambridge*.
12. An Act for the finishing and adorning the Cathedral Church of *St. Paul, London*.
13. An Act for continuing former Acts for exporting Leather, and for Ease of Jurors, and for reviving and making more effectual an Act relating to Vagrants.
14. An Act for the encouraging the Consumption of malted Corn, and for the better preventing the running of *French* and Foreign Brandy.
15. An Act for granting to her Majesty several Subsidies for carrying on the War against *France* and *Spain*.
16. An Act for punishing Officers and Soldiers who shall mutiny or desert her Majesty's Service in *England* or *Ireland*, and for punishing false Musters, and for better Payment of Quarters in *England*.
17. An Act for enlarging the Time for taking the Oath of Abjuration; and also for recapacitating and indemnifying such Persons as have not taken the same by the Time limited, and shall take the same by a Time to be appointed; and for the further Security of her Majesty's Person, and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors.
18. An Act for the more effectual preventing the Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom.
19. An Act for taking, examining, and stating the publick Accounts of the Kingdom.
20. An Act for reviving and continuing the late Acts for appointing Commissioners to take, examine, and determine the Debts due to the Army, and for Transport Service, and also an Account of the Prizes taken during the late War.
21. An Act for advancing the Sale of the forfeited Estates in *Ireland*, and for vesting such as remain unsold by the present Trustees, in her Majesty, her Heirs and Successors, for such Uses as the same were before vested in the

said Trustees; and for the more effectual selling and settling the said Estates to Protestants; and for explaining several Acts relating to the Lord *Boplin*, and Sir *Edmund Everard*.

22. An Act for preventing Frauds in her Majesty's Duties upon stamped Vellum, Parchment, and Paper.
23. An Act for raising the Militia of this Kingdom for the Year one thousand seven hundred and three, notwithstanding the Month's Pay formerly advanced be not repaid.
24. An Act to oblige *Edward Whitaker*, to account for such Sums of publick Money as have been received by him.

PRIVATE ACTS.

1. AN Act for rectifying a Mistake in a late Act, intitled, *An Act to enable Sir Robert Marfham, Knight and Baronet; to dispose of Lands in Hertfordshire, and to settle other Lands of better Value in Kent, to the same Uses as the Lands in Hertfordshire are settled.*
2. An Act for Sale of Part of the Estate late of *William Peachy, Esq;* deceased, for Payment of Legacies charged thereupon.
3. An Act for settling divers Manors, Lands, and Hereditaments, the Estate of *Henry Duke of Beaufort*, according to Agreements made upon his Marriage, and for other Purposes in the said Act mentioned.
4. An Act to vest divers Lands and Tenements of Sir *Thomas Brograve, Bart.* in the County of *Hertford*, in Trustees, to be sold, and to settle other Lands and Tenements in li-u thereof.
5. An Act for giving further Time to *John Lord Bishop of Chichester*, and his Successors, to make Leases of certain Houses and Ground in and near *Chancery Lane*, belonging to the Bishoprick of *Chichester*.
6. An Act to enable Sir *Edward Williams* to sell certain Manors and Lands in the Counties of *Brecon* and *Radnorshire*, for Payment of Debts.
7. An Act for the better collecting the Duties granted for making the Way out of *Chancery Lane* into *Lincoln's Inn Fields*, and for determining the said Duties when the Parties concerned are paid.
8. An Act to enable the surviving Trustees and Executors of the last Will and Testament of *Thomas Fane, Esq;* deceased, to pay an Annuity unto *Mildmay Fane, Esq;* for his Maintenance and Education, until he shall attain his Age of one and twenty Years.
9. An Act to enable *Richard Lord Bulkeley Viscount Cashels* in the Kingdom of *Ireland*, and *Richard Bulkeley, Esq;* his Son, to make a Settlement upon the Marriage of the said *Richard Bulkeley*.
10. An Act for confirming and establishing a Partition made by Sir *Edmund Fowler, Knight*, and Dame *Anne* his Wife, and *Elizabeth Buggin, Widow*, of certain Manors and Lands in the County of *Kent*, in the Year one thousand six hundred thirty-four.
11. An Act for the incorporating certain Persons, for the better providing for, and setting at Work the Poor in the City of *Gloucester*.
12. An Act to enable *Andrew Hackett, Esq;* to dispose of several Messuages and Lands in the Counties of *Stafford* and *Warwick*, and City of *Litchfield*, for making Provision for his younger Children, upon settling another Estate in *Stroxtun* in the County of *Lincoln*, of better Value, to the same Uses as the Messuages and Lands in the Counties of *Stafford* and *Warwick*, and City of *Litchfield* were settled.
13. An Act for making Provision for the younger Children of *Jonathan Castleman of Coubertly* in the County of *Gloucester*,

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- Gloucester*, Esq; and for supplying an Omission in his Father's Will of a Power for making Leases.
14. An Act to enable *William Coleman*, Esq; and others, to make Sale of Lands for Payment of the Debts and Legacies of *William Stawell*, deceased.
 15. An Act for the vesting of the several Manors, Messuages, Lands, and Hereditaments, in the County of *Essex*, late belonging to *John Cowper*, Gent. deceased, in Trustees, to be sold for better Payment of his Debts and Legacies charged thereupon.
 16. An Act for the better settling the Real and Personal Estate of *John Goddard*, Esq; deceased, to and for the Benefit of *John Goddard* his Son, *Mary Goddard* his Daughter, Infants, during their Minority.
 17. An Act for confirming the Division of a Third Part of the Manor of *Burton Dasset* in the County of *Warwick*, heretofore made by the Owners thereof.
 18. An Act to enable the Executrix of *James Hoare*, Esq; deceased, to pay a Sum of Money in Discharge of a Trust in her reposed by his Will.
 19. An Act to enable *Charles Aldworth*, Esq; to sell Lands and Tenements for Payment of his Father's Debts, and his Sisters Portions.
 20. An Act for Sale of Part of the Estate of *Charles Morris*, Esq; for the Payment of Debts charged thereupon, and for the making Provision for his younger Children.
 21. An Act for the better improving a certain Piece of Ground in the Parish of *St. Martin in the Fields*, for the Use of the Poor, and for other Purposes therein mentioned.
 22. An Act to enable the Devisees of *James Supple*, and all claiming under them, to make Leases for the Improvement of the Estate devised.
 23. An Act concerning the Exchange of certain Lands lying in or near *Brampton* in the County of *Northampton*, for Lands lying in or near *Wickham* in the County of *Lincoln*.
 24. An Act for the better Execution of the Will of *John Loane*, Esq; deceased, and for Sale of Part of his Estate to pay his Debts and Legacies for preserving the Residue thereof.
 25. An Act for Sale of divers Lands in the County of *Kildare*, and Kingdom of *Ireland* (being the Estate of *Agmondisham Vesey*, Esq; and his two Daughters, *Anna Vesey*, and *Henrietta Vesey*) for the paying of Debts, and clearing Incumbrances charged thereon, and also for empowering the said *Agmondisham Vesey* to make Leases for any Term, not exceeding one and twenty Years.
 26. An Act for Sale of several Estates for Payment of Debts charged thereupon, and for disposing of the Residue of the Money at Interest, for the Benefit of *Giles Loane*, and other Infants, pursuant to their Father's Will.
 27. An Act to enable *John Arderne*, Esq; to pay his Father's Debts, and make Provision for his Brothers and Sister.
 28. An Act for raising fifteen hundred Pounds by Mortgage of Lands in the County of *Dorset*, for Payment of Debts, and for a further Provision and Maintenance for the younger Children of *Philip Caldicott*, Esq;
 29. An Act for charging the Estate, late of *Thomas Lyfter*, Esq; deceased, with Maintenances for his nine younger Children.
 30. An Act for setting aside a Settlement, in order that *William Butler* may have a good Conveyance of Lands from *Raphael Whisler*, according to the Articles agreed on.
 31. An Act for vesting divers Lands and Tenements of *Edward Owen* of *Eaton Mascot* in the County of *Salop*, Esq; in Trustees, to be sold for Payment of his Debts.

32. An Act for vesting certain Messuages, Lands, and Hereditaments of *Toby Hodson* the Elder, Esq; a Lunatick, in Trustees, for Payment of his Debts, and making Provision for himself, his Wife, and only Son.
33. An Act for naturalizing *Nicholas Wayfoort*, *Peter L. Blanc*, and *Jacob Sanderfelt*.

P U B L I C K A C T S .

Anno 2 Annæ.

1. **A**N Act for granting an Aid to her Majesty by a Land Tax, to be raised in the Year one thousand seven hundred and four.
2. An Act for granting an Aid to her Majesty; by continuing the Duties upon Malt, Mum, Cyder, and Perry, for one Year.
3. An Act for granting an Aid to her Majesty, for carrying on the War, and other her Majesty's Occasions, by selling Annuities at several Rates, and for such respective Terms or Estates as are therein mentioned.
4. An Act for the publick registering of all Deeds, Conveyances, and Wills, that shall be made of any Honours, Manors, Lands, Tenements, or Hereditaments, within the West Riding of the County of *York*, after the nine and twentieth Day of *September* one thousand seven hundred and four.
5. An Act to repeal a *Proviso* in an Act of the fourth Year of the Reign of King *WILLIAM* and Queen *MARY*, which prevents the Citizens of the City of *York* from disposing of their Personal Estates by their Wills, as others inhabiting within the Province of *York* by that Act may do.
6. An Act for the Increase of Seamen, and better Encouragement of Navigation, and Security of the Coal Trade.
7. An Act for enlarging the Term of Years granted by an Act passed in the Session of Parliament, held in the eleventh and twelfth Years of King *WILLIAM III.* for the Repair of *Dover* Harbour.
8. An Act for the erecting a Workhouse in the City of *Worcester*, and for setting the Poor on Work there.
9. An Act for granting to her Majesty an additional Subsidy of Tunnage and Poundage for three Years; and for laying a further Duty upon *French* Wines condemned as lawful Prize; and for ascertaining the Values of un-rated Goods imported from the *East-Indies*.
10. An Act to enlarge the Time for the Purchasers of the forfeited Estates in *Ireland*, to make the Payments of their Purchase-money.
11. An Act for the making more effectual her Majesty's gracious Intentions for the Augmentation of the Maintenance of the poor Clergy, by enabling her Majesty to grant in Perpetuity the Revenues of the First Fruits and Tenths; and also for enabling any other Persons to make Grants for the same Purpose.
12. An Act for the raising the Militia for the Year one thousand seven hundred and four, notwithstanding the Month's Pay formerly advanced be not repaid.
13. An Act for prolonging the Time by an Act of Parliament made in the first Year of her Majesty's Reign, for importing Thrown Silk of the Growth of *Sicily* from *Leghorn*.
14. An Act for the better securing and regulating the Duties upon Salt.
15. An Act for the better and more regular paying and assigning the Annuities, after the Rate of three Pounds

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- per Cent. per Ann.* payable to several Bankers, and other Patentees, or those claiming under them.
16. An Act for the discharging out of Prison such insolvent Debtors as shall serve, or procure a Person to serve, in her Majesty's Fleet or Army.
 17. An Act for the better charging several Accountants with Interest Monies by them received, and to be received.
 18. An Act for the further Explanation and Regulation of Privilege of Parliament in relation to Persons in publick Offices.
 19. An Act for raising Recruits for the Land Forces, and Marines, and for dispensing with Part of the Act for the Encouragement and Increase of Shipping and Navigation, during the present War.
 20. An Act for punishing Mutiny, Desertion, and false Musters, and for better paying of the Army and Quarters, and for satisfying divers Arrears, and for a further Continuance of the Powers of the five Commissioners for examining and determining the Accounts of the Army.

PRIVATE ACTS:

1. **A**N Act for naturalizing *Elizabeth Cholmondeley*, Wife of *George Cholmondeley*, Esq;
2. An Act to enable the Guardian of the Earl of *Warwick* and *Holland*, during his Minority, to make Leases of several Messuages in or near *West Smithfield*.
3. An Act for settling and confirming several Exchanges with *Ralph* Earl of *Montague*, of several Lands and Common of *Simon Motton*, and others, lying in *Geddington*, in the County of *Northampton*, for several Lands of the said Earl's, lying near to the same, and for confirming several Agreements relating to the said Exchanges.
4. An Act for confirming the Execution of a certain Agreement made between *Ralph* Lord *Grey*, Baron of *Werke*, and *Charles* Lord *Ossulstone* and the Lady *Mary* his Wife, touching certain Manors, Lands, and Tenements, in the Counties of *Northumberland*, *Middlesex*, and City of *London*, and also between *Laurence* Earl of *Rocheſter*, and the said Lord *Grey*, concerning other Manors, Lands, and Tenements, in the said County of *Northumberland*, County Palatine of *Durham*, and Town of *Berwick* upon *Tweed*.
5. An Act for vesting several Estates in the Counties of *Cornwall*, and *Devon*, and several Leasehold Estates, in Trustees, to be sold for raising Portions for the younger Children of *George* Lord *Carteret*, deceased, and for laying out the Overplus of the Money raised by such Sales, in Purchase of other Lands.
6. An Act for Sale of the Estate of *Henry* Lord Viscount *Dillon* in the Kingdom of *Ireland*, for Payment of his Debts, and for settling an Equivalent in other Part of his Estate on the Viscountess his Wife, for her Jointure.
7. An Act to enable Sir *George Wheeler*, Knight, and Doctor in Divinity, to make Leases of some Houses and Ground in *Chanon Row* in *Westminster*.
8. An Act to enable Sir *John Astley*, Baronet, to make a Jointure upon his Marriage, during his Minority, and to enable him to buy in any Rent-charge, or other Incumbrance upon his Estate.
9. An Act for confirming and better Execution of Articles, and the Agreements therein contained, for the Disposition and Division of the Estate of the late Lord *Fermyn*, among his Coheirs.
10. An Act for supplying the Defect of the Execution of a Power in Sir *John Ivory*, Knight, deceased, for making Provision for his younger Children.
11. An Act to enable Sir *Thomas Tipping*, Baronet, to sell the Manor of *Ickford* in the County of *Bucks*, for Payment of a Debt charged thereon, and laying out the Surplus Money in purchase of other Lands, to be settled to the same Uses.
12. An Act to discharge the Governor and Company for making hollow Sword-blades in *England*, of the Sum of eighteen thousand eight hundred sixty-four Pounds, seven Shillings, and one Penny halfpenny, by Mistake overcharged in the Purchase-money, for several forfeited and other Estates and Interests in *Ireland*, purchased by them.
13. An Act for vesting several Estates of Sir *Charles Bickerstaffe*, Knight, in Trustees, to be sold for Payment of Debts, and making Provision for his Wife and Daughter.
14. An Act for Sale of certain Lands in *Charwelton*, in the County of *Northampton*, of *William Adams*, Clerk, for Payment of Debts, and of Portions to his younger Brothers and Sisters, and settling other Lands of greater Value upon his Wife and Children in lieu thereof.
15. An Act for vesting the Estate of *Thomas Leigh*, late of *Ridge* in the County of *Chester*, Esq; deceased, in Trustees, for the Payment of his Debts, perfecting his Purchases, and better effecting the Purposes in his Will.
16. An Act for the making void certain Uses, Estates, and Trusts, limited in the Marriage Settlement of *Henry Awdley*, Esq; of certain Manors and Lands contained in that Settlement, and settling other Manors and Lands of better Value, to and for the same Uses, Estates, and Trusts.
17. An Act to enable *Robert Cavudron*, Esq; to settle Part of his Estate (which he has improved) for raising Portions for his younger Children.
18. An Act for vesting Lands in *Essex*, devised by Sir *Robert Kemp*, Knight, deceased, to the Children, and Grand Children of *Elizabeth Outlaw*, one of his Sisters and Coheirs, in Trustees, to be sold for the Benefit of the Devisees.
19. An Act for the vesting of nine Messuages in the Parish of *St. Giles in the Fields*, in the County of *Middlesex*, being the Estate of *William Jarmin* and *Mary* his Wife, in Trustees, to be sold, and for settling in lieu thereof a Messuage, and certain Lands in *Whipsnade*, *Tottenham*, and *Studham*, in the County of *Bedford*.
20. An Act to enable *John Jenkins*, Esq; to sell Lands in the Counties of *Durham* and *Northumberland*, for Payment of Debts charged thereupon.
21. An Act for vesting in Trustees Part of the Estate of *Thomas Harlaekenden Bowes*, Esq; for Payment of the Debts and Legacies wherewith the said Estate is charged, and for preserving the Residue clear of Charges for the Benefit of *Thomas Bowes*, Esq; an Infant.
22. An Act to enable *Arabella Foot* to lay out Monies belonging to her Son *Topham Foot*, in Purchases of Lands for his Benefit.
23. An Act to enable the Lord High Treasurer of *England*, or Commissioners of the Treasury for the time being, to compound with *John Ferrer*, Esq; for a Debt due from him as Surety for *John Mason*, Gentle Receiver General for the County of *Cambridge* and Isle of *Ely*.
24. An Act for the vesting the Manor of *Michael Church*, in the County of *Radnor*, and other Lands in the County of *Salop*, of *Mary Bowdler*, and *William Bowdler*, Gentle in certain Trustees, for the Payment of the Debts, and making

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- making Provision for the younger Children of the said *William Bowdler*.
25. An Act for settling the Manor of *Creech* in the County of *Somerset*, in Trustees, to enable them to renew Leases for the Maintenance of the younger Sons of *William Keyt*, Esq; deceased, during their Minority.
26. An Act for Sale of some Part of the Estate of *John Holden*, Gent. and *Robert Holden*, his Son, for Payment of their Debts, and for disposing of younger Children Apprentices.
27. An Act for naturalizing *Isaac Kops*.
28. An Act for naturalizing *Rene Rance*, *Matthew Decker*, and others.
29. An Act for naturalizing *Henry Boisfrond de St. Leger*, *Peter la Grange*, *Lewis Waadden*, and others.
30. An Act to vest the Manor of *Hanslop*, and *Castlethorp*, and all other the Lands and Hereditaments of Sir *Peter Tyrrel* Baronet, and *Thomas Tyrrel* Esq; his Son, in the County of *Bucks*, in Trustees, to sell Part thereof for Payment of Debts, and to settle other Lands and Hereditaments there, being of an equal Value, in lieu of Lands to be sold.
31. An Act to enable Sir *John Cowper* Knight, and *Anthony Henley*, Esq; to make a Partition, and grant Building Leases of several Messuages and Tenements in *Lincoln's Inn Fields*, in the Parishes of *St. Giles in the Fields*, and *St. Clement Danes*, in the County of *Middlesex*.
32. An Act to vest Part of the Estate of Sir *Christopher Phillipson* Knight, in Trustees, to be sold for Payment of Debts, and for charging Part thereof with Maintenance for a Daughter who is a Lunatick.
33. An Act for vesting the Manor of *Yeovilton*, in the County of *Somerset*, and other Lands therein mentioned, of *William Cary* Esq; in Trustees, for discharging Incumbrances, and making Provision for his younger Children, and settling other Lands in the County of *Devon* in lieu thereof.
34. An Act for vesting divers Manors and Lands of *Matthew Hollworthy* Esq; in Trustees, to be sold, and purchasing other Manors or Lands of equal Value, and limiting the Manors or Lands to be purchased to the same Uses, as the Lands to be sold are limited.
35. An Act for enabling *Bernard Cotton* Esq; to sell some Part of his Estate for Payment of his Debts, and for confirming several Conveyances already made of several other Parcels of his Estate by himself and Trustees, to several Purchasers thereof.
36. An Act to charge the Estate of *Ambrose Andrews* Gent. with Monies for Payment of Debts, and for supplying some Defects in the Settlement of the said Estate, for making a Jointure and Leases upon the said Estate.
37. An Act to establish and confirm a Partition and Agreement of and touching the Estate of Sir *Thomas Style*, late of *Wateringbury*, in the County of *Kent*, Baronet.
38. An Act for settling the Estate of Dr. *Thomas Lamplugh*, deceased, pursuant to his Marriage Articles and Settlement prepared for that Purpose, and for Provision for his younger Children.
39. An Act for the better vesting in *Giles Frampton* Esq; the Manor and Farm of *Moorton* alias *Moreton*, and *Hurß*, in the County of *Dorset*, in Possession, and for the better securing the same, and the other Manors, Farms, Messuages, Lands, Tenements, and Hereditaments, late of *William Frampton* Esq; deceased, to him the said *Giles Frampton*, and such as are entitled in Remainder after him, upon the Death of *Tregonwell Frampton* Esq;
40. An Act to enable *George Evelyn* to raise Portions for his Brothers and Sisters, according to his Father's Will.
41. An Act for Sale of Part of the Estate of *James Torr* Gent. deceased, for Payment of his Debts, and for settling other Part thereof to the Uses therein mentioned.
42. An Act to subject the Estate of *Robert Coke* of *Trusly*, in the County of *Derby* Esq; and *William Coke*, his Son and Heir Apparent, to the Payment of the said *Robert Coke's* Debts, and to make Provision for the Wife and younger Children of the said *William Coke*.
43. An Act for the setting aside a voluntary Settlement made by *Mary Fermour*, Widow, and for ratifying a Partition made of the Manors of *Mersham* and *Pett*, and divers Lands in the County of *Suffex*, between her and *Bartholomew Walmsley* Esq; and others.
44. An Act for the Improvement of the Estate of *John Brisco* in the County of *Cumberland*.
45. An Act for making good the Provision intended for Captain *James Roch*, out of the forfeited Estates in *Ireland*, and for restoring to the Bishoprick of *Cloyne* in the said Kingdom the Manor and Lands of *Donomore*.
46. An Act for setting aside voluntary Settlements made by *John Hawe* Gent. of Estates in the Counties of *Stafford* and *Warwick*, and settling some Part of his Estate upon the said *John Hawe*, and his Son, and for making Provision for the Maintenance of his Son and Daughter, and raising a Portion for such Daughter, and selling the Residue for Payment of his Debts.
47. An Act for Sale of the Estate of *John Digby* Esq; deceased, in the County of *Buckingham*, and dividing the Money between Sir *John Conway* Baronet, and *Richard Mostyn* Esq; and for settling the Estate of Sir *John Conway*, in the County of *Flint*, and making Provision for his Son and Daughter, according to an Agreement for that Purpose.
48. An Act for the further Recompensing of *John Baker* Gent. and his Family, for the Service of Col. *Baker* at *Londonderry* in *Ireland*, and for stating the Accounts of the late Receivers of the Rents and Profits of the forfeited Estates in *Ireland*.
49. An Act, that the Ships, the *Golden Scar* and *Bull*, being taken as Prize, and condemned, may have Freedom of trading as *English* Ships.
50. An Act to naturalize *Daniel Barbier*, *John Kerron du Chesne*, and others.
51. An Act for naturalizing *Henry de Hant*, *George Chabot*, and others.

PUBLICK ACTS.

Anno 3 & 4 Annæ.

1. AN Act for granting an Aid to her Majesty, by a Land Tax, to be raised in the Year one thousand seven hundred and five.
2. An Act for raising Monies by Sale of several Annuities, for carrying on the present War.
3. An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, for one Year.
4. An Act for continuing Duties upon Low Wines, and upon Coffee, Tea, Chocolate, Spices, and Pictures, and upon Hawkers, Pedlars, and petty Chapmen, and upon Muslins; and for granting new Duties upon several of the said Commodities, and also upon Callicoos, China Ware, and Drugs.
5. An Act for granting to her Majesty a further Subsidy on Wines, and Merchandizes imported.
6. An Act for the better enabling her Majesty to grant the Honour and Manor of *Woodstock*, with the Hundred of *Wootton*, to the Duke of *Marlborough*, and his Heirs, in

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- in Consideration of the eminent Services by him performed to her Majesty and the Publick.
7. An Act for the effectual securing the Kingdom of *England* from the apparent Dangers that may arise from several Acts lately passed in the Parliament of *Scotland*.
 8. An Act to permit the Exportation of *Irish* Linen Cloth to the Plantations, and to prohibit the Importation of *Scotch* Linen into *Ireland*.
 9. An Act for giving like Remedy upon Promissory Notes, as is now used upon Bills of Exchange, and for the better Payment of Inland Bills of Exchange.
 10. An Act for encouraging the Importation of Naval Stores from her Majesty's Plantations in *America*.
 11. An Act for the better recruiting her Majesty's Land Forces, and the Marines, for the Year one thousand seven hundred and five.
 12. An Act for the Relief of the Creditors of *Thomas Pitkin*, a Bankrupt, and for the apprehending of him, and the Discovery of the Effects of the said *Thomas Pitkin*, and his Accomplices.
 13. An Act for prohibiting all Trade and Commerce with *France*.
 14. An Act to prevent all traitorous Correspondence with her Majesty's Enemies.
 15. An Act for the Relief of *Fulke Emes* Gent. and others, who had elapsed their Times, either for paying their Money, or naming their Nominees, for purchasing Annuities; and also for Relief of Sir *John Mead* Knight and Baronet, who had elapsed his Time for paying Part of his Purchase-money for a forfeited Estate in *Ireland*, and also for Relief of *Dorothy Ireland*, and others, in Respect of several Tickets for Payment of Annuities, and of several Million Lottery, and Malt Lottery Tickets, and Exchequer Bills, and Debentures to Army, which have been burnt or lost.
 16. An Act for punishing Mutiny and Desertion, and false Musters; and for the better Payment of the Army and their Quarters.
 17. An Act for raising the Militia for the Year one thousand seven hundred and five, although the Month's Pay formerly advanced be not repaid.
 18. An Act for making perpetual an Act for the more easy Recovery of small Tithes; and also an Act for the more easy obtaining Partition of Lands in Coparcenary, Jointtenancy, and Tenancy in Common; and also for making more effectual and amending several Acts relating to the Return of Jurors.

PRIVATE ACTS.

1. AN Act for settling the Right of several Parcels of Land, and other Tenements, and of certain Fishings, and Tithes of Fishings, in the Society of the Governor and Assistants, *London*, of the new Plantation in *Ulster*, within the Realm of *Ireland*, and their Successors; and for settling a Rent Charge of 250*l.* per Annum upon the Lord Bishop of *Derry*, and his Successors for ever.
2. An Act for naturalizing *Thomas Levingston*, Viscount *Teviot* in the Kingdom of *Scotland*.
3. An Act for naturalizing *Louise Marie Cresset*, the Wife of *James Cresset*, Esq;
4. An Act to enable *Thomas Pile*, Esq; and *Elizabeth Freke*, to make Leases for Lives of the Estate of *Thomas Freke* of *Iwerne Courtney*, Esq; deceased, as also the Son of *George Pitt*, Esq; so to do, when entitled, and in actual Possession of the Premises; and that he may be enabled to make a Jointure upon any Woman he shall marry,

- out of the same; and for establishing a School in *Iwerne Courtney*, and augmenting the Vicarage of *Corne Abbas*, in the County of *Dorset*.
5. An Act to enable *Agnes Hacche*, Widow; and other Trustees, to make Leases, and sell Lands, in the County of *Devon*, for Payment of the Debts and Legacies of *Robert Hacche*, Esq; deceased; and for the Maintenance and Advancement of his Daughters Portions.
 6. An Act for confirming an Agreement between the Executors of *Moses Gould*, Esq; deceased, and his Relict, for Payment of the Debts and Maintenance of the younger Children of the said *Moses Gould*; and for settling other Part of his Estate.
 7. An Act for Sale of the Estate of *Daniel Drake*, Gent. deceased, for the Provision of his Widow and Children, according to his Will.
 8. An Act for naturalizing *Henry Bowman*.
 9. An Act for vesting in Trustees certain Manors and Lands of *William Duke* of *Devonshire*, and *William Cavendish*; commonly called Marquis of *Hartington*, to enable them to mortgage the same for Payment of Debts, and subject thereunto to settle the same to the like Uses, as the same are now settled.
 10. An Act to enable the Right Honourable *John Lord Powlet*, and *Bridget Lady Powlet*, his Wife, with the Consent of their Trustees, to sell their Shares and Interest of and in certain Manors and Lands in the County of *Kent*, and to purchase other Lands or Hereditaments of the like Value, to be settled to the same Uses.
 11. An Act to vest the Estate of *Charles Lord Howard*, Baron of *Escrick*, in Trustees, to sell the same for Payment of his Debts.
 12. An Act for Sale of several Estates in *England* and *Ireland*, for Payment of the Debts of *Charles* late Earl of *Burlington* and *Cork*.
 13. An Act for confirming an Agreement made by certain Articles by and between *John Earl of Kildare*, *Richard Lord Bellew*, both of the Kingdom of *Ireland*, and *Frances* his Lady, *Charlotte Countess of Newburgh* of the Kingdom of *Scotland*, and *William Rowley*, Esq; and for selling Part of the Estate of the said Earl of *Kildare*, for the Purposes therein mentioned.
 14. An Act for Confirmation of an Agreement made between *Thomas* late Lord Bishop of *Carlisle*, and *Thomas Cook*, Esq; for vesting the Rectory of *Melborne* in the County of *Derby*, in the said *Thomas Cook* and his Heirs, upon Augmentation of the Rents to the Bishoprick of *Carlisle*, and of the Stipend to the Vicar of *Melborne*.
 15. An Act for Sale of several Manors and Lands in the Counties of *Hereford*, *Radnor*, and *Brecon*, for Payment of the Debts of *Richard* and *Thomas Williams*, late of *Cabalva* in the County of *Radnor*, Esquires, deceased.
 16. An Act for vesting in Trustees all the Estate of *Baldwin Malett*, Esq; and *William Malett*, his Son and Heir apparent, for Payment of the Debts of the said *Baldwin Malett* to her Majesty, as he was Receiver General for the County of *Somerset*, and City and County of the City of *Bristol*, and for settling the Residue on the said *William Malett*, his Heirs and Assigns for ever, as by Agreement between the said *Baldwin Malett* and *William Malett*.
 17. An Act to empower the Lord High Treasurer or Commissioners of the Treasury, to compound with *Richard Cobb*, Esq; as one of the Sureties of *Thomas Cobb*, Gent. deceased, Receiver General for the County of *Southampton*, and *Isle of Wight*.
 18. An Act to empower the Lord High Treasurer, or Commissioners of the Treasury, to compound with *John Drake*, *John Hunton*, and *Edmund Cacke*, as Sureties for *Augustins*

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- Augustine Briggs*, Receiver General for the County of *Norfolk* and City of *Norwich*.
19. An Act to empower the Lord High Treasurer or Commissioners of the Treasury to compound with *Sir Michael Biddulph*, Baronet, as he was one of the Sureties for *Morgan Whitley*, Esq; Receiver General for the Counties of *Chester* and *North Wales*.
 20. An Act for settling of the Tithes of certain Lands in *Francton*, in the County of *Warwick*, upon *Simon Biddulph*, Baronet, and his Heirs, and for settling a Rent-charge in lieu thereof, upon the present Rector there, and his Successors for ever.
 21. An Act for the Augmentation of the Vicarage of *Gainfborough*, in the County of *Lincoln*.
 22. An Act to empower the Lord High Treasurer, or Commissioners of the Treasury, to compound with *Thomas Whitley*, Esq; as he was one of the Sureties for *Morgan Whitley*, Esq; late Receiver General for the Counties of *Chester* and *North Wales*.
 23. An Act for Sale of the Estate of *Ambrose Scudamore*, Esq; deceased, for Payment of the Mortgage-money and Debts thereupon, and placing out the overplus Money to the Uses therein mentioned.
 24. An Act for Sale of certain Lands and Tenements in *Heston* in the County of *Middlesex*, late the Estate of *Matthew Lister* and his Wife, and *Timothy Whitfield* and his Wife, for the Purposes therein mentioned.
 25. An Act to enable *James Lockart*, Esq; and his Wife, to sell certain Lands, Tenements, and Hereditaments in the County of *Essex*, late of *Sir Thomas Luckin*, Baronet, deceased, for Payment of their Debts, and to purchase other Lands with the Overplus of the Money, to be settled to like Uses.
 26. An Act for raising Money by a Mortgage of a Plantation in the *Barbadoes*, to pay the Debts of *Robert Hooper*.
 27. An Act for Sale of Part of the Estate of *Edward Baines*, Gent. for Discharge of a Mortgage thereupon, and making Provision for his Daughters.
 28. An Act for severing and disuniting the Church or Chapel of *Horne*, from the Church or Chapel of *Blechingley*, in the County of *Surrey*.
 29. An Act to enable Trustees to raise Money to pay the Debts of *Mark Delves*, Esq; deceased.
 30. An Act for Sale of several Lands and Hereditaments of *Thomas Goddard* of *Rudlow*, in the County of *Wilts*, Esq; deceased, for Payment of his Debts, and for settling the Overplus upon *Ambrose Goddard*, for the Purposes therein mentioned.
 31. An Act for Sale of several Lands and Hereditaments of *George Nodes*, Esq; in the County of *Hertford*, for Payment of his Debts, and the Debts of *George Nodes*, Esq; his Father, deceased, charged thereupon.
 32. An Act to enable *Joseph Hinxman* of *North Hinton*, in the County of *Southampton*, Esq; to sell some Estates in *Andover*, in the said County; and for the settling other Estates in *Christ Church Twyneham* in the said County, of a better Value, to the same Uses.
 33. An Act for Sale of several Lands in the Counties of *Durham* and *Northumberland*, late of *Patricius Crow*, Esq; deceased, for the raising the Portions charged thereupon for his younger Children.
 34. An Act for vesting an Estate mortgaged in Fee by *Thomas Burr*, to *Anthony Tomkins* (now an Infant) in Trustees, to reconvey the same to the said *Thomas Burr*, or as he shall appoint, upon Payment of all the Monies due on the said Mortgage.
 35. An Act for confirming and making good the last Will and Testament of *Hugh Nanney*, Esq; deceased.
 36. An Act to empower the Lord High Treasurer, or Commissioners of the Treasury, to compound with *John Mas-*
- son*, Gent. who was Receiver General for the County, University, and Town of *Cambridge*, and *Isle of Ely*; and also with *John Pickering*, Silkman, one of the said *John Mason's* Sureties, as he was such Receiver.
 37. An Act for Sale of the Estate of *Charles Bludworth*, Esq; deceased, for Payment of his Debts.
 38. An Act for vesting the Estate late of *Thomas Guy*, Gent. deceased, for Payment of his Debts.
 39. An Act to enable *John Proctor*, of *Rock* in the County of *Northumberland*, Esq; to sell or otherwise dispose of his Lands in *Shawdon*, *Shawdon Woodhouse*, and *Crawley*, upon settling Lands of like Value in the said County, in lieu thereof.
 40. An Act for Sale of Part of the Estate of *John Sands*, Esq; in the County of *Surrey*, for Payment of his Debts, and raising a Portion for his Daughter.
 41. An Act for Sale of the Estate of *Richard Ball*, in *Little Appleby* and *Great Appleby*, in the Counties of *Derby* and *Leicester*, and for laying out so much of the Money as will purchase another Estate of equal Value, to be settled to the same Uses, and the Residue in making Provision for younger Children.
 42. An Act to enable *Edmund Waller*, Esq; to charge his Estate (not settled on his Wife in Jointure) with a Sum of Money for Payment of his Debts.
 43. An Act for raising Money for Payment of the Debts of *Thomas Hatcher*, Esq; by Sale or Mortgage of some Part of his Estate, and for the better Execution of several Powers in his Marriage Settlement.
 44. An Act to enable *John Green*, of *Gavellacre* in the County of *Southampton*, Clerk, to sell some Estates in *Hackleston*, in the County of *Wilts*; and for the settling other Estates in *Gavellacre*, in the County of *Southampton*, of a better Value, to the same Uses.
 45. An Act to naturalize *Margarita Cecilia Cadogan*, Wife of Brigadier General *Cadogan*, *Gilbert Aisleck*, and *John Herman Louis*.
 46. An Act for enabling Trustees to make Leases of Part of the Manor of *Dingley*, and Lands there, for Payment of the Debts of *James Griffin*, Esq; and raising Portions for younger Children.
 47. An Act for the better Explanation of the Settlement of the Estate of *William Trafford*, Gent. and *Clare* his Wife, and *William* their eldest Son, and for making more effectual a Provision for younger Children, according to Agreements between them.
 48. An Act for vesting the Equity of Redemption of the Manor and capital Messuage of *Latchford*, with the Appurtenances, and divers Freehold Messuages, Farms, and Lands, in *Latchford* and *Hafely*, in the County of *Oxon*, late the Estate of *William Lentball*, Esq; deceased, in Trustees, to be sold for discharging of Incumbrances thereupon.
 49. An Act to enable *William Cavendish*, Esq; to make a Settlement in Jointure upon any Wife he shall marry, and for the better raising the Portions charged upon his Estate, and for confirming Infranchisements of several Copyhold Estates made by his Father, within the Manor of *Dovebridge* in the Counties of *Stafford* and *Derby*.
 50. An Act to enable *Sir George Warburton*, Baronet, to sell the Manor or Lordship of *Pulford* in the County of *Chester*, to perform an Agreement made upon his Marriage for Payment of several Portions charged upon his Estate; and also to pay some Debts which his Father had Power to charge.
 51. An Act for Sale of several Lands and chattel Estates, in the County of *Devon*, and City and County of *Exon*, of *Joseph Price*, for Payment of his Debts and Legacies charged upon his Estate, and for a Provision for himself, his Wife, and Family.

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PUBLICK ACTS.

Anno 4 & 5 Annæ.

52. An Act to naturalize *Andrew Girardot*, alias *Devermenoux*, *Francis Buzelin*, and others.
53. An Act to make some Alterations and Amendments in an Act of Parliament obtained the last Session by Sir *Peter Tyrill*, and *Thomas Tyrill* his Son, in order to enable them to sell several Lands in *Hanslop*, and *Castletthrop*, in the County of *Bucks*, which were settled upon the Marriage of the said *Thomas Tyrill* and *Dorothy* his Wife, and to settle other Lands in lieu thereof.
54. An Act for Sale of Part of the Estate of *Baptist May*, Esq; deceased, for reimbursing *Charles May*, Esq; his Nephew, such Monies as he has expended for discharging the Debts, Legacies, and Funeral Expences of the said *Baptist May*.
55. An Act for Sale of the Estate of *Thomas Holdford*, Esq; in *Plumbly*, and elsewhere, in the County of *Chester*, consisting chiefly in Reversions, to raise Money for Payment of his Debts, and purchasing an Estate in Possession, to be settled to the same Uses as the other Estate was settled.
56. An Act for confirming a Lease heretofore made, of certain Messuages and Lands in *Epsom*, by Sir *Joseph Sheldon*, and Sir *James Edwards*, to *Humphry Bean*, and agreed to be assigned to Sir *Thomas Cooke*, Knight, and for enabling a Lease of other Lands adjoining to the same, to be made to him.
57. An Act for vesting in Trustees the Estate late of Sir *Thomas Worsopp*, Knight, and *John Worsopp*, Esq; his Son, deceased, in *Finsbury-Fields*, or *Moor-Fields*, in the Parish of *Shoreditch*, in the County of *Middlesex*, to be sold for the Payment of Debts and Legacies, and the Overplus of the Money remaining, to be laid out for the purchasing of Messuages, Lands, Tenements, or Hereditaments of Inheritance in the Kingdom of *Ireland*, to be settled as in the Act is particularly mentioned.
58. An Act to empower the Lord High Treasurer, or Commissioners of the Treasury, to compound with *Thomas Kenyon*, Executor of *Luke Lloyd*, Esq; as he was one of the Sureties of *Morgan Whitley*, Esq; as he was Receiver General for the Counties of *Chester* and *North Wales*.
59. An Act for vesting the Estate of *Joseph Grainge*, and *Elizabeth* his Wife, in Trustees, to be sold, and to dispose of Part of the Money arising by such Sale for the Maintenance of the said *Elizabeth*, pursuant to their Marriage Settlement, and to apply the Residue to the Payment of the Debts of the said *Joseph Grainge*.
60. An Act to enable Trustees to sell such Part of the Estate of *Richard Lister*, Esq; and *Frances Pate Lister*, his Wife, sole Daughter and Heir of Sir *Thomas Smith*, Baronet, deceased, in the County of *Chester*, and City of *Chester*, as remains unsold, in order to raise Money for the Payment of the Debts of the said Sir *Thomas Smith*, and for Portions for younger Children of the said *Frances Pate Lister*; and for applying the Overplus in the Purchase of other Lands, to be settled to the same Uses as they are now settled; and likewise for confirming such Leases and Sales as have been made towards a Discharge of the said Debts.
61. An Act to empower the Lord High Treasurer, or Commissioners of the Treasury, to compound with *Michael Wicks*, Esq; late Receiver General of the Plantation Duties in the Port of *London*.

1. AN Act for exhibiting a Bill in this present Parliament for naturalizing the most Excellent Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body.
2. An Act for granting an Aid to her Majesty by a Land Tax to be raised in the Year one thousand seven hundred and six.
3. An Act to repeal several Clauses in the Statute made in the third and fourth Years of her present Majesty's Reign, for securing the Kingdom of *England* from several Acts lately passed in the Parliament of *Scotland*.
4. An Act for the Naturalization of the most Excellent Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body.
5. An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and six.
6. An Act for continuing an additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Culm, and Cinders, and additional Duties of Excise, and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities, to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned.
7. An Act for making the Town of *New Ross*, in the County of *Wexford* in the Kingdom of *Ireland*, a Port for the exporting of *Wool* from *Ireland* into this Kingdom.
8. An Act for the better Security of her Majesty's Person and Government, and of the Succession to the Crown of *England* in the Protestant Line.
9. An Act for repairing the Highways between *Barnhill* and *Hatton Heath*, in the County of *Chester*.
10. An Act for the better recruiting her Majesty's Army and Marines.
11. An Act for continuing an Act made in the Session held in the third and fourth Years of her Majesty's Reign, intituled, *An Act for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters*.
12. An Act for laying further Duties on Low Wines, and for preventing the Damage to her Majesty's Revenue by Importation of foreign cut Whalebone, and for making some Provisions as to the Stamp Duties, and the Duties on Births, Burials, and Marriages, and the Salt Duties, and touching Million Lottery Tickets, and for enabling her Majesty to dispose the Effects of *William Kidd*, a notorious Pirate, to the Use of *Greenwich* Hospital, and for appropriating the publick Monies granted in this Session of Parliament.
13. An Act for the better ordering and governing the Watermen and Lightermen upon the River of *Thames*.
14. An Act for the better collecting Charity Money on Briefs, by Letters Patent, and preventing Abuses in relation to such Charities.
15. An Act for making the River *Stower* navigable, from the Town of *Maningtree* in the County of *Essex*, to the Town of *Sudbury* in the County of *Suffolk*.

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16. An Act for the Amendment of the Law, and the better Advancement of Justice.
17. An Act to prevent Frauds frequently committed by Bankrupts.
18. An Act for enlarging the Pier and Harbour of *Parton* in the County of *Cumberland*.
19. An Act for the Encouragement and Increase of Seamen, and for the better and speedier Manning her Majesty's Fleet.
20. An Act for the better enabling the Master, Wardens, and Assistants of *Trinity House*, to rebuild the Light-House on the *Edystone* Rock.
21. An Act for the Increase and better Preservation of Salmon, and other Fish, in the Rivers within the Counties of *Southampton* and *Wills*.
22. An Act to impower the Lord High Treasurer, or Commissioners of the Treasury, to issue out of the Monies arising by the Coinage Duty, any Sum not exceeding five hundred Pounds, over and above the Sum of three thousand Pounds yearly, for the Uses of the Mint.
23. An Act for raising the Militia for the Year one thousand seven hundred and six, notwithstanding the Month's Pay formerly advanced be not repaid; and for an Account to be made of Trophy Monies.
24. An Act to enlarge the Time for registering unsatisfied Debentures upon the forfeited Estates in *Ireland*, and for renewing of other Debentures, which have been lost, burnt, or destroyed.
25. An Act for the paying and clearing the several Regiments commanded by Lieutenant General *Stewart*, Colonel *Hill*, and Brigadier *Holt*, and for supplying the Defect of the Muster Rolls of those and several other Regiments.
26. An Act for making effectual a Grant of their late Majesties King *WILLIAM* and Queen *MARY*, of the Town and Lands of *Sea Town* to the Archbishopric of *Dublin*, and for restoring the same to the said Sec.
27. An Act for the impropriate Tithes of the Parish of *Saint Bridget alias Bride's, London*.

PRIVATE ACTS.

1. AN Act for Sale of the Estate late of *Thomas Chute*, Esq; in the County of *Warwick*, and laying out the Monies arising thereby, in the Purchase of other Lands and Hereditaments in the County of *Norfolk*, to be settled to the same Uses as the *Warwickshire* Estate stands settled.
2. An Act for naturalizing *William Burnet*, Esq;
3. An Act for naturalizing *Peter Silvestre*, Doctor of Physick.
4. An Act for naturalizing *Adelaide Dutcheff* of *Shrewsbury*.
5. An Act for exchanging the Parsonage House, and certain Glebe Lands belonging to the Rectory of *Watton* at *Stone* in the County of *Hertford*, for a certain other House and Lands of greater Value, lying in *Watton* at *Stone* aforesaid, of and belonging to *Philip Boteler*, Esq;
6. An Act to enable Sir *Thomas Cave*, Baronet, to sell certain Lands in the County of *Northampton*, to raise Money to pay his Brothers and Sisters Portions, and settle other Lands in the said County of *Northampton*, and County of *Leicester*, of better Value, to the same Uses.
7. An Act for confirming an Agreement made upon the Marriage of *Charles Owen*, Esq; and *Dorothy* his Wife, of *Nash* in the County of *Pembroke*.
8. An Act for Sale of Part of the Estate of *James Hamilton*, Esq; a Minor, for Payment of his Debts, and for raising Portions for younger Children, and for making Fee Farms, and Leases for Lives, during his Minority.
9. An Act for supplying a Defect (by the Death of a Trustee) in the Appointment of Provisions for the younger Children of *Henry Smalman*, Esq; deceased, and for making the said Provision more effectual for such younger Children.
10. An Act to enable *John Edwards*, Gentleman, to sell certain Lands in the County of *Norfolk*, for Payment of Debts.
11. An Act to permit the making up of Clothes with Buttons of Cloth, for Exportation, for cloathing the Army of the Allies, notwithstanding the Act against Cloth Buttons.
12. An Act for the Relief of Sir *Stephen Evence*, Knight, and *Henry Cornish*, Esq;
13. An Act for Relief of *John Asgill*, Esq; in relation to his Purchase of Part of the forfeited Estates in *Ireland*.
14. An Act for naturalizing *William Lewis Legrand*.
15. An Act for the Relief of Colonel *Samuel Venner*.
16. An Act for naturalizing *Jacob Pechillis* and others.
17. An Act for enabling *James Duke of Ormond*, and *Charles Earl of Arran*, to settle Fee Farm Rents in the County of *Tipperary* in the Kingdom of *Ireland*, pursuant to an Agreement upon the Marriage of the said Earl of *Arran*, and for making good several Grants made by the said Earl in Fee Farm.
18. An Act for vesting the Inheritance of a Messuage and Gardens in *Acton*, in the County of *Middlesex*, purchased by the Right Honourable *Evelyn Earl of Kingston* upon *Hull*, in Trustees, for the said Earl and his Heirs.
19. An Act for making the Exemplification of the Will of *Edward* late Earl of *Conway*, under the Seal of the Court of *Chancery*, in the Kingdom of *Ireland*, and the Depositions relating to the same, Evidence on Hearings in Equity and Trial at Law.
20. An Act to enable *Scrope Lord Viscount Howe* of the Kingdom of *Ireland*, to make a certain Provision for his Daughters by his first Wife, that which was intended, being, as expressed in Marriage Settlement, uncertain and contingent.
21. An Act to enlarge the Power of *Richard Lord Bulkeley*, Viscount *Castells* in the Kingdom of *Ireland*, of leasing his Estate in *Cheeshire*, for Performance and Satisfaction of the Trusts upon the said Estate.
22. An Act for Sale of Part of the Estate of *Henry Lord Coleraine*, Baron of *Coleraine* in the Kingdom of *Ireland* and supplying the Want of Inrollment of a Deed concerning other Part of his Estate.
23. An Act for the supplying the Defect of a common Recovery, suffered by *Philip Smith*, Esq; Viscount *Strangford* of the Kingdom of *Ireland*, and *George Smith*, Esq; his eldest Son, and of the Deed which declared the Uses of the said Recovery.
24. An Act for Sale of the Manor of *Temple Dionisley*, alias *Dinsley*, and other Lands in the County of *Hertford*, for the Payment of the Debts of Sir *Edwin Sadlier*, Baronet, and other Purposes.
25. An Act to enable Sir *John Humble*, Baronet, and his Trustees, to settle several Messuages, Lands, and Hereditaments, lying in the Counties of *Lincoln*, *Surrey*, and *Kent*, pursuant to the Articles and Agreements made upon his Marriage with Dame *Sarah* his now Wife.
26. An Act for vesting the Estate of *Richard Bold*, Esq; in Trustees, to be leased, sold, or mortgaged, for raising the Portions, Debts, and Monies to which the same is liable.
27. An Act for vesting certain Terms for forty Years, in Trustees,

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- Trustees, which were granted by *John Abington, Esq;* deceased, and to empower them to grant, renew, and fill up Leases, according to the Usage of the Manor therein mentioned, and for raising Portions for the younger Children of the said *John Abington.*
28. An Act for vesting the Equity of Redemption of the Lands and Tenements lying in the County of *Leicester*, late the Estate of *John Digby Esq;* deceased, in Trustees, to the Intent that the same may be sold for the discharging of the Mortgages and other Incumbrances thereon.
 29. An Act to empower *Thomas Carcy*, and *George Hatley*, of *London*, Merchants, to import the Remainder of a Quantity of *French Wines* from *Copenhagen*, contracted for before the first Day of *January* one thousand seven hundred and four.
 30. An Act to enable Trustees to make Provision for Payment of Debts of *William Huggeson, Esq;* and for raising Portions for his younger Sons, and for making good the intended Settlement upon the Marriage of *William Huggessen* the younger, Gent.
 31. An Act for Sale of Lands in the Counties of *Southampton* and *Dorset*, late the Estate of *Thomas Deane, Esq;* deceased, for Payment of the Debts and Legacies charged thereupon, and for other Purposes therein mentioned.
 32. An Act for Augmenting the Number of Canons Residentiary, in the Cathedral Church of *Litchfield*, and for improving the Deanry and Prebends of the said Cathedral.
 33. An Act for Relief of Non Commission Officers and Private Soldiers of the Lord *Drogheda's* and Colonel *Coot's* Regiments.
 34. An Act for Sale of the Manor and Estate of and in *Hethersedge* and *Dore* in the County of *Derby*, the Estate of *Christopher Pegg, Esq;* and mortgaging Part of his Manor and Estate of and in *Beauchiff* and *Strawberry Lee* in the same County, for raising Money for Payment of Debts and Incumbrances thereon, and for making Provision for his Family.
 35. An Act to enable *William Gomeldon, Esq;* to sell a Farm in *Kent*, to discharge an Incumbrance upon the same, and to apply the Residue of the Monies arising by such Sale, in Payment of the said *William Gomeldon's* Debts.
 36. An Act for vesting a Mortgage of *Humphrey Courtney, Esq;* deceased, in Trustees, to be sold to discharge the Mortgages, Debts and Incumbrances on the said Estate.
 37. An Act for vesting, in Trustees, the Estate of *Morris Goulston, Esq;* for the raising his Sisters Portions, and Payment of Debts, and other Purposes therein mentioned.
 38. An Act for vesting certain Messuages and Lands in the Counties of *Devon* and *Cornwal*, of *Nicholas Row, Esq;* in Trustees, to be sold, and applying the greatest Part of the Purchase-money to the Uses of his Marriage Settlement, and the Residue for Payment of Debts.
 39. An Act for the Relief of Colonel *John Rice.*
 40. An Act for the removing all Doubts touching the saving Clause of one Act of Parliament, intituled, *An Act for vesting divers Manors and Lands of Matthew Holworthy, Esq;* in Trustees, to be sold, and purchasing other Manors or Lands of equal Value, and limiting the Manors or Lands to be purchased to the same Uses, as the Lands to be sold are limited.
 41. An Act for Sale of the Manor of *Barwick Hall*, and other Lands in the County of *Essex*, the Estate of *William Forbes, Esq;* and for purchasing other Lands to be settled to the same Uses.
 42. An Act to vest certain Lands and Tenements in the Counties of *Kent*, the Estate of *Richard Thornhill, Esq;* in Trustees, to be sold for the Payment of Debts, and his Sister's Portions charged thereupon, and for securing the Residue of the Purchase-money, to the Uses of his Marriage Settlement.
 43. An Act to enable *John Brett Fisher, Esq;* and *Judith* his Wife, to sell Lands for the Payment of his Debts, and making Provision for his Wife and Children, in Case they shall have any.
 44. An Act to enable *John Williams*, an Infant, notwithstanding his Infancy, to renew a Lease of the Parsonage of *Bugden*, held under one of the Prebendaries of the Cathedral Church of *Lincoln*; and also for settling the Prebend of *Bugden*, as an Augmentation for the Vicar of *Bugden*, and vesting the Ecclesiastical Jurisdiction of the Parish of *Bugden* in the Bishop of *Lincoln.*
 45. An Act for the Sale of Lands in the County of *Lincoln*, late the Estate of *John Stanhope, Esq;* deceased, for Payment of his Debts.
 46. An Act for taking the Estate in Law, for a Mortgage made by *John Sands, Esq;* which is descended to the Daughters and Cohairs of *John Pargiter*, deceased (who are Infants) they being only Trustees for *Henry Raper*, Merchant.
 47. An Act to empower the Lord High Treasurer of *England*, or Commissioners of the Treasury for the time being, to compound with *Thomas Thomkins* and *John Chagneau*, and their Securities, for the Debts owing by them respectively to her Majesty.
 48. An Act to enable Trustees to sell several Houses and Lands in and near *Portsmouth*, late the Estate of *Elizabeth Hicks*, for Payment of a Debt and Interest charged thereupon, and for laying out the Residue of the Money in other Lands, to be settled to the same Uses.
 49. An Act for vesting the Freehold and Copyhold Estate of *Thomas Gower*, Gent. deceased, in Trustees, to be sold for Payment of Debts, and settling the Remainder for the Benefit of his Daughters.
 50. An Act for vesting the Estate of *Valentine Crome* of *Maiden Early* in the County of *Berks*, Gent. in Trustees, to be sold for Payment of his Father's Debts, and making a Provision for himself and Brother.
 51. An Act for the Sale of Lands, late of *John Ballet*, Gent. deceased, for the more speedy Payment of his Debts, and raising Portions for his younger Children.
 52. An Act for the more effectual Alluring of Part of the Lands of Inheritance of *William* and *Thomas Lambard* in the County of *Kent*, pursuant to a Deed of Settlement; and for alluring (in lieu of other Part thereof) other Lands of Inheritance therein also mentioned, and for better Provision for younger Children.
 53. An Act for vesting the Capital Messuage, and other Lands and Tenements of *Faulke Wyne*, in the County of *Denbigh*, Gent. and *Meredith Wyne* his Son, in Trustees, to the Intent that Part thereof may be sold for Payment of his Debts, and the Residue settled pursuant to Marriage Articles.
 54. An Act for vesting the Estates of *Christopher Reve* the Elder, Clerk, deceased, and of *Christopher Reve*, Clerk, his only Son, also deceased, in certain Trustees, to be sold for the Payment of their several Debts and Legacies, and for making some Provision for *Dorothy* the Widow of the said *Christopher Reve* the Son, and for *Christopher Reve* his only Child, an Infant.
 55. An Act for vesting the Estate of *Arthur Vaughan* of *Trethberwen*, in the County of *Montgomery*, an Infant,

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- in Trustees, to be sold for Payment of such Debts and Incumbrances, to which the same, or the said Infant, in respect thereof, is liable.
56. An Act for vesting the Estate of *Elizabeth Hore*, in the County of *Bucks*, in Trustees, to be sold, and the Monies arising thereby, to be applied for the Payment of Debts charged thereon.
 57. An Act for Sale of the Manor of *Estevening*, and other Lands and Hereditaments in *Swinhead*, in the County of *Lincoln*, late the Estate of *Christopher Fairfax*, Gent. deceased, for Payment of his Debts, and Benefit of his Children.
 58. An Act for vesting Part of the Real Estate of *Ralph Baldwin*, Gent. in Trustees, for a Provision for his younger Children.
 59. An Act for settling and securing Part of the Estates of *Robert Barry*, Clerk, and *Anne* his Wife, for the Benefit of the said *Anne* and her Children, and Sale of other Part of the Estate of the said *Robert Barry*, for Payment of his Debts.
 60. An Act for vesting the Sum of two thousand Pounds in Trustees, to be applied to and for the Payment of the Debts of *John Holworthy*, Gent. pursuant to an Agreement with his Creditors.
 61. An Act for the Sale of an Advowson in *Suffex*, late the Estate of *Michael Sorocold*, Clerk, deceased, for Payment of his Debts, and making Provision for his Widow and Child.
 62. An Act for Sale of the Estate of *John Vicary*, deceased, in *Rockbear*, in the County of *Devon*, for Payment of his Debts charged thereupon, and for Maintenance of his Widow and Children.
 63. An Act to empower the Lord High Treasurer of *England*, or Commissioners of the Treasury for the Time being, to compound with *Francis Clyes*, as Surety for *William Pennock*, late of *Exon*, Merchant, in six several Bonds, for Duties on Tobacco, which the said *William Pennock* had at the Port of *Falmouth*, in *December*, one thousand seven hundred and one.
 64. An Act to rectify a Mistake in, and explain an Act passed in the last Session, to empower the Lord High Treasurer, or Commissioners of the Treasury, to compound with *Richard Cobb*, Esq; as one of the Sureties for *Thomas Cobb*, Gent. Receiver General for the County of *Southampton* and *Isle of Wight*.
 65. An Act to make the Ship *L'Amazone*, taken and condemned as a Prize, and sold in the Island of *Barbadoes*, Free.
 66. An Act for naturalizing *Paul, Frances, and Katharine Kilby*.
 67. An Act for naturalizing of *Vincent de Laymerie*, and others.

PUBLICK ACTS.

Anno 5 Annæ.

1. AN Act for granting an Aid to her Majesty, by a Land Tax, to be raised in the Year one thousand seven hundred and seven.
2. An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and seven.
3. An Act for the settling of the Honours and Dignities of *John Duke of Marlborough* upon his Posterity, and annexing the Honour and Manor of *Woodstock*, and House of *Blenheim*, to go along with the said Honours.
4. An Act for settling upon *John Duke of Marlborough* and his Posterity, a Pension of five thousand Pounds *per Annum*, for the more honourable Support of their Dignities, in like Manner as his Honours and Dignities, and the Honour and Manor of *Woodstock*, and House of *Blenheim*, are already limited and settled.
5. An Act for securing the Church of *England* as by Law established.
6. An Act for repealing a Clause in an Act, intituled, *An Act for the better apprehending, prosecuting, and punishing Felons that commit Burglaries, House-breaking, or Robberies in Shops, Warehouses, Coach-houses, or Stables, or that steal Horses.*
7. An Act for regulating and ascertaining the Duties to be paid by the Unfreemen Importers of Coals into the Port and Borough of *Great Yarmouth*, in the County of *Norfolk*.
8. An Act for an Union of the two Kingdoms of *England* and *Scotland*.
9. An Act for rendering more effectual an Act passed in the first Year of her Majesty's Reign, intituled, *An Act for the better preventing Escapes out of the Queen's Bench and Fleet Prisons.*
10. An Act for repairing the Highway between *Hockliffe* and *Weborne*, in the County of *Bedford*.
11. An Act for continuing the Acts formerly made for Repairing of the Highways in the County of *Hertford*.
12. An Act for the enlarging the Passage leading to *New Palace Yard* through the *Gatehouse, Westminster*.
13. An Act for continuing the Duties upon Houses, to secure a yearly Fund for circulating Exchequer Bills, whereby a Sum not exceeding fifteen hundred thousand Pounds is intended to be raised, for carrying on the War, and other her Majesty's Occasions.
14. An Act for the better Preservation of the Game.
15. An Act for the better Recruiting her Majesty's Land Forces and the Marines, for the Year one thousand seven hundred and seven.
16. An Act for continuing an Act made in the third and fourth Years of her Majesty's Reign, intituled, *An Act for punishing Mutiny and Desertion, and False Musters, and for the better Payment of the Army and Quarters.*
17. An Act to repeal all the Laws prohibiting the Importation of Foreign Lace made with Thread.
18. An Act for Inrolments of Bargains and Sales within the *West Riding* of the County of *York*, in the Register Office there lately provided; and for making the said Register more effectual.
19. An Act for continuing the Duties on Low Wines, and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars, and Petty Chapmen, and Part of the Duties on stamp'd Vellum, Parchment, and Paper, and the late Duties on Sweets, and the one third Subsidy of Tonnage and Poundage, and for settling and establishing a Fund thereby, and by the Application of certain Overplus Monies, and otherwise, for Payment of Annuities, to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and seven, and other Uses therein expressed.
20. An Act for the better Encouragement of the Royal Lustring Company.
21. An Act for repairing the Highway between *Fornhill* in the County of *Bedford*, and the Town of *Stony-Stratford* in the County of *Buckingham*.
22. An Act to explain and amend an Act of the last Session of Parliament for preventing Frauds frequently committed by Bankrupts.
23. An Act to subject the Estate of *Thomas Brerewood* to the Creditors of *Thomas Pitkin*, notwithstanding any Agreement

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- ment or Composition made by the Creditors of the said *Thomas Pitkin*.
24. An Act for discharging small Livings from their First Fruits and Tenths, and all Arrears thereof.
 25. An Act for making the Acts more effectual for appropriating the forfeited Improvements in *Ireland*, for the building of Churches, and augmenting poor Vicarages there.
 26. An Act for repairing the Highways between *Shepherds-Shord* and the *Devizes*, and between the Top of *Ashblinton Hill* and *Rowd Ford* in the County of *Wilt.*
 27. An Act for continuing several Subsidies, Impositions, and Duties, and for making Provisions therein mentioned, to raise Money by Way of Loan for the Service of the War, and other her Majesty's necessary and important Occasions; and for ascertaining the Wine Measure.
 28. An Act for raising the Militia for the Year one thousand seven hundred and seven, notwithstanding the Month's Pay formerly advanced be not repaid; and for an Account to be made of Trophy Money.
 29. An Act for Ease of her Majesty's Subjects in relation to the Duties upon Salt, and for making the like Allowances upon the Exportation of White Herrings, Flesh, Oatmeal, and Grain called Beer alias Bigg, and are to be made upon Exportation of the like from *Scotland*.
 30. An Act for the better securing her Majesty's Purchase of *Cotton House* in *Westminster*.
 31. An Act for the encouraging the Discovery and Apprehending of House-breakers.
 32. An Act for the continuing the Laws for the Punishment of Vagrants, and for making such Laws more effectual.
 33. An Act for obliging *John Rice* to account for Debentures granted to him in the last Session of Parliament.
 34. An Act for continuing the Laws therein mentioned relating to the Poor, and to the buying and selling of Cattle in *Smithfield*, and for suppressing of Piracy.

PRIVATE ACTS.

1. AN Act for naturalizing *Maria Margaret Lady North and Grey*.
2. An Act to enable *Henry Grey*, second Son of *Richard Nevill*, Esq; to change his Name from *Nevill* to *Grey*, according to the Will of *Ralph Lord Grey* deceased.
3. An Act to make the Ship called the *Neptune* Privateer (a Foreign built Ship, late bought as a Wreck) a Free Ship.
4. An Act to make the Ship *Vigilantia* of *Stad* upon the River of *Elbe* in *Germany* (late a Wreck) a Free Ship.
5. An Act for naturalizing *John Tigh*.
6. An Act to enable the Lord High Treasurer, or Commissioners of the Treasury for the time being, to compound with *Benjamin Nicholl*, Citizen and late Merchant of *London*, and his Sureties, for the Debt owing by him to her Majesty.
7. An Act for the Relief of Sir *John Mead*, of the Kingdom of *Ireland*, Knight and Baronet.
8. An Act for empowering the Barons of the Court of Exchequer in *Ireland*, to grant a Commission to some Persons in *England*, to administer to *Thomas Maule*, Esq; Remembrancer of the said Court, the usual Oaths for the due Execution of his Office, and to enable him to take the Oaths, and subscribe the Declaration, in the Court of *Chancery* in *England*, instead of those requisite to be taken and subscribed by the Laws of *England* and *Ireland*, in order to qualify him to execute the said Office.
9. An Act for naturalizing *Philip Vanden Enden*, Merchant.
10. An Act for making the Ship *Supply* a Free Ship.
11. An Act to enable the Right Honourable *Henry Earl of Thomond*, an Infant, to make a Settlement of his Estate upon his Marriage (notwithstanding his Infancy) and for other the Purposes in the said Act mentioned.
12. An Act for making more effectual a Settlement made by *William Lord Bishop of Oxford*, for the Benefit of his Children.
13. An Act for discharging several Lands in the County of *Worcester*, from the Sum of two thousand Pounds, given by the Will of Dame *Elizabeth Rich*, Widow, deceased, for Charitable Uses, and charging the same upon other Lands in the County of *Berks*.
14. An Act for supplying the Defect of an Appointment for the Provision of the younger Children of *John Cambam*, Esq; deceased, pursuant to his Marriage Settlement, and for settling an Estate in *Totteridge*, in lieu of thirteen hundred Pounds, the Remainder of a Sum of Money agreed to be laid out in a Purchase.
15. An Act for Sale of some Part of the Estate of *Hen. Darrel*, Esq; deceased, and leasing or mortgaging other Part thereof, to raise Money to pay his Debts charged thereupon, and for making Provision for his Widow and younger Children.
16. An Act for vesting Part of the Estate of *William Fitch*, Esq; lying in the County of *Dorset*, in Trustees, to be sold for the Payment of his Sisters Portions, and other Debts, and for preserving the Residue free from all Power of Waste, and for settling certain Tithes in the *Ile of Wight* to the same Uses.
17. An Act for enabling *Agnes Lee*, Widow, to renew certain Leases for Lives, belonging to *Richard Lee*, her Son, who is an Infant.
18. An Act for settling the Estate of *Daniel Thomas*, Gent. for the Benefit of his Wife and Children.
19. An Act for Sale of certain Houses near *Aldgate* in *London*, late the Estate of *William Williams*, deceased, and for purchasing Lands in lieu thereof.
20. An Act to empower the Lord High Treasurer of *England*, or Commissioners of the Treasury for the time being, to compound with *Nathaniel Rich*, Esq; late Receiver General for the County of *Essex*.
21. An Act for the Relief of *John Baker*, his Mother, Brother, and Sisters, Widow and Children of Col. *Henry Baker*, deceased.
22. An Act for making the Ship *Prince* (Foreign built) a Free Ship.
23. An Act for discharging divers Manors and Lands of *Henry Duke of Beaufort*, from the Portions of his Daughters and younger Children by his present Dukes, and for charging other Manors and Lands of the said Duke of greater Value with the like Portions.
24. An Act to enable *Henry Pye*, Esq; to make a Jointure.
25. An Act for Sale of Part of the Estate of *William Potts*, for discharging his Brothers and Sisters Portions, and his Debts, and for confirming his Marriage Settlement, as to the Residue of his Estate, discharged of such Portions.
26. An Act for vesting Lands in *Chelsea*, in the County of *Middlesex*, purchased of *Charles Lord Cheney* Viscount *Newhaven* in *Scotland*, in the Queen's Majesty, for the Accommodation of *Chelsea College*, and other Lands, in *John Lord Vaughan* Earl of *Carbury* in *Ireland*, and his Heirs.
27. An Act for confirming and establishing the Partitions made between *William Pierrepont*, Esq; (since deceased) and

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- and the Honourable *Charles Egerton*, Esq; and others, of several Manors and Lands in the Counties of *Sussex*, *Kent*, and *Surrey*, and to enable *William* and *Samuel Pierrepoint*, Infants, to make Partition of Land in other Counties, and to sell the same, and purchase other Lands to be settled to the same Uses, and for rectifying a Mistake in the Marriage Settlement of *William Peck*, Esq;
28. An Act for vesting in Trustees, a Messuage and Lands in *Ratcliffe Culey*, in the County of *Leicester*, to be sold, upon the Settling of another Estate of as great or greater Value, to the same Uses as the Lands to be sold are settled.
29. An Act for Relief of *Alexander Pendarvis*, Esq; in relation to five thousand Pounds, and Interest, provided for him out of Lands in *Ireland*.
30. An Act for the better Support and Maintenance of the Minister of *Tettenhall*, in the County of *Stafford*, for the Time being.
31. An Act to vest certain Mills and Lands in *Downton*, in the County of *Wilt*s (the Estate of *William Eyre* a Lunatick) in Trustees, to be sold, and for applying Part of the Monies arising by the Sale thereof for Payment of the Debts of the said Lunatick, and making some Provision for *Ambrose Eyre*, his eldest Son and Heir, and for applying the Residue of such Monies in purchasing of other Lands, to be settled to the same Uses as the said Premises to be sold are now settled.
32. An Act to enable Trustees to sell several Lands at *Colegreene* within the Manor of *Hertingfordbury*, in the County of *Hertford*, and the Manor of the Rectory of *Hertingfordbury* aforesaid, late the Estate of *Anne Winwood*, deceased, for Payment of a Debt of six hundred Pounds and Interest, due upon Mortgage and Bond, or Specialty; and for laying out the Residue of the Money arising by such Sale in the Purchase of other Lands or Tenements, to be settled to the same Uses as the said Lands are now settled.
33. An Act for vesting a Mansion House, and Lands thereunto adjoining, in the County of *Middlesex*, the Estate of *William Hyde*, Merchant, in Trustees, to be forthwith sold for the better Maintenance and present Provision for his Children.
34. An Act to vest several Lands and Hereditaments in the County of *York*, in *Robert Hitch*, Esq; and his Heirs, and to settle other Lands and Hereditaments in the said County in lieu thereof, and as an Exchange thereof, to the same Uses.
35. An Act for rectifying a Mistake, and for supplying the Defects in an Act of the third Year of her Majesty's Reign, for Sale of the Estate late of *Edward Baines*, for Discharge of a Mortgage thereupon, and for making Provision for his Daughters.
36. An Act for Sale of the Estate in the County of *Montgomery*, late Part of the Estate of *Gilbert Charlton*, Esq; deceased, and for purchasing other Estate or Estates in the Counties of *Nottingham*, *Leicester*, or *Lincoln*, to be settled to the like Uses as the Estate in the County of *Montgomery* was settled.
37. An Act for the Sale of certain Lands contained in the Marriage Settlement of *Daniel King* and *Jane* his Wife, and for purchasing other Lands of the same or greater Value, to be settled to the same Uses; also for giving Liberty to *Jane Nicholl*, Widow, and the Executors of Sir *William Pritchard*, to pay two Sums of four thousand Pounds, and two thousand Pounds, mentioned in the said Settlement, in the Life-time of the said *Jane Nicholl*.
38. An Act for Sale of Part of the Estate of *John Weardon* of *Souldern*, in the County of *Oxon*, Esq; for Payment of his Father's Debts and Legacies, and Portions to his younger Children, and for settling the rest of his Estate to the Uses of the Father's voluntary Settlement.
39. An Act to enable *Thomas Clarke*, an Infant, to make a Lease of a House in *St. Mary Axe* in *London*, to Sir *Jeffery Jefferys*, Knight.
40. An Act for encouraging the Rebuilding the antient Parish Church of *Humberstone*, in the County of *Lincoln*, and settling a Rent Charge of greater Value on the Bishop of *Lincoln* and his Successors, in lieu of the Rectory of *Humberstone*, and for other Purposes therein mentioned.
41. An Act for vesting the Reversion in Fee of certain Manors and Lands, in the County of *Kent*, late the Estate of *Mountague Drake*, Esq; deceased, in Trustees, to be sold for Payment of his Debts and Legacies.
42. An Act for the better Discovery of the Estate of *John Aynsworth* late of *London*, Merchant.
43. An Act to enable the Lord High Treasurer, or Commissioners of the Treasury for the Time being, to compound with *John Crosse*, Merchant, and his Sureties, for the Debt owing by him to her Majesty.
44. An Act to enable the Trustees of *William Elfen*, an Infant, to sell Part of his Estate for Payment of his Father's Debts on Specialties.
45. An Act to enable the Lord Treasurer, or Commissioners of the Treasury for the Time being, to compound with *John Pye*, Gent. and his Sureties, for the Debt by him and them owing to her Majesty.
46. An Act for the Relief of *Elizabeth Wandsford*, and *Elizabeth Foulke*.
47. An Act for naturalizing *John Thomeur*, and others.
48. An Act to naturalize *Henry Van Holte*, and others.

PUBLICK ACTS.

Anno 6 Annæ.

1. AN Act for granting an Aid to her Majesty, to be raised by a Land Tax in *Great Britain*, for the Service of the Year one thousand seven hundred and eight.
2. An Act for repealing and declaring the Determination of two Acts passed in the Parliament of *Scotland*, the one, intituled, *Act for the Security of the Kingdom*; the other, *Act anent Peace and War*.
3. An Act for the better securing the Duties of *East India* Goods.
4. An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and eight.
5. An Act for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and eight, and other Uses, by Sale of Annuities charged on a Fund, not exceeding forty thousand Pounds *per Annum*, to arise by appropriating several Surplusses, and by granting further Terms in the Duties on Low Wines, and on Hawkers, Pedlars, and Petty Chapmen, the Stamp Duties, the One Third Subsidy, the Duty on Sweets, and one of the Branches of Excise, and by making other Provision in this Act mentioned.
6. An Act for rendering the Union of the two Kingdoms more entire and complete.
7. An Act for the Security of her Majesty's Person and Government, and of the Succession to the Crown of *Great Britain* in the Protestant Line.
8. An Act for encouraging the Dressing and Dying of Woollen

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- Woollen Cloths within this Kingdom, by laying a Duty upon Broad Cloth exported White.
9. An Act for the Exportation of White Woollen Cloth.
 10. An Act for the better Recruiting her Majesty's Land Forces, and the Marines, for the Service of the Year one thousand seven hundred and eight.
 11. An Act for continuing one Half Part of the Subsidies of Tonnage and Poundage, and other Duties upon Wines, Goods, and Merchandises imported, which were granted to the Crown in the twelfth Year of the Reign of King CHARLES II. and for settling a Fund thereby, and by other Ways and Means, for Payment of Annuities, not exceeding eighty thousand Pounds *per Annum*, to be sold for raising a further Supply to her Majesty, for the Service of the Year 1708. and other Uses therein expressed.
 12. An Act to explain the Act of the last Session of Parliament, for the Ease of her Majesty's Subjects in Relation to Allowances out of the Duties upon Salt carried Coastwise, and also an Act of the first Year of her Majesty's Reign, in Relation to certain Salt-works near the Sea-side and Bay of *Holyhead* in the County of *Anglesea*.
 13. An Act for the better securing the Trade of this Kingdom by Cruisers and Convoys.
 14. An Act for the better Security of her Majesty's Person and Government.
 15. An Act to empower her Majesty to secure and detain such Persons as her Majesty shall suspect are conspiring against her Person or Government.
 16. An Act for repealing the Act of the first Year of King JAMES I. intituled, *An Act for the well garbling of Spices*; and for granting an Equivalent to the City of *London*, by admitting Brokers.
 17. An Act for assuring to the *English* Company trading to the *East Indies*, on Account of the united Stock, a longer Time in the Fund and Trade therein mentioned, and for raising thereby the Sum of 1,200,000*l.* for carrying on the War, and other her Majesty's Occasions.
 18. An Act for the more effectual Discovery of the Death of Persons pretended to be alive, to the Prejudice of those who claim Estates after their Deaths.
 19. An Act for continuing the Half Subsidies therein mentioned, with several Impositions and other Duties, to raise Money by Way of Loan, for the Service of the War, and other her Majesty's necessary and important Occasions, and for charging of Prize Goods and Seizures, and for taking off the Drawbacks of foreign Cordage, and to obviate the clandestine Importation of wrought Silks.
 20. An Act for continuing an Act made in the third Year of her Majesty's Reign, intituled, *An Act for punishing Mutiny and Desertion and for false Musters, and for the better Payment of the Army and Quarters*.
 21. An Act for the avoiding of Doubts and Questions touching the Statutes of divers Cathedral and Collegiate Churches.
 22. An Act for continuing several Duties therein mentioned, upon Coffee, Chocolate, Spices, Pictures, and Muslins, and additional Duties upon several of the said Commodities, and certain Duties upon Callicoes, China Wares, and Drugs; and for continuing the Duties called the two third Subsidies of Tonnage and Poundage; for preserving the publick Credit; and for ascertaining the Duties of Coals exported for foreign Parts; and for securing the Credit of the Bank of *England*; and for passing several Accounts of Taxes raised in the County of *Monmouth*; and for promoting the Consumption of such Tobacco as shall have paid her Majesty's Duties.
 23. An Act to make further Provision for electing and summoning sixteen Peers of *Scotland*, to sit in the House of Peers in the Parliament of *Great Britain*; and for trying Peers for Offences committed in *Scotland*; and for the further regulating of Votes in Elections of Members to serve in Parliament.
 24. An Act for the further directing the Payment of the Equivalent Money.
 25. An Act to enable her Majesty to make Leafes and Copies of Offices, Lands, and Hereditaments, Parcel of her Duchy of *Cornwall*, or annexed to the same.
 26. An Act for settling and establishing a Court of Exchequer in the North Part of *Great Britain*, called *Scotland*.
 27. An Act to enlarge the Time for returning the Certificates of all Ecclesiastical Livings, not exceeding the yearly Value of fifty Pounds; as also for discharging all Livings of that Value from the Payment of First Fruits; and for allowing Time to Archbishops and Bishops, and other Dignitaries, for Payment of their First Fruits.
 28. An Act for continuing the Act for ascertaining the Tithes of Hemp and Flax.
 29. An Act to repeal a Clause in an Act of the seventh Year of the Reign of his late Majesty, (for amending and repairing the Highways) which enjoins Waggoners and others to draw with a Pole between the Wheel Horses, or with double Shafts, and to oblige them to draw only with six Horses, or other Beasts, except up Hills.
 30. An Act for ascertaining the Rates of foreign Coins in her Majesty's Plantations in *America*.
 31. An Act for the better preventing Miscchiefs that may happen by Fire.
 32. An Act for regulating the Qualifications of the Elections of the Governor, Deputy Governor, or Directors, and Voters of the Governor and Company of the Bank of *England*.
 33. An Act for the Importation of *Cochineal* from any Ports in *Spain*, during the present War, and six Months longer.
 34. An Act for limiting a Time to Persons to come in and make their Claims to any of the forfeited Estates and other Interests in *Ireland*, sold by the Trustees for Sale of those Estates to the Governor and Company for making hollow Sword Blades in *England*, and divers other Purchasers.
 35. An Act for the publick registering of all Deeds, Conveyances, Wills, and other Incumbrances that shall be made of, or that may affect any Honours, Manors, Lands, Tenements, or Hereditaments, within the East Riding of the County of *York*, or the Town and County of the Town of *Kingston upon Hull*, after the 29th Day of *September* 1708. and for the rendring the Register in the West Riding more compleat.
 36. An Act for raising the Militia of this Kingdom for the Year 1708. although the Month's Pay formerly advanced be not repaid.
 37. An Act for the Encouragement of the Trade to *America*.

PRIVATE ACTS.

1. AN Act for repairing, amending, and enlarging the Highways between the Top of *Kingsdown Hill* and the City of *Bath*, and also several other Highways leading to and through the said City; and for cleansing, paving, and lightning the Streets, and regulating the Chairmen there.
2. An Act for vesting in *Ralph Freeman*, the younger; Esq; and his Heirs, divers Manors and Lands in the County of *Essex*, comprized in his Marriage Settlement,

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- he having settled other Manors and Lands in the County of *Hertford*, of greater Value, to like Uses in lieu thereof.
3. An Act for naturalizing *Katharine Clarke*, Daughter of *Sir William Clarke*, Bart. deceased.
 4. An Act for naturalizing *Marcos Dos Santos*.
 5. An Act for making good to *William Thompson*, Esq; the Benefit intended to be granted to his Ancestors, and their Heirs, by certain Letters Patents of King *CHARLES II.* in lieu of the Castle of *Scarborough*, and other Things by them surrendered to and now enjoyed by the Crown.
 6. An Act for erecting a Workhouse in the Town and Borough of *Plymouth* in the County of *Devon*, and for settling the Poor on Work, and maintaining them there.
 7. An Act for enlarging the Term in an Act made in the seventh Year of his late Majesty's Reign, for repairing the Highways between the City of *London* and Town of *Harwich* in the County of *Essex*.
 8. An Act for repairing the Harbour and Key of *Watchet* in the County of *Somerset*.
 9. An Act for the more effectual making and keeping the River *Tone* navigable from *Bridgewater* to *Taunton* in the County of *Somerset*.
 10. An Act for settling the Estate of *John* now Earl of *Exeter*, pursuant to Agreements made on the Marriage of the same Earl with *Elizabeth* Countess of *Exeter* his now Wife, subject to such Alterations as are mentioned herein.
 11. An Act to supply a Defect in an Act of Parliament made in the first Year of the Reign of her present Majesty Queen *ANNE*, intituled, *An Act for raising 1500l. by Mortgage of Lands in the County of Dorset, for Payment of Debts, and for a further Provision and Maintenance of the younger Children of Philip Caldecot, Esq;*
 12. An Act to make the Ship *Ambuscade* (a French Privateer taken by her Majesty's Ship the *Dover*, and condemned and sold as a Prize) a Free Ship.
 13. An Act for erecting a Harbour and Key at *East Tarbet*, in the Shire of *Argyle*.
 14. An Act for the better Amendment of that Way which leads from *Cherill* through *Calne* to *Studley Bridge* in the County of *Wilts*.
 15. An Act for repairing the Highways from *Old Stratford* in the County of *Northampton*, to *Dunchurch* in the County of *Warwick*.
 16. An Act for the Reversal of the Attainder of *Sir Henry Bond*, Bart. in *Ireland*.
 17. An Act for making effectual the Provision intended by *William Bromley*, late of *Holt Castle* in the County of *Worcester*, Esq; for *Dorothy Bromley* his youngest Daughter.
 18. An Act for selling the Estate of *Thomas Stephens*, Esq; in the Counties of *Chester* and *Stafford*, and for settling of another Estate of as great or greater Value, in the County of *Gloucester*, to the same Uses.
 19. An Act for vesting in *Roger Tuckfield*, Esq; several Lands purchased for him by *Sir William Davye*; Bart. deceased.
 20. An Act for making two large Fly Boats (*Russia* built) one called the *Thomas and Henry*, the other the *Richard and Jane*, free Ships to trade to *Russia*.
 21. An Act for naturalizing *Peter Des Maizeaux*, *Francis Heilman*, *John Risteanu*, *Peter Bouvot*, and others.
 22. An Act to enable the Right Honourable the Countess of *Bindon*, together with the Right Honourable *Henry Earl of Bindon*, her now Husband, to make Leases of the Manor and Town of *Carlowe* in the County of *Catherlagh*, and *Quens County* in the Kingdom of *Ireland*, and for the evidencing of the Settlements made by *Henry* late Earl of *Thomond*.
 23. An Act for vesting the Equity of Redemption of the Manor and Capital Messuage of *Great Haseley*, with the Appurtenances, and divers Messuages, Farms, and Lands in *Haseley* and *Latchford* in the County of *Oxford*, late the Estate of *William Lentball*, Esq; deceased (in Trustees) to be sold for discharging of Incumbrances thereupon.
 24. An Act for vesting several Messuages, Houses, Lands, and Tenements; in the County of *Dublin*, in the Kingdom of *Ireland*, formerly the Estate of *Thomas Boyd*, Esq; in a Trustee, to be sold for the Payment of the Debts of *Letice* late Countess of *Kilmarnock*, deceased, and for raising Portions for the younger Children of the said Countess.
 25. An Act to vest the Estate of *Edward Cheek*, Esq; deceased, in *Somersetshire*, remaining unsold at his Death, in Trustees, to be sold to satisfy the Demands of the Lady *Ruffel*, his Mother, and *Essex Cheek* his Sister, and to vest the Remainder of the Monies arising by Sale of the said Estate, in the Purchase of other Lands, to be settled on *Edward Cheek*, an Infant, and his Heirs.
 26. An Act to enable *Sir William Wyndham* of *Orchard Wyndham* in the County of *Somerset*, Bart. to make a Marriage Settlement, and for other Purposes therein mentioned, during his Minority.
 27. An Act for explaining and amending a Proviso and Power for enabling *Sir John Wentworth*, Bart. and his Brothers, to make a Wife a Jointure.
 28. An Act to enable *Sir Ralph Milbank*, Bart. to make a Jointure and Settlement upon such Woman as he shall marry, as if he were of full Age.
 29. An Act for Sale of the Manor of *Swindon*, and several Messuages, Lands, and Hereditaments in the County of *York*, late Part of the Estate of *Christopher Lister*, Esq; and after of *Thomas Lister*, Esq; both deceased, for Payment of the Legacies and Debts of the said *Christopher Lister*, and a Mortgage of the said *Thomas Lister*.
 30. An Act to empower the Lord High Treasurer of *Great Britain*, or Commissioners of the Treasury, to compound with *Richard Parke*, Citizen and late Merchant of *London*, for a Debt due to her Majesty.
 31. An Act for the Sale of a Piece of Ground, late of *John Killingworth*, Esq; deceased, on which stood several old and decayed Tenements, and applying the Purchase-money for the Benefit of his Wife and Daughters.
 32. An Act for vacating the Settlement made upon the Marriage of *Henry Mayne*, and for making a reasonable Provision for the Maintenance of his only Son (who is an Ideot) during his Life.
 33. An Act for Sale of Part of the Estate of *James Hamilton*, Esq; deceased.
 34. An Act for the Relief of Col. *Richard Sutton*, and other *Aids de Camp*.
 35. An Act for the Relief of Capt. *James Roch*.
 36. An Act for the Relief of Lieutenant Colonel *John Savery*.
 37. An Act for naturalizing *John Affleck*, Esq; and *Mary Dutry*.
 38. An Act for naturalizing *Peter Dubordieu*, and others.

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PUBLIC ACTS.

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1. AN Act for granting an Aid to her Majesty, to be raised by a Land Tax in *Great Britain*, for the Service of the Year 1709.
2. An Act for the speedy and effectual recruiting her Majesty's Land Forces and Marines, for the Service of the Year 1709.
3. An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year 1709.
4. An Act for punishing Mutiny and Desertion and false Musters, and for the better Payment of the Army and Quarters.
5. An Act for naturalizing Foreign Protestants.
6. An Act for explaining and making more effectual that Part of an Act passed in the fifth Year of her present Majesty's Reign, concerning the buying and selling of Cattle in *Smithfield*, and for giving Leave for bringing up Calves dead to *London*, as formerly.
7. An Act for enlarging the Capital Stock of the Bank of *England*, and for raising a further Supply to her Majesty, for the Year 1709.
8. An Act for continuing several Impositions and Duties, to raise Money by way of Loan; and for exporting *British* Copper and Brass Wire Duty free; and for circulating a further Sum in Exchequer Bills, in case a new Contract be made in that Behalf; and concerning the Oaths to be administered in relation to *Italian* Thrown Silks; and touching Oils and Plantation Goods of Foreigners, taken or to be taken as Prize; and concerning Drugs of *America*, and for imported from her Majesty's Plantations; and for appropriating the Monies given in this Session of Parliament; and for making out Debentures for two Transport Ships in this Act named; and to allow a further Time for registering certain Debentures; and for Relief of Persons who have lost such Tickets, Exchequer Bills, Debentures, Tallies, or Orders, as in this Act are mentioned.
9. An Act for giving the Commissioners of Sewers for the City of *London*, the same Powers as the Commissioners of Sewers for Counties have; and to oblige Collectors for the Sewers to account.
10. An Act for rendering more effectual the Laws concerning Commissioners of Sewers.
11. An Act for ascertaining and directing the Payment of the Allowances to be made for or upon the Exportation from *Scotland* of Fish, Beef, and Pork, cured with Foreign Salt imported before 1 *May*, 1707. and for disposing such Salt still remaining in the Hands of her Majesty's Subjects there, and for ascertaining and securing the Allowances for Fish and Flesh exported and to be exported from *Scotland*, for the future.
12. An Act for preserving the Privileges of Ambassadors, and other publick Ministers of Foreign Princes and States.
13. An Act for the better ascertaining the Lengths and Breadths of Woollen Cloth made in the County of *York*.
14. An Act for the better Preservation of Parochial Libraries in that Part of *Great Britain* called *England*.
15. An Act for altering *Whitsuntide* and *Lammas* Terms for the Court of *Exchequer* in *Scotland*.
16. An Act to prevent the laying of Wagers relating to the Publick.
17. An Act for making more effectual an Act made in the

- sixth Year of her Majesty's Reign, for the better preventing of Mischiefs that may happen by Fire.
18. An Act to preserve the Rights of Patrons to Advowsons.
19. An Act to enable Infants who are seized or possessed of Estates in Fee, in Trust, or by way of Mortgage, to make Conveyances of such Estates.
20. An Act for the publick registering of Deeds, Conveyances, and Wills, and other Incumbrances which shall be made of, or that may affect any Honours, Manors, Lands, Tenements, or Hereditaments, within the County of *Middlesex*, after the 29th of *September*, 1709.
21. An Act for improving the Union of the two Kingdoms.
22. An Act for the Queen's most gracious, general, and free Pardon.
23. An Act for raising the Militia for the Year 1709, although the Month's Pay formerly advanced be not repaid.
24. An Act for continuing the former Act for the Encouragement of Coinage, and to encourage the bringing Foreign Coins, and *British* or Foreign Plate, to be coined, and for making Provision for the Mints in *Scotland*, and for the prosecuting Offences concerning the Coin in *England*.
25. An Act for making perpetual an Act for the better preventing the counterfeiting the current Coin of this Kingdom; as also an Act for giving like Remedy upon Promissory Notes, as is used upon Bills of Exchange, and for the better Payment of Inland Bills of Exchange; and also for continuing several Acts made in the fourth and fifth Years of her Majesty's Reign, for preventing Frauds committed by Bankrupts.
26. An Act for appointing Commissioners to treat and agree for such Lands, Tenements, and Hereditaments as shall be judged proper to be purchased for the better fortifying *Poitsmouth*, *Chatham*, and *Harwich*.

PRIVATE ACTS.

1. AN Act for continuing an Act made in the first Year of her Majesty's Reign, intituled, *An Act for the rebuilding and repairing of the Piers of the Town and Port of Whitby in the County of York*.
2. An Act for naturalizing *Charlotta Christiana* Lady *Duffus*.
3. An Act to enable *Edward Saintbill* (late *Edward Yard*) Esq; to change his Surname from *Yard* to *Sainthill*, according to the Will of *Samuel Sainthill*, Esq; deceased.
4. An Act for continuing an Act made in the seventh and eighth Years of the Reign of his late Majesty King *WILLIAM*, intituled, *An Act for repairing the Highways between Wymondham and Attleborough in the County of Norfolk*, and for including therein the Road leading from *Wymondham* to *Hetherjett*, over the Commons belonging to the said Towns.
5. An Act for preserving and enlarging the Harbour of *Whitehaven*, in the County of *Cumberland*.
6. An Act for building a Church or Chapel in the Town of *Manchester* in the County of *Lancaster*.
7. An Act to enable *Anne Crewe* (late *Offley*) Widow, and *John Crewe* (late *Offley*) her Son and Heir Apparent, to change their Surnames from *Offley* to *Crew*, according to the Settlement of *John Crew*, Esq; deceased.
8. An Act for vesting in Trustees the Reversion of several Lands and Tenements expectant on Leases for Lives, the Estate of *Hugh Stafford* of *Pynis* in the County of *Devon*, Esq; to be sold for Payment of Debts, and

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- and by discharging his Power of Leasing, to secure other Lands to come into Possession to his Son in lieu thereof.
9. An Act to enable *William Collins*, Clerk, *Thomas Parrot*, and *William Day*, Gent. to dispose of certain Lands, for the Payment of the Debts of *John Granger*, and for making Provision for the Widow and younger Children of *Nicholas Granger*, his late Father, deceased.
 10. An Act for further enabling *George Penne*, Esq; to sell Lands for Payment of his Debts, by enlarging a Trust for that Purpose contained in a former Act, intituled, *An Act to enable George Penne, Esq; to sell Lands for the Payment of his Debts, and other Purposes therein mentioned.*
 11. An Act for naturalizing *Lewis de Rosset*, *Peter Brozet*, and others.
 12. An Act for repairing and improving of *Morrison's Haven*, and the Fort there, in the Shire of *East Lothian*, alias *Haddington*.
 13. An Act for building a Parish Church, and Parsonage House, and making a new Church-yard, and a new Parish in *Birmingham*, in the County of *Warwick*, to be called the Parish of *St. Philip*.
 14. An Act for vesting in *John Duke of Newcastle* and his Heirs, certain Lands belonging to the Vicarage of *Walesby*, in the County of *Nottingham*, in the lieu of an annual Rent of 10*l. per Ann.* payable to the Vicar of the said Vicarage, and his Successors for ever.
 15. An Act to vest the Estates which came to the Right Honourable *Ober Earl of Plymouth*, by his Mother, in Trustees, to be sold for raising Money to pay off Debts charged upon his paternal Estate, and to enable him to cut Coppices.
 16. An Act for the explaining and making more effectual an Act made *Anno primo Annæ Reginae*, intituled, *An Act giving further Time to John Lord Bishop of Chichester, and his Successors, to make Leases of certain Houses and Ground in and near Chancery Lane, belonging to the Bishoprick of Chichester.*
 17. An Act to explain a Clause in a Statute made in the 27th Year of the Reign of King *HENRY VIII.* enabling Tenants in Tail in Possession, to make Jointures to Wives, and enlarging the same, so as *Richard Lord Willoughby de Broke*, and others, Tenants in Tail in Possession, may make Jointures to the Wives of their eldest Sons or Grandsons.
 18. An Act for vesting some Part of the Estate in the County of *Lincoln*, included in the Marriage Settlement of the Right Honourable *William Powlett*, Esq; commonly called *Lord William Powlett*, in Trustees, to be sold for the raising Money to discharge an Incumbrance fallen on the same, by virtue of a Decree of the High Court of *Chancery*; and to confirm an Agreement made by the said *Lord William Powlett*, with the Right Honourable the Countess Dowager of *Bridgewater*, and the Executor of the late Duke of *Bolton*, deceased, relating to such Incumbrance.
 19. An Act for vesting the Barony of *Wem*, and Manors of *Wem* and *Loppington*, and several Lands and Tenements in the County of *Salop*, and the Manors of *Dolby* and *Broughton*, and Lands thereto belonging in the County of *Leicester*, and the Manor of *Fulmer*, and several Lands and Tenements in the County of *Bucks*, late the Estate of *George* late Lord *Jefferies*, deceased, in Trustees, to be sold for Payment of Debts and Portions, and other Purposes therein mentioned.
 20. An Act to enable the Honourable *William Cecil*, Esq; with others, to sell Lands for the Payment of several Debts charged upon his Estate by the Right Honourable *John* late Earl of *Exeter*, deceased, his late Father.
 21. An Act for vesting in Trustees the fourth Part of a fourth Part (being the Share of Sir *Roger Bradshaigh*, Bart.) of the Estate of the late Countess of *Oxford*, to be sold, to pay Portions and Debts, and with the Remainder of the Money arising by such Sale, to purchase other Lands to be settled to the same Uses as his Paternal Estate is by his Marriage Settlement.
 22. An Act to reverse the Outlawry and Attainder of *Christopher* Lord Baron of *Slane* in *Ireland*.
 23. An Act for vesting divers Manors, Messuages, Lands, and Tenements of *John Lacy*, Esq; in the Counties of *Essex*, *Cambridge*, and *Middlesex*, in Trustees, to be sold for Payment of his Debts, making Provision for his Children unprovided for, and other Purposes therein mentioned.
 24. An Act for vesting the Site, Capital Messuage, or Farm of the Manor of *South Stoke*, and Lands thereunto belonging, in the County of *Somerset*, late the Estate of *John Gay*, Gent. deceased, in Trustees, to be sold for the speedier Payment of his Debts, and better Performance of the Trusts therein mentioned.
 25. An Act to empower the Lord High Treasurer of *Great Britain*, or Commissioners of the Treasury, to compound with the Sureties of *Samuel Pacey*, deceased, late Receiver General for the County of *Suffolk*.
 26. An Act to enable the Lord High Treasurer, or Commissioners of the Treasury for the time being, to compound with *William Mallett*, Esq; for the Debt of his Father, for whom he was Surety while Receiver General of the County of *Somerset*, and City of *Bristol*.
 27. An Act for better establishing certain Charities of *John Pierrepont*.
 28. An Act for vesting the Estate of *Gideon Haydon*, Esq; deceased, lying in the County of *Devon*, in Trustees, to be sold for the Payment of the Debts wherewith it stands incumbered, and settling the Overplus to the Uses in his Marriage Settlement limited and declared.
 29. An Act for the better Performance of the Will of *Stephen Harvey*, Esq; deceased, and making Provision for his Children.
 30. An Act for the Reversal of the Outlawry of *Eleanor Bagot*, the Wife of *John Bagot*.
 31. An Act to enable *William How* of *Somerton* Esq; in the County of *Somerset*, Esq; to sell the Manor and Farm of *Gunville-Eastbury*, alias *Tarrant-Gunville*, in the County of *Dorset*, and several Messuages, Lands, Tenements and Hereditaments in *Gunville-Eastbury*, alias *Tarrant-Gunville* aforesaid, and to settle other Lands and Hereditaments of greater Value to the same Uses to which the said Manor and Premises in *Gunville-Eastbury*, alias *Tarrant-Gunville*, now stand limited, in lieu thereof.
 32. An Act to enable *John Elye* Esq; to raise Monies out of his Estate to pay his Debts, and for settling the Residue thereof, together with the Estate of *Elizabeth* his Wife, to the Uses intended by his Marriage Settlement.
 33. An Act for Sale of certain Lands and Annuities late the Estate of *John Coldham*, of *Tootin Graveney*, Esq; deceased, for raising of Portions for his Grand Children, according to his Will.
 34. An Act to make the Ships, the *Barclay Castle*, and *James*, of *Montrose*, Free Ships.
 35. An Act for the Payment of the Debts of Sir *John Bolles*, Bart. a Lunatick.
 36. An Act to enable *Thomas Bulkeley*, Gent. to sell Part of the Estate comprized in his Marriage Settlement, to pay off Debts which were precedent to, and do affect the said Settlement.
 37. An Act for the Relief of the Non-Commission Officers

The TITLES of the STATUTES.

- cers and Soldiers of the respective Companies of the three Regiments of Col. *Thomas Handasyde*, Col. *John Livesay*, and Lieutenant General *Erle*, and of the four Independent Companies at *New York in America*.
38. An Act for annexing the Rectory or Parsonage of *Hafely* in the County of *Oxon*, to the Deanery of the King's Free Chapel of *St. George* within his Castle of *Windfor*, and for vesting the Advowson of the Rectory and Parochial Church of *St. Mary, alias North Church Barkhamstead*, in the County of *Hertford*, in the Dean and Canons of the King's Free Chapel of *St. George* within his Castle of *Windfor*, in lieu thereof.
 39. An Act to enable *James Stopford*, Esq; to sell Lands in the County of *Nottingham*, for Payment of Debts and Portions.
 40. An Act for confirming a Term of five hundred Years, created by *Richard Minsbul*, Esq; and his Trustees, for securing the Payment of 8000 *l.* and Interest.
 41. An Act for the Relief of the Earl of *Clanriccard* (lately called Lord *Boplin*) of the Kingdom of *Ireland*, in relation to his Estate, and for the more effectual selling or settling the Estate of the said Earl to Protestants.
 42. An Act to explain an Act made in the first Year of her Majesty's Reign, intituled, *An Act to oblige Edward Whitaker to account for such Sums of Publick Money, as hath been received by him*.
 43. An Act to enable *Anthony Stafford*, Gent. to sell or mortgage some Part of his Lands and Hereditaments in the Counties of *Derby* and *Chester*, for the Payment of his Father's Debts and his own, and the better settling and securing the rest for the Benefit of his Wife and Family.
 44. An Act for vesting the Equity of Redemption of the Manor of *Backwell*, in the County of *Somersett*, in Trustees, to be sold pursuant to the Will of *Caroletta Nettles*, deceased, and a Decree in Chancery.

PUBLICK ACTS.

Anno 8 Annæ.

1. AN Act for granting an Aid to her Majesty, to be raised by a Land Tax in *Great Britain*, for the Service of the Year 1710.
2. An Act to prohibit the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch, and Low Wines, Spirits, Worts, and Wash drawn from Malted Corn.
3. An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year 1710.
4. An Act for continuing Part of the Duties upon Coals, Culm, and Cinders, and granting new Duties upon Houses having twenty Windows or more, to raise the Sum of 1,500,000 *l.* by Way of a Lottery, for the Service of the Year 1710.
5. An Act to continue the Act for recruiting her Majesty's Land Forces and Marines, for the Service of the Year 1710.
6. An Act for employing the Manufacturers, by encouraging the Consumption of Raw Silk, and Mohair Yarn.
7. An Act for granting to her Majesty new Duties of Excise, and upon several imported Commodities, and for establishing a yearly Fund thereby, and by other Ways and Means, to raise 600,000 *l.* by Sale of Annuities, and (in Default thereof) by another Lottery, for the Service of the Year 1710.
8. An Act for clearing, preserving, and maintaining the Harbour of *Catwater*, lying near *Plymouth*, in the County of *Devon*; and for the cleansing and keeping clean the Pool, commonly called *Sutton Pool*, lying in *Plymouth* aforesaid.
9. An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks and Apprentices, towards raising her Majesty's Supply for the Service of the Year 1710.
10. An Act to continue the Act for punishing Mutiny and Desertion, and for the better Payment of the Army and Quarters.
11. An Act to explain so much of the Act for prohibiting the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch, and Low Wines, Spirits, Worts, and Wash drawn from Malted Corn; by which Act the said Commodities are admitted to be carried from the Isle of *Wight* to several Markets; and for giving Liberty to export certain Quantities of Oatmeal, for the Use of the *British Hospitals* beyond the Seas.
12. An Act for making a convenient Dock or Bafon at *Liverpoole*, for the Security of all Ships trading to and from the said Port of *Liverpoole*.
13. An Act for continuing several Impositions, Additional Impositions, and Duties upon Goods imported, to raise Money by Way of Loan for the Service of the Year 1710. and for taking off the Over-sea Duty on Coals exported in *British Bottoms*; and for better preventing Frauds in Drawbacks upon Certificate Goods; and for ascertaining the Duties of Corans imported in *Venctian Ships*; and to give further Time to foreign Merchants for Exportation of certain foreign Goods imported; and to limit a Time for Prosecutions upon certain Bonds given by Merchants; and for continuing certain Fees of the Officers of the Customs; and to prevent Imbezilments by such Officers; and for appropriating the Monies granted to her Majesty; and for replacing Monies paid or to be paid for making good any Deficiencies on the Annuity Acts; and for Encouragement to raise Navel Stores in her Majesty's Plantations; and to give further Time for registering Debentures, as is therein mentioned.
14. An Act for the better Security of Rents, and to prevent Frauds committed by Tenants.
15. An Act for explaining and enlarging an Act of the sixth Year of her Majesty's Reign, intituled, *An Act for the Security of her Majesty's Person and Government*.
16. An Act for discharging the Attendance of Noblemen, Barons, and Freeholders, upon the Lords of Justiciary in their Circuits, in that Part of *Great Britain* called *Scotland*; and for abolishing the Method of exhibiting Criminal Informations by the Porteous Roll.
17. An Act for explaining and making more effectual an Act for the better enabling the Master, Wardens, and Assistants of *Trinity House* to rebuild the Light House on the *Edystone Rock*.
18. An Act to regulate the Price and Assise of Bread.
19. An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned.
20. An Act for raising the Militia for the Year 1710, although the Month's Pay formerly advanced be not repaid.
21. An Act for vesting certain Lands, Tenements, and Hereditaments, in Trustees, for the better fortifying and securing the Harbours and Docks at *Portsmouth*, *Chatham*, and *Harwich*.

PRIVATE ACTS.

1. AN Act to enable *Peyton Altham*, an Infant, Trustee, to join in suffering a common Recovery, or levying a Fine of an Estate in *Essex*, as if he were of full Age.
2. An Act for repairing the Highways between the House commonly called the *Horshoe House*, in the Parish of *Stoke Goldington*, in the County of *Bucks*, and the Town of *Northampton*.
3. An Act to enable *Peter Pettefworth*, Esq; and the Trustees in his Marriage Settlement, to sell certain Lands and Hereditaments, in the Counties of *Southampton* and *Sussex*, for Payment of his Debts, and to settle another Estate of greater yearly Value, for the better Provision of his Family.
4. An Act for making effectual the Provisions intended by *William Hayward*, late of *Quedgley*, in the County of *Gloucester*, Esq; deceased, for Payment of his Debts, and providing Portions for his younger Children.
5. An Act for Sale of several Tenements in *Cheek Lane*, near *West Smithfield* (the Estate of *James Brydges*, Esq;) and for purchasing and settling other Estates to the same Uses.
6. An Act for confirming and establishing a Partition, made between *Edward Rigby*, Gent. the Honourable *Charles Egerton*, Esq; and the Honourable *Elizabeth* his Wife, and others, of several Manors and Hereditaments in the County of *Essex*, heretofore the Estate of the Right Honourable *Anne* late Countess of *Oxford*, deceased, and to enable *Margaret*, *Anne*, and *Katharine Lennard*, Infants, to make Partition of other Lands and Tenements, in the County of *Hertford*, and in *London*, other Part of the said Countess of *Oxford's* Estate.
7. An Act to vest in, and enable Trustees to sell some Out-parts of the Estate, late of Sir *John Rolle*, Knight of the *Bath*, deceased, for the Payment of Debts, Legacies, and Portions; and for settling of other Lands to the same Uses.
8. An Act for Sale of several Lands and Hereditaments of *Iaac Knight*, Esq; in the Counties of *Nottingham* and *York*, for Payment of the Portion of *Hannah* the Wife of *Thomas Stones*, Esq; and the Arrears of an Annuity payable to *Dickenson Knight*, Gent. and for settling the Overplus to the same Uses, to which the Lands to be sold do stand limited, and for charging other Lands with the said Annuity.
9. An Act for vesting the Estate of *Thomas Berrie*, Esq; deceased, in Trustees, to be sold, for discharging several Mortgages thereupon, and other his Debts, which his Personal Estate will not extend to pay, and for laying out the Surplus-money for the Benefit of his Widow and Heir at Law.
10. An Act for vesting the several Manors and Lands therein mentioned, in the County of *Oxon*, late the Inheritance of *William Jennens*, Esq; deceased, and by his Marriage Settlement conveyed to the Uses therein expressed, in Trustees, to be sold for clearing several Incumbrances thereupon, precedent to the said Marriage Settlement, and investing the Surplus of the Money arising by such Sale, in a Purchase of other Lands to the like Uses, as were limited by the said Marriage Settlement; and for vesting in the said Trustees such Estate and Interest as the said *William Jennens*, or the Trustees named in his Marriage Settlement, had in certain Lands, heretofore called the *Marsh Lands*, in the Parish of *St. Giles in the Fields*, in the County of *Middlesex*, subject to the several prece-

dent Incumbrances thereupon, to be sold for the Purposes therein mentioned.

11. An Act for the more effectual Provision for the Poor in the Town of *Kingston upon Hull*.
12. An Act for repairing and amending the Highways leading from *Seven Oaks* to *Woods Gate* and *Tunbridge Wells*, in the County of *Kent*.
13. An Act for Sale of Part of the Estate of *Anthony Lord Viscount Gormanston*, for Payment of his Debts, and for securing a Jointure, and a Maintenance for *Margaret Viscountess Gormanston*, in lieu of a Rent Charge payable to her out of the said Viscount's Estate.
14. An Act to enable *Henry Summers*, Esq; to make Sale of the Manor of *Gaynes*, and other Lands in *Huntingdonshire*, and in lieu thereof to settle Lands in *Essex* of a greater Value, to the same Uses the said *Huntingdonshire* Estate was settled.
15. An Act for making more effectual the Act for the repairing the Highways between *Fornbill*, in the County of *Bedford*, and *Stony Stratford*, in the County of *Bucks*.
16. An Act to confirm Articles of Partition made between the Earl and Countess of *Wemyss*, of the one Part, and *Anne Robinson*, Spinster, of the other Part, of their Estates in the Counties of *Oxon*, *Northampton*, and *Kent*; and for vesting their respective Moieties in Trustees to be sold.
17. An Act to make several Trusts in the Marriage Settlements of *Edward Southwell*, Esq; and the Lady *Elizabeth* his late Wife, more effectual to answer the Intent of them, and to explain several Powers therein.
18. An Act to enable Trustees to sell some Fenny Lands in the Counties of *Huntingdon* and *Cambridge*, Part of the Estate of *Anthony Hammond*, Esq; and to settle other Lands in lieu thereof.
19. An Act to enable Trustees to grant, renew, and fill up Leases of the Estate of *Arthur Tremayne*, Esq; (an Infant) during his Minority.
20. An Act for the enclosing *Ropley Commons*, in the County of *Southampton*; and for the Improvement of the old disparked Park of *Farnham*, in the Counties of *Surrey* and *Southampton*.
21. An Act to enable the Trustees of the Last Will and Testament of *Thomas Hobbs*, Doctor in Physick, deceased, with *Abraham Weeks*, Esq; to make a Jointure upon the Wife of the said *Abraham Weeks*.
22. An Act to enable certain Trustees to raise Part of the Portions designed for the younger Children of *Clifton Pack*, Esq; deceased, and *Penelope* his Wife, by their Marriage Settlement.
23. An Act for the Relief of *Joseph Cooper*, Gent.
24. An Act for vesting the Freehold and Copyhold Estate late of *William Emerton*, Esq; deceased, in the Parish of *Chevening*, in the County of *Kent*, in Trustees, to be sold for the better Support of his Widow, and Advancement of his two Daughters.
25. An Act to enable the Corporation of *Leverpoole* to make a Grant to Sir *Oleave Moore*, Bart. for Liberty to bring Fresh Water into the said Town of *Leverpoole*.
26. An Act for Sale of Part of the Estate of *George Scot*, Esq; in the County of *Kent*, for Payment of Debts.
27. An Act to enable Trustees to recover the Personal Estates of *William Bigg* and *Isabel Bigg*, now vested in *John Bigg*, a Lunatick, their Son and Heir, and Executor of his Father, for the Payment of Debts and Legacies.
28. An Act for vesting the Estate and Effects of *John Coggs* and *John Dann*, Goldsmiths and Copartners, in Trustees, for the speedier Payment of their Creditors, and for determining Differences thereupon.

The TITLES of the STATUTES.

PUBLICK ACTS.

Anno 9 Annæ.

1. AN ACT for granting an Aid to her Majesty, to be raised by a Land Tax in *Great Britain*, for the Service of the Year 1711.
2. An ACT to oblige Ships coming from Places infected, more effectually to perform their Quarantine.
3. An ACT for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year 1711.
4. An ACT to continue the Acts for recruiting her Majesty's Land Forces and Marines, for the Service of the Year 1711.
5. An Act for securing the Freedom of Parliaments, by the farther qualifying the Members to sit in the House of Commons.
6. An Act for reviving, continuing, and appropriating certain Duties upon several Commodities to be exported; and certain Duties upon Coals to be water-born, and carried Coastwise; and for granting further Duties upon Candles, for thirty-two Years, to raise 150,000 *l.* by Way of a Lottery, for the Service of the Year one thousand seven hundred and eleven; and for suppressing such unlawful Lotteries, and such Insurance Offices, as are therein mentioned.
7. An ACT for enabling and obliging the Bank of *England*, for the Time therein mentioned, to exchange all Exchequer Bills for ready Money upon Demand; and to disabie any Person to be Governor, Deputy Governor, or Director of the Bank of *England*, and a Director of the *East India Company*, at the same Time.
8. An ACT to repeal the ACT of the third and fourth Year of her Majesty's Reign, intituled, *An Act for prohibiting all Trade and Commerce with France*, so far as it relates to the prohibiting the Importation of *French Wines*.
9. An Act to continue the Acts for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army, and Quarters; and for approving of Medicines for the Army.
10. An ACT for establishing a General Post Office for all her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majesty's Occasions.
11. An ACT for laying certain Duties upon Hides and Skins, tanned, tawed, or dressed, and upon Vellum and Parchment, for the Term of thirty-two Years, for prosecuting the War, and other her Majesty's most necessary Occasions.
12. An ACT for laying a Duty upon Hops.
13. An ACT for taking, examining, and stating the publick Accounts of this Kingdom.
14. An ACT for the better preventing of excessive and deceitful Gaming.
15. An ACT for making more effectual an ACT of the forty-third Year of the Reign of Queen ELIZABETH, intituled, *An Act concerning the Assises of Fuel*, so far as it relates to the Assise of Billet.
16. An ACT to make an Attempt on the Life of a Privy Counsellor, in the Execution of his Office, to be Felony without Benefit of Clergy.
17. An ACT for the Preservation of White and other Pine Trees growing in her Majesty's Colonies of *New Hampshire*, the *Massachusetts Bay*, and Province of *Main*, *Rhode Island*, and *Providence Plantation*, the *Narraganset Country* or *King's Province*, and *Connecticut*, in *New England*, and *New York*, and *New Jersey* in *America*, for the masting her Majesty's Navy.
18. An ACT to render more effectual an Act made in the sixth Year of her present Majesty, intituled, *An Act to repeal a Clause in an Act of the seventh Year of the Reign of his late Majesty, for amending Highways, which enjoins Waggoners and others to draw with a Pole between the Wheel Horses, or with double Shafts, and to oblige them to draw only with six Horses, or other Beasts, except up Hills*.
19. An ACT to enable her Majesty to grant the Site of the Castle of *Exon*, (Parcel of her Dutchy of *Cornwall*) for ninety-nine Years, for the Use and Benefit of the County of *Devon*.
20. An ACT for rendring the Proceedings upon the Writs of *Mandamus*, and Informations in the Nature of a *Quo Warranto*, more speedy and effectual; and for the more easy trying and determining the Rights of Offices and Franchises in Corporations and Boroughs.
21. An ACT for making good Deficiencies, and satisfying the publick Debts; and for erecting a Corporation to carry on a Trade to the *South Seas*, and for the Encouragement of the Fishery; and for Liberty to trade in unwrought Iron with the Subjects of *Spain*; and to repeal the Acts for registering Seamen.
22. An ACT for granting to her Majesty several Duties upon Coals, for building fifty new Churches in and about the Cities of *London* and *Westminster*, and Suburbs thereof; and other Purposes therein mentioned.
23. An ACT for licensing and regulating Hackney Coaches and Chairs; and for charging certain new Duties on stamp'd Vellum, Parchment and Paper, and on Cards and Dice, and on the Exportation of Rock Salt for *Ireland*; and for securing thereby, and by a weekly Payment out of the Post-Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred eighty-six thousand six hundred and seventy Pounds, for thirty-two Years, to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sum not exceeding two Millions, to be raised for carrying on the War, and other her Majesty's Occasions.
24. An ACT for Relief of the Creditors and Proprietors of the Company of Mine Adventurers, by establishing a Method for settling the Differences between the Company and their Creditors, and for uniting them, in order to an effectual working the Mines of the said Company.
25. An ACT for making the Act of the fifth Year of her Majesty's Reign, for the better Preservation of the Game, perpetual, and for making the same more effectual.
26. An ACT for the better Preservation and Improvement of the Fishery within the River of *Thames*, and for regulating and governing the Company of Fishermen of the said River.
27. An ACT for the Encouragement of the Trade to *America*.
28. An Act to dissolve the present, and prevent the future Combination of Coal Owners, Lightermen, Masters of Ships, and others, to advance the Price of Coals, in Prejudice of the Navigation, Trade, and Manufactures of this Kingdom, and for the further Encouragement of the Coal Trade.
29. An ACT for raising the Militia for the Year one thousand seven hundred and eleven, although the Month's Pay formerly advanced be not repaid.
30. An ACT for reviving and continuing an ACT made in the first Year of her Majesty's Reign, for the more effectual preventing Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom.

PRIVATE

The TITLES of the STATUTES.

PRIVATE ACTS.

1. AN Act for the Sale of Lands and Tenements, late of Sir *Philip Monoux*, Baronet, deceased, in *Broome* and Parish of *Southill* in the County of *Bedford*, according to his Will.
2. An Act for rectifying a Mistake, and enlarging the Time for a Composition given by an Act of Parliament passed in the seventh Year of her Majesty's Reign, intituled, *An Act to enable the Lord High Treasurer, or Commissioners of the Treasury for the time being, to compound with William Mallet, Esq; for the Debt of his Father, for whom he was Surety, while Receiver General for the County of Somerset and City of Bristol.*
3. An Act for Sale of the Barton and Farm of *Polleloe* in the County of *Devon*, late the Estate of *Sebastian Isaac, Esq;* deceased, for discharging Incumbrances thereupon, and for Distribution of the Surplus-money.
4. An Act for ratifying several Purchases lately made with the publick Stock of the County of *Devon*, and for making further Purchases for the Use of the said County, with the publick Stock thereof; and also for regulating and better Employment of the publick Stock of the said County.
5. An Act to vest the Manor, or reputed Manor of *Wadborough*, alias *Waberrow*, in the County of *Worcester*, and other Lands there, which came to the Right Honourable *Other Earl of Plymouth*, by his Mother, in Trustees, to be sold for raising more Money to pay off Debts charged upon his paternal Estate, and for other Purposes.
6. An Act for Sale of the Manor of *Reaverby*, and other Lands in the County of *Lincoln*, the Estate of *Henry Bowes Earl of Berkshire*, and to settle other Lands in the County of *Stafford* to the same Uses.
7. An Act for repairing and amending the Highways leading from *Roxton* in the County of *Hertford* to *Wandesford Bridge* in the County of *Huntingdon*.
8. An Act for repairing the Highways from *Sheet Bridge* in the Parish of *Petersfield*, to the Town of *Portsmouth*, in the County of *Southampton*.
9. An Act for repairing the Highways between *Dunstable* and *Hockley* in the County of *Bedford*.
10. An Act for settling the Estates of the Right Noble *Euclyn Lord Marquis of Dorchester*, and *William Pierrepont, Esq;* commonly called *Lord Kingston*, Son and Heir Apparent of the said Lord Marquis; and also for settling the Estate late of *John Hall, Esq;* on the Marriage of the said *William Pierrepont, Esq;*
11. An Act to enable *Arthur Earl of Anglesey*, and *Henry Hyde, Esq;* commonly called *Henry Viscount Hyde*, to take in *England* the Oath of Office as Vice Treasurer, and Receiver General, and Paymaster General of her Majesty's Revenues in her Kingdom of *Ireland*, and to qualify themselves in *England* for the legal Enjoyment of the said Office.
12. An Act to enable the Earl of *Thomond* to make Leases for three Lives, with Covenants for Renewal thereof for ever, and Grants in Fee Farm, of the Lands and Hereditaments in *Ireland*, comprised in his Marriage Settlement.
13. An Act for vesting in *Henry Arundel, Esq;* and his Heirs, the Trust in the Estate of the Lord Viscount *Montagu*, which is vested in her Majesty by the Attainder of *John Caryll, Esq;* for High Treason.
14. An Act for discharging *John Lord Bishop of Rapho* in the Kingdom of *Ireland*, from all Penalties, Disabilities, and Incapacities, incurred by him in omitting to take the Oath of Abjuration on or before the first Day of *August* one thousand seven hundred and three, and for making all Ecclesiastical and Civil Acts done by him, as Bishop of *Rapho*, after such Omission, to be of the same Validity as they would have been if he had taken the said Oath in due Time.
15. An Act for establishing a Purchase of certain Fee Farms, Lands, and Hereditaments, in the Kingdom of *Ireland*, made by Sir *Alexander Cairnes*, Baronet, of his Grace *James Duke of Ormond*, in pursuance of a Power given him by an Act of Parliament passed in this Kingdom in the twelfth Year of his late Majesty's Reign, notwithstanding an Act passed in *Ireland* in the ninth Year of the Reign of her present Majesty, or a Deed dated the five and twentieth of *April* one thousand seven hundred and ten, therein mentioned.
16. An Act for confirming to the Principal and Scholars of *King's Hall* and College of *Brafen Nose* in the University of *Oxford*, the Purchase of the Advowsons of *Stepney* and other Churches, and for settling the same to the Benefit of the said College.
17. An Act for confirming a Lease for one and twenty Years, made by *Jeffery Palmer, Esq;* and others, of Lands in *Carlton Curliu* in the County of *Leicester*, for Payment of the Debts of the said *Jeffery Palmer*.
18. An Act for Sale of such Part of the Estate of *Nathaniel Mathew*, late of *Petersham* in the County of *Surrey*, Gent. deceased, as will be sufficient to discharge his Debts and Legacies thereon charged by his Last Will and Testament; and for settling the Remainder thereof to the Uses in the said Will mentioned.
19. An Act for Sale of several Lands and Hereditaments of *William Henden, Esq;* in the County of *Kent*, for Payment of his Debts, and for settling other Lands in the same County, of a better Value, to the same Uses, in lieu thereof.
20. An Act for Sale of the Estate of *Humphry Pooler*, in the Parish of *Hartlebury*, in the County of *Worcester*.
21. An Act for the Sale of Part of the Estate of Sir *Richard Allin, alias Anguish*, Baronet, in the Counties of *Suffolk* and *Norfolk*, for Payment of his Debts, and settling the Remainder according to his Marriage Articles.
22. An Act to enable Trustees to perform the Marriage Articles of Sir *Richard Grosvenor*, Baronet, and Dame *Jane* his Wife, notwithstanding the Lunacy of Dame *Mary Grosvenor*, and the Infancy of her younger Children; and for settling the Estate in the Family, and making Building Leases, as effectually as if the said Dame *Mary* was of sound Mind, and her Children of full Age, and all had joined in levying Fines.
23. An Act for vesting several Messuages or Tenements in *Bride Lane*, and elsewhere, in the Parish of *St. Bridget, alias St. Brides, London*, of *John Pointer, Esq;* in Trustees, to be sold in lieu and Satisfaction of other Manors, Messuages, Lands, and Tenements of a greater Value, settled by the said *John Pointer* to such Uses, and upon such Trusts, as the said Houses in *London* are settled.
24. An Act to enable *John Hardres, Esq;* and *Anne* his Wife, to sell certain Lands in the County of *Kent*, and for settling of others to the Uses therein mentioned.
25. An Act for vesting certain Lands in the Parish of *Woodchurch* in the County of *Kent*, formerly purchased by *Winifred Bridger* and *Lawrence Bridger*, in certain Trustees, to be sold for the raising Money for the Purposes therein mentioned.
26. An Act for the Sale of the Manor of *Great Bealings*, and several Farms, Lands, and Hereditaments, late the Estate of *Henry Wood, alias Webb, Esq;* deceased, in *Great Bealings*, and several other Places in the County of *Suffolk*, for discharging a Mortgage thereon, and for Payment of other Debts of the said *Henry Wood, alias Webb,*

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- Webb*, and for applying the Overplus-money (if any) arising by such Sale, for the Benefit of *Henry Wood*, alias *Webb* (an Infant) his Son and Heir.
27. An Act for vesting a certain Piece of Ground being Part of a Field called *Stonebridge Field*, adjoining to *Piccadilly* in the County of *Middlesex*, in Trustees, to dispose of the same, to discharge a Debt to the Crown, and to other Uses.
 28. An Act to vest the Estate of *Sir Henry Robinson*, Knt. a Lunatick, lying in *Cransey* in the County of *Northampton*; in Trustees, to enable them to make a Settlement on the Marriage of *John Robinson*, Esq; only Son and Heir Apparent of the said *Sir Henry*, and for other Purposes therein mentioned.
 29. An Act to enable Trustees to make, renew, and fill up Leafes of the Estate of *William Burgoyne*, late of the City of *Exon*, Merchant, deceased, during the Minority of his Son and Daughters.
 30. An Act for dissolving the Marriage of *Stephen Jermin*, the only Son of *Stephen Jermin*, of *London*, Merchant, with *Sarah Bell*, and to enable him to marry again.
 31. An Act for confirming the Sale of the Estate of *John Weston*, Esq; in the County of *Surrey*, and discharging it from the Demands of the Crown.
 32. An Act for the Sale of the Estates late of *William Hubball*, and of his Father *Edward Hubball*, in the County of *Surrey*, for the Satisfaction of the said *William Hubball's* Debt to the Crown, and to preserve the Surplus thereof for the Purposes therein mentioned.
 33. An Act to explain and make more effectual a Clause relating to the Estate of *Dame Rebecca Lytton*, deceased, in an Act of Parliament made in the seventh Year of her Majesty's Reign, intituled, *An Act for Payment of the Debts of Sir John Bolles, Baronet, a Lunatick*.
 34. An Act for vesting the Manor of *Buckstep*, and several Lands in *Suffex*, the Estate of *Joseph Weller*, Esq; in Trustees, to be sold for discharging the Incumbrances thereon, and applying the Surplus-money to certain Uses and Trusts therein mentioned.
 35. An Act for the Relief of *Abraham Roth* of the Kingdom of *Ireland*, Esq; in relation to the Purchase of Part of the forfeited Estates in *Ireland*.
 36. An Act to enable *Robert Jones* of *Funmun Castle* in the County of *Glamorgan*, Esq; to make Leafes for three Lives, or for ninety-nine Years determinable in three Lives, of the Manors, Lands, and Hereditaments in the County of *Glamorgan*, limited to himself for Life by his Marriage Settlement; and for settling other Lands to the Uses of that Settlement in lieu and Recompence of such Power.
 37. An Act for the Sale of certain Lands and Tithes in the Parish of *Tonge* in the County of *Leicester*, late the Estate of *William Mugglestone* deceased, and for the Distribution of the Money thereby arising, pursuant to a Settlement made of the said Lands and Tithes by the said *William Mugglestone*.
 38. An Act for enabling *Charles Lord Viscount Cullen*, to sell the Manor and Advowson of the Church of *Elmesthorpe* in the County of *Leicester*, for the Payment of his Debts.
 39. An Act for Sale of Part of the Estate of *Theophilus Biddulph*, Esq; for Payment of his Debts.
 40. An Act to enable Trustees to make Building Leafes of Part of the Estate late of *John Lovett* deceased, lying in the City of *Dublin*.
 41. An Act for Sale of Timber upon the Estate of *Thomas Skeffington*, Esq; an Infant, for Payment of his Father's Debts.
 42. An Act for confirming an Agreement made between

- Philip Saltmarsh* and *Thomas Bennet*, Esqrs. for a Partition, Division and Exchange of several Estates in the Counties of *Nottingham* and *Dorset*, and other Purposes therein mentioned.
43. An Act for Sale of Part of the Estate of *Richard Bridecake*, Esq; in the County of *Oxon*, and charging other Part thereof with two Annuities, for Payment and Satisfaction of several Incumbrances affecting his whole Estate; and for confirming an Agreement made between the said *Richard Bridecake* and others claiming Common in *Hook Norton Warren* and *Hook Norton Lays*, in the same County.
 44. An Act for the Sale of the Manor of *Frogmal*, and other Lands and Hereditaments in the County of *Kent*, the Estate of *George Clerk*, Esq; for Payment of Debts, and settling an Estate in the County of *Leicester* and City of *London*, to the same Uses as the Estate in *Kent* was settled.

PUBLICK ACTS.

Anno 10 Annæ.

1. AN Act for granting an Aid to her Majesty to be raised by a Land Tax in *Great Britain*, for the Service of the Year 1712.
2. An Act for preserving the Protestant Religion, by better securing the Church of *England* as by Law established; and for confirming the Toleration granted to Protestant Dissenters by an Act, intituled, *An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws*, and for supplying the Defects thereof; and for the further securing the Protestant Succession, by requiring the Practicers of the Law in *North Britain* to take the Oaths, and subscribe the Declaration therein mentioned.
3. An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year 1712, and for applying Part of the Coinage Duties, to pay the Deficiency of the Value of Plate coined, and to pay for the recoining the old Money in *Scotland*.
4. An Act for settling the Precedence of the most Excellent Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, of the Elector her Son, and of the Electoral Prince the Duke of *Cambridge*.
5. An Act to repeal the Act of the seventh Year of her Majesty's Reign, intituled, *An Act for naturalizing Foreign Protestants*, (except what relates to the Children of her Majesty's natural-born Subjects, born out of her Majesty's Allegiance.)
6. An Act for explaining and altering the Laws now in being concerning the Assises of Fuel, so far as they relate to the Assise of Billet, made or to be made of Beech Wood only.
7. An Act to prevent the disturbing those of the Episcopal Communion in that Part of *Great Britain* called *Scotland*, in the Exercise of their religious Worship, and in the Use of the Liturgy of the Church of *England*; and for repealing the Act passed in the Parliament of *Scotland*, intituled, *An Act against irregular Baptisms and Marriages*.
8. An Act to continue the Act of the last Session of Parliament, for taking, examining and stating the publick Accounts of the Kingdom, for one Year longer.
9. An Act for Recruiting her Majesty's Land Forces and Marines, for the Service of the Year 1712.
10. An Act for punishing Mutiny and Desertion, and false Musters,

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- Must. rs, and for the better Payment of the Army and Quarters.
11. An Act for enlarging the Time given to the Commissioners appointed by her Majesty, pursuant to an Act for granting to her Majesty several Duties on Coals, for building fifty new Churches in and about the Cities of *London* and *Westminster*, and Suburbs thereof, and other Purposes therein mentioned; and also for giving the said Commissioners farther Powers for better effecting the same; and for appointing Monies for Rebuilding the Parish Church of *St. Mary Woolnoth* in the City of *London*.
 12. An Act to restore the Patrons to their ancient Rights of presenting Ministers to Churches vacant in that Part of *Great Britain* called *Scotland*.
 13. An Act for repealing Part of an Act passed in the Parliament of *Scotland*, intituled, *Act for discharging the Rule Vacance*.
 14. An Act for reviving and continuing several Acts therein mentioned, for preventing the Mischiefs which may happen by Fire; for building and repairing County Gaols; for exempting Apothecaries from serving Parish and Ward Offices, and serving upon Juries; and relating to the Returning of Jurors.
 15. An Act for repealing a Clause in the Statute made in the twenty-first Year of the Reign of King *JAMES* the First, intituled, *An Act for the further Description of a Bankrupt, and Relief of Creditors against such as shall become Bankrupts, and for inflicting Corporal Punishment upon the Bankrupts in some Special Cases*, which makes Descriptions of Bankrupts; and for the Explanation of the Laws relating to Bankruptcy in Case of Partnership.
 16. An Act for regulating, improving, and encouraging the Woollen Manufacture of mixed or medly Broad Cloth, and for the better Payment of the Poor employed therein.
 17. An Act for the better Collecting and Recovering the Duties granted for the Support of the Royal Hospital at *Greenwich*, and for the further Benefit thereof; and for the preserving her Majesty's Harbour Moorings.
 18. An Act to give further Time for inrolling such Leases granted from the Crown, as have not been inrolled within the respective Times therein limited; and for making the Pleading of Deeds of Bargain and Sale inrolled, and of Fee-Farm Rents more easy.
 19. An Act for laying several Duties upon all Soap and Paper made in *Great Britain*, or imported into the same; and upon chequered and striped Linens imported; and upon certain Silks, Callicoes, Linens and Stuffs printed, painted, or stained; and upon several Kinds of stamped Vellum, Parchment, and Paper; and upon certain printed Papers, Pamphlets and Advertisements; for raising the Sum of 1,800,000 *l.* by Way of Lottery towards her Majesty's Supply; and for licensing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp Duties by Licenses for Marriages, and otherwise; and for Relief of Persons who have not claimed their Lottery Tickets in due Time, or have lost Exchequer Bills, or Lottery Tickets; and for borrowing Money upon Stock (Part of the Capital of the *South Sea* Company) for the Use of the Publick.
 20. An Act for the Relief of Insolvent Debtors, by obliging their Creditors to accept the utmost Satisfaction they are capable to make, and restoring them to their Liberty.
 21. An Act to prevent Abuses in making Linen Cloth, and regulating the Lengths, Breadths, and equal sorting of Yarn, for each Piece made in *Scotland*, and for whitening the same.
 22. An Act for the Relief of Merchants importing Prize-Goods from *America*.
 23. An Act for the more effectual preventing fraudulent Conveyances, in order to multiply Votes for electing Knights of Shires to serve in Parliament.
 24. An Act for prolonging the Term for Payment of certain Duties granted by an Act made in the twelfth and thirteenth Years of his late Majesty King *WILLIAM*, intituled, *An Act for recovering, securing, and keeping in Repair the Harbour of Minehead, for the Benefit and Support of the Navigation and Trade of this Kingdom*.
 25. An Act for raising the Militia for the Year 1712. although the Month's Pay formerly advanced be not repaid; and for rectifying a Mistake in an Act passed this Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters*; and for taking Accounts of Trophy Money formerly raised and collected.
 26. An Act for laying additional Duties on Hides and Skins, Vellum and Parchment, and new Duties on Starch, Coffee, Tea, Drugs, Gilt and Silver Wire, and Policies of Insurance, to secure a yearly Fund for Satisfaction of Orders to the Contributors of a further Sum of 1,800,000 *l.* towards her Majesty's Supply; and for the better securing the Duties on Candles; and for obviating Doubts concerning certain Payments in *Scotland*; and for suppressing unlawful Lotteries, and other Devices of the same Kind; and concerning Cake Soap; and for Relief of *Mary Ravenall*, in relation to an Annuity of 18 *l. per Annum*; and concerning Prize Cocoa Nuts brought from *America*; and certain Tickets which were intended to be subscribed into the Stock of the *South Sea* Company; and for appropriating the Monies granted in this Session of Parliament.
 27. An Act for making effectual such Agreement as shall be made between the *Royal African* Company of *England* and their Creditors.
 28. An Act for continuing the Trade and Corporation Capacity of the *United East India* Company, although their Fund should be redeemed.
 29. An Act for better ascertaining and securing the Payments to be made to her Majesty for Goods and Merchandizes to be imported from the *East Indies*, and other Places, within the Limits of the Charter granted to the *East India* Company.
 30. An Act for continuing the Trade to the *South Seas*, granted by an Act of the last Session of Parliament, although the Capital Stock of the said Corporation should be redeemed.
 31. An Act for the appointing Commissioners to take, examine, and determine the Debts due to the Army, Transport Service, and Sick and Wounded.
 32. An Act for enlarging the Time for the Ministers, Advocates, and other Members of the College of Justice in *Scotland*, to take the Oaths therein mentioned.
 33. An Act for appointing the Circuit Courts in that Part of *Great Britain* called *Scotland*, to be kept only once in the Year.
 34. An Act for explaining several Clauses in an Act passed the last Sessions of Parliament for the Relief of the Sufferers of the Islands of *Nevis* and *St. Christopher*, by Reason of the Invasion of the *French* there, in the Year 1705.

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PRIVATE ACTS.

1. AN Act to make a Causey over the *Denes* from *Great Yarmouth* to *Caister*, in the County of *Norfolk*.
 2. An Act to enable *John Lord Gower*, Baron of *Stittenham*, an Infant, to make a Settlement upon his Marriage.
 3. An Act for enlarging the Term for Payment of certain Duties granted in and by an Act of Parliament passed in the seventh Year of her Majesty's Reign, intituled, *An Act for preserving and enlarging the Harbour of Whitehaven*, in the County of *Cumberland*.
 4. An Act to enable Trustees, during the Minority of *Wriothesley Duke of Bedford*, and of the Lord *John Russell* his Brother, to grant Leases of the Estate of the said Duke, and Setts for getting Copper and other Ore and Minerals therein, and for rendring valid and effectual several such Grants, or Setts, already made.
 5. An Act for making the Exemplification of the Settlement made upon the Marriage of *James Lord Annesly* with the Lady *Elizabeth Manors*, under the Great Seal of *Great Britain*, Evidence on Hearings in Equity and Trials at Law.
 6. An Act for erecting a Workhouse in the City and County of the City of *Norwich*, for the better Employment and Maintaining the Poor there.
 7. An Act for repairing the Highway between a certain Place called *Kilburn Bridge*, in the County of *Middlesex*, and *Sparrows Herne*, in the County of *Hertford*.
 8. An Act for making the River *Avon* in the Counties of *Somerset* and *Gloucester*, navigable from the City of *Bath* to or near *Hanbams Mills*.
 9. An Act for the better Repairing and Amending the Road leading from *Ipswich* to *Cleydon*, and the Road called the *Pye Road* in the County of *Suffolk*.
 10. An Act for the better supplying the Town of *Boston*, in the County of *Lincoln*, with Fresh Water.
 11. An Act for completing a Chapel of Ease in the Lower Town of *Deal*, in the County of *Kent*, by a Duty on Water-born Coals to be brought into the said Town.
 12. An Act for confirming and rendring more effectual certain Letters Patents of King *JAMES* the First, for annexing a Canonry, and several Rectories, to the *Regius Professor* of Divinity in the University of *Oxford*; and for the *Regius Professor*, and Lady *Margaret's* Reader of Divinity in the University of *Cambridge*.
 13. An Act for enabling *James Griffin*, Esq; and *Edward Griffin*, Son and Heir apparent of the said *James Griffin*, to raise Money to pay the Debts of the said *James*, and to make a Settlement for the Benefit of themselves and their Family.
 14. An Act to enable the Honourable *Algernoon Grevil*, Esq; to make a Settlement of his Estate in the several Counties of *York* and *Warwick*, pursuant to Agreements made by him on his Marriage with the Honourable *Mary Somerset*, his now Wife.
 15. An Act for Sale of the Manor of *Hempsted*, and other Land therein mentioned, lying in the Counties of *Kent* and *Suffex*, the Estate of Sir *Robert Guldeford*, Baronet, for the Payment of Debts, and for settling the *Camber Farm*, and other Lands in the County of *Suffex*, to the same Uses as the said Manor of *Hempsted* now stands settled.
 16. An Act for ascertaining and establishing the Glebe Land, Tithes, and other Profits of the Rectory of *Gothurst* in the County of *Bucks*.
 17. An Act for Sale of the Manor of *Dalham*, and other Manors and Hereditaments in the County of *Suffolk*, and
- elsewhere, late Estate of *Simon Patrick*, Clerk, deceased, for the several Purposes therein mentioned.
 18. An Act for Sale of the Manor of *Agerdesley*, alias *Ageresley*, and *Marchington*, and several Lands and Hereditaments in the County of *Stafford*, for Payment of Mortgage Monies charged thereon, and other the Debts of the Honourable *Charles Egerton*, Esq;
 19. An Act to enable Trustees to cut and sell Timber on the Estate late of *Anthony Henley*, Esq; deceased; and for applying the Money there y arising, towards Payment of his younger Childrens Portions, provided by his Marriage Settlement; and also for transferring certain Estates by the same Settlement, now vested in *Richard Norton*, Esq; to other Trustees on the same Trusts.
 20. An Act for making a perpetual Augmentation to the Vicarage of *Duloe*, in the County of *Cornwall*, out of the Tithes and Profits of the Rectory of *Duloe*.
 21. An Act for Sale of Part of the Estate late of *Edward Hill*, Esq; deceased, in *Orton* and *Rowell*, in the County of *Northampton*, for the discharging several Incumbrances thereupon, and the Performance of the last Will of the said *Edward Hill*, for the settling other Lands and Tenements, in *Rowell* aforesaid, in lieu thereof, to the same Uses.
 22. An Act for enabling *Edward Southwell*, Esq; to grant certain Houses and Lands in the County of *Gloucester*, to *Josua Franklyn*, of *Bristol*, Merchant, for a Term of Years, in order to the better Improvement thereof, and of other adjacent Lands of the said *Edward Southwell*.
 23. An Act to enable *Owen Thomas Bromsfall*, Gent. to sell divers Lands, Tenements, and Hereditaments in the County of *Bedford*, for the Purposes therein metioned.
 24. An Act for vesting the Estate, late of *Bartholomew Vanhomrigh*, Esq; deceased, lying in the Kingdom of *Ireland*, in Trustees, to be sold.
 25. An Act for selling certain Lands, Part of the Manor of *Wrightfield*, alias *Whitefield*, and other Lands in the County of *Gloucester*, for the Payment of the Debts heretofore of *Mary Fermor*, Widow, deceased, and of *John More*, jun. of *Kirtlington*, in the County of *Nottingham*, Esq; and *Margaret* his Wife.
 26. An Act to enable *William Western*, Esq; an Infant, to make a Settlement of his Estate upon his Marriage, notwithstanding his Infancy.
 27. An Act for Sale of the Manors of *North Court* and *Boynton*, in the Parish of *Swinfield* in the County of *Kent*, Part of the Estate of *Richard Gomeldon*, Esq; for discharging Incumbrances.
 28. An Act for confirming to *Agmondisham Vesey*, Esq; and his Children, the Benefit intended by an Act passed in the first Year of her Majesty's Reign for their Relief, and for discharging him and them of the Rents and Profits of their Estate incurred before the passing of the said Act.
 29. An Act to explain an Act made in the seventh Year of her Majesty's Reign, intituled, *An Act to empower the Lord High Treasurer of Great Britain, or Commissioners of the Treasury, to compound with the Sureties of Samuel Pacey, deceased, late receiver General for the County of Suffolk*, so far as it relates to *Jeseph Paske*, one of the said Sureties.
 30. An Act to enable the Lord High Treasurer, or Commissioners of the Treasury of *Great Britain* for the time being, to compound with the Executor of *Michael Wicks*, Esq; late Receiver General of the Plantation Duties in the Port of *London*, as the Lord High Treasurer, or Commissioners of the Treasury of *England*, were, by a former Act of Parliament enabled to do with the said *Michael Wicks* himself.
 31. An Act to make Free the *Content Galley*, a Running Ship, taken from the *French*, and condemned as Prize.

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12. An Act for making the Ship *Succes*, a Free Ship.
53. An Act for repairing the Highway between *Highgate* Gatehouse, in the County of *Middlesex*, and *Barnet* Blockhouse, in the County of *Hertford*.
34. An Act for enlarging, amending, and maintaining the Road betwixt *Northfleet*, *Gravesend*, and *Rocheſter*, in the County of *Kent*.
35. An Act for uniting the Pariſh Churches of *Thordon* and *Ingrave* in the County of *Effex*.
36. An Act to veſt ſeveral Lands and Tenements in the County of *Warwick*, the Eſtate of *Thomas Viner*, late of *Ethrop* in the ſaid County, deceaſed, Eſq; in Truſtees, and to enable them to ſell Part thereof, for diſcharging ſeveral Debts and Incumbrances thereon, and to raiſe a preſent Proviſion for his Son and Heir, an Infant, and the reſt of his Children.
37. An Act to impower the Paymaſter of the Million Lottery Tickets, to pay to Sir *William Hodges*, Bart. the Money due upon fourteen Tickets in the ſaid Lottery.
38. An Act for the Relief of *George Mather*, Eſq; againſt a Clause in an Act of Parliament paſſed in *Ireland*, whereby ſeveral Fines and Recoveries, and a Settlement of his late Wife's Eſtate are ſet aſide.
39. An Act for Sale of the Eſtate of *William Pierſon*, Eſq; deceaſed, for Payment of an Incumbrance thereupon, and a Debt due from the ſaid *William Pierſon* to her Maſteſty, as he was Collector of the Cuſtoms at *Plymouth*.
40. An Act for veſting ſeveral Lands in *Battleſdon*, in the County of *Bedford*, in *John Hillerſdon*, Eſq; and his Heirs, diſcharged of ſeveral Uſes and Eſtates to which they are now limited, and for ſettling other Lands, of greater Value, in the ſame County, to the ſame Uſes.
41. An Act to enable *James Duke of Ormond*, and *Charles Earl of Arran*, of the Kingdom of *Ireland*, his Brother, to convey to her Maſteſty the Regalities, Franchiſes, Liberties, and Juridiſdictions in the County of *Tipperary*, in the Kingdom of *Ireland*, in order to their being extinguished in the Crown, and to enable her Maſteſty to grant an Equivalent for the ſame.
42. An Act for enlarging the Time for Sale of Part of the Eſtate of the Right Honourable *Richard Lord Belw*, of the Kingdom of *Ireland*, veſted in Truſtees by an Act of Parliament lately paſſed in the ſaid Kingdom.
43. An Act for the Relief of Sir *William Douglas*, Lieutenant General of her Maſteſty's Forces.
44. An Act for veſting the Inheritance of the Manor of *Court at Week*, and divers other Lands, Tenements and Hereditaments in the County of *Kent*, in Truſtees, to be ſold for Payment of the Debts and Legacies of Sir *Robert Auſton*, Baronet, deceaſed.
45. An Act for confirming a Partition made between *William Pynſent*, Eſq; and *Mary* his Wife, *John Trevillian*, Eſq; and *Elizabeth* his Wife, and the Truſtees, of ſeveral Manors and Lands in the County of *Somerſet*.
46. An Act for Sale of ſome Part of the real Eſtate of *Baptiſt May*, Eſq; deceaſed, for Payment of his Debts, and for other Purpoſes therein mentioned.
47. An Act for Sale of the Eſtate of *Francis Moore*, Eſq; in the County of *Wilts*, for diſcharging an Incumbrance thereon, and providing a Portion for his only Daughter; and for other Purpoſes therein mentioned.
48. An Act for veſting ſeveral Lands in *Netherex*, *Rew*, *Silverton* and *Tborverton*, in the County of *Devon*, in Truſtees, to be ſold for the Purpoſes therein mentioned.
49. An Act for veſting in Truſtees the Real Eſtate of *Barbara*, ſole Daughter and Heir of *John Goring*, late of the City of *Litchfield*, Eſq; and now the Wife of Mr. *Walter Cbetwynd*, for the Performance of Articles on her Marriage, notwithstanding her Minority.
50. An Act for confirming a Leaſe made by *Jeffery Palmer*

and *Robert Palmer*, Eſquires, for a further Proviſion for Payment of the Debts of the ſaid *Jeffery Palmer*.

51. An Act to enable the Lord High Treafurer of *Great Britain*, or Commiſſioners of the Treafury for the time being, to compound with *George Dixon*, Doctor in Divinity, as he was Surety for his Father, while Receiver General for the County of *Somerſet* and City of *Briſtol*.

PUBLICK ACTS.

12 *Annæ*, Stat. 1.

1. AN Act for granting an Aid to her Maſteſty, to be raiſed by a Land-Tax in *Great Britain*, for the Service of the Year 1713.
2. An Act for granting to her Maſteſty Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year 1713, and for making forth Duplicates of Lottery Tickets loſt, burnt or deſtroyed; and for enlarging the Time for adjuſting Claims in ſeveral Lottery-Acts; and to puniſh the Counterfeiting or Forging of Lottery-Orders; and for explaining a late Act in relation to Stamp-Duties on Cuſtomary Eſtates, which paſs by Deed and Copy.
3. An Act to revive and continue the Act for taking, examining and ſtating the Publick Accounts of the Kingdom; and alſo to continue the Act for appointing Commiſſioners to take, examine and determine the Debts due to the Army, Transport-Service, and Sick and Wounded.
4. An Act for making Incloſures of ſome Part of the Common-Grounds, in the *West-Riding* of the County of *York*, for the Endowing poor Vicarages and Chapeltries, for the better Support of their Miniſters.
5. An Act to Explain a Clause in an Act of the laſt Seſſion of Parliament, intituled, *An Act for the more effectual Preventing fraudulent Conveyances, in order to multiply Votes for electing Knights of Shires to ſerve in Parliament*, as far as the ſame relates to the Aſcertaining the Value of Freeholds of 40 s. per Annum.
6. An Act for the better Regulating the Elections of Members to ſerve in Parliament for that Part of *Great Britain* called *Scotland*.
7. An Act for the more effectual Preventing and Punishing Robberies that ſhall be committed in Houſes.
8. An Act for raiſing the Militia for the Year 1713, although the Month's Pay formerly advanced be not repaid.
9. An Act for continuing an Act made in the third and fourth Years of the Reign of her preſent Maſteſty, intituled, *An Act for encouraging the Importation of Naval Stores from her Maſteſty's Plantations in America*; and for encouraging the Importation of Naval Stores from that Part of *Great Britain* called *Scotland*, to that Part of *Great Britain* called *England*.
10. An Act for continuing the Acts therein mentioned, for preventing Theft and Rapine upon the Northern Borders of *England*.
11. An Act to raiſe 1,200,000 l. for Publick Uſes, by circulating a further Sum in Exchequer-Bills; and for enabling her Maſteſty to raiſe 500,000 l. on the Revenues appointed for Uſes of her Civil Government, to be applied for or towards Payment of ſuch Debts and Arrears owing to her Servants, Tradefmen and others, as are therein mentioned.
12. An Act for the better Regulating the Forces to be continued in her Maſteſty's Service; and for the Payment of the ſaid Forces, and of their Quarters.
13. An Act to enable ſuch Officers and Soldiers as have been in her Maſteſty's Service during the late War, to exerciſe

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- exercife Trades, and for Officers to account with their Soldiers.
14. An Act for explaining the Acts for licensing Hackney-Chairs.
 15. An Act for making perpetual an Act made in the feventh Year of the Reign of the late King *William*, intituled, *An Act to prevent false and double Returns of Members to serve in Parliament.*
 16. An Act for the better Encouragement of the making Sail-Cloth in *Great Britain.*
 17. An Act to vest in the Commissioners for building fifty New Churches in and about *London* and *Westminster*, and Suburbs thereof, as much of the Street near the Maypole in the *Strand* in the County of *Middlesex*, as shall be sufficient to build one of the said Churches upon; and for restoring to the Principal and Scholars of *Kings-Hall*, and College of *Brazen-Nose*, in the University of *Oxon*, their Right of Presentation to the Churches and Chapels in *Stepney* Parish.
 18. An Act for making perpetual the Act made in the thirteenth and fourteenth Years of the Reign of the late King *Charles II.* intituled, *An Act for the better Relief of the Poor of this Kingdom*: And that Persons bound Apprentices to, or being hired Servants with Persons coming with Certificates, shall not gain Settlements by such Services or Apprenticeships: And for making perpetual the Act made in the sixth Year of her present Majesty's Reign, intituled, *An Act for the Importation of Cochineal from any Ports in Spain, during the present War, and six Months longer*: And for reviving a Clause in an Act made in the ninth and tenth Years of the Reign of the late King *William*, intituled, *An Act for settling the Trade to Africa*, for allowing foreign Copper Bars imported, to be exported.

PRIVATE ACTS.

Anno 12 Annæ, Stat. 1.

1. AN Act for repairing the Highway or Road from the *Stones-End* in the Parish of *St. Leonard Shoreditch* in the County of *Middlesex*, to the furthest Part of the Northern Road in the Parish of *Endfield* in the same County, next to the Parish of *Queshunt* in the County of *Hertford*.
2. An Act for confirming several Grants in Fee-Farm made by *Henry* Earl of *Thomond*, by Virtue or since the passing a former Act of Parliament; and for giving some Ease and Relief to the Purchasers under or since the said former Act.
3. An Act for confirming Articles, and vesting the Manor of *Kirby-Underwood* in the County of *Lincoln*, and other Manors, Lands and Hereditaments thereby agreed to be sold, in Trustees, for discharging the Debts of *Sir John Brownlow*, Bart. deceased, and his Daughters Portions, and other Purposes in the said Articles mentioned.
4. An Act for vesting the Crown of the Remainder in Fee-simple of and in the Manor and Advowson of *Stourton* in the County of *Wilts*, and several Lands, Tenements and Hereditaments, to the same Manor belonging, expectant on certain Estates-Tail, and for vesting the same in certain other Persons therein named, to the Intent the same may be barred by proper Methods in Law, for the Purposes therein mentioned.
5. An Act to enable Trustees to sell some Out-parts of the Estate of *Sir Burchier Wrey*, Bart. in the County of *Devon*, for the Purposes therein mentioned.
6. An Act to enable *William Harvey*, the Elder, Esq; and *William Harvey*, Esq; his Son, to settle a Jointure, and grant a Lease, and for vesting the Inheritance, after a

- Term of five hundred Years, of Lands in *Suffolk*, in Trustees to be sold for raising Portions for his Daughters.
7. An Act for the Exchange of the Parsonage-House at *Charlton* in *Kent*, and Close thereto adjoining, in Lieu of another House and Lands there.
8. An Act for making the Chapelry of *Stockton* in the County of *Durham*, a distinct Parish.
9. An Act for Naturalizing *Lewis Vanden Enden*.
10. An Act for better enabling *James* Earl of *Salisbury*, and his Trustees, to make Sale of certain Manors, Lands and Hereditaments in the Counties of *Northampton* and *Dorset*, and a Fee-Farm Rent, for the Purposes in the said Act mentioned.
11. An Act for the Sale of the Reversion and Inheritance of the Manor of *Morley* in the County of *York*, together with a Term of 500 Years therein, decreed to be sold for Payment of Debts, and also for exchanging a Fee-Farm Rent of the Coheirs of *William* late Marquis of *Halifax*, issuing out of Part of *Leiffeld* Forest in *Rutlandshire*, for a Fee-Farm Rent of *Daniel* Earl of *Nottingham*, issuing out of *Hartingfordbury* in *Hertfordshire*, and for settling the same to such Uses as the said Fee-Farm Rent in *Rutlandshire* was settled.
12. An Act for raising 5000 *l.* Portion out of several Lands in *Middlesex* and *Warwickshire*, charged therewith (being the Estate of the Right Honourable *Gilbert* Earl of *Coventry*) and for paying the same to the Lady *Anne Coventry*, his Daughter, at her Marriage, though the same should be before her Age of eighteen Years.
13. An Act for vesting divers Lands and Hereditaments in the Counties of *Warwick* and *Bedford*, (late the Estate of *Sir Roger Burgoyne*, Bart. deceased) in Trustees, for divers Purposes therein mentioned.
14. An Act for discharging the Manors and Lordships of *Bexwell* and *Tinworth* in the County of *Norfolk*, from the several Uses, Trusts and Estates thereof limited, in and by the Marriage-Settlement of *Sir John Holland*, Bart. with the Lady *Rebecca* his Wife; and for settling divers other Manors, Messuages, Lands, Tenements and Hereditaments of a greater Value, and which lie more convenient in the same County, in Lieu thereof.
15. An Act for enabling *Henry Lee* the Younger, alias *Lee Warner*, to make a Jointure upon his Marriage.
16. An Act for uniting and consolidating the Rectories, Advowsons and Parishes of *Melton St. Mary's*, and *Melton All Saints*, in the Diocese of *Norwich*, in the County of *Norfolk*.
17. An Act to amend several Defects in an Act of Parliament, made in the tenth Year of the Reign of his late Majesty King *William III.* intituled, *An Act to enable Thomas Byde, Esq; an Infant, with the Consent of his Guardians and next Relations, to make a Contract for the buying in his Mother's Jointure; and to sell a small Estate in Great Amwell in the County of Hertford; and likewise for the securing and raising a Portion for Barbara Byde, Spinster, Sister of the said Thomas Byde, and for other Purposes in the said Act mentioned*, and to enable the said *Thomas Byde* to raise Monies, to make Leases for the Purposes in this present Act mentioned.
18. An Act to enable *William Booth*, Gent. to sell certain Lands and Hereditaments in the County of *Chester*, for Payment of the Debts of his Brother, with whom and for which he stands bound; and for applying the Surplus (if any) of the Money raised for such Purposes, towards Payment of his own proper Debts.
19. An Act to enable the Right Honourable *Charles* Lord *Wiston* and Earl of *Arran* in the Kingdom of *Ireland*, to take the Oath of Office, as Master of her Majesty's Ordnance in the Kingdom of *Ireland*, before the Barons of her Majesty's Court of Exchequer at *Westminster*,

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- and to qualify himself for the legal Enjoyment of the said Office.
20. An Act for enabling Sir *Charles Gresham*, Bart. to raise the Sum of five thousand Pounds, and Interest, and Maintenance, for *Elizabeth* the Daughter of his Brother, Sir *Edward Gresham*, Bart. deceased; and to make Provision for his younger Children.
 21. An Act to enable Sir *Edward Leighton*, Bart. to charge his Estate with 4000*l.* (preferable to 6000*l.* already charged thereupon by his Marriage-Settlement) for the Purposes therein mentioned.
 22. An Act for Sale of several Lands and Tenements of *John Constable*, Gent. in the Parish of *Ockley* in the County of *Surrey*, for Payment of his Debts, and for settling other Lands in the same County, of a better Value, to the same Uses, in Lieu thereof.
 23. An Act to enable *John Harrington*, Esq; and *Dorothy* his Wife, and *Charles Harrington*, Gent. Son and Heir apparent of the said *John Harrington*, to sell the Reversion of several Messuages and Tenements in *Liverpool*, in the County of *Lancaster*, being the Inheritance of the said *Dorothy*, for Payment of their Debts, and settling an Equivalent upon the said *Dorothy*.
 24. An Act to enable *Symes Parry* to change his Name of *Parry* to *Symes*, according to the Will of *John Symes*, Esq; deceased.
 25. An Act to Naturalize *Simon Descury*, *Peter Ribot*, *Peter Laffite*, and others.

P U B L I C K A C T S .

Anno 12 Annæ, Stat. 2.

1. AN Act for granting an Aid to her Majesty, to be raised by a Land-Tax in *Great Britain*, for the Service of the Year 1714.
2. An Act for allowing a Drawback upon the Exportation of Salt to be made Use of for the Curing of Fish taken at *North-Seas*, or at *Isleland*.
3. An Act for charging and continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year 1714. and for the Encouragement of the distilling Brandy from malted Corn and Cyder; and for making forth Duplicates of Exchequer-Bills, and Lottery-Tickets, lost, burnt, or destroyed; and to enable the Governor and Company of the Bank of *England*, and others, to lend Money upon *South-Sea* Stock.
4. An Act for the better regulating the Forces to be continued in her Majesty's Service, and for the Payment of the said Forces, and of their Quarters.
5. An Act for taking away the new Additional Duty of 30*l. per Cent. ad Valorem*, imposed upon all Books and Prints imported into *Great Britain*, by an Act made in the tenth Year of the Reign of her present Majesty Queen *Anne*.
6. An Act for taking away Mortuaries within the Dioceses of *Bangor*, *Landoff*, *St. David's* and *St. Asaph's*, and giving a Remcompence therefore to the Bishops of the said respective Dioceses; and for confirming several Letters Patents granted by her Majesty for perpetually annexing a Prebend of *Gloucester* to the Masterhip of *Pembroke* College in *Oxford*; and a Prebend of *Rochester* to the Provostship of *Oriel* College in *Oxford*; and a Prebend of *Norwich* to the Masterhip of *Catharine-Hall* in *Cambridge*.
7. An Act to prevent the Growth of Schism, and for the further Security of the Churches of *England* and *Ireland*, as by Law established.
8. An Act for encouraging the Tobacco-Trade.
9. An Act for laying additional Duties on Soap and Paper, and upon certain Linens, Silks, Callicoes and Stuffs, and upon Starch and exported Coals, and upon Stamp'd Vellum, Parchment and Paper, and for raising 1,400,000*l.* by way of a Lottery for her Majesty's Supply; and for Allowances on exporting made Wares of Leather, Sheep-Skins, and Lamb-Skins; and for Distribution of 4000*l.* due to the Officers and Seamen for Gun-Money; and to adjust the Property of Tickets in former Lotteries; and touching certain Shares of Stock in the Capital of the *South-Sea* Company; and for appropriating the Monies granted to her Majesty.
10. An Act for raising the Militia for the Year 1714, although the Month's Pay formerly advanced be not repaid; and for rectifying a Mistake in an Act passed in this present Session of Parliament, intituled, *An Act for the regulating the Forces to be continued in her Majesty's Service, and for Payment of the said Forces and their Quarters*.
11. An Act to prevent the Lifting her Majesty's Subjects to serve as Soldiers, without her Majesty's Licence.
12. An Act for the better Maintenance of the Curates within the Church of *England*, and for preventing any ecclesiastical Persons from buying the next Avoidance of any Church-Preferment.
13. An Act to discharge and acquit the Commissioners of Equivalent for the Sum of three hundred eighty-one thousand five hundred and nine Pounds fifteen Shillings ten Pence Half-penny, by them duly issued out of the Sum of three hundred ninety-eight thousand eighty-five Pounds ten Shillings, which they received.
14. An Act for rendring more effectual an Act made in the third Year of the Reign of King *James I.* intituled, *An Act to prevent and avoid Dangers which may grow by Popish Recusants*; and also one other Act made in the first Year of the Reign of their late Majesties King *William* and Queen *Mary*, intituled, *An Act to vest in the two Universities the Presentations of Benefices belonging to Papiests*; and for vesting in the Lords of Justiciary Power to inflict the same Punishments against Jesuits, Priests, and other trafficking Papiests, which the Privy Council of *Scotland* was empowered to do by an Act passed in the Parliament of *Scotland*, intituled, *An Act for preventing the Growth of Popery*.
15. An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea.
16. An Act to reduce the Rate of Interest, without any Prejudice to Parliamentary Securities.
17. An Act for the speedy and effectual preserving the Navigation of the River of *Thames*, by stopping the Breach in the Levels of *Havering* and *Dagenham* in the County of *Essex*; and for ascertaining the Coal-Measure.
18. An Act for the preserving all Ships and Goods thereof, which shall happen to be forced on Shore, or stranded upon the Coasts of this Kingdom, or any other of her Majesty's Dominions.
19. An Act to explain a Clause in an Act of Parliament of the tenth Year of her Majesty's Reign, for laying several Duties upon all Soap and Paper made in *Great Britain*, or imported into the same; and upon chequered and striped Linens imported and upon certain Silks, Callicoes, Linens and Stuffs, printed, painted or stained; and upon several Kinds of stamp't Vellum, Parchment and Paper; and upon certain printed Pamphlets and Advertisements, for raising the Sum of 1,800,000*l.* by way of a Lottery, and for other Purposes in the said Act mentioned; so far as the said Act relates to Lawns, Canvas, Buckrams, Barras, and *Silesia* Neckcloths.
20. An Act to explain and make more effectual an Act passed in the tenth Year of her Majesty's Reign, for preventing Abuses in making Linen Cloth, and regulating the

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the Lengths and Breadths, and equal Sorting of Yarn in each Piece made in *Scotland*, and for whitening the same.

21. An Act to explain Part of an Act made in the seventh Year of her Majesty's Reign, (for enlarging the Capital Stock of the Bank of *England*, and for raising a further Supply to her Majesty, for the Service of the Year 1709.) so far as the same relates to unwrought Inle, imported into this Kingdom.
22. An Act to continue an Act of the sixth Year of her Majesty's Reign, intituled, *An Act to enable her Majesty to make Leases and Copies of Offices, Lands, and Hereditaments, Parcel of her Dutchy of Cornwall, or annexed to the same.*
23. An Act for reducing the Laws relating to Rogues, Vagabonds, Sturdy Beggars and Vagrants, into one Act of Parliament; and for the more effectual punishing such Rogues, Vagabonds, Sturdy Beggars and Vagrants, and sending them whither they ought to be sent.

PRIVATE ACTS.

Anno 12 Annæ, Stat. 2.

1. AN Act for the building a new Church or Chapel of Ease in *Great Yarmouth* in the County of *Norfolk*, by a Duty or Imposition on all Coals, Culm and Cinders, to be landed there.
2. An Act for the repairing the Highways between *Shepherd's Shord* and *Horsley Upright Gate*, leading down *Bagdon-Hill* in the County of *Wilts*, and other ruinous Parts of Highways thereunto adjacent.
3. An Act for repairing the Highway or Road from the City of *Worcester*, to the Borough of *Droitwich* in the County of *Worcester*.
4. An Act for repairing the Highways between the *Bear Inn* in *Reading*, in the County of *Berks*, and a certain Place called *Burnt-Field* in the said County.
5. An Act for Sale of Part of the Estate of *Joseph Oliver*, Gent. lying in the County of *Devon*, and City of *Exon*, for Payment of his Debts, and for making Provision for Maintenance and Education of his Daughter.
6. An Act for making more effectual an Act passed in the ninth Year of her present Majesty's Reign, intituled, *An Act for repairing the Highways between Dunstable and Hockley in the County of Bedford.*
7. An Act for making the River *Nine or Nen*, running from *Northampton* to *Peterborough*, navigable.
8. An Act for vesting the Lease of the Rectory of *Chesterfield* in the County of *Derby*, in Trustees, to be sold for the Payment of the Debts of *George Smith*, Esq; deceased, and for making Provision for his Daughter.
9. An Act for the Sale of the Manor and Barton of *Willdcombe*, in the County of *Devon*, comprised in the Marriage-Settlement of *Walter Hele*, Gent. and *Philippe* his Wife, and for raising and securing the Sum of 1500 l. for the Benefit of the Children of the said *Walter* and *Philippe*.
10. An Act for upholding and repairing the Bridges and Highways in the County of *Edinburgh*.
11. An Act for Sale of the Estate of *John Tregagle*, Esq; deceased, lying in the Counties of *Devon* and *Cornwall*, for Payment of Debts, and making Provision for his Children.
12. An Act to make Partition of the Manor of *Cottingham*, alias *Cottingham-Sarum*, in the County of *York*, between *Richard Wynne*, Esq; and *Sarah* his Wife, and *John Barrington*, Esq;
13. An Act for Naturalizing *Christian William Kirchoff*.
14. An Act for repairing and amending the Highways be-

tween the Town or Village of *Tittensor*, and the most Northern Part of *Talk on the Hill* in *But-Lane* in the County of *Stafford*.

15. An Act for making more effectual an Act passed in the 7th and 8th Years of the Reign of his late Majesty K. *William III.* intituled, *An Act for erecting of Hospitals and Workhouses in the City of Bristol, and for the better employing and maintaining the Poor thereof.*
16. An Act for the more effectual Amending the Highways leading from *Royston* in the County of *Hertford*, to *Wanford-Bridge* in the County of *Huntingdon*.
17. An Act for parting and enclosing two great open Common Fields, and a large open Greensward Common Down, lying and being in the Manor and Parish of *Tbormarton*, alias *Farmington*, in the County of *Gloucester*, and for other Purposes therein mentioned.
18. An Act for the Rendering valid and effectual two several Indentures of Demise and Mortgage, executed by *Scroop*, late Lord Viscount *How*, in the Kingdom of *Ireland*, deceased, by Virtue of a former Act of Parliament, made for enabling him thereunto, notwithstanding some Defects therein.
19. An Act for the Sale of some Out-parts of the Estate of *Simon Scroope*, Esq; in the Counties of *York* and *Nottingham*, for Payment of his Debts, and for other Purposes therein mentioned.
20. An Act for the Sale of certain Messuages, Lands, Tenements and Hereditaments, contained in the Marriage-Settlement of *Francis Cherry*, Gent. deceased, and *Elizabeth* his Wife, and for the converting the same into ready Money for the Benefit of his Wife and Children; and for the Sale of divers other Manors, Messuages, Lands, Tenements and Hereditaments, for the Payment of the Debts of the said *Francis Cherry*, and of the Debts of *William Cherry*, Esq; deceased, and other Purposes in the said Act mentioned.
21. An Act for Naturalizing *Samuel Du Pree*.
22. An Act to enable the Right Honourable *Rachel Lady Kingston*, an Infant, to make a Lease of Part of her Jointure, notwithstanding her Infancy.
23. An Act to enable the Right Honourable *Richard Earl of Bellamont*, to sell certain Lands in *Ireland*, for raising Money to purchase the Jointure of *Lucy Anne* Countess Dowager of *Bellamont*, and for paying her Daughter's Portion.
24. An Act for confirming a Settlement made on the Marriage of the now Lord Viscount *Masseeen*; and for better securing the Jointure of his Lady, and of *Rachel* Viscountess Dowager *Masseeen*; and for vesting in Trustees certain Lands and Tithes in *Ireland*, to be sold for the Purposes therein mentioned.
25. An Act for vesting in *Frederick Hamilton*, Esq; certain Lands and Hereditaments in the Kingdom of *Ireland*, purchased by him of the Executors of *Joseph Ivis*, Esq; deceased, and for other Purposes therein mentioned.
26. An Act to enable Sir *Thomas Pendergast*, Bart. an Infant, to sell Part of his Estate lying in the County of *Waterford* in the Kingdom of *Ireland*, for the Payment of his Father's Debts, and other Purposes therein mentioned.
27. An Act to empower the Lord High Treasurer of *Great Britain*, or Commissioners of the Treasury for the Time being, to compound with *Thomas Edwin* of *London*, Merchant, for such Debts as he stands bound for, as Surety for *Thomas Coleman*, Tobacco-Merchant.
28. An Act to empower the Lord High Treasurer of *Great Britain*, or the Commissioners of the Treasury for the Time being, to compound with *Robert Wise* and his Sureties, for such Debts as he owes to her Majesty, or stands bound for as Surety for Customs of Tobacco.

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29. An Act for dissolving the Marriage of *Francis Loggin* with *Sarah Gardner*, and to enable him to marry again.
30. An Act to enable *Ambrose Brown*, Esq; and others, to make Sale of the Manor of *Bayham* in the Counties of *Suffex* and *Kent*, and to settle other Lands and Tenements in the County of *Surrey*, to the same Uses as the said Manor of *Bayham* now stands settled.
31. An Act for vesting Part of the Estate of *William Brown*, an Infant, lying in the Parishes of *Bridgwater*, *Northpetherton* and *Weston-Zoyland* in the County of *Somerset*, in Trustees, to be sold for Payment of a Mortgage, and other Debts and Legacies.
32. An Act for Sale of Part of the Estate late of *Brereton Bourcier*, Esq; deceased, for Payment of Debts, and other Purposes therein mentioned.
33. An Act for making effectual an Agreement made by the Commissioners for building fifty New Churches with *John Walker*, Esq; for Ground in the *Strand* to build one of the new Churches upon.
34. An Act for Naturalizing *James Eymmer* and others.
35. An Act for Naturalizing *Daniel Burr*.

T H E

S T A T U T E S at Large, &c.

Anno Regni G U L I E L M I III. decimo.

‘ A T the Parliament begun at *Westminster* the four and twentieth Day of *August*, Anno Dom. 1698.
 ‘ in the Tenth Year of the Reign of our Sovereign Lord *WILLIAM* the Third, by the
 ‘ Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, &c.
 ‘ And from thence continued by several Prorogations to the Sixth Day of *December* 1698, being the first
 ‘ Session of this present Parliament.’

C A P. I.

An Act for Granting an Aid to his Majesty, for disbanding the Army and other necessary Occasions.

BE it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Note; this Act in the later Editions is said to be expired; but Q. Whether in Part it is not still in Force? Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Army and all the respective Regiments, Troops, Companies, Officers and Soldiers of the said Army, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, shall, on or before the six and twentieth Day of *March* one thousand six hundred ninety-nine, be disbanded, except such Regiments, Troops and Companies consisting only of his Majesty's natural born Subjects, not exceeding seven thousand Persons, Commission and Non-commission Officers included, as before the first Day of *March* one thousand six hundred ninety-eight, shall be particularly expressed in and by his Majesties Royal Proclamation under the Great Seal of *England*, in which Proclamation the particular Number only of each Regiment, Troop and Company shall be expressed.

And be it further enacted and declared, That immediately from and after the said six and twentieth Day of *March* one thousand six hundred ninety-nine, the said Army, Regiments, Troops and Companies (except as before is excepted) is and are hereby actually disbanded.

And be it further enacted by the Authority aforesaid, That immediately from and after the said six and twentieth Day of *March* one thousand six hundred ninety-nine, all the Regiments, Troops and Companies, Officers and Soldiers, within the Kingdom of *Ireland*, not being his Majesty's natural born Subjects, be and are hereby enacted and declared to be actually disbanded.

And be it further enacted, That all other the Army, Regiments, Troops, Companies, Officers and Soldiers, within the said Kingdom of *Ireland*, shall, on or before the first Day of *May*, one thousand six hundred ninety-nine, be disbanded, except such Regiments, Troops and Companies consisting only of his Majesty's natural born Subjects, not exceeding twelve thousand Persons, Commission and Non-commission Officers included, as before the tenth Day of *April* one thousand six hundred ninety-nine, shall be particularly expressed in and by his Majesties Royal Proclamation under the Great Seal of *Ireland*, in which Proclamation the particular Number only of each Regiment, Troop and Company shall be expressed.

And be it further enacted and declared, That immediately from and after the said first Day of *May* one thousand six hundred ninety-nine, the said Army, Regiments, Troops and Companies in *Ireland* (except as before is excepted) is and are hereby actually disbanded.

And be it further enacted and declared, That all such Forces within the said Kingdom of *Ireland*, not hereby directed to be disbanded, which shall be maintained within that Kingdom, shall be maintained at the sole Charge of the said Kingdom of *Ireland*.

And be it further enacted, That all and every Commission-officer and Officers who shall exercise any Power or Authority over the Soldiers in their respective Regiments, Troops or Companies after such Officer or Officers shall be disbanded, and every Person or Persons that shall wittingly and willingly Advise, Frame, Contrive, Counterfeign or put in Execution any Proclamation, Commission, Act, Order or Command whatsoever, for continuing together any of the said Regiments, Troops or Companies, or Parts of Regiments, Troops or Companies after they shall be disbanded as aforesaid, he or they so offending shall incur and sustain the Pains, Penalties and Forfeitures limited, ordained and provided in and by the Statute of Provision and *Premunire* made in the sixteenth Year of King *Richard* the Second; and being thereof lawfully convicted, shall from thenceforth be disabled, during his Life, to sue or implead any Person in any Action Real or Personal in his own Right, or to make any Gift, Grant, Conveyance or other Disposition of any his Lands, Tenements, Goods or Chattels which he hath to his own Use, either by Act executed in his Life-time, or by his last Will or otherwise, or to take any Gift, Conveyance or Legacy to his own Use: And none of the said Soldiers or Non-commissioned Officers disbanded, as aforesaid, shall, after the Space of two Days after such disbanning, continue together above ten in a Company.

And for the Payment of the several Regiments, Troops and Companies in *England*, hereby declared and appointed to be disbanded, and for supplying other necessary Occasions of the Kingdom, and also for the Payment of the Arrears due to the Forces in *Ireland*, hereby appointed to be disbanded, during their Continuance upon the *English* Establishment: Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money, not exceeding the Sum of eight hundred thousand Pounds; which Sum and Sums so to be advanced and lent, shall and may be charged upon the Credit of his Majesty's Exchequer in general, and Tallies of Loan, and Orders for Repayment of the same shall be levied accordingly; of which said Sum of eight hundred thousand Pounds, so much shall in the first Place be applied for the paying off and disbanding the Regiments, Troops and Companies within this Kingdom, hereby enacted to be disbanded, as shall be sufficient for that Service, and the Overplus shall be afterwards applied for other necessary Occasions of the Kingdom; and all and every Sum and Sums of Money, so to be advanced and lent, not exceeding the same Sum of eight hundred thousand Pounds, together with Interest for the same, not exceeding the Rate of seven Pounds *per Centum per Annum*, to be paid every three Months, until Satisfaction of the Principal, shall be payable, and be paid or satisfied in course, according to the Days or Times of lending the same, unto the respective Lender or Lenders of the same, his, her, or their Executors, Administrators, Successors or Assigns, out of the first Aids or Supplies granted or to be granted to his Majesty, in this present Session of Parliament; and shall immediately be transferred unto such Aid or Supply; any thing in this present Act, or any other Act or Acts of Parliament contained to the contrary notwithstanding.

Provided always, and be it enacted by the Authority aforesaid, That no Alien, who hath been, or at any time shall be naturalized within the Kingdom of *Ireland*, by Virtue of any Act of Parliament made or to be made within that Kingdom, or by reason of any Act or Thing done or to be done in pursuance thereof, shall be adjudged or reputed to be his Majesty's natural born Subject, within the Meaning of this Act; nor shall any such Person so naturalized, or to be naturalized, be capable of being continued within any Regiment, Troop or Company, which shall be excepted by either of his Majesty's said Proclamations.

Provided always, and be it enacted by the Authority aforesaid, That in case any Regiments, Troops or Companies, or Parts of Regiments, Troops or Companies, which are to be disbanded, or discharged from his Majesty's Service, by Virtue of this Act, shall be embarked, or ready to be embarked, to be transported beyond the Seas, and shall be hindered by contrary Winds or Weather, beyond the said six and twentieth Day of *March*, no Person or Persons shall incur the said Pains and Penalties by this Act ordained, for such their Continuance together during such Hindrance, as aforesaid; any Thing herein to the contrary notwithstanding.

C A P. II.

An Act to prevent the making or selling Buttons made of Cloth, Serge, Drugget, or other Stuffs.

4 & 5 W. & M.
c. 10.

No Buttons to be sold, or made, of Cloth, Serge, &c. or of Wood. Penalty.
* The Penalty made 5l. by 8 Annæ, c. 6. and 40s. laid on the Weaver by 7 Geo. 1. Stat. 1. c. 12. §. 1.
2 Salk. 612.
2 Ld. Raym. 1276.
See 4 Geo. 1. c. 7.

WHEREAS the Maintenance and Subsistence of many Thousands of Men, Women and Children, within this Kingdom, depends upon the making of Silk, Mohair, Gimp, and Thread Buttons with the Needle, and great Numbers of Throwsters, Twisters, Spinners, Winders, Dyers and others, are employed in preparing the Materials of which such Buttons are made: And whereas the Silk and Mohair, wherewith the said Buttons are made, is purchased in *Turkey*, and other foreign Parts, in Exchange for our Woollen Manufacture, to the great Consumption and Encouragement thereof: And whereas the making of such Needle-wrought Buttons hath of late been much lessened and discouraged by the making and wearing of Buttons made of the Shreds of Cloth, Serge, Drugget, Frize, Camlet, and other Stuffs and Materials of which Clothes are usually made, and also by Buttons made of Wood only, and turned in Imitation of other Buttons; to the great Impoverishment of all those whose Livelihood depended upon the making the said Needle-wrought Buttons, and preparing the Materials thereof; and to the great Prejudice of the Woollen Manufacture, wherewith such Materials are purchased as aforesaid; by which Means great Numbers of the said poor People are become burdensome to their respective Parishes: For Remedy whereof 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 from and after the Tenth Day of *February* one thousand six hundred ninety and eight, no Person or Persons whatsoever, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, shall make, sell, or set on, or cause to be made, sold, or set on any Clothes or wearing Garments whatsoever, any Buttons made of Cloth, Serge, Drugget, Frize, Camlet, or any other Stuffs of which Clothes and wearing Garments are usually made, or any Buttons made of Wood only, and turned in Imitation of other Buttons, upon Forfeiture of the Sum of Forty Shillings for every Dozen of such Buttons so made, sold or set on, or caused to be made, sold or set on as aforesaid, and in like Proportion for any lesser Quantity; one Moiety thereof to be to the Use of his Majesty, his Heirs and Successors, and the other Moiety thereof to him, her or them that shall sue for the same, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law, or more than one Imparlance shall be allowed.

C A P. III.

EXP. An Act to prohibit the Exportation of any Corn, Malt, Meal, Flour, Bread, Biscuit or Starch for one Year, from the Tenth Day of *February* one thousand six hundred ninety eight.

Anno Regni GULIELMI III. decimo & undecimo.

C A P. IV.

An Act to prohibit the excessive distilling of Spirits and Low Wines from Corn, and against the exporting of Beer and Ale, and to prevent Frauds in Distillers.

WHEREAS it is found by Experience, that the drawing, distilling and making of Brandies or Spirits from Malt is one Cause of the present Dearthness of Corn, especially of Barley, in this Realm, and by Reason of the great Scarcity of Corn in Foreign Parts, and the Restraints which are or may be made there of distilling Spirits from Corn, great Demands are and may be made of Spirits drawn from malted Corn in this Kingdom, to supply the Occasions of those Foreign Parts, which must needs tend to a further enhancing of the Price of Corn here, and prove a great Grievance to many of his Majesty's good Subjects, if a speedy Remedy be not provided: Be it therefore 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 no Person or Persons whatsoever, from and after the last Day of *January* in the Year of our Lord one thousand six hundred ninety-eight, and before the First Day of *February* which shall be in the Year of our Lord one thousand six hundred ninety-nine, shall directly or indirectly draw, distill or make, or cause or procure to be drawn, distilled or made within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, any Brandy, *Aqua Vitæ*, Spirits, or Low Wines whatsoever, other than such Quantities as are allowed by this Act, and under such Restrictions, and in such Manner and Form as are herein prescribed, from any Malt, Corn or Grain, or from any Wash or Liquors, produced or to be produced (that is to say) that all the Brandy, *Aqua Vitæ*, Spirits and Low Wines, so made or drawn, shall be forfeited, and that every Offender and Offenders therein shall forfeit and pay the Sum of ten Shillings for every Gallon of Brandy, *Aqua Vitæ*, Spirits, or Low Wines, which shall be drawn, distilled, or made, contrary to this Act, and moreover, that all the Stills, Backs, Casks, and other Utensils and Vessels employed in the distilling, drawing, making or keeping the same, or any Part thereof, shall be forfeited; the Moiety of all which Penalties and Forfeitures shall be to the King's Majesty, his Heirs and Successors, and the other Moiety to him or them that shall discover, inform or sue for the same; and the said Penalties and Forfeitures shall and may be recovered in the same Manner, and by the same Means, as any Penalties and Forfeitures by any of the Laws and Statutes for the Excise now in Force, for any Offence or Offences against the same, are or may be recovered: And that all Servants and others, who shall be wittingly or willingly aiding or assisting in the making of the said Spirits or Low Wines contrary to this Act, and being thereof duly convicted in any of his Majesty's Courts of Record at *Westminster*, or at the General Quarter-Sessions of the County, City, Riding, or Place, where such Offence shall be committed, or where such Person or Persons shall be apprehended or arrested for such Offence, shall suffer Imprisonment by the Space of six Months without Bail or Mainprize.

Penalty on distilling greater Quantities of Brandy, &c. than are allowed by this Act

II. Provided always, That it shall and may be lawful for any Person or Persons drawing Spirits, Brandy, or Low Wines from any Foreign Materials, or any *English* Materials, other than such as are prohibited by this Act, to make use of a reasonable Quantity of Yeast for the Fermentation of their Wash, in order to the distilling of the same; any Thing in this or any other Act to the contrary notwithstanding.

Yeast may be used for Fermentation of Wash.

III. And whereas it is found by Experience, That his Majesty hath been very much defrauded of his Duties upon Low Wines and Spirits by many Distillers and other Persons, who keep or set up private and concealed Warehouses, Storehouses, Cellars or other Places, or private or concealed Stills, Backs or other Vessels for the making, preparing or keeping Wash, Low Wines, Spirits or other Materials fit for Distillation, and by private Pipes and Stop-cocks, and other private Conveyances, have Communication between their private and publick Backs and other Vessels, by which they do privately convey their Wash or other Liquors fit for Distillation from one Back or other Vessel to another, by Means whereof the Officers cannot take and keep a true and distinct Account of such Wash and other Liquors fit for Distillation, nor of the Low Wines and Spirits made or drawn from the same: And whereas the Gaugers and Officers of Excise are not sufficiently impowered by Law, upon Suspicion or Knowledge of such Frauds, to enter the Houses or Places where the same are practised without Consent of the Possessors thereof, or upon Entry and Discovery of such Frauds, cannot find out or discover the Person or Persons concerned therein, by Reason that the true Owner or Owners, of such Warehouses, Storehouses, Cellars or other Places, Stills, Backs or other Vessels, Spirits, Low Wines, Wash or other Materials fit for Distillation, will not appear or claim any Interest therein, but frequently disown the same; Be it therefore enacted by the Authority aforesaid, That every Distiller having and keeping any private Pipe or Stop-cock, or other private Conveyance, by which any Wash or other Liquors fit for Distillation may be conveyed from one Back or Vessel to another, or from any such Back or other Vessel to their Still or Stills, or into any other Place, shall, before the Eight and twentieth Day of *February* one thousand six hundred ninety-eight, take up or demolish every such Pipe, Stop-cock, or other private Conveyance, and shall also stop up every Hole in every such Back or Washbatch, by which any Wash or other Liquors fit for Distillation may be conveyed into or out of such Back or Washbatch, or any of them, and that no Distiller, from and after the said Eight and twentieth Day of *February*, shall have or

Private Pipe Stop-cock, &c. to be taken up.

keep any private Pipe, Stop-cock, or other private Conveyance, by which any Wash or other Liquors fit for Distillation, may be conveyed from one Back or other Vessel to another, or from any such Back or other Vessel to his or her Still or Stills, or into any other Place, nor shall have or keep any Hole in any such Back or Washbatch, by which any Wash, or any other Liquors fit for Distillation, may be conveyed into or out of such Back or Washbatch, or any of them: On Pain to forfeit for every such Pipe, Stop-cock, Conveyance and Hole, the Sum of one hundred Pounds.

Penalty on Distiller.

Excise Officers may search for, such Pipes, &c.

and break up the same.

If in case no Pipe be found, Officer to make Satisfaction to Owner.

Penalty on Distiller obstructing Officer.

Distiller may use Pipes above Ground.

Officer suspecting private Still, &c.

may seize the same, &c.

and if not claimed in 20 Days, shall be forfeited and sold.

Penalty on Person claiming such Still, &c.

If no private Still be found, Officer to make good the Damage.

IV. And for the better discovering of all such Pipes, Stop-cocks, and other private Conveyances aforesaid, be it further enacted, That from and after the said Eight and twentieth Day of February, it shall and may be lawful to and for the Gaugers and Officers of Excise, or any of them, in the Day-time, and in the Presence of a Constable, or other lawful Officer for the Peace (who are hereby required to be aiding and assisting therein) on Request first made and Cause declared, to break up the Ground in any Distilling-house, or the Ground near adjoining, or any Wall, Partition, or other Place, to search for any such Pipe, Stop-cock, or any other private Conveyance; and upon finding such Pipe or other Conveyance, to break up the Ground, House, Wall or other Partition or Place, through or into which any such Pipe or other Conveyance shall lead, and to break up or cut any such Pipe or other Conveyance, and to turn any Cock or Cocks, to try and examine whether such Pipe or other Conveyance, may or can convey any Wash or other Liquors fit for Distillation, out of one Back or Vessel into another, or from any such Back or Vessel into any Still or Stills, or into any other Place.

V. Provided always, That in case upon such Search, no such Pipe or other private Conveyance shall be found, such Gaugers and Officers of Excise shall make good the Ground, Wall, House, or other Place so broken up, as aforesaid, or make reasonable Satisfaction to the Owner or Owners thereof, to be adjudged by Two of the next Justices of the Peace, whereof one to be of the *Quorum*; or the Party injured shall be at Liberty to bring his Action for the Damages by him sustained; and what shall be adjudged by the said Justices, or recovered upon such Action, shall be paid out of his Majesty's Revenue of Excise, by the Commissioners thereof for the Time being: And if any Distiller, or any other Person or Persons whatsoever, shall oppose, obstruct, or hinder any such Gauger or Officer in the due Execution of the Powers hereby given and granted, every such Distiller, and other Person shall forfeit and lose, for every such Offence, the Sum of one hundred Pounds.

VI. Provided nevertheless and it is hereby declared, That it shall and may be lawful to and for any Distiller to keep and make use of any Pipe, Stop-cock, or other Conveyance above Ground, which are publick, and in open View, from one End thereof to the other, for the letting his Wash out of his publick Coolers into his publick Backs or Wash-batches, and for conveying his Wash or Worts out of such publick Back or Washbatch into his publick Stills; any Thing in this Act, or any other Law or Statute to the contrary in any wise notwithstanding.

VII. And be it further enacted by the Authority aforesaid, That in case the Gaugers or Officers of Excise, or any of them, shall know, or have cause to suspect any such private or concealed Still, Back, or other Vessel, Spirits, Low Wines, Wash, or other Materials preparing for Distillation, to be set up or kept in any House or Place, and shall make Affidavit before one or more Justice or Justices of the Peace for the County or Place where he shall so know or suspect such private or concealed Still, Back, or other Vessel, Spirits, Low Wines, or Materials preparing for Distillation, are or shall be so set up or kept, and shall in such Affidavit declare the Grounds of such his Knowledge or Suspicion, then and in such Case, it shall and may be lawful for such Officer or Officers, in the Day-time, and in the Presence of a Constable, or other lawful Officer of the Peace (who are hereby required to be aiding and assisting therein) by Warrant from such Justice or Justices of the Peace before whom such Affidavit shall be made, to be directed to such Officer or Officers of Excise (which Warrant the said Justice or Justices of the Peace are hereby authorized and required to grant) to break open the Door, or any Part of such House or Place, where he or they shall so know or suspect such private or concealed Still, Back, or Vessel, Spirits, Low Wines, or Materials for Distillation are so set up or kept; and to enter into such House or Place, and to seize all such Stills, Backs, or other Vessels, and also all such Spirits, Low Wines, Wash, or other Materials for Distillation that shall be found therein, and to detain and keep the same in such House or other Place where he or they shall find the same so kept private or concealed; and in case the same shall not, within twenty Days next after such Seizure, be claimed by the true and lawful Owner thereof, then the said Stills, Backs, and other Vessels, Spirits, Low Wines, and Materials for Distillation shall be absolutely forfeited, and shall and may be sold at the next general Day of Sale, to be appointed by the Commissioners of Excise, or their Officer or Officers respectively, after the said twenty Days are expired; one Moiety of the Proceed thereof (all necessary Charges being first deducted out of the whole) to be paid to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Party or Parties who shall so discover and seize the same; and in case such Stills, Backs, and other Vessels, Spirits, Low Wines, and Materials for Distillations, shall within the said twenty Days be claimed by any Person or Persons whatsoever, the Person or Persons so claiming the same, shall forfeit and lose for every such Warehouse, Storehouse or other Place, in which any such Still, Back, or other Vessel shall be found, and also for every such Still, Back, and other Vessel found therein, the Sum of two hundred Pounds.

VIII. Provided always, That in case upon such breaking open any such Door or House, no such private or concealed Back, Still, or other Vessel, Spirits, Low Wines, Wash, or other Materials for Distillation, shall be found, such Gauger and Officers of Excise shall make good the House or Place so broken up, as aforesaid, or make reasonable Satisfaction to the Owner or Owners thereof, to be adjudged by two of the next Justices of the Peace, whereof one to be of the *Quorum*; or the Party injured shall be at Li-

berty to bring his Action for the Damages by him sustained; and what shall be adjudged by the said Justices, or recovered upon such Action, shall be paid out of his Majesty's Revenue of Excise, by the Commissioners thereof for the Time being; and if any Distiller, or any other Person or Persons whatsoever, shall oppose, obstruct, or hinder any such Gauger or Officer so authorized, as aforesaid, in the due Execution of the Powers hereby given and granted, every such Distiller or other Person, shall forfeit and lose the Sum of two hundred Pounds; all which said Penalties shall be recovered and levied by the same Means and Methods, as any Fine or Penalty imposed by any Law of Excise now in Force is recoverable: one Moiety of which said Forfeitures shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them that will discover, inform, or sue for the same, as aforesaid.

Penalty on Person opposing Officer.

IX. And whereas many Distillers, on Pretence of rectifying of Spirits, do mix Spirits with Wash and other Liquors, and afterward distil the same, whereby his Majesty's Duties on low Wines are avoided, and not duly answered and paid, as by the former Acts is directed and appointed: For Prevention whereof be it enacted and declared by the Authority aforesaid, That all Spirits made or drawn by any Distiller from any Mixture of Spirits with any Kind of Wash or other Liquor, (except common Water) shall be deemed and taken to be low Wines, and shall be chargeable with the Duties already set and imposed on low Wines drawn from foreign Materials.

All Spirits made from Mixture of Spirits with Wash, deemed low Wines, and chargeable with the Duties. Proviso.

X. Provided always, and be it enacted by the Authority aforesaid, That in such House and Houses, and other Edifices which were used as publick or open Distilleries for the drawing or distilling of Spirits or low Wines from Wort or Drink brewed from malted Corn, during the Year ended on the thirtieth Day of *September* one thousand six hundred ninety and eight, or during any Part thereof (and in no other House or Place whatsoever) it shall and may be lawful to and for the Owners and Occupiers of the said Houses and Distilleries respectively, at any Time or Times between the last Day of *January* one thousand six hundred ninety and eight, and the first Day of *February* one thousand six hundred ninety and nine, to draw, distil, and make, or cause to be drawn, distilled, and made, any Spirits or low Wines from Drink or Wort brewed from malted Corn, so as the whole Quantity of low Wines or Spirits of the first Extraction, which between the said last Day of *January* one thousand six hundred ninety and eight, and the said first Day of *February* one thousand six hundred ninety and nine, shall be drawn, distilled, or made in every such Distillery respectively, from any Malt, Corn, or Grain, or from the Produce thereof, do not in the whole exceed half the Quantity of low Wines or Spirits of the first Extraction, which in the Year already ended, as aforesaid, were drawn, distilled, or made within the same House or Distillery respectively, from Drink or Wort brewed with malted Corn, and so as the Quantity of low Wines or Spirits of the first Extraction, which in the first, second, third and every other Kalendarly Month of the Year, reckoned from the said last Day of *January* one thousand six hundred ninety and eight, shall be drawn, distilled, or made in every such Distillery respectively, from Malt, Corn, or Grain, or from the Produce thereof, do not exceed half the Quantity of low Wines or Spirits of the first Extraction, which in the like first, second, third, and every other Kalendarly Month of the Year, ended as aforesaid, were drawn, distilled, or made within the same House or Distillery respectively, from Drink or Wort brewed with malted Corn; and in Case any Doubt or Controversy shall arise concerning the Quantity of Spirits or low Wines which were drawn or distilled in any House or Distillery within or during the said Year, ended on the said thirtieth Day of *September* one thousand six hundred ninety and eight, or any Month of the same, from Drink or Worts brewed from malted Corn, or concerning the exceeding of half that Quantity or Proportion in the Year to be reckoned from the said last Day of *January* one thousand six hundred ninety and eight, or in any Month thereof, then the same shall be determined by the Accounts or Vouchers returned into the head Office of the Excise, containing the Quantities of such low Wines or Spirits of the first Extraction made in every such House or Distillery within or during the Year already ended, as aforesaid, whereby his Majesty's Duties were charged or chargeable, or by the Entries of the same, to which all Persons concerned (upon reasonable Request) shall have free Access without Fee or Charge; any thing herein contained to the contrary notwithstanding.

XI. And be it enacted by the Authority aforesaid, That the Commissioners of the Excise, or any three or more of them, upon Request to them made, shall make forth and deliver in Writing under their Hands, *gratis*, to the Owners or Occupiers aforesaid, or such as they shall appoint, a true Account of the Quantities of low Wines or Spirits of the first Extraction, charged in the said Vouchers, as were made in every respective Distillery in each respective Month of the Year, ended at the thirtieth Day of *September* one thousand six hundred ninety and eight, as aforesaid, from Drink or Worts brewed with malted Corn.

XII. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever, from and after the last Day of *February* in the Year of our Lord one thousand six hundred ninety and eight, and before the first Day of *February* which shall be in the Year of our Lord one thousand six hundred ninety and nine, shall directly or indirectly export, transport, carry out, convey, or cause or procure to be exported or transported, carried, or conveyed out of or from the said Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, or any of them, or load or lay on board, or cause or procure to be loaden or laid on board in any Ship, Vessel, or Boat, in order to be exported or carried out of the Kingdom, Dominion, or Town aforesaid, for any foreign Parts, any Beer Ale, or any Wash or Worts drawn from Corn, or any Ale or Beer from which Spirits may be extracted, under the Pains and Forfeitures herein after mentioned; that is to say, for every Barrel of Beer, Ale, Wash, or Worts so exported, the Sum of five Pounds, and so in Proportion for any greater or lesser Quantity; one Moiety thereof to his Majesty, and the other Moiety to the Informer, to be recovered as other Penalties by this Act are directed to be recovered.

From 23 Feb. 1698. to 1 Feb. 1699. no Beer, Ale, &c. to be exported.

Penalty.

Proviso. XIII. Provided always, That this Act or any Thing therein contained shall not extend to prohibit the Exportation or carrying out of such Beer or Ale as shall be necessary to be carried in any Ship or other Vessel or Vessels, from this Kingdom, or the Dominion aforesaid, or in their Return to the same, only for the Sustenance or Drink of the Commanders, Masters, Mariners, Passengers, or others in the same Ships, and not to be sold in foreign Parts, or for the Supply of any of his Majesty's Ships in foreign Parts; any Thing in this Act to the contrary notwithstanding.

XIV. Provided also, That nothing in this Act contained shall extend to any Beer or Ale, which shall be exported, or shipped to be exported out or from any of the Ports of this Kingdom, or Dominion of *Wales*, unto such of his Majesty's Colonies in *America*, *Persia*, or the *East Indies*, that have been usually supplied with such Liquors from this Kingdom, or from the Dominion of *Wales*, aforesaid, or for the Sustainment of the said Islands and Colonies, Ports, Castles, or Factories therein only, so as the Exporters, before the shipping or laying on board the same for the Islands or Colonies for which the said Liquor is designed, do give sufficient Security, in treble the Value, to the Commissioners or Officers of his Majesty's Customs respectively, who have hereby Power to take such Security, in his Majesty's Name, and to his Majesty's Use, that such Liquors shall not be landed in any Parts whatsoever, other than the Islands and Colonies for which the same shall be so declared; for taking which Security no Fee or Reward shall be demanded or received; and the said Bond or Bonds, or other Securities, if not prosecuted within three Years, shall be void.

Charles Bennett Distiller.

XV. Provided always, That nothing in this Act contained shall extend to prevent or hinder *Charles Bennett* Distiller, from drawing or distilling Spirits or low Wines from Wortes or Drink brewed from malted Corn, from the last Day of *January* one thousand six hundred ninety-eight, to the first Day of *February* one thousand six hundred ninety-nine; always so as the whole Quantity of low Wines or Spirits of the first Extraction, which between the said last Day of *January* one thousand six hundred ninety-eight, and the said first Day of *February* one thousand six hundred ninety-nine, shall be drawn distilled, or made in his now Distillery from any Malt, Corn or Grain, or from the Produce thereof, do not in the whole exceed half the Quantity of low Wines or Spirits of the first Extraction, by him drawn and extracted in the Year already ended on the thirtieth of *September* one thousand six hundred ninety-eight, and so as the said *Charles Bennett* doth observe and perform all Things else, as all other Distillers are by this Act obliged to observe and perform.

C A P. V.

Re-enacted for 21 Years by 9 Geo. 1. c. 10. from the Year 1723.

An Act for the clearing, repairing, preserving and maintaining the Haven and Piers of *Great Yarmouth* in the County of *Norfolk*. From 24 July 1699, for Twenty-one Years, Ships unloading in *Yarmouth Road*, to pay for every Chaldron of Coals, Last of Wheat, Rye, &c. Weigh of Salt, Tun of Goods or Merchandize (except Fish) 12*d.* Bailiffs and Aldermen, &c. to appoint collectors of the Duties, who are to pay the same to the Chamberlains of the Borough, &c. Twelve Commissioners for inspecting the Accounts to be nominated. Collectors to render to the Commissioners Account of Monies received, &c. to take an Oath, and be allowed 6*d.* in the Pound. Collector may enter into Ship, &c. and for Nonpayment of Duty may distrain and sell, rendering the Overplus. Fish, Oil, Fish Livers, and Provision, &c. exempted from Duty. Commissioners for *Norfolk* and *Suffolk* to be nominated yearly at the Quarter-Sessions, and meet in six Weeks after at *Great Yarmouth*. In Case Commissioners do not meet, Bailiffs and Aldermen, &c. to put the Act in Execution, who may put in or displace any Collector, &c. In Case of Refusal, Bailiffs to levy by Distress. Where no Distress, Person to be committed to Gaol. Bailiffs, &c. to make good the Monies collected. If any new Work be found necessary, Commissioners may contract for the same; Contract Money to be paid out of the Duties. Commissioners Bailiffs may act with the other Commissioners. E X P.

C A P. VI.

An Act to enlarge the Trade to *Russia*.

WHEREAS King PHILIP and Queen MARY, by their Letters Patents dated at *Westminster* the Sixth Day of *February* in the first and second Years of their Reign, being willing to animate, advance and further the Persons in the said Letters Patents named, in their good Purpose and profitable Adventure, for the discovering, deserving and finding out Isles, Lands and Territories unknown, lying to the Northward, and by *English* Subjects before then not commonly frequented by Sea, as well for the Glory of God, as for illustrating the Royal Dignity in the Increase of the Revenues of the Crown, and the general Wealth of this Realm, and of the Subjects of the same (as in the said Letters Patents is particularly expressed) did incorporate the said Persons by the Name of *Merchants Adventurers for the Discovery of Lands, Territories, Isles, and Seigniories unknown, and not by the Seas and Navigations, before their said late Adventure or Enterprize by Sea or Navigation, commonly frequented*, with Power to make Statutes, Acts, and Ordinances for the good Government of the said Fellowship, and also to admit unto the said Fellowship Persons, to be free of the same; and that every Person or Persons so to be admitted, should from the time of his or their Admittances be free of the said Fellowship; and that the said Fellowship should have and enjoy the sole Trade to all the main Lands, Isles, Ports, Havens, Creeks and Rivers of the Emperor of *Russia*, and to all and singular other Lands, Dominions, Territories, Ports, Creeks and Arms of the Sea whatsoever, in the said Letters Patents particularly mentioned and described; as by the said Letters Patents (among other Things therein contained) more at large may and doth appear: And whereas the Liberties, Powers and Privileges granted by the said Letters Patents, were afterwards,

'wards by an Act of Parliament made in the eighth Year of the Reign of Queen ELIZABETH, ratified Stat. 8 Eliz.
'and confirmed to the said Fellowship and their Successors, by the Name of *The Fellowship of English* Note, This
'*Merchants for Discovery of New Trades*, with Power to have and enjoy all and singular the Liberties, Pri- is a private Act.
'vileges, Jurisdictions, Powers, and Authorities, as well in the said Letters Patents as Act of Parliament
'mentioned or contained, with a Prohibition, that no Subject or Denizen of this Realm should traffick
'to, visit, or frequent any of the Places granted by the said Act, to the said Fellowship to trade in, but
'by Order, Agreement or Consent of the Governor, Consuls and Assistants of the said Fellowship for the
'Time being, or the major Part of them; upon Pain that every Person and Persons offending in that Be-
'half, should forfeit and lose (*ipso facto*) every such Ship and Ships with the Appurtenances, and all such
'Goods and Things whatsoever, as by any such Persons should be by any Means, directly or indirectly,
'carried, conducted, brought or exchanged in, at or to, through or from any of the Places prohibited,
'contrary to the true Intent of the said Act; one Moiety thereof to the Queen's Majesty, her Heirs and
'Successors, and the other Moiety thereof to the said Fellowship and their Successors, as by the said Act
'of Parliament (amongst other Things therein contained) more at large may and doth appear: And
'whereas the easy Admission of Persons into the said Company or Fellowship, will in all Probability tend
'very much to the enlarging the said Trade for the publick Good, and for that there is no Mention made
'either in the said Letters Patents, or Act of Parliament, upon what Terms Persons shall be admitted,
'or what certain Fine shall be taken by the Fellowship for the admitting Persons to be free thereof, the
'ascertaining whereof would very much tend to the increasing the Number of Traders to the said Places;'
Therefore for the ascertaining hereafter what Fine shall be taken by the said Fellowship for the said Ad-
missions, and for enlarging and encouraging the Trade to *Russia*, and other the Places in the said Charter
and Act of Parliament mentioned and described; be it enacted by the King's most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present
Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of
March, which shall be in the Year of our Lord one thousand six hundred ninety-nine, every Subject of
this Realm desiring Admission into the said Fellowship of *English* Merchants for Discovery of new Trades,
commonly called or known by the Name of *The Russia Company*, on Request in that Behalf to be made to
the Governor, Consuls and Assistants for the Time being of the said Fellowship, or any three or more of
them, shall be admitted into the said Fellowship, and shall have use and enjoy all the Liberties, Privileges,
Jurisdictions, Franchises, Powers and Authorities granted to the said Fellowship, either by the said Let-
ters Patents or Act of Parliament, as largely, fully and amply, to all Intents, Constructions and
Purposes, as any other Member of the said Fellowship could, can or may have, use or enjoy the
same by virtue of the said Letters Patents, and Act of Parliament, or either of them; such Sub-
ject paying for such his Admission, for the Use of the said Fellowship only, the Sum of five Pounds,
and no more.

From 25 Mar.
1699. Persons
may be admitted
into the Russia
Company, pay-
ing 5l.

II. And be it further enacted, by the Authority aforesaid, That from and after the said five and
twentieth Day of *March*, the Sum of five Pounds only, and no more, shall be demanded, taken or ac-
cepted by the said Fellowship, for any Admission to the Freedom thereof; any By-law, Statute, or Or-
dinance of the said Fellowship, made or to be made to the contrary thereof in any wise notwithstanding.

III. And be it further enacted by the Authority aforesaid, That where any Person or Persons residing
in any Out-port, or any other Place within this Realm, the Dominion of *Wales*, or Town of *Berwick*
upon *Tweed*, shall make Request to be admitted into the said Fellowship as aforesaid, by his Agent or
Deputy, making Tender of five Pounds for his Admission, the said Governor, Consuls and Assistants,
shall under the Common Seal of the said Fellowship, within ten Days after such Request, appoint one or
more Person or Persons to admit such Person or Persons into the Freedom of the said Fellowship, and to
administer to him and them the Oath to be taken by the Freemen of the said Fellowship; which Oath they
are hereby empowered to administer; which Admission and Administration of the said Oath shall be as
good and effectual, as if the same were actually done by the said Governor, Consuls and Assistants.

Admission by
Agent.

Oath.
Such Admission
good.

IV. And be it further enacted by the Authority aforesaid, That the Commissioners of his Majesty's
Customs shall, at every Session of Parliament, lay before both Houses a true Account in Writing, under
their Hands of what Naval Stores shall have been imported into this Kingdom by any Persons trading to
Russia.

Parliament to
have a yearly
Account of Na-
val Stores im-
ported from
Russia.

C A P. VII.

An Act for preventing irregular Proceedings of Sheriffs and other Officers, in making the Re-
turns of Members chosen to serve in Parliament.

FOR preventing Abuses in the Returns of Writs of Summons for the calling and assembling of any
Parliament for the future, or Writs for the Choice of any new Member to serve in Parliament; and
to the end such Writs may, by the proper Officer or his Deputy, be duly returned and delivered to the
Clerk of the Crown, to be by him filed, according to the ancient and legal Course; 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 Parliament assembled, and by Authority of the same, That the Sheriff, or other Officer
having the Execution and Return of any such Writ which shall be issued for the future, shall, on or be-
fore the Day that any future Parliament shall be called to meet, and with all convenient Expedition, not
exceeding fourteen Days after any Election made by virtue of any new Writ, either in Person, or by his
Deputy,

5 R. 2. St. 2.
c. 4.
11 H. 4. c. 1.
23 H. 6. c. 14.

Writ when
returnable.

Sheriff on Return of Writ to pay the ancient Fees, &c. and charge the same to the King.

Deputy, make Return of the same to the Clerk of the Crown in the High Court of *Chancery*, to be by him filed; and the Sheriff, or other Person making such Return, shall pay to the said Clerk of the Crown the ancient and lawful Fees of four Shillings, and no more, for every Knight of a Shire, and two Shillings, and no more, for every Citizen, Burgess, or Baron of the Cinque Ports, returned into the said Court, to be by him filed; and the said Sheriff or Officer shall, by virtue of this Act, charge the same to his Majesty, his Heirs or Successors, and have Allowance thereof in his Account in the Exchequer or elsewhere.

7 & 8 W. 3. c. 25.

II. And whereas by an Act made in the seventh and eighth Years of the Reign of his present Majesty, intituled, *An Act for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning such Members*, it is provided and enacted, That the Officer, on the Receipt of any such Writ, shall, within three Days after such his Receipt, by himself or proper Agent, deliver or cause to be delivered, a Precept or Precepts to the proper Officer of every Borough, Town Corporate, Port or Place within his Jurisdiction, to whom the Execution of such Precept doth belong or appertain, which by Experience hath been found too short a Time for the Performance of the same in the Cinque Ports; be it therefore enacted by the Authority aforesaid, That from henceforth the proper Officer of the Cinque Ports shall be allowed six Days from the Receipt of such Writ for the Delivery of the Precept, according to the Purport of the said Act; any thing in the said Act, or any other Law, Statute or Usage to the contrary in any wise notwithstanding.

Officer of the Cinque Ports allowed six Days from Receipt of Writ.

Penalty on Sheriff, &c. not making Return.

Farther Provisions concerning Elections, &c.

11 & 12 W. 3. c. 2. sect. 150.

12 & 13 W. 3. c. 3. 5 & 10. 2 & 3 Ann. c. 18. 6 Ann. c. 7. & 23. 9 Ann. c. 5. 10 Ann. c. 19. & 23. 1 Geo. 1. c. 38. & 56. 2 Geo. 2. c. 24. 6 Geo. 2. c. 23. 8 Geo. 2. c. 30. 9 Geo. 2. c. 38. 11 Geo. 2. c. 24. 13 Geo. 2. c. 20. 15 Geo. 2. c. 22. 19 Geo. 2. c. 28. 31 Geo. 2. c. 14. 33 Geo. 2. c. 20.

III. And it is further enacted by the Authority aforesaid, That every Sheriff or other Officer or Officers aforesaid, who shall not make the Returns according to the true Intent and Meaning of this Act, shall forfeit for every such Offence the Sum of Five hundred Pounds; one Moiety whereof shall be to his Majesty, and the other Moiety to him or them that shall sue for the same, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege or Wager of Law shall be allowed, nor any more than one Impar lance.

C A P. VIII.

An Act for making and keeping the River *Tone* navigable from *Bridgewater* to *Taunton*, in the County of *Somerset*. *John Mallet* Esquire, and his Assignees, Conservators of the River *Tone*, who are impowered to keep the River navigable from *Bridgewater* to *Ham Mills*, and thence to *Taunton*, and cut a new Channel. A Way to the Land on either Side of the River. Conservators to contract with the Owners of Land for Damage, &c. If Parties disagree touching the Value of such Lands, Sheriff to summon a Jury, and the Determination to bind all Parties. Agreements to be signed and sealed in four Days after made, and enrolled at the Sessions. On Payment, Conservators may enter on the Lands. Jury may examine Persons on Oath. Parties not appearing, Jury may order what Satisfaction. Which Order shall be good, and vest a Fee-simple Estate in the Conservators. For reimbursing the Conservators, with Interest at 6 l. per Cent. every Boat, &c. passing from *Bridgewater* to *Ham Mills*, to pay 4 d. a Weigh for Coals *Bridgewater* Measure, and 2 d. per Tun for other Goods, Wares, &c. Duties to be paid at *Knap Bridge*. In case of Nonpayment, Boat, &c. to be stopt, till Duty paid. Boat, &c. passing from *Ham Mills* to *Taunton*, to pay Duties at *Coal Harbour*, 4 s. a Weigh for Coals, 2 s. per Tun for other Goods. On Nonpayment to stop such Boat, &c. until Duty be paid. Boat, &c. passing from *Taunton* to *Bridgewater*, to pay 12 d. per Tun for Goods, &c. at the first Lock next to *Taunton*. In case of Nonpayment to detain such Boat until Duty be paid. After Conservators are reimbursed, only 1 d. a Weigh on Coals, and 1 d. a Tun on Goods to be paid at *Knap Bridge*, and 1 s. a Weigh on Coals, and 6 d. a Tun on Goods to be paid at *Coal Harbour*. Toll how to be applied. Surplus to be employed for the Use of the Poor of *Taunton*, in building an Hospital for educating poor Children. Boatmen, &c. may use Winches, &c. An Account of Disbursements to be kept, and entered in a Book, and brought yearly before the Bishop of *Bath* and *Wells*, &c. who may allow and distribute the same. Yearly Account to be made up to 24 June. Bishop and Justices may examine Persons on Oath. Duplicate of the Account to be signed by the Bishop, &c. and kept at the Sessions. Conservators of the River to be perpetual. Present Conservators constituted for Life. When they are reduced to the Number of twenty, Survivors may choose others, to make them thirty in Number. Conservators may receive any Gift, Legacy, &c. and have Estates conveyed to them. Five to be a Committee; and make any Contract, &c. Conservators may sue or be sued on such Contracts, and may appoint Servants to manage Estates, and constitute Receivers, &c. but subject to the Bishop's Correction. Publick Act.

C A P. IX.

EXP.

An Act for granting to his Majesty the Sum of one million four hundred eighty-four thousand and fifteen Pounds one Shilling eleven Pence three Farthings, for disbanding the Army, providing for the Navy, and for other necessary Occasions. 3 s. in the Pound.

C A P. X.

An Act to prevent the Exportation of Wooll out of the Kingdoms of *Ireland* and *England* into foreign Parts; and for the Encouragement of the Woollen Manufactures in the Kingdom of *England*.

FORASMUCH as Wooll and the Woollen Manufactures of Cloth, Serge; Bays, Kerseys, and other Stuffs made or mixed with Wooll, are the greatest and most profitable Commodities of this Kingdom, on which the Value of Lands, and the Trade of the Nation do chiefly depend: And whereas great Quantities of the like Manufactures have of late been made, and are daily increasing in the Kingdom of *Ireland*, and in the *English* Plantations in *America*, and are exported from thence to foreign Markets, heretofore supplied from *England*, which will inevitably sink the Value of Lands, and tend to the Ruine of the Trade, and the Woollen Manufactures of this Realm: For the Prevention whereof, and for the Encouragement of the woollen Manufactures within this Kingdom, 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 no Person or Persons whatsoever, from and after the Four and twentieth Day of *June* in the Year of our Lord one thousand six hundred ninety-nine, shall directly or indirectly export, transport, ship off, carry or convey, or cause or procure to be exported, transported, shipped off, carried, or conveyed out of, or from the said Kingdom of *Ireland*, into any foreign Realm, States, or Dominions, or into any Parts or Places whatsoever, other than the Parts within the Kingdom of *England*, or the Dominion of *Wales*, any the Wooll, Woollfells, Shortlings, Mortlings, Woollflocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Drapery Stuffs or Woollen Manufactures whatsoever, made up or mixed with Wooll or Woollflocks, or shall directly or indirectly load, or cause to be laden upon any Horse, Cart, or other Carriage, or load or lay on board, or cause to be laden or laid on board in any Ship or Vessel, in any Place or Parts within or belonging to the said Kingdom of *Ireland*, any such Wooll, Woollfells, Shortlings, Mortlings, Woollflocks, Worsted, Bay, or Woollen Yarn, Cloth, Bays, Kerseys, Serges, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Drapery or Woollen Manufactures, to the Intent or Purpose to export, transport, ship off, carry or convey the same, or cause the same to be exported, transported, shipped off, carried or conveyed out of the said Kingdom of *Ireland*, or out of any Port or Place belonging to the same, or with Intent or Purpose, that any Person or Persons whatsoever should so export, transport, ship off, carry or convey the same out of the said Kingdom of *Ireland*, into any Ports or Places, except as aforesaid.

II. And be it enacted by the Authority aforesaid, That all and every of the Offender and Offenders, Offence and Offences aforesaid, shall be subject and liable to the respective Pains, and Penalties, and Forfeitures hereafter following (that is to say) The said Wooll, Woollfells, Shortlings, Mortlings, Woollflocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Draperies, Stuffs, or any other Manufactures, made of or mixed with Wooll or Woollflocks, so exported, transported, shipped off, or carried, conveyed, or laden, contrary to the true Intent and Meaning of this Act, shall be forfeited; and that every of the Offender and Offenders therein shall likewise forfeit the Sum of Five hundred Pounds for every such Offence; and all and every Ship, Vessel, Barge, Boat, or other Bottom whatsoever, wherein any of the said Commodities are or shall be shipped or laid on board, contrary to the true Intent and Meaning of this Act, shall be forfeited, with all her Tackle, Apparel, and Furniture to them and every of them belonging; and the Masters and Mariners thereof, or any Porters, Carriers, Waggoners, Boatmen, or other Persons whatsoever, knowing such Offence, and wittingly aiding and assisting therein, shall forfeit forty Pounds; of which one Moiety shall be to him or them that shall sue for the same by Bill, Plaint, or Information in any of his Majesty's Courts of Record in *England*, or *Ireland*, and the other Moiety thereof to the Encouragement of setting up the Linen Manufactures in *Ireland*, to be disposed of by the Court of *Exchequer* there for that Use only; in which Suit no Effoin, Protection, or Wager of Law, or more than one Imparllance shall be allowed.

III. And to prevent evading the Penalties of this Act, by Pretention of Prosecution or Acquittals in *Ireland*; be it enacted by the Authority aforesaid, That no Acquittal, nor any Indictment, Information, or Suit (unless the Offender be thereupon convicted) in *Ireland*, for any Offence provided against in this Act, shall be pleaded or allowed in Bar or Delay of any Indictment, Information, Suit, or Prosecution within the Kingdom of *England*.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to seize, take, secure, and convey to his Majesty's next Warehouse, all such Wooll, Woollfells, Shortlings, Mortlings, Woollflocks, Worsted, Bay, or Woollen Yarn, Cloth, Serges, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, Stuffs, and other Draperies and Woollen Manufactures or mixed with Wooll or Woollflocks, as he or they shall happen to see, find, know, or discover to be laid on board in any Ship, Vessel, or Boat, or to be brought, carried, or laid on shore, at or near the Sea, or any navigable River or Water, to the Intent or Purpose to be exported or conveyed out of the said Kingdom of *Ireland*, contrary to the true Meaning of this Act, or to be laden upon any Horse, Cart, or other Carriage, to the Intent or Purpose to be exported, conveyed, or carried into any foreign Parts or Places, contrary to the true Intent and Meaning hereof; and also that it shall and may be lawful to and for any Person and Persons to seize and secure all and every such Ship, Hulk, Vessel, Barge,

' This Act made more effectual by 5 Geo. 2. c. 21.'

12 Car. 2. c. 32.

From 24 June 1699. Burn, V. 2. 583, &c.

No Wooll, Woollfells, Shortlings, &c. to be exported out of *Ireland*, to any Place but *England*, &c. Explained by 11 & 12 W. 3. c. 13. ' Wooll laid near the Sea, &c. in order to be exported, is forfeited by 5 Geo. 1. c. 1. §. 21.'

Penalties on Offenders.

' By 3 Geo. 1. c. 21. §. 4. One Moiety is given to the King.'

No Acquittal, &c. in *Ireland*, allowed in Bar of any Prosecution in *England*. Any Person may seize all such Wooll, &c.

And also the Ship, Hulk, &c.

Seizer indemnified for so doing.

Barge, or Boat, of what Kind soever, or wheresoever found or discovered, wherein any of the aforesaid Commodities shall happen to be shipped or put on board, contrary to the true Intent and Meaning of this Act; and that such Person or Persons that shall happen so to seize, take, or secure any of the Commodities aforesaid, or any such Ship, Vessel, Hulk, Barge, or Boat, as aforesaid, shall be indemnified for so doing, to all Intents and Purposes.

Bond to be given for Ship taking on board Woollen Commodities.

V. And be it further enacted by the Authority aforesaid, That for every Ship or Vessel, which from and after the said Four and twentieth Day of *June* shall set out and sail from the said Kingdom of *Ireland*, in order to export or carry off any of the Commodities aforesaid to this Kingdom, Bond shall be given by two sufficient Persons, known Inhabitants of and residing in or near the Place where the Bond is or shall be given, to the chief Officers of the Customs, belonging to the said Port or Place in the said Kingdom of *Ireland*, from whence the said Ship or Vessel shall set Sail, in double the Value of any the aforesaid Goods, intended to be transported as aforesaid, before the said Ship or Vessel shall be permitted to lade on board any of the Commodities aforesaid, with Condition that if the said Ship or Vessel shall lade or take on board any of the said Goods, in the Kingdom of *Ireland*, that then and in such Case all the said Goods shall be brought, by the same Ship or Vessel, to some Port or Ports within the Kingdom of *England*, or the Dominion of *Wales*, as aforesaid, and shall there unlade or put on shore the same, and pay the Custom and Duties thereof, the Danger of the Seas only excepted. And that every Ship or Vessel, which shall lade or take on board any of the said Goods, until such Bond be given, shall be forfeited, to be recovered and employed in Manner as aforesaid.

Ship taking Goods on board before Bond given, to be forfeited.

A Register to be kept of Goods imported from *Ireland*.

VI. And for the more effectual Execution of the Powers granted by this Act; be it enacted by the Authority aforesaid, That a Register be kept at the Custom-house in *London*, of all the aforesaid Goods, from Time to Time imported from *Ireland*, into any of the Ports within this Kingdom, or Dominion of *Wales*, with the particular Qualities and Quantities thereof, the Master's and Owners Names, and to whom consigned.

Cockets, &c. to be written on Paper, and signed.

VII. And be it further enacted by the Authority aforesaid, That all Cockets and Warrants for the carrying or transporting of any of the aforesaid Goods, from the Kingdom of *Ireland*, to any Port or Ports aforesaid, within this Kingdom, shall be written upon Paper, and not Parchment, and signed by three of the chief Officers of such respective Port at least, and all Certificates of landing the same in any the Ports aforesaid, within this Kingdom, or Dominion of *Wales*, shall be signed in like Manner; and that all the Goods aforesaid, both at shipping and landing, shall be viewed and examined by the Surveyor or Searcher, or Land-waiter, attending the shipping or Discharge of any the aforesaid Goods; and that the exact Quantities and Qualities, Marks, and Numbers of the Goods aforesaid, so shipped in *Ireland*, shall be particularly expressed and indorsed upon the Cocket, by which the said Goods are or were to be shipped, and likewise upon the Warrant for landing the same in *England*, and also upon the Certificate or Certificates, given or to be given, for discharging the Bond or Bonds taken in *Ireland* for the same.

Goods to be viewed by Surveyor, &c.

Quantities to be expressed on the Cocket, &c.

Commissioners of the Customs of *Ireland* to transmit the Quantities, &c. of Goods exported, to the Commissioners of the Customs in *England*, and Duplicates of the Bonds, &c. as also Dates of Certificates.

VIII. And be it further enacted by the Authority aforesaid, That the Commissioners of the Revenue, or Farmers of the Customs, or of the Revenue of the Kingdom of *Ireland*, for the Time being, shall from Time to Time, and at all Times hereafter, once within every six Months, or within thirty Days after the End thereof, transmit or cause to be transmitted unto the Commissioners or Farmers of his Majesty's Customs in *England*, of all such Goods as aforesaid, as shall from Time to Time be exported from the said Kingdom of *Ireland*, the Qualities and Quantities thereof, and Duplicates of the Bonds taken for lading the same, and by whom and in what Ships exported, and where and to what Port in the Kingdom of *England*, or Dominion of *Wales*, consigned, and the Names of the Persons signing the Certificates of the landing the same in *England*, and the Date of the said Certificates, and where the same are or were laden, and also of the Qualities and Quantities, Marks, and Numbers contained in the said Certificates, in order that the same may be compared with the registred Account, appointed by this Act to be kept by the Commissioners or Farmers of the Customs of this Kingdom.

Certificates to be written on Paper, &c.

IX. And for preventing the Mischief of raising, obliterating, or interlining such Certificates, as aforesaid; be it enacted by the Authority aforesaid, That all such Certificates shall be written upon Paper, and not Parchment, and that the Quantities and Qualities, Marks, and Numbers therein expressed shall not be obliterated or interlined upon any Pretence whatsoever.

Ports for exporting and importing Goods.

By 4 Annæ, c. 7. Goods may be exported from New Ross.

X. And be it further enacted by the Authority aforesaid, That all such Goods as aforesaid, as shall from Time to Time be exported from the said Kingdom of *Ireland*, into the Ports of this Kingdom, or Dominion of *Wales*, in Manner as aforesaid, shall be shipped off and entered at the Ports of *Dublin*, *Waterford*, *Youghall*, *Kingsale*, *Cork*, and *Drogheda*, in the said Kingdom of *Ireland*, and at or from no other Port or Place within the said Kingdom; nor shall the same be imported into any Parts of the Kingdom of *England*, or Dominion of *Wales*, other than the Ports of *Biddiford*, *Barnstable*, *Minehead*, *Bridgewater*, *Bristol*, *Milford Haven*, *Chester*, and *Liverpool*; any thing in this Act to the contrary thereof in any wise notwithstanding.

Penalty on Commissioner or Officer of the Customs, &c.

XI. And to the Intent and Purpose that this Act may more effectually be put in Execution, for preventing the growing Mischiefs that daily do or may arise to this Kingdom, from the Exportation of such Goods as aforesaid, or any of them, out of the Kingdom of *Ireland*, should the same still be suffered to be sent from thence to supply the foreign Markets, that are or have been supplied from *England*; be it further enacted by the Authority aforesaid, That if any Commissioner or Commissioners, Farmer or Farmers of the Revenue of *Ireland*, or Officer or Officers employed under them in the Management of the said Revenue there, shall, from and after the said Four and twentieth Day of *June*, take or suffer to be taken any Entry outward, or sign any Cocket, Warrant or Sufferance, for the shipping and exporting any such Goods, as aforesaid, into any Kingdom, State, or Dominion whatsoever (except as aforesaid) or shall

shall wittingly or willingly permit, contrive, or suffer the same to be done, directly or indirectly, contrary to the true Intent and Meaning of this Act, that then, and in every such Case, such Commissioner or Commissioners, Farmer or Farmers, Officer or Officers, so offending in the signing such Cocket, Warrant, or Sufferance for the shipping or exporting any of the said Goods into any other Kingdom, State, or Dominion, or Place whatsoever (except as aforesaid) or passing such Entry for the same, or any wife conniving thereat, contrary to the true Intent and Meaning hereof, or shall otherwise fail or neglect to perform all other Duties required by this present Act, shall for every such Offence or Neglect forfeit his Office, and shall moreover for every such Offence forfeit the Sum of Five hundred Pounds, to be recovered and employed in Manner and Form as aforesaid.

XII. And be it further enacted by the Authority aforesaid, That every Offence which shall be done or committed contrary to this Act, shall and may be inquired of, tried, heard, and determined in the County where any such Goods, as aforesaid, shall be so laden or put on board, as aforesaid, or else in the County, either in *England* or *Ireland*, where such Offender shall happen to be apprehended or arrested for such Offence, or where any such of the Goods aforesaid, or the said Ship or Ships, Vessels, Hulks, Barks, or Boats shall happen to be seized or taken, or brought in; and that the said Trial shall be in such Manner and Form, and in such Effect, to all Intents and Purposes, as if the same Offence had been wholly done and committed in the same County.

XIII. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Complaint, Suit, or Information shall be commenced or prosecuted against any Person, for what he shall do in pursuance of this Act, such Person so sued shall and may file a Common Bail, or enter into a Common Appearance, and plead the General Issue Not guilty, and upon Issue joined may give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or suffer Discontinuance, or if a Verdict pass against him, or if upon Demurrer Judgment pass against him, the Defendant shall recover Treble Costs and Damages for the Molestation.

XIV. And for the further Encouragement of the Woollen Manufactures of *England*; be it enacted by the Authority aforesaid, That it shall and may be lawful, from and after the said Four and twentieth Day of *June*, to import from the said Ports of *Dublin*, *Waterford*, *Youghall*, *Kingsale*, *Cork*, and *Drogheda*, in the Kingdom of *Ireland*, any Wools, Woollfells, Shortlings, Mortlings, Woollflocks, Worsted, Bay, or Woollen Yarn, Cloth, Serges, Bays, Kerseys, Frizes, Druggets, Shalloons, Stuffs, Cloth-Serges, or any other Drapery made of or mixed with Wooll, or Woollflocks, and manufactured in the Kingdom of *Ireland*, into such Ports of this Kingdom or Dominion of *Wales* only, as aforesaid, so as Notice be first given to the Commissioners or chief Managers of his Majesty's Customs in this Kingdom, or to the chief Customer or Collector in the Port to which the same is intended to be brought, of the Quantity, Quality, and Package, together with the Marks and Numbers thereof, with the Name of the Ship and Master or Commander, on which the said Goods are to be laden, and the Place or Port into which they are intended to be imported, and so as Bond be first entered into, to the Use of his Majesty, his Heirs and Successors, with one or more sufficient Sureties, in treble the Value of the Goods so intended to be imported, that the same shall (the Dangers of the Seas excepted) be landed accordingly, and so as a Licence be also first taken, under the Hands of the Commissioners or chief Managers of the Customs for the Time being, or three of them, or from the chief Customer or Collector where such Bond is given, for the landing and importing thereof as aforesaid; which Licence they are hereby authorized and required to grant, without any Fee or Reward, or any other Charge to the Person demanding the same; any Law, Statute, or Usage to the contrary in any wise notwithstanding.

XV. And for the more effectual preventing the Transportation of Wooll, Woollfells, Shortlings, Mortlings, or Woollflocks, Worsted, Bay, or Woollen Yarn, or any Manufactures of Wooll or Woollflocks, or mixed with the same, into foreign Parts; be it enacted by the Authority aforesaid, That the Penalties and Forfeitures of the Bonds, which by this Act or any other former Law or Usage are to be given, or have been given in the Kingdom of *Ireland*, for any Wooll, or any of the Commodities aforesaid, intended to be exported from that Kingdom, to be brought into the Ports of this Kingdom, or Dominion of *Wales*, as aforesaid, shall not, on any Consideration whatsoever, be granted or assigned over to any Person whatsoever; and that all such Grants or Assignments are and shall be void to all Intents and Purposes; any Law, Usage, or Statute to the contrary in any wise notwithstanding.

XVI. And for the better preventing the Exportation of Wooll out of this Kingdom or *Ireland*, into foreign Parts; be it enacted by the Authority aforesaid, That the Lord High Admiral of *England*, or Commissioners for executing the Office of High Admiral for the Time being, shall direct and appoint two Ships of the fifth Rate, and two Ships of the sixth Rate, and eight armed Sloops, constantly to cruise on the Coasts of *England* and *Ireland*, particularly between the North of *Ireland* and *Scotland*, with Orders to take and seize all Ships, Vessels, and Boats, which shall export any Wooll with Intent to carry it into foreign Parts; and that the Lord High Admiral, or Commissioners, as aforesaid, shall send a List of all such Ships and Sloops, and the Names of the Commanders, together with true Copies of their several Instructions that are or shall be given, to the Commissioners of the Customs in *London*, within ten Days after such Orders; as aforesaid, are or shall be given.

XVII. And for the Encouragement of the Commanders and Mariners belonging to the Ships and Sloops aforesaid; be it enacted by the Authority aforesaid, That all Wooll, Ships, Vessels, or Boats that shall be so seized or taken, shall be forfeited, and all such Wooll shall be lodged in the King's Warehouse, in such Port where it is or shall be taken or seized, or into which it shall be brought, until it shall be condemned according to Law; and being so condemned, shall be exposed publickly to Sale, after one and twenty Days, public Notice being given in Writing at the Custom-house of the said Port, and on the

Offences where triable.

Persons sued for executing this Act may file a Common Bail, &c.

Defendant to have treble Costs.

Woollen Manufactures may be imported from *Ireland* to *England*. See Vol. II. pag. 629. Article Cloth, and pag. 637. Article Stuffs.

Notice being first given.

and Bond entered into.

Licence to be granted gratis.

Forfeitures on Bonds not assignable.

All such Assignments void.

Cruising Ships to seize Wooll exporting to foreign Parts.

Commissioners of the Customs to have a List of the Cruizers.

All Wooll, Ships, &c. so seized to be forfeited, and sold by Inch of Candle.

Produce how to be divided.

Royal Exchange of *London*, by Inch of Candle, to the last and best Bidder; and all Ships, Vessels, or Boats that shall be so seized and condemned, as aforesaid, shall, together with all their Guns, Tackle, Furniture, and Apparel, be exposed to Sale in like Manner; and that one fourth Part of the Produce of the Wooll, Ships, Vessels, and Boats so sold, as aforesaid, shall be to the Commander, one other fourth Part to the Officers of the Ship or Ships, Sloop or Sloops that took the same, one other fourth Part to the Mariners belonging to such Ship, Vessel, or Sloop, to be equally divided and paid amongst the said Mariners, by the Collectors of the said Port, or such Person or Persons as shall be authorized to pay the same, and the other fourth Part thereof to his Majesty, his Heirs and Successors, after a Deduction made out of the last fourth Part of all the Charges of Prosecution and Condemnation.

Penalty on Commander neglecting his Duty.

XVIII. And for the preventing of all Composition or Confederacy by any Commander of any Ship, Vessel, or Sloop, with any Person whatsoever concerned in such Wooll or Ship, Vessel or Boat, as aforesaid; be it enacted by the Authority aforesaid, That every Commander of such Ship or Sloop, neglecting his Duty by this Act required, or compounding for any Wooll, Ship, Vessel, or Boat, as aforesaid, or conniving at the Exportation of any Wooll, shall lose and forfeit all Pay and Wages due to him or them, and suffer six Months Imprisonment, and be for ever incapable of serving his Majesty in any Office in the Navy.

No Wooll, &c. of the Produce of the *English* Plantations in *America*, shall be exported,

XIX. And for the more effectual Encouragement of the Woollen Manufacture of this Kingdom; be it further enacted by the Authority aforesaid, That from and after the first Day of *December* in the Year of our Lord one thousand six hundred ninety-nine, no Wooll, Woollfells, Shortlings, Mortlings, Woollflocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Drapery Stuffs or Woollen Manufactures whatsoever, made or mixed with Wooll or Woollflocks, being of the Product or Manufacture of any of the *English* Plantations in *America*, shall be loaden or laid on board in any Ship or Vessel, in any Place or Parts within any of the said *English* Plantations, upon any Pretence whatsoever; as likewise that no such Wooll, Woollfells, Shortlings, Mortlings, Woollflocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Drapery Stuffs, or Woollen Manufactures whatsoever, made up or mixt with Wooll or Woollflocks, being of the Product or Manufacture of any of the *English* Plantations in *America*, as aforesaid, shall be loaden upon any Horse, Cart, or other Carriage, to the Intent and Purpose to be exported, transported, carried or conveyed out of the said *English* Plantations to any other of the said Plantations, or to any other Place whatsoever; upon the same and like Pains, Penalties, and Forfeitures, to and upon all and every the Offender and Offenders herein, within all and every of the said *English* Plantations respectively, as are prescribed and provided by this Act for the like Offences committed within the Kingdom of *Ireland*; and all Governors or Commanders in Chief of the said respective Plantations, as also all Officers employed in the Customs, or other Branches of his Majesty's Revenue there, are hereby authorized, charged, and required to take effectual Care, that the true Intent and Meaning of this Act, so far forth as it relates to the said respective Plantations, be duly put in Execution.

under the like Penalties, &c.

Offenders may be sued in any of the Courts at *Westminster*, and be obliged to give sufficient Bail.

XX. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, who after the said four and twentieth Day of *June* shall be guilty of any Offence or Offences, contrary to the true Intent and Meaning of this or any other Act of Parliament made for the preventing the Exportation of Wooll, shall and may be prosecuted for any such Offence or Offences by Action, Suit, or Information in any of his Majesty's Courts of Record at *Westminster*, and thereupon a *Capias* shall and may issue the first Procefs, specifying the Sum of the Penalty sued for; and such Person or Persons shall be obliged to give good and sufficient Bail and Security, by natural born Subjects or Denizens, to the Officer serving or executing such Procefs against him or them, to appear in the Court out of which such *Capias* shall issue, at the Day of the Return of such Writ, to answer such Suit or Prosecution, and shall likewise at the Time of such Appearance give sufficient Bail or Security by such Persons as aforesaid, in the said Court, to answer and pay the Forfeitures and Penalties incurred for such Offence or Offences, in case he, she, or they shall be convicted thereof, or to yield his, her, or their Bodies to Prison.

Act to be given in charge by the Judges of *Ireland* at the *Affizes*,

who are to take Accounts of the Execution thereof, and acquaint the Lord Deputy, &c. therewith.

Farther Provisions relating hereto,
3 *Geo. 1. c. 21.*
4 *Geo. 1. c. 11.*
5 *Geo. 1. c. 11.*
12 *Geo. 1. c. 34.*
13 *Geo. 1. c. 23.*
5 *Geo. 2. c. 21.*

XXI. Provided also, and it is hereby further enacted, That after the nine and twentieth Day of *September* in the Year of our Lord one thousand six hundred ninety-nine, the Lord Lieutenant, Lord Deputy, or Lords Justices for the Time being for the Kingdom of *Ireland*, or any of them, are hereby required to give Direction in Council, that this Act shall be given in charge by the several Judges of the Kingdom of *Ireland*, at all the *Affizes* that shall be held in that Kingdom, to the end that this Act may be strictly put in Execution, according to the true Intent and Meaning thereof; which said Judges are hereby impowered and required, from Time to Time, to take particular Accounts throughout their respective Circuits, of the due Execution of this Act, and at their Returns to *Dublin*, at the End of every Circuit, shall acquaint the said Lord Lieutenant, Lord Deputy, or Lords Justices of that Kingdom for the Time being in Council, with all Accounts or Informations they shall have so received of any Breach of the said Act, or Negligence or Faults in any of the Officers to whom the Execution of this Act is committed, to the End that the said Chief Governors, or any of them, for the Time being, may be the better informed and enabled to look to and provide for the strict and punctual Observation of this Act, throughout that Kingdom; of which the said Chief Governors, or any of them, for the Time being, shall once every Year lay a particular Account in Writing, under his or their Hands, before the King, his Heirs and Successors, in Council.

12 *Geo. 2. c. 21.* 15 *Geo. 2. c. 27.* 25 *Geo. 2. c. 14.* 26 *Geo. 2. c. 8. & 11.* 29 *Geo. 2. c. 33.* 30 *Geo. 2. c. 12.*

C A P. XI.

An Act to enable such Officers and Soldiers as have been in his Majesty's Service, during the late War, to exercise Trades: And for Officers to account with their Soldiers. EXP. 5 Eliz. c. 4.

C A P. XII.

An Act for raising the Militia for the Year one thousand six hundred ninety-nine, although the Month's Pay formerly advanced be not repaid.

II. AND whereas Papists, reputed Papists, and such Persons as do or shall refuse to take the Oaths mentioned in an Act of Parliament, made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*, when lawfully tendered to them, are not thought fit to be intrusted with setting out Horses and Arms in the Militia of this Kingdom; Be it enacted by the Authority aforesaid, That where any Papist, or reputed Papist, or other Person refusing to take the Oaths as aforesaid, are in respect of their Estates charged or chargeable to the finding any Horse, Horseman and Arms, or any Foot Soldier and Arms, the Lieutenant or Lieutenants, or in their Absence, the Deputy Lieutenants of and for the County, Riding, Division or Place where such Estates do lie, or three or more of them, are hereby authorized and empowered to nominate and appoint such Person or Persons as they shall think most meet and proper, to furnish and set forth one or more Horse, Horsemen and Arms, or Foot Soldiers and Arms, for the said Estates; and shall and may charge the same Estates with the Payment of the yearly Sums hereafter mentioned; that is to say, For a Horse, Horseman and Arms, the Sum of eight Pounds, and for every Foot Soldier and Arms, the Sum of thirty Shillings, to be paid to the Persons that shall furnish and set forth the same: And in case such Papist, or reputed Papist, or Persons refusing to take the Oaths as aforesaid, shall neglect or refuse to pay the same upon Demand, it shall and may be lawful to and for the said Lieutenants, or three or more of the said Deputy Lieutenants, by Warrant under their Hands and Seals, to levy the same by Distress and Sale of the Goods of such Papist, or reputed Papist, or Person refusing to take the Oaths as aforesaid, or upon his and their several and respective Tenant or Tenants, and the remaining Arrears from the said Persons refusing the Discharge thereof, for the like Services already performed, to be adjudged and determined by three Deputy Lieutenants, or more of them, rendering the Overplus to the Party so distrained, all necessary Charges in levying thereof being first deducted; and the Tenant or Tenants so paying or distrained on as aforesaid, shall and are hereby empowered to deduct the same out of their Rents payable for the said Estates.

1 W. & M. ff. 1. c. 8.
4 & 5 P. & M. c. 3.
Papists chargeable with finding Horse and Arms, &c.
Burn, V. 2.—150, &c.
Lieutenant, &c. to furnish, and charge such Papists Estates with Payment, &c.

III. And be it further enacted by the Authority aforesaid, That where two or more Persons are charged to find any Horse or Foot Soldier and Arms, it shall and may be lawful to and for any three or more Deputy Lieutenants of the same County, Riding, Division, Limits of the Cinque Ports or other Places, to direct and appoint who shall find the Horse and Arms, or Foot Soldier and Arms, and who shall be the Contributors, and to settle the Sums of Money to be paid by every Contributor, in case the same Contribution be not ascertained by Agreement of the Parties: And if any Person so charged as a Contributor, being Inhabitant of the said County, Riding, Division, Limits of the Cinque Ports, or other Place, shall refuse to pay his Proportion upon Demand, or in case he be not an Inhabitant in that County, Riding, Division, Limits of the Cinque Ports, or other Place, his Tenant or Tenants, whose Estate is charged with the same Proportion, shall neglect or refuse to pay his said Proportion upon Demand, that then it shall and may be lawful to and for three or more Deputy Lieutenants of the said County, Riding, Division, Limits of the Cinque Ports, or other Place, by Warrant under their Hands and Seals, to levy such Sum and Sums of Money, by Distress and Sale of the Goods of the Person so neglecting or refusing to pay, if he be an Inhabitant of the same County, Riding, Division, Limits of the Cinque Ports, or other Place, and in case he dwell out of the County, Riding, Division, Limits of the Cinque Ports, or other Place, then by Distress and Sale of the Goods of his Tenant or Tenants, or the Estate charged with the same Proportion, rendering the Overplus to the Party, all necessary Charge in levying thereof being first deducted; and the Tenant and Tenants is and are hereby authorized and empowered to deduct and default the Sum so charged, out of the Rent by him or them payable to his or their Landlord; and the Sum so levied, shall be paid according to the Direction of the Warrant of such three or more Deputy Lieutenants. [These Clauses made perpetual by 1 Annæ, Stat. 2. cap. 23. sect. 3.]

Where two or more are charged with finding Horseman and Arms, &c. Deputy Lieutenant may direct who shall be Contributors thereto, &c.

Farther Provisions relating hereto,
1 Ann. Stat. 2. c. 23.
1 Geo. 1. Stat. 2. c. 14.
9 Geo. 1. c. 8.
7 Geo. 2. c. 23.
30 Geo. 2. c. 25.
31 Geo. 2. c. 26. 32 Geo. 2. c. 20. 33 Geo. 2. c. 2, 22 & 24.

C A P. XIII.

An Act for continuing the Imprisonment of *Counter* and others, for the late horrid Conspiracy to assassinate the Person of his sacred Majesty. EXP.

C A P. XIV.

An Act for limiting certain Times, within which Writs of Error shall be brought for the reversing Fines, Common Recoveries and Antient Judgments.

WHEREAS Fines and Common Recoveries are the principal Assurances of Mens Estates, and Titles and Possessions depend thereon, and are protected and secured thereby, and by antient Judg-

31 Ed. 3. Stat. 1. c. 12.

No Fine or Recovery, &c. shall be reverfed, unless Writ of Error be brought in 20 Years after Fine levied, &c.

Proviso,

See 4 Ann. c. 16. which gives Costs on quashing Writ of Error.

Judgments, which nevertheless are reverfible at any Time, without Reftraint or Limitation, for any Error or Defect which happens therein by the Ignorance or Carelefsnefs of Clerks, and fometimes by unavoidable Accidents: For the Remedy whereof, and for the quieting Mens Titles and Poffeffions under antient Fines and Recoveries, and antient Judgments, be it enacted and ordained by the King's moft Excellent Majefty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this prefent Parliament affembled, and by Authority of the fame, That no Fine or Common Recovery, nor any Judgment in any real or personal Action, fhall from and after the firft Day of May one thoufand fix hundred ninety-nine, be reverfed or avoided, for any Error or Defect therein, unless the Writ of Error or Suit for the reverfing fuch Fine, Recovery or Judgment, be commenced, or brought and profecuted with Effect, within twenty Years after fuch Fine levied, or fuch Recovery fuffered, or Judgment figned or entred of Record.

II. Provided always, That if any Perfon who is or fhall be intituled to any fuch Writ of Error as aforefaid, fhall, at the Time of fuch Title accrued, be within the Age of twenty-one Years, or Covert, Non compos Mentis, imprifoned, or beyond the Seas, That then fuch Perfon, his or her Heirs, Executors or Administrators (notwithftanding the faid twenty Years expired) fhall and may bring his, her or their Writ of Error, for the reverfing any fuch Fine, Recovery or Judgment, as he, fhe or they might have done, in cafe this Act had not been made, fo as the fame be done within five Years after his or her full Age, Difcoverture, coming of found Mind, Enlargement out of Prifon, or returning from beyond the Seas, or Death, but not afterwards, or otherwife.

C A P. XV.

An Act for continuing the Act for the more eafy Recovery of fmall Tithes.

7 & 8 W. 3. c. 6. continued for 7 Years.

WHEREAS an Act made in the Seventh and Eighth Years of his prefent Majefty's Reign, intituled, *An Act for the more eafy Recovery of fmall Tithes*, has been by Experience found very ufeul and neceffary; and whereas the faid Act was to continue but three Years, and to the End of the next Seflion of Parliament, and is now near expiring; Be it therefore enacted by the King's moft Excellent Majefty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this prefent Parliament affembled, and by the Authority of the fame, That the faid recited Act, with all the Claufes and Powers therein contained, fhall continue and be in Force for the Space of feven Years, from and after the Expiration thereof as aforefaid, and from thence to the End of the next Seflion of Parliament, and no longer.

C A P. XVI.

An Act to enable pofthumous Children to take Eftates as if born in their Father's Life-time.

Fin. V. 18. 408. Eftates limited in Remainder to the lawful Ifue of the Body of any Perfon; Son or Daughter born after the Deceafe of the Father, may take fuch Eftate as if born in his Life-time, &c. although there be no Limitation to Trustees, &c. Proviso.

WHEREAS it often happens, that by Marriage and other Settlements, Eftates are limited in Remainder to the Ufe of the Sons and Daughters, the Ifue of fuch Marriage, with Remainders over, without limiting an Eftate to Trustees to preferve the contingent Remainders limited to fuch Sons and Daughters, by which Means fuch Sons and Daughters, if they happen to be born after the Deceafe of their Father, are in Danger to be defeated of their Remainder by the next in Remainder after them, and left unprovided for by fuch Settlements, contrary to the Intent of the Parties that made thofe Settlements; Be it enacted by the King's moft Excellent Majefty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this Parliament affembled, and by the Authority of the fame, That where any Eftate already is or fhall hereafter, by any Marriage or other Settlement, be limited in Remainder to, or to the Ufe of the firft or other Son or Sons of the Body of any Perfon lawfully begotten, with any Remainder or Remainders over to, or to the Ufe of any other Perfon or Perfons, or in Remainder to, or to the Ufe of a Daughter or Daughters lawfully begotten, with any Remainder or Remainders to any other Perfon or Perfons, that any Son or Sons, or Daughter or Daughters of fuch Perfon or Perfons lawfully begotten or to be begotten, that fhall be born after the Deceafe of his, her or their Father, fhall and may, by virtue of fuch Settlement, take fuch Eftate fo limited to the firft and other Sons, or to the Daughter or Daughters, in the fame Manner, as if born in the Life-time of his, her or their Father, although there fhall happen no Eftate to be limited to Trustees, after the Deceafe of the Father, to preferve the contingent Remainder to fuch afterborn Son or Sons, Daughter or Daughters, until he, fhe or they come in effe, or are born, to take the fame; any Law or Ufage to the contrary in any wife notwithstanding.

II. Provided always, That nothing in this Act fhall extend or be conftrued to extend to divest any Eftate in Remainder, that by Virtue of any Marriage or other Settlement, is already come to the Poffeffion of any Perfon or Perfons, or to whom any Right is accrued, though not in actual Poffeffion, by Reason or Means of any afterborn Son or Sons, or Daughter or Daughters not happening to be born in the Life-time of his, her or their Father.

C A P. XVII.

An Act for suppressing of Lotteries.

WHEREAS several evil-disposed Persons, for divers Years last past, have set up many mischievous and unlawful Games, called *Lotteries*, not only in the Cities of *London* and *Westminster*, and in the Suburbs thereof, and Places adjoining, but in most of the eminent Towns and Places in *England*, and in the Dominion of *Wales*, and have thereby most unjustly and fraudulently got to themselves great Sums of Money from the Children and Servants of several Gentlemen, Traders and Merchants, and from other unwary Persons, to the utter Ruin and Impoverishment of many Families, and to the Reproach of the *English* Laws and Government, by Colour of several Patents or Grants under the Great Seal of *England* for the said Lotteries, or some of them; which said Grants or Patents are against the common Good, Trade, Welfare and Peace of his Majesty's Kingdoms: For Remedy whereof be it enacted, adjudged and declared, and it is hereby enacted, adjudged and declared 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 such Lotteries, and all other Lotteries, are common and publick Nuisances, and that all Grants, Patents and Licences for such Lotteries, or any other Lotteries, are void and against Law.

Lotteries declared publick Nuisances, and all Grants thereof void.

II. And be it further enacted by the Authority aforesaid, That from and after the nine and twentieth Day of *December*, which shall be in the Year of our Lord God one thousand six hundred ninety-nine, no Person or Persons whatsoever shall publickly or privately exercise, keep open, shew or expose to be plaid at, drawn at, or thrown at, or shall draw, play or throw at any such Lottery, or any other Lottery, either by Dice, Lots, Cards, Balls, or any other Numbers or Figures, or any other Way whatsoever; and that every Person or Persons that shall, after the said nine and twentieth Day of *December*, exercise, expose, open or shew to be plaid, thrown or drawn at, any such Lottery, Play or Device, or other Lottery, shall forfeit for every such Offence the Sum of Five hundred Pounds, to be recovered by Information, Bill, Plaint or Action at Law in any of his Majesty's Courts at *Westminster*, wherein no Essoin, Wager of Law, nor any more than one Impar lance shall be allowed; one third Part thereof to the Use of his Majesty, his Heirs and Successors, one other third Part thereof to the Use of the Poor of the Parish where such Offence shall be committed, and the other third Part thereof, together with double Costs, to the Party that shall inform and sue for the same; and the said Parties so offending shall likewise be prosecuted as common Rogues, according to the Statutes in that case made and provided.

From 29 Dec. 1699, no Person to keep open such Lottery, &c. Penalty on Offender. 9 Ann. c. 6. §. 56. 10 Ann. c. 26. §. 109. 8 Geo. 1. c. 2. §. 36. 9 Geo. 1. c. 19. 6 Geo. 2. c. 35. §. 29.

III. And be it further enacted, That every Person or Persons, that after the said nine and twentieth Day of *December*, shall play, throw, or draw at any such Lottery, Play, or Device, or other Lotteries, shall forfeit for every such Offence the Sum of twenty Pounds, to be recovered by Information, Bill, Plaint, or Action at Law, in any of his Majesty's Courts at *Westminster*, wherein no Essoin, Wager of Law, nor any more than one Impar lance, shall be allowed, one third Part thereof to the Use of his Majesty, his Heirs and Successors, one other third Part thereof to the Use of the Poor of the Parish where such Offence shall be committed, and the other third Part thereof, together with double Costs, to the Party that shall inform and sue for the same.

Penalty on Person playing at such Lotteries. 12 Geo. 2. c. 28.

IV. Provided nevertheless, That nothing in this Act contained shall extend or be construed to extend to effect or to enforce the suppressing of a Lottery, commonly called, *The Royal Oak Lottery*, for the Remainder only of the Term for which it now stands granted by Letters Patents under the Great Seal of *England*; any thing herein before contained to the contrary notwithstanding.

Royal Oak Lottery to continue for the Term granted by Patent only.

V. Provided also, That nothing in this Act contained shall extend to affect, restrain, or prejudice the Undertaking now in being, called, *The charitable Adventure for the Benefit of Greenwich Hospital*, by the present Undertakers thereof, with the Approbation of the Governors and Commissioners appointed for the Management of the said Hospital, for any Time before the four and twentieth Day of *June* one thousand seven hundred.

This Act not to affect the Lottery for Greenwich Hospital.

C A P. XVIII.

An Act for taking off the remaining Duties upon Glafs Wares.

WHEREAS in and by an Act made and passed in the Parliament holden at *Westminster*, in the sixth Year of his Majesty's Reign, intituled, *An Act for granting to his Majesty certain Duties upon Glafs Wares, Stone and Earthen Bottles, Coals, and Culm, for carrying on the War against France*, several Rates and Duties, therein mentioned, were laid upon all Glafs and Glafs Wares, Stone and Earthen Bottles, which at any Time or Times, during the Term of five Years, from the nine and twentieth Day of *September* which was in the Year of our Lord one thousand six hundred ninety-five, should be made within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, or imported, or brought into the same; and in and by another Act made and passed in the Parliament holden at *Westminster* in the seventh Year of his Majesty's Reign, intituled, *An Act for continuing to his Majesty certain Duties upon Salt, Glafs Wares, Stone and Earthen Wares, and for granting several Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War against France, and for establishing a national Land Bank, and for taking off the Duties upon Tunnage of Ships, and upon Coals*, the aforesaid Rates and Duties upon Glafs or Glafs Wares, Stone Bottles, and Earthen Bottles, are continued and granted

6 W. 3. c. 18. 7 W. 3. c. 33.

9 W. 3. c. 45.

Remaining Du-
ties on Glafs and
Glafs Wares de-
termined.

to his Majesty, his Heirs and Successors, for ever: And whereas by another Act made and passed in the Parliament holden at *Westminster* in the ninth Year of his Majesty's Reign, intituled, *An Act for taking away half the Duties imposed on Glafs, and the whole Duties lately laid on Stone and Earthen Wares, and Tobacco Pipes, and for granting (in lieu thereof) new Duties upon Whale Fins and Scotch Linen*, it is (amongst other Things) enacted, That from and after the first Day of *August* one thousand six hundred ninety-eight, one Moiety or Half-part of the several Rates and Duties by the aforesaid Acts, or either of them, charged and made payable for or upon the said Glafs and Glafs Wares should cease, determine, and be no longer payable to his Majesty, his Heirs or Successors; as by the said several Acts of Parliament, Relation being thereunto severally had, may more fully appear: And whereas it is found by Experience, that the remaining Duties on Glafs and Glafs Wares are very vexatious and troublesome in the levying and collecting the same, and of small Advantage to the Crown, and, should the same be continued, would lessen the Duty on Coals, much more than the said Duties on Glafs Wares will amount to, will hinder the employing great Numbers of Poor, and endanger the Loss of so beneficial a Manufacture to this Kingdom; be it therefore 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 from and after the first Day of *August* one thousand six hundred ninety-nine, the remaining Moiety or Half-part of the several Rates and Duties by the aforesaid Acts, any or either of them, charged or imposed, for and upon the said Glafs or Glafs Wares, shall cease, determine, and be no longer payable, paid, or collected to or to the Use of his Majesty, his Heirs or Successors, in any Manner of wise; any Thing in the said Acts, any or either of them, contained to the contrary notwithstanding.

C A P. XIX.

P. R.

An Act for the making and keeping navigable the Rivers of *Aire* and *Calder* in the County of *York*. The Undertakers may build Locks, Weirs, &c. make Ways, &c. or turn Highways, and set out Towing-paths, satisfying the Owners. Commissioners to be Mediators between the Undertakers and Owners of Lands, &c. Persons refusing to agree, &c. Sheriff of *York* to impanel a Jury. Jury on Oath to inquire and assess Damages. Commissioners thereupon to give Judgment, which shall be binding, and kept among the Records at the Sessions, and a Transcript thereof at *Leeds*. On Payment of the Sums agreed, &c. Undertakers may dig, &c. Commissioners in case of Death or Refusal, may nominate others, having an Estate of 200*l.* per Annum, or 4,000*l.* For every Tun of Cloth or other Goods, &c. carried up or down the said Rivers from *Weeland* to *Leeds* and *Wakefield*, &c. yearly from 1 *May* to 1 *October*, 10*s.* And from 1 *October* to 1 *May* 16*s.* &c. On Non-payment Undertakers may sue, or detain the Goods, &c. Watermen, &c. may set up Winches, &c. Barge or Boat Masters answerable for Damages, to the Weirs, Locks, &c. or to the Owners of Lands, &c. Commissioners to have the sole Power of surveying the said Rivers, &c. and exempted from Commissions of Sewers. Undertakers to be at the sole charge of cleansing, &c. Undertakers obliged to purchase Mills, &c. at the Rates appointed, and satisfy the Owners for Damages. Undertakers to raise the Banks of the Rivers proportionably, and maintain the same in good Repair. Royalties, &c. of *Pontefract* reserved. *Knottingley* Mill Dam not to be demolished. No new Cut to be made between *Weeland* and *Ouzie*. This Act not to prejudice *Pontefract* antient Tolls, &c. *Knottingley* Boats, &c. exempted from Tolls.

C A P. XX.

P. R.

An Act for making and keeping the River *Trent*, in the Counties of *Leicester*, *Derby*, and *Stafford*, navigable. *William* Lord *Paget*, Lord of the Manor of *Burton* upon *Trent*, &c. to have full Power for making the River *Trent* navigable, from *Wilden Ferry* to *Burton* Town, and cut the Banks, &c. and alter and amend the same, and make Ways, &c. and Towing-paths. Commissioners to adjust Differences, and settle the Satisfaction to be made. Persons not agreeing, Commissioners to ascertain the Damages, on the Oaths of a Jury, and decree what Recompence the Owner shall have, which shall be conclusive, &c. If the Matter lie between two Counties, Sheriff of each to summon twelve Men. On Payment of Money assessed, Undertaker may act, &c. No Commissioner to act where personally concerned. No Meeting to be held above seven Miles from the Place in Question. In case of Death of Commissioners, Survivors may nominate others, having 100*l.* per Annum. Undertaker to have 3*d.* a Tun for all Goods, &c. carried on the River above *Wilden Ferry*. Lord *Paget*, &c. may make By-laws, &c. and set Fines, which shall be binding. Justices of Assize may alter or reform the same. Master of Barge or Boat answerable for Damage, &c. Commissioners to survey the River and Banks, &c. and make Orders and Decrees, &c. at the Undertaker's Charge. Lord *Paget* to set up Gates, Bridges, &c. River *Trent* to be for ever a navigable River, from *Gainesborough* to *Wilden Ferry*, &c. Six hundred Pounds to be raised for the Inhabitants of *Burton*, over and above the 600*l.* raised by the Duties. Parties aggrieved may appeal. All Proceedings, &c. to be entred in a Book, be kept by the Steward of *Burton*, and recorded. Not to prejudice *Wilden Ferry*, and others. *William Paget*, Esq; to act for his Father during his Absence. Manor of *Burton* coming to Infant, Guardians may act. River to take its ancient Current by *Repton*. No Person to come upon the Earl of *Huntingdon's* Lands, on the South Side the River *Trent*, except *Heys Meadow*. If Lock be made between the four Flood-gates, &c. Lord *Paget* to keep the same in Repair, &c. This Act not to hinder the said Earl from Right of Fishing, &c. No Wharfs or Warehouses to be erected between *Nottingham* Bridges and *Burton*, &c. without Commissioners Consent.

C A P. XXI.

An Act for laying further Duties upon Sweets, and for lessening the Duties as well upon Vinegar, as upon certain Low Wines, and Whale Fins, and the Duties upon Brandy imported, and for the more easy raising the Duties upon Leather, and for charging Cynders, and for permitting the Importation of Pearl Ashes, and for preventing Abuses in the brewing of Beer and Ale, and Frauds in Importation of Tobacco.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *England*, in Parliament assembled, as a further Supply for your Majesty's necessary Occasions, have given and granted unto your Majesty the Rates and Duties herein after mentioned, and do humbly beseech 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 there shall be raised, levied, collected, and paid, to and for the Use of your Majesty, your Heirs and Successors, for and upon all Sweets made or to be made within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, for Sale (over and above all former Duties already granted upon Sweets, and which are to continue during the respective Terms granted in the same) the Rates and Duties following; that is to say,

II. For every Barrel of Sweets made for Sale, after the tenth Day of *May* one thousand six hundred ninety-nine, and before the twentieth Day of *July* one thousand six hundred ninety-nine, the Sum of twelve Shillings. Sweets made before 20 July 1699. 12 s. per Barrel.

III. For every Barrel of Sweets made for Sale, after the nineteenth Day of *July* one thousand six hundred ninety-nine, and before the twenty-fifth Day of *March* one thousand seven hundred and one, the Sum of twenty-four Shillings. And before 25 March 1701. 24 s. per Barrel.

IV. And for every Barrel of Sweets made for Sale, from and after the twenty-fourth Day of *March* one thousand seven hundred, and before the five and twentieth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and six, the Sum of six and thirty Shillings: The said Duties to be paid by the Maker and Makers of the said Sweets, and so in Proportion for greater or lesser Quantities. Before 25 March 1706. 36 s. per Barrel by the Maker.

V. And it is hereby declared, That all Liquors made by Infusion, Fermentation, or otherwise, from foreign Fruit or Sugar, or from Fruit or Sugar mixt with other Materials, and commonly made use of for recovering, increasing, or making of any Kinds of Wine or Cyder, or of any Liquor called *Wine*, shall be deemed to be Sweets within the Meaning of this and all former Acts for laying Duties on Sweets; and that the respective Duties imposed on Sweets by every of the said former Acts are chargeable by the Barrel, and so in Proportion for any greater or lesser Quantity; and that any Person who is a Retailer of, or shall at any Time sell or make use of, any the Liquors aforesaid, for any the Purposes before mentioned, and in whose Custody any Quantity of such Sweets, exceeding two Gallons, shall be found, shall be deemed and taken to be a Maker of Sweets for Sale within the Meaning of this and the said former Acts. Liquors deemed to be Sweets. 10 Geo. 2. c. 17. Duties chargeable by the Barrel. Maker of Sweets.

VI. Provided always, and be it enacted by the Authority aforesaid, That all Refiners of Sugar, who shall before the first Day of *June* one thousand six hundred ninety-nine, enter into a Bond or Bonds to his Majesty, of the penal Sum of five hundred Pounds, upon Condition that he or they shall not sell, deliver out, or dispose of any Sweets or Liquors, commonly called *Syrups*, made from Sugar (except Mellassuses) or make use of the same, in making or increasing, or improving any Wine, Cyder, or Perry, or any Liquor called *Wine*, shall not be chargeable with the Duties of Sweets or Syrups hereby imposed, which he or they shall make from Sugar, until he or they shall so sell, dispose, or make use of such Sweets or Liquors made from Sugar. Proviso. Refiners of Sugar.

VII. And it is enacted by the Authority aforesaid, That the Duties on Sweets hereby granted shall be applied, and are hereby appropriated, for the same Uses and Purposes, to which Part of the present Duties on Sweets, with all the Duties on Malt, are appropriated, by an Act of Parliament made in the eighth Year of his Majesty's Reign. Duties how appropriated. 8 W. 3. c. 22.

VIII. And whereas by Virtue of several Acts of Parliament now in Force, there are several different Rates and Duties imposed on Vinegar, Vinegar Beer, or Liquors prepared for Vinegar, made within this Kingdom for Sale, by which Means the same Liquor is twice charged in different Operations; and it is found by Experience, that Vinegar made by passing through Rape is much better for any Use at home, and fitter for Exportation, than any other Sort of *English* Vinegar; and that the high Duties chargeable on Rape Vinegar by the former Acts are so great a Discouragement to the Makers thereof, that little or none is made, whereby his Majesty is defeated of the said high Duties, and the Nation deprived of a good and sound Commodity; Be it therefore enacted by the Authority aforesaid, That from and after the tenth Day of *May* one thousand six hundred ninety-nine, all the Duties on Vinegar, Vinegar Beer, and Liquor preparing for Vinegar, which might be chargeable after the said tenth Day of *May* one thousand six hundred ninety-nine, by Virtue of the said former Acts, or any of them, shall cease and determine. From 10 May 1699. Duties on Vinegar, &c. to cease.

From 10 May,
Maker to pay 8s.
per Barrel for
Vinegar &c.
Vinegar made
for Pickles for
Sale to pay Duty
by 8 Annæ, c. 7.
§. 4.

The Terms of
Payment.
Money arising
thereby how ap-
plied.

2 W. & M. II. 1.
c. 3.

12 Car. 2. c. 24.

4 W. & M. c. 3.

5 & 6 W. & M.
c. 7.

5 & 6 W. & M.
c. 20.

What Liquors
shall be deemed
Vinegar, &c.

No Vinegar
Maker shall re-
ceive or deliver
out Liquors, &c.
without Notice
to Officer, &c.

Penalty.

Maker to shew
Gager the Li-
quors before
mixt,

IX. And be it further enacted by the Authority aforesaid, that from and after the said tenth Day of *May* one thousand six hundred ninety-nine, there shall be raised, levied, collected and paid, for and upon every Barrel of Vinegar, Vinegar Beer, or Liquors preparing for Vinegar, which shall be brewed or made of any *English* or foreign Materials, by any Person or Persons whatsoever, for Sale, and so in Proportion for a greater or lesser Quantity, the Sum of eight Shillings, to be paid by the Maker thereof, in the Manner hereafter in this Act expressed.

X. And it is hereby enacted and declared by the Authority aforesaid, That the Duties on Vinegar, Vinegar Beer, and Liquors preparing for Vinegar hereby granted, shall be raised and paid during the respective Terms hereafter mentioned, and no longer: And the Monies thereby arising shall be paid, applied and disposed of to and for the respective Uses and Purposes following, that is to say six Pence, Part of the said Duty of eight Shillings for every Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar, shall be raised, collected and paid to his Majesty during his Life, in lieu of the like Duty of six Pence charged on every Barrel of Vinegar Beer, by an Act made in the second Year of the Reign of his present Majesty and the late Queen, intituled, *An Act for granting to their Majesties for their Lives, and the Life of the Survivor of them, certain Impositions upon Beer, Ale and other Liquors*, and shall be paid, applied and disposed of, to and for the same Uses and Purposes, as the Duties granted by the same Act are directed to be applied and disposed of; six Pence more, Part of the said eight Shillings, to his Majesty, his Heirs and Successors, in lieu of the like Duty of six Pence charged on every Barrel of Vinegar Beer, by an Act made in the twelfth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling of a Revenue upon his Majesty in lieu thereof*, and shall be applied and disposed of to and for the same Uses and Purposes as the Duties granted by the same Act are directed to be applied and disposed of; two Shillings and four Pence, Part of the said eight Shillings, to his Majesty, his Heirs and Successors, during the Remainder of a Term of ninety-nine Years, commencing from the twentieth Day of *January* one thousand six hundred ninety-two, in lieu of certain Duties imposed on Vinegar, and Vinegar Beer, and Liquors prepared for Vinegar, by an Act made in the fourth Year of his present Majesty and the said late Queen, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France*, and shall be applied and disposed of to and for the same Uses and Purposes, as the Duties granted by the same Act are directed to be applied and disposed of; two Shillings and four Pence, Part of the said eight Shillings, to his Majesty, his Heirs and Successors, during the Remainder of a Term of sixteen Years, commencing from the seventeenth Day of *May* one thousand six hundred ninety-seven, in lieu of certain Duties imposed on Vinegar, Vinegar Beer, and Liquors prepared for Vinegar by an Act made in the fifth and sixth Years of the Reign of his present Majesty and the said late Queen, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France*, and shall be applied and disposed of to and for the same Uses and Purposes, as the Duties granted by the same Act are directed to be applied and disposed of; two Shillings and four Pence, Residue of the said eight Shillings, to his Majesty, his Heirs and Successors, in lieu of certain Duties imposed on Vinegar, Vinegar Beer, and Liquors prepared for Vinegar, by another Act made in the same Years, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of fifteen hundred thousand Pounds, towards carrying on the War against France*, and shall be applied and disposed of to and for the same Uses and Purposes, as the Duties granted by the same Act are directed to be applied and disposed of.

XI. And for avoiding Disputes and Controversies which may arise touching Liquors preparing for Vinegar, be it enacted and declared, That all stale Beer, Returns of Beer or Ale, Cyder, Verjuice or any other Liquors proper to be made into Vinegar, which at any Time after the said tenth Day of *May* one thousand six hundred ninety-nine, shall be found in the Custody or Possession of any common Vinegar Maker (except such Beer, Ale, and other Liquors as are to be drank in his Family, and which shall be kept separate and apart for that Purpose) shall be deemed and taken to be Vinegar or Liquors preparing for Vinegar within the Meaning of this Act.

XII. And be it further enacted by the Authority aforesaid, That from and after the said tenth Day of *May* one thousand six hundred ninety-nine, no Vinegar Maker shall receive into his Custody any stale Beer, Returns of Beer or Ale, Cyder, Verjuice or other Liquors, proper to be made into Vinegar, nor carry or deliver out any Vinegar in Casks, or by the Gallon, without Notice thereof first given to the Officer of Excise for the Place or Division where such Maker shall inhabit, to the Intent that such Officer may be present, to see and take an Account of the same, unless at such Times as herein after are mentioned; that is to say, From the nine and twentieth Day of *September* to the five and twentieth Day of *March* yearly, between the Hours of seven in the Morning and five in the Evening, and from the said five and twentieth Day of *March* to the nine and twentieth Day of *September* yearly, between the Hours of five in the Morning and seven in the Evening; upon Pain that every Maker doing contrary thereunto, shall forfeit for every such Offence the Sum of fifty Pounds.

XIII. And be it further enacted by the Authority aforesaid, That from and after the said tenth Day of *May* one thousand six hundred ninety-nine, every Vinegar Maker, receiving into his Custody, any of the Liquors aforesaid, shall shew the same to the Gager of the Division where such Maker shall live,

live, before he mix the said Liquors so received, or any Part thereof, with any other Liquors, Rape or other Materials, on Pain to forfeit for every such Omission or Neglect the Sum of twenty Pounds.

XIV. And be it further enacted by the Authority aforesaid, That if any Vinegar Maker shall at any Time after the said tenth Day of *May* one thousand six hundred ninety and nine, without first giving Notice thereof, at the next Office of Excise, make use of any Storehouse, Warehouse, Cellar or other Place for the making, laying or keeping any Vinegar, Vinegar Beer or Liquors preparing for Vinegar, every such Vinegar Maker shall forfeit and lose for every such private Storehouse, Warehouse, Cellar, and other Place so made use of without such Notice as aforesaid, the Sum of fifty Pounds.

Penalty on Vinegar Maker neglecting to give Notice.

XV. And whereas the Duties on Vinegars and Vinegar Beer, charged by the former Acts, were computed by different Measures, whereby Disputes and Controversies have arisen touching the charging of the same: For preventing whereof for the future, be it enacted and declared by the Authority aforesaid, That every thirty and four Gallons taken by the Gage, according to the Standard of the Ale Quart (four whereof shall be deemed a Gallon) remaining in the Custody of the Chamberlains of his Majesty's Exchequer, from and after the said tenth Day of *May* one thousand six hundred ninety-nine, shall be reckoned, accounted and returned by the Gager for a Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar; any Thing in the said former Acts, or any of them, or any other Law, Statute or Provision to the contrary thereof in any wise notwithstanding.

34 Gallons shall be accounted a Barrel of Vinegar, &c.

XVI. And whereas several Makers of Vinegar may have in their Custody several Quantities of Vinegar Beer, or Liquors preparing for Vinegar, on the said tenth Day of *May* one thousand six hundred ninety-nine, for which they may then stand charged with, or have answered to his Majesty, some of the Duties imposed by the former Acts; Be it enacted and declared by the Authority aforesaid, That every such Vinegar Maker shall, by Virtue of this Act, be chargeable for such Vinegar Beer, or Liquors preparing for Vinegar, with so much only as shall make the Duties charged thereon by Virtue of the former Acts, eight Shillings for every Barrel thereof, and no more; any Thing therein contained to the contrary notwithstanding.

Stock how chargeable.

XVII. And whereas it is found by Experience, that the Art of distilling Spirits or Brandy in this Kingdom is of late Years very much improved, and that Spirits or Brandy made here from Melasses and Sugar, which are the Produce of the *English* Plantations, is near as good as Brandy imported from foreign Parts: And whereas by an Act made in the seventh Year of the Reign of his present Majesty, intitled, *An Act for laying several Duties upon Low Wines or Spirits of the first Extraction, and for preventing the Frauds and Abuses of Brewers, Distillers, and other Persons chargeable with the Duties of Excise*, there is a Duty of eight Pence imposed upon every Gallon of Low Wines or Spirits of the first Extraction, made or drawn from any foreign or imported Materials, or any Mixture with foreign Materials, and a Duty of three Pence upon every Gallon of Low Wines or Spirits of the first Extraction made or drawn from any *English* Materials, other than Drink made or brewed from malted Corn, or from Brewers Wash or Tilts, which said High Duties are a great Discouragement to the making of the said Commodities, and do occasion undue Practices in the same; Be it therefore enacted by the Authority aforesaid, That from and after the tenth Day of *May* one thousand six hundred ninety-nine, four Pence per Gallon, Part of the said Duty of eight Pence imposed upon every Gallon of Low Wines and Spirits of the first Extraction, made or drawn from any foreign or imported Materials, or any Mixture with foreign Materials, and one Moiety or half Part of the said Duty of three Pence upon every Gallon of Low Wines or Spirits of the first Extraction, made or drawn from any *English* Materials (other than Drink made or brewed from malted Corn, or from Brewers Wash or Tilts) granted by the said former Act, shall cease and determine, and be no longer payable to his Majesty, his Heirs or Successors, in any Manner of wise; any Thing in the said Act to the contrary notwithstanding.

7 W. 3. c. 30.

From 10 May 1699. One Moiety of the Duties on Low Wines, &c. to cease.

XVIII. Provided always, and it is hereby enacted, That this Act, or any Thing herein contained, shall not extend to take away, lessen or make void the Payment of any Sum or Sums of Money accruing or becoming due to his Majesty, for any Low Wines or Spirits of the first Extraction, actually made or drawn from any the Materials before mentioned, before the said tenth Day of *May* one thousand six hundred ninety-nine, and which shall be then due and owing to his Majesty; and that all and every the Clauses, Matters and Things in the last mentioned Act contained, for charging, securing, raising, levying or paying the whole Duties on the said Low Wines and Spirits of the first Extraction, which were thereby granted, and for disposing, applying and appropriating the same to the Uses and Purposes therein mentioned, shall be applied, practised and put in Execution for the charging, securing, levying, raising and paying the said remaining Parts of the said Duties upon Low Wines or Spirits (not hereby taken away) and for disposing, applying and appropriating thereof to the same Uses and Purposes, as fully and effectually as if the said Clauses, Matters and Things were for that Purpose again repeated and particularly re-enacted by this present Act.

Act not to void the Payment of Duties already due.

Former Act 7 W. 3. c. 30. continued.

XIX. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauses, Matters and Things, which in and by an Act of Parliament made in the twelfth Year of the Reign of the late King CHARLES the Second, intitled, *An Act for taking away the Court of Wards and Liveries, and Tenurs in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*, or by any other Law now in Force relating to his Majesty's Revenue of Excise upon Beer, Ale and other Liquors, are provided, settled or established for raising, levying, collecting, recovering, adjudging or ascertaining the Duties thereby granted, or any of them (other than in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, levied, recovered and

12 Car. 2. c. 24.

put in Execution for the raising, levying, collecting, recovering, and paying, as well the said Duties upon Sweets, as the said Duties upon Vinegar, Vinegar Beer, or Liquors preparing for Vinegar, and the several Duties upon Low Wines or Spirits of the first Extraction, during the Continuance of the same, or any of them, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and again enacted in the Body of this present Act.

Fines, Penalties,
&c. how recovered.

XX. And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, by this Act imposed, shall be sued for, levied, and recovered by such Ways, Means, and Methods, as any Fine, Forfeiture, and Penalty, is or may be recovered by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*; and that one Moiety of every such Fine, Penalty, or Forfeiture, shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall discover, inform or sue for the same.

General Issue.

XXI. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, or any other Act relating to his Majesty's Revenue of Excise, he or they shall and may plead the General Issue, and give this Act and the said respective Acts in Evidence for his or their Defence, and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonsuited, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

Treble Costs.

XXII. And whereas it is found by Experience, that any Quantity of Wash made of Melasses, will, upon Distillation, produce one fourth Part of the same Quantity into Low Wines or Spirits of the first Extraction; and that such Low Wines or Spirits upon the second Distillation will produce two third Parts of the Quantity of the same Low Wines or Spirits into Proof Spirits, or Spirits of the second Extraction: And whereas many Distillers do hide and conceal great Quantities of such Low Wines and Spirits from the Sight and View of the Gager, before he can come to charge the same, by Means whereof his Majesty is very much defrauded in his Duties on such Low Wines and Proof Spirits: Be it therefore enacted by the Authority aforesaid, That from and after the said tenth Day of *May* one thousand six hundred ninety-nine, it shall and may be lawful to and for the Gagers and Officers of Excise to keep an Account of all such Wash, which shall from Time to Time be found by him or them in the Hands of any Distiller, and upon any Decrease thereof, to charge such Distiller with so much Low Wines or Spirits of the first Extraction, as one fourth Part of the Wash so decreased shall amount unto; and also with so much Proof Spirits, or Spirits of the second Extraction, as two third Parts of the Low Wines or Spirits of the first Extraction, so charged as aforesaid, shall amount unto; and such Distiller shall pay the respective Duties of the Low Wines and Spirits so charged, as by the former Act is directed and appointed; any thing in the said Act, or any other Statute, to the contrary thereof in any wise notwithstanding.

Gagers to keep
Account of
Wash, &c.

Distiller to pay
the Duties.

10 & 11 W. 3.
c. 4. §. 7.

XXIII. And whereas by an Act next herein after recited, it is enacted, That upon the Discovery of any private Still, Back, or other Vessel, according to the Directions of the said Act, every such Still, Back, and other Vessel, shall be seized, and that the Owner or Owners of every such Still, Back, and other Vessel, who shall claim the same within twenty Days after such Seizure, shall forfeit and lose for every such Still, Back, and other Vessel, the Sum of two hundred Pounds: And whereas upon the Discovery of several private Stills and Backs since the Commencement of the said Act, some Doubt hath been made whether the Owners of such Stills and Backs, by refusing to claim the same within the Time limited by the said Act, may not avoid the Penalties thereby imposed; be it enacted, That from and after the tenth Day of *May* one thousand six hundred ninety-nine, the Proprietor of any such private Still, Back, or other Vessel, which shall be discovered according to the Directions of the said Act, or the Person in whose Custody the same shall be found, shall forfeit and lose for every such Still, Back, and other Vessel, the said Penalty of two hundred Pounds; any thing in the said Act, or any other Law or Statute, to the contrary in any wise notwithstanding.

Proprietor of private Still, &c.
discovered, to
forfeit 200l.

10 & 11 W. 3.
c. 4.

XXIV. And whereas by an Act made in this present Session of Parliament, intituled, *An Act to prohibit the excessive distilling of Spirits and Low Wines from Corn, and against the exporting of Beer and Ale, and to prevent Frauds in Distillers*, it is enacted, That no Person whatsoever, from and after the last Day of *January* in the Year of our Lord one thousand six hundred ninety-eight, and before the first Day of *February* which shall be in the Year of our Lord one thousand six hundred ninety-nine, shall draw, distill, or make any Brandy, *Aqua Vitæ*, Spirits, or Low Wines whatsoever, other than such Quantities as are allowed by the said Act, from any Malt, Corn, or Grain whatsoever, under the Penalties and Forfeitures therein mentioned: And whereas several Distillers of this Kingdom, their Servants and Agents, had incurred the Penalties of the said Law, without any Knowledge thereof, by distilling in the two Months betwixt the last of *January* one thousand six hundred ninety-eight, and the first of *April* one thousand six hundred ninety-nine, greater Quantities of Spirits or Low Wines from Corn than the said Act doth allow; Be it therefore enacted by the Authority aforesaid, That every such Distiller, his Servant, or Agent, who in the next succeeding Month or Months after the one and thirtieth Day of *March* one thousand six hundred ninety-nine, shall abate of the Quantities of such Low Wines and Spirits, which he might lawfully draw in the same, so much as he exceeded the Quantities allowed in the said two Months, shall not be prosecuted, or have any Penalty inflicted upon him, for or on Account of such Breach of the said Act in the said two Months; any thing in the said Act to the contrary notwithstanding.

3 W. 3. c. 21.
E. X. P.

XXV. And whereas the pecuniary Penalties inflicted by an Act made in the eighth Year of his Majesty's Reign, for laying several Duties upon Leather, for the Term of three Years, are directed to be sued for by Action of Debt, or on the Case, or by Bill, Suit, or Information, in some Court of Record, whereby

‘ whereby the Recovery of those Penalties are not only tedious and chargeable, but troublesome and vexatious, by Multitudes of popular Actions and Informations brought by common Informers:’ For the preventing whereof, and more easy and speedy recovering the pecuniary Penalties inflicted by the said Act, be it further enacted by the Authority aforesaid, That from and after the tenth Day of *May* one thousand six hundred ninety-nine, it shall and may be lawful to and for any two or more of the Justices of the Peace, residing near to the Place where any such Forfeiture shall be made, or Offence committed, to hear and determine the same, who are hereby authorized and required, upon any Information exhibited or brought for any of the pecuniary Penalties by the said Act inflicted, to summon the Party accused, and also the Witnesses on either Side, and upon the Appearance, or Contempt of the Party accused in not appearing (upon Proof of Notice given) to proceed to the Examination of the Witnesses upon Oath (which Oath they are hereby impowered to administer) and to give Judgment or Sentence accordingly; and where the Party accused shall be convicted of the Offence alledged against him, to award and issue Warrants under their Hands for the levying of such Penalty or Penalties on the Goods of the Offender, and to cause Sale to be made thereof, in case they shall not be redeemed within six Days, rendering to the Party the Overplus, if any be; and if either Party shall find himself aggrieved by the Judgment of the said Justices, then he or they may appeal to his Majesty’s Justices of the Peace, at the next Quarter-Sessions, in like Manner as by the said recited Act is mentioned in case of Appeal. E X P.

XXVI. Provided nevertheless, That it shall and may be lawful to and for the said respective Justices, where they shall see Cause, to mitigate or lessen such Penalty, in such Manner as they in their Discretion shall think fit, the reasonable Costs and Charges of the Officers, as well in making the Discovery, as in the Prosecution of the same, being always allowed over and above such Mitigation, and so as such Mitigation do not reduce the Fine to less than one fourth Part thereof, over and besides the said Costs and Charges; any thing in the said recited Act to the contrary notwithstanding.

XXVII. And whereas by one Act made in the twelfth Year of the Reign of King CHARLES the Second, a Duty of Four-pence was imposed upon every Gallon of Strong Waters perfectly made, imported from beyond the Seas, to be paid for ever; and by one other Act, made in the second Year of the Reign of his present Majesty, and the late Queen of blessed Memory, the like Duty of Four-pence per Gallon thereupon, is payable during his Majesty’s Life; and by another Act, made in the fourth Year of their said Majesties Reign, there is a Duty of Six-pence imposed upon every Gallon of Single Brandy imported, and a Duty of Twelve-pence on every Gallon of Double Brandy imported, for the Term of ninety-nine Years, commencing on the twenty-fifth Day of *July* one thousand six hundred ninety-two; and by one other Act made in the fifth Year of their said Majesties Reign, there is a Duty of two Shillings imposed upon every Gallon of Single Brandy, and four Shillings upon every Gallon of Double Brandy imported, for the Term of sixteen Years, commencing the seventeenth Day of *May* one thousand six hundred ninety-seven; and by one other Act made in the same Year, there is a Duty of Six-pence upon all Single Brandy, and one Shilling on all Double Brandy imported, granted in Perpetuity; all which Duties upon Single Brandy do amount to three Shillings and Eight-pence for every Gallon, and upon Double Brandy to six Shillings and Eight-pence for every Gallon for the Excise thereof, over and above other Duties which are payable for the Customs of the same: And it is nevertheless doubted, that by the general Words of an Act of Parliament, made in the eighth Year of his Majesty’s Reign, intituled, *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging the Capital Stock of the Bank of England, and for raising the Publick Credit*, a further Duty of two Shillings for every Gallon of Single Brandy, and of four Shillings for every Gallon of Double Brandy imported (which had been granted in the fourth Year of the Reign of his Majesty and the said late Queen) were and are (in strictness) imposed or chargeable from the last Day of *February* one thousand six hundred ninety-six, until the first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and six, which (if required or insisted upon) would amount to a Prohibition of the said Commodities; Be it therefore enacted and declared by the Authority aforesaid, That the said Act, *For making good the Deficiencies of several Funds therein mentioned, and for enlarging the Capital Stock of the Bank of England, and for raising the Publick Credit*, or any thing therein contained, shall not extend, or be construed to extend to charge Single Brandies imported with the last mentioned Duty of two Shillings for every Gallon, or Double Brandy imported with the last mentioned Duty of four Shillings for every Gallon, or any Part thereof, from the Commencement or during the Continuance of the Act last mentioned; any thing therein contained to the contrary notwithstanding.

XXVIII. And be it enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid unto and for the Use of his Majesty, his Heirs and Successors, for all Cynders made of Pit Coal, which at any Time or Times, during the Term of four Years, commencing from the fifteenth Day of *May* one thousand six hundred ninety-nine, shall be shipped, or water-born in order to be shipped, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, or brought into the same, the Sum of five Shillings, of lawful *English* Money, for every Chalder, reckoning the Chalder to consist of thirty-six Bushels *Winchester* Measure, and after that Rate for a greater or lesser Quantity, to be paid at the respective Ports and Places of Importation or Landing of such Cynders, and to be charged upon the respective Owner and Owners, Master and Masters, or other Persons, having the Charge of the Ship or Vessel in which the said Cynders shall be carried, imported, or brought; and that the said Duties upon Cynders shall be under the Management and Government of the Commissioners of the Customs for the Time being; and shall be raised, levied, and collected by such Ways and Means, and under the like Penalties and Forfeitures, and with such Allowances, and according to such Rules and Methods, as in and by an Act of Parliament made in the ninth Year of his Majesty’s Reign, intituled, *An Act*

Penalties in the Leather Act may be determined by two Justices of Peace, &c. Who may summon the Party, examine Witnesses on Oath, and give Judgment. Penalty to be levied on Offender’s Goods. Party aggrieved may appeal.

Justices may mitigate the Penalty.

12 Car. 2. c. 24.

2 W. & M. ff. 1.

c. 3.

4 W. & M. c. 5.

5 W. & M. c. 7.

5 W. & M. c. 20.

8 W. 3. c. 20.

Act 8 W. 3.

c. 20. not to

charge Single

or Double Bran-

dy with the Du-

ties of 2s. and 4s.

per Gallon.

Duties to be paid

for Cynders for

four Years.

5s. per Chalder,

to be charged

on the Owner.

Duties to be

under Manage-

ment of the

Commissioners

of the Customs.

for 9 W. 3. c. 13.

for granting to his Majesty several Duties upon Coals and Culm, are prescribed, authorized, or mentioned, for raising, levying, and collecting the Duties thereby granted.

No Tobacco shall be imported but in Cask, Chest, &c.

Each Cask to contain 200 lb. Weight. Penalties.

‘ XXIX. And whereas the Importation of Tobacco in Bulk hath given abundant Opportunity to ill disposed Persons to run the same on Shore, without paying his Majesty’s Customs due thereon, to the great impairing of the Revenue, and the no less Prejudice of the fair Trader:’ For Remedy whereof, be it enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred, no Tobacco be brought or imported into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, in any Ship or Vessel from any of his Majesty’s Plantations on the Continent of *America*, nor shipped in any of the said Plantations in order to be so imported, otherwise than in Cask, Chest, or Case only, each Cask, Chest, or Case whereof, shall contain two hundred Weight of neat Tobacco at the least, and each hundred thereof shall contain one hundred and twelve Pounds, under the Penalties and Forfeitures following, that is to say, That all the Tobacco so imported, or shipped to be imported, contrary to this Act, shall be forfeited, and every Person or Persons offending, contrary to the true Intent and Meaning hereof, shall forfeit Sixpence for every Pound Weight thereof, two third Parts thereof to his Majesty, his Heirs and Successors, and the other third Part thereof to such Person as shall seize and sue for the same: Provided nevertheless, That such small Quantities as shall be necessary for the Ships Companies smoaking in the said Voyage, shall not be deemed or construed any Breach of this Act; the said Forfeitures and Penalties to be recovered by Action of Debt, Bill, Complaint or Information, in any of his Majesty’s Courts of Record at *Westminster*, in which no Essoin, Protection or Wager of Law shall be allowed, nor more than one Imparlance.

Pearl Ashes may be imported,

paying Custom as Pot-ashes.

New England Whale Fin, &c. to pay the same Duties as Greenland Whale Fin. 9 & 10 W. 3. c. 45. 5 Geo. 2. c. 23. 22 Geo. 2. c. 45.

8 & 9 W. 3. c. 22.

Addition of a Farthing a Day Interest to the Malt Tickets unpaid.

Malt Tickets burnt or lost on Affidavit made thereof and Certificate,

Officer required to pay such Tickets, &c.

Penalty on Brewer using Melasses, &c.

‘ XXX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons whatsoever, from and after the said tenth Day of *May* one thousand six hundred ninety-nine, to import into *England*, *Wales*, or *Berwick upon Tweed*, from *Germany*, Pearl Ashes, being the Product of *Germany*, paying his Majesty his Customs and Duties as Pot Ashes; any Law, Custom or Usage to the contrary in any wise notwithstanding.

‘ XXXI. And be it further enacted by the Authority aforesaid, That all Whale Fin taken and caught by the People and Inhabitants of *New England*, *New York*, and *Pennsylvania*, or any other his Majesty’s Plantations and Colonies in *America*, and imported from thence, shall be chargeable with and pay to his Majesty (by Virtue of an Act of the last Session of Parliament, intituled, *An Act for taking away half the Duties imposed on Glass Wares, and the whole Duties lately laid on Stone and Earthen Wares, and Tobacco Pipes, for granting in lieu thereof, new Duties upon Whale Fins and Scotch Linen*) the like Duties, as Whale Fin caught and imported in and by any Ships or Vessels whatsoever, of or belonging to the Company established for the *Greenland Trade* are chargeable withal, and no further or other Duty by Means or Virtue of the said Act only; any Thing in the said last mentioned Act to the contrary notwithstanding.

‘ XXXII. And whereas the Duties granted to his Majesty by one Act of Parliament, intituled, *An Act for granting to his Majesty certain Duties upon Malt, Mum, Sweets, Cyder and Perry, as well towards carrying on the War against France, as for the necessary Expences of his Majesty’s Household*, are likely to expire before they have fully answered and satisfied the Ends and Purposes for which they were granted: And whereas the Commons in Parliament assembled, have declared they will make good all such Deficiencies as shall happen upon the falling short of the said Duties: And whereas there is a small Interest of one Farthing a Day allowed by the last recited Act, upon several Bills or Tickets, commonly called *Malt Lottery Tickets*: Now for the advancing the Credit and Value of the said Bills or Tickets, be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* in the Year of our Lord one thousand six hundred ninety-nine, upon every such Bill or Ticket carrying the said Interest of one Farthing a Day (other than such Bills or Tickets as shall be paid off and discharged by the Duty now chargeable with the same) an additional Interest of one farthing a Day shall be allowed and paid respectively upon every such Bill or Ticket, until such Bill or Ticket shall be fully paid off and discharged.

‘ XXXIII. And whereas by an Act passed in the eighth Year of his Majesty’s Reign (wherein certain Duties were granted upon Malt and other Things) several Tickets were made forth for several Sums of Money, payable with Interest; several of which Tickets are since burnt, lost or otherwise destroyed; Be it further enacted by the Authority aforesaid, That in all Cases where it shall appear by Affidavit, to be made before any of the Barons of the Exchequer, that any Ticket or Tickets, being in Course of Payment, out of the Monies arisen or to arise, on or before the tenth Day of *May* one thousand six hundred ninety-nine, into the Receipt of the Exchequer for the Duties aforesaid, is or are burnt, destroyed, or otherwise lost, it shall and may be lawful for the Officer or Officers, appointed to pay or discharge the said Annuities, on producing a Certificate from the said Baron, of such Affidavit made before him, which Affidavit the said Barons, or any of them, is and are hereby authorized to take, and which Certificate he or they are hereby required to grant without Fee or Reward; and on Security given to the said Officer to his good Liking, to indemnify him against all other Persons whatsoever, for or concerning the Monies contained or specified in such Ticket or Tickets, or which was due thereon, he the said Officer shall and is hereby required to pay and discharge the said Tickets, being such as came in Course within the Time aforesaid, as if the said Tickets had been produced, and shall be allowed such Payment in his Accounts; any Thing in this or any other Act contained to the contrary hereof in any wise notwithstanding.

‘ XXXIV. And whereas it is found by Experience, That notwithstanding any Law now in Force, many Common Brewers do use great Quantities of Melasses in the brewing Ale and Beer, whereby the Consumption of Malt is very much hindered, and his Majesty defrauded of a great Part of the Duties of such

such Ale and Beer so brewed as aforesaid; Be it therefore enacted by the Authority aforesaid, That if any common Brewer, or Retailer of Beer or Ale, shall, after the said tenth Day of *May* one thousand six hundred ninety-nine, make use of any Melasses, coarse Sugar, Honey, or Composition or extract of Sugar, in the brewing, making or working of any Ale or Beer, or if any common Brewer shall receive or take into his Custody or Possession any Quantity of Melasses, coarse Sugar, Honey, or Composition or extract of Sugar, exceeding ten Pounds, every such Brewer and Retailer shall forfeit and lose for every such Offence respectively the Sum of one hundred Pounds; and every Servant of such Brewer, and every other Person, who shall be aiding and assisting in the using any Melasses, coarse Sugar, Honey, or extract of Sugar, in the brewing or working of such Ale or Beer, or in carrying or conveying the same into the House, Brewhouse or other Place belonging to such Brewer, shall also forfeit and lose, for every such Offence, the Sum of twenty Pounds, and in Default of Payment thereof shall suffer three Months Imprisonment.

Penalty on
Brewers Ser-
vants.

XXXV. And whereas by an Act of this present Session of Parliament, intituled, *An Act for granting to his Majesty the Sum of one Million four hundred eighty-four thousand and fifteen Pounds one Shilling eleven Pence three Farthings, for disbanding the Army, providing for the Navy, and for other necessary Occasions*, it is amongst other Things enacted, That a Sum not exceeding the Sum of six hundred thousand Pounds, of the Monies to be paid into the Exchequer by Virtue of the said Act, should be and is thereby appropriated in the first Place to the paying and disbanding the Forces enacted to be disbanded, and the Residue of the said Sum of six hundred thousand Pounds, for and towards the Subsistence and Clearings of his Majesty's Guards and Garrisons within the Kingdom of *England*, and the Dominions thereunto belonging (*Ireland* excepted) for the Year one thousand six hundred ninety-nine, and to other the Purposes in the said Act mentioned: And whereas it is or may be doubted, whether any Part of the said Money, so appropriated to the Subsistence and Clearings of his Majesty's Guards and Garrisons, may or ought to be applied towards the paying the Arrear of Subsistence due to the said Garrisons before the twenty-fifth Day of *March* one thousand six hundred ninety-nine, according to the Course of Payment, and true Intention of the said last mentioned Act; Be it therefore enacted and declared by the Authority aforesaid, That the Money so appropriated and applicable to the Subsistence and Clearings of the Guards and Garrisons, for the Year one thousand six hundred ninety-nine, shall and may be applied as well to the Payment of the said Arrear of Subsistence, due to the said Garrisons at any Time before the said twenty-fifth Day of *March* one thousand six hundred ninety-nine, as for and towards the Subsistence and Clearings of the said Guards and Garrisons for the Year one thousand six hundred ninety-nine; any Thing in the said last mentioned Act to the contrary in any wise notwithstanding.

10 & 11 W. 3.
c. 9.

Money for clear-
ing the Guards
and Garrisons
how to be ap-
plied.

XXXVI. And whereas so much of the said Sum of six hundred thousand Pounds, mentioned in an Act of this Session of Parliament (wherein a Land Tax is granted to his Majesty) as is or shall be sufficient for paying off and disbanding the Regiments, Troops and Companies appointed and enacted to be disbanded as is therein mentioned, is appropriated for that Purpose; It is hereby declared and enacted by the Authority aforesaid, That out of the Money so appropriated or appointed for paying off and disbanding of Regiments, Troops and Companies as aforesaid, any Sum not exceeding twenty thousand Pounds, shall and may be issued, applied and distributed towards clearing the disbanded Officers of the *Scotch* Regiments which were on the *English* Establishment, and the disbanded Officers of the three *English* Regiments, lately of Colonel *Henry Holt*, Colonel *Luke Lillingston*, and Colonel *Russell*, which were in the *West Indies*, and for whom no Half-pay is allowed; any Thing in the said Act contained to the contrary notwithstanding.

10 & 11 W. 3.
c. 9.

20,000l. to be
applied for pay-
ing off disbanded
Officers of the
Scotch Regi-
ments, &c. and
the three *English*
Regiments of
Holt, *Lilling-
ston* and *Russell*.

C A P. XXII.

An Act for the more full and effectual charging of the Duties upon Rock Salt.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, taking Notice that by divers Acts of Parliament now in Force, several Duties, whereof some are for Terms of Years yet unexpired, and others in Perpetuity, are imposed upon all Salt and Rock Salt made within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, or taken out of any Pit or Pits within the same, to be raised, disposed and applied to and for the several Uses and Purposes in the same, or by some other Act or Acts of Parliament in that Behalf, expressed and declared; and being sensible that Rock Salt, which in and by the said Acts, or some of them, is chargeable with the said Duties, after the Rate of one hundred and twenty Pounds Weight to the Bushel, may be and is used in Kind for curing Fish, Flesh and other Purposes, without being refined into white Salt, and all white Salt made from Brine, or otherwise, being chargeable with the said Duties, after the Rate of fifty-six Pounds Weight to the Bushel, and that one hundred and twenty Pounds Weight of Rock Salt, used in Kind, will serve the Use of almost two Bushels of White Salt, reckoned at fifty-six Pounds Weight as aforesaid, whereby the Makers of Salt from Brine have been and are extremely discouraged, and his Majesty's Duties intended by the said Acts have been and are very much impaired; have therefore resolved to increase your Majesty's Duties upon all Rock Salt and Salt Rock, by reducing the Bushel, according to which the Duties thereof shall be paid for the future in the Manner hereafter mentioned.

5 W. & M. 7.

II. 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 the Commons, in this present Parliament assembled, and by Authority of the same, That from and after the fifteenth Day of *May* in the Year of our Lord one thousand six hundred ninety-nine, every seventy-five Pounds Weight of Rock Salt, or Salt Rock, taken out of any Pit or Pits within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, shall be deemed

75l. Weight
of Rock Salt
deemed a Win-
chester Bushel,
and rated accord-
ingly.

deemed and taken to be a *Winchester* Bushel, of eight Gallons *Winchester* Measure, and shall be entred, rated and taxed accordingly, to and for the several Duties upon Salt Rock and Rock Salt, by the said several Acts of Parliament charged or made payable, instead of the Bushel of one hundred and twenty Pounds Weight in the said Acts or any of them mentioned, and greater or lesser Quantities of the said Salt Rock, or Rock Salt, shall be reckoned proportionably; any Thing in the said former Acts, or any other Law or Statute whatsoever to the contrary notwithstanding.

‘ III. And whereas by the said former Acts, or some of them, it is provided, That all Makers and Proprietors of Rock Salt should make true Entries with his Majesty’s Officers, of the Quantities of Salt by them taken out of any Pit or Pits, and should have a Warrant or Ticket from some one of the Officers, to carry away the same, before the said Salt made or taken out of any Pit or Pits, should be removed or carried from the respective Pits, and that such Warrant should be given *gratis* unto such Maker or Proprietor, upon paying or giving Security for Payment of his Majesty’s Duties within six Months after such Entry made; nevertheless the Owners or Proprietors of Rock Salt having by the said Acts, or some of them, Liberty to remove their Rock Salt into his or their own Warehouses, or other Places for securing thereof, for Conveniency of selling or shipping off the same, after due Entry made, and a Warrant or Ticket taken for the same from the Officer next to such Salt Pits, and to pay and secure the Duty when the said Rock Salt shall be sold and delivered, it is found by Experience, that there is not a sufficient Charge made and kept upon the said Owners or Proprietors, for all the Rock Salt or Salt Rock taken out of his or their Pit or Pits, but between the Pits and the said Storehouses (which are in many Places contrived so as to be remote from the Pits) or else before the Selling and Delivery of the said Rock Salt, great Quantities thereof are run and imbezilled, and never charged, to his Majesty’s great Damage, and the Injury of such Workers as justly pay his Majesty’s Dues:’ For Remedy whereof be it further enacted by the Authority aforesaid, That every Owner or Proprietor of any such Rock Pit or Pits, who after the said fifteenth Day of *May* one thousand six hundred ninety-nine, shall take any Rock Salt or Salt Rock out of any such Pit, shall, before the Removal thereof, cause the same to be weighed in the Presence of the Officer appointed for the Duties on Salt; which Officer is hereby authorized and required to attend at such Salt Pits, at all reasonable Hours in the Day-time, to see and take Account of all such Rock Salt and Salt Rock so weighed, and thereof to make Return or Report, in Writing under his Hand, to the Commissioners of Excise, or to such Person as they shall appoint to receive the same, leaving a true Copy of such Return, in Writing under his Hand, with such Proprietor, and such Report or Return shall be a Charge upon such Proprietor respectively; and if any such Proprietor shall refuse to weigh any such Rock Salt and Salt Rock, in the Presence of the Officer, when taken out of any Pit, as aforesaid, or shall remove or convey, or suffer to be conveyed from such Pit, any such Rock Salt and Salt Rock, before the same shall have been weighed as aforesaid, every such Proprietor shall forfeit and lose for every such Offence the Sum of twenty Pounds, and also double the Value of the Rock Salt and Salt Rock so removed as aforesaid.

IV. And be it further enacted, That every Proprietor of such Rock Pits shall pay and clear off the Duties of all Rock Salt and Salt Rock so charged, as aforesaid, within two Days after such Charge was made, or shall within the said two Days give Security to pay the same within nine Months; and every such Proprietor, who shall not pay and clear off, nor give Security to pay, as aforesaid, shall forfeit double the Value of the said Duties.

V. Provided always, That if any Person or Persons shall within the said two Days after such Charges, as aforesaid, pay down the Duty charged by this Act, such Person or Persons shall be allowed after the Rate of ten Pounds *per Centum per Annum*, for the said Time of nine Months.

VI. Provided always, and be it enacted by the Authority aforesaid, That where any such Rock Salt or Salt Rock, for which his Majesty’s Duties, after the Rate of seventy-five Pounds Weight to the Bushel, shall have been first duly charged and paid or secured, according to the true Intent and Meaning of this Act, shall be melted and refined, the Person or Persons who shall refine the same into white Salt (which white Salt is charged by the said Acts with new Duties, after the Rate of fifty-six Pounds to the Bushel) shall have an Allowance or Abatement out of the Duties of the said white Salt, of so much as was charged on the said Rock so melted and refined, after the Rate of seventy-five Pounds to the Bushel, and not after the Rate of one hundred-twenty Pounds to the Bushel, as by the said former Acts was prescribed, so as the Rock so refined was before the melting thereof weighed in the Presence of the Officer, and so as Oath be first made before some Justice of Peace near adjoining to such Salt Works, of the particular Quantities of such Rock Salt or Salt Rock so by such Refiner employed in making the said white Salt, and that he or any other Person or Persons, by his Privity or Knowledge, did not increase the said Rock Salt or Salt Rock, by mixing or other undue Practice, and that no former Allowance or Abatement for the said Rock Salt or Salt Rock had been made or obtained to his Use or Benefit (which Oath the said Justice of the Peace is hereby impowered to administer) and so as due Proof be made upon Oath, or otherwise, that the Duties for the said Rock Salt or Salt Rock so refined were duly charged and paid, or secured to be paid, after the Rate of seventy-five Pounds to the Bushel, according to this Act, and not otherwise; any Thing in the said former Acts to the contrary notwithstanding.

VII. And to the end that Rock Salt or Salt Rock, and Salt refined and made from Rock Salt or Salt Rock, may be exported, and the Duties charged thereon be repaid; be it enacted by the Authority aforesaid, That for all such Rock Salt, Salt Rock, and refined Salt, made from Rock Salt or Salt Rock, as shall be exported from any Port or Place in this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, into Parts beyond the Seas, by any Person or Persons whatsoever, there shall be allowed and paid for every Bushel of such Rock Salt or Salt Rock, whereof the Duties shall have been charged and

Rock Salt to be weighed before Removal, in Presence of an Officer.

Owner to have a Copy of the Return.

Penalty on Proprietor refusing to weigh Rock Salt, &c.

Duties to be cleared off in two Days after Charge made.

These nine enlarged to 12 Months by 5 Ann. c. 29. §. 5. Penalty.

Allowance for Prompt Payment.

Allowance for Rock Salt refined into white Salt.

Oath being first made,

and Duties paid or secured.

Rock Salt, &c. exported, Duties to be repaid. Further Provisions relating hereto, 5 Ann. c. 29. §. 15.

paid,

paid, as aforesaid, after the Rate of seventy-five Pounds Weight to the Bushel, and for every Bushel of such refined Salt made from Rock Salt or Salt Rock, whereof the Duties shall have been charged and paid or allowed, after the Rate of fifty-six Pounds to the Bushel, the Duties which shall have been so paid for every Such Bushel of Rock Salt, Salt Rock, or refined Salt, so exported, to the Person or Persons exporting the same, by the Officer or Officers appointed to collect the Duties on Salt in the same Port from whence any such refined Salt shall be exported within two Days after Demand thereof, on a Debenture to be prepared by the Collector of the Customs in the Port where such Rock Salt, Salt Rock, or refined Salt shall be entred out for Exportation, and verified by the Person executing the Office of Searcher in such Port, as to the Quantity of such Rock Salt, Salt Rock, or refined Salt actually shipped; and that the Oath of the Exporter, or his Agent, be first taken before the principal Officers of the said Port, before the Debenture be allowed, who are hereby required and impowered to give the said Oath, That the Duties, as aforesaid, for the Rock Salt, Salt Rock, or refined Salt, in such Debenture mentioned, were first actually paid, and that such Rock Salt, Salt Rock, or refined Salt is really exported, or shipped to be exported, to Parts beyond the Seas, and not intended to be re-landed in *England, Wales, or Berwick*; for which Debenture no Fee or Reward shall be taken: And in Case the Officer, hereby directed to pay such Debenture, shall not have sufficient Money in his Hands to pay the same, then upon Certificate thereof by him made (which Certificate he is hereby required to give the Party *gratis*, and without Delay) the principal Commissioners for managing the Revenue of Excise of his Majesty, his Heirs and Successors, for the Time being, shall be chargeable with the said Payment, to be made out of the first Money in their Hands arising out of the Duties upon Salt, and any Officer neglecting or refusing to pay the said Money, or to give such Certificate as he is hereby directed, shall forfeit double the Sums so to be paid, to the Party grieved, to be recovered by Action of Debt, Bill, Complaint, or Information, wherein no Effoin, Protection, or Wager of Law shall be allowed.

Exporter to make Oath that it shall not be re-landed in England, &c.

Explained by 2 & 3 Annæ, c. 14. §. 9. as to Salt exported to Scotland, &c.

Penalty on Officer refusing to pay.

VIII. And be it enacted by the Authority aforesaid, that the Duties upon Rock Salt and Salt Rock, which shall be charged in pursuance of this Act, shall be raised, levied, and recovered, by such Ways and Means, and in such Manner and Form, in all Cases (unless in such where other Methods or Directions are hereby prescribed) as the Duties upon Salt or Rock Salt, chargeable by the said former Acts, or any of them, were thereby appointed to be raised, levied, and recovered; and that all Fines, Penalties, and Forfeitures, by this Act imposed, shall and may be sued for, levied, and recovered, in such Manner and Form, and with such Power of Mitigation, as any Fine, Forfeiture, or Penalty, is or may be recovered, by any Law or Laws of Excise, or by Action of Debt, Bill, Complaint, or Information in any of his Majesty's Courts of Record at *Westminster*; and that one Moiety of every such Fine, Forfeiture, or Penalty, shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall inform or sue for the same; and that all the Duties which shall be charged by Virtue of this Act, as aforesaid, shall be brought in, applied, issued, and disposed of, to the same Uses and Purposes, and in the same Proportions, as the Duties upon Salt and Rock Salt, charged by the said former Acts respectively, are appointed to be brought in, issued, and applied, and under the same Penalties for delaying, diverting, or misapplying any Part of the Monies arising for the said Duties to be charged by this Act, as in and by the said former Acts, or any of them, in the like Case and Cases are prescribed; any Thing in this or the said former Acts contained to the contrary thereof in any wise notwithstanding.

Duties how to be raised, &c.

And Fines, Penalties, &c. recovered.

IX. And for the greater Equality, in determining Differences touching the Duties upon all Salt whatsoever, and the Penalties and Forfeitures concerning the same; be it further enacted by the Authority aforesaid, That from and after the fifteenth Day of *May* in the Year of our Lord one thousand six hundred ninety-nine, if any Person or Persons shall find him, her, or themselves aggrieved by any Order or Judgment of any two Justices of the Peace, relating to the Duties upon Salt, or to any Forfeiture or Offence concerning the same, that then it shall and may be lawful to and for such Person or Persons to appeal to the Justices at the next Quarter-Sessions of the Peace to be holden for that County, Liberty, Riding, Division, or Place, where the said Order or Judgment shall be made or given, and the said Justices at such Quarter-Sessions are hereby impowered and authorized to hear and determine the same, whose Judgment therein shall be final; any Thing in this or any former Act or Acts to the contrary notwithstanding.

Persons aggrieved may appeal.

X. And be it enacted by the Authority aforesaid, That from and after the said fifteenth Day of *May* in the Year of our Lord one thousand six hundred ninety and nine, all Rock Salt, and Salt Rock, and white Salt whatsoever, that shall be shipped or taken on board any Ship, Boat, or Vessel whatsoever, to be delivered as a Commodity, either to be exported to *Ireland*, or any other Place beyond the Seas, or to be unladen in any Port, Creek, Haven, or other Place, on the Coasts of *England*, or elsewhere, shall be weighed at the Place or Creek where the said Salt is to be taken on board, by such Officer or Officers, as the Commissioners of the Excise, or the major Part of them for the Time being, shall from time to time direct and appoint; and that no such Salt shall be carried on board any Ship, Boat, or Vessel whatsoever, till the same shall be so weighed or tendered to be weighed, and a Permit or Certificate, containing the Quantity of such Salt so weighed or tendered to be weighed, as aforesaid, be first had and obtained, under the Penalty of forfeiting the said Salt, not so weighed or tendered to be weighed, and over and above ten Shillings *per* Bushel, for the same, and after that Rate for a greater or lesser Quantity, to his Majesty, his Heirs and Successors, so carried on board any Ship, Boat, or Vessel, contrary to the true Intent and Meaning hereof; which said Permit or Certificate such Officer shall give to the Party requiring the same *gratis*, on the Penalty of five Pounds to the Party grieved.

All Salt whatsoever to be weighed at the Place where shipped,

and not put on board till weighed, and Permit obtained.

Penalty.

Officer to give permit gratis.

Officer refusing to weigh such Salt,

Owner may ship the same.

If Salt on unloading be found more in Weight than contained in Permit,

Surplusage forfeited.

Master refusing to shew Permit.

Officer may seize the Salt.

If not shewn in four Days, Salt forfeited.

8 & 9 W. 3. c. 28.

5 W. & M. c. 7.

Tickets for Payment of Annuities, &c. that are burnt or lost,

on Affidavit and Certificate,

Officer required to pay the said Tickets, and be allowed them in his Accounts.

XI. Provided always, That if the said Officer or Officers shall refuse to weigh such Salt so to be taken on board, as aforesaid, or shall not attend to weigh the same at such Place where the same is to be taken on board, as aforesaid, or, after the weighing the same, shall refuse to give such Permit or Certificate, that then, and in every such Case, it shall and may be lawful to and for the Owner and Possessor of the Salt, to carry the said Salt on board any Ship Boat, or Vessel, without incurring any Penalty for so doing; any Thing herein contained to the contrary hereof in any wise notwithstanding.

XII. And be it likewise enacted by the Authority aforesaid, That it shall and may be lawful to and for the Officer and Officers, so to be appointed as aforesaid, at every unloading Port or Creek of such Ship, Boat, or Vessel, to go on Board the same before the Delivery thereof, and to Demand a Sight of such Permit or Certificate, so to be given as aforesaid, and to weigh the said Salt upon the unloading the same; and if the Salt, on the weighing of the same, shall be found to be more in Weight than what is contained in the said Permit or Certificate, that then the Surplusage that shall exceed the Quantity contained in the said Permit or Certificate shall be forfeited, the one Moiety thereof to the Use of his Majesty, his Heirs Successors, and the other Moiety thereof to the Person that shall inform or sue for the same: And if the Master of such Ship, Boat, or Vessel, shall refuse to shew unto such Officer the said Permit or Certificate, upon due Request made, to the End he may see whether the Salt so unladen be the same Quantity with that contained in the Permit or Certificate, that then and in such Case it shall be lawful for the said Officer to seize the said Salt, and detain the same, until the said Permit or Certificate be produced.

XIII. Provided always, That if the said Permit or Certificate, having been given as aforesaid, be not shewn to such Officer within four Days after the Seizure thereof, that then and in such Case the Salt so seized shall be forfeited.

XIV. And whereas by an Act made and passed in the Session of Parliament held in the eighth and ninth Years of his Majesty's Reign, intituled, *An Act for the better Observation of the Course anciently used in the Receipt of Exchequer*, it is (amongst other Things) enacted and declared, That from and after the twentieth Day of April one thousand six hundred ninety-seven, no Teller in the said Receipt of Exchequer should charge himself by his Bill with the Receipt of any Monies in the Exchequer, but at such Times as the Officers of the Talley Court, their Deputies or Substitutes, should be there present, to levy a Talley or Tallies for the same; nor should any Teller, or other Person employed by him, throw down, or cause to be thrown down into the said Court, any Bill or Bills, owning or purporting the receiving any Sum or Sums of Money from any Lender of Money, Receiver, or any other Person or Persons whatsoever, upon which Bill or Bills a Talley or Talleys are to be levied, according to the Course of the said Receipt, unless such Teller respectively, or his Clerks, or Persons employed by him, should have actually received, and have then in his Office, the very Money which should be specified in such Bill or Bills respectively (except as therein is excepted) under the Penalties therein mentioned: Be it enacted by the Authority aforesaid, That it shall and may be lawful for the Lord High Treasurer, or any three or more of the Commissioners of his Majesty's Treasury for the Time being (if he or they shall think fit, and it be found safe and expedient for his Majesty's Service) to permit and direct the Tellers of the said Receipt of Exchequer, or their Clerks, from and after the first Day of May one thousand six hundred ninety-nine, to receive from Commissioners, Receivers, Collectors, or other Persons making any Payments to his Majesty, at the said Receipt of his Exchequer, upon any Account whatsoever, or for Loans, Bills under the Seal of the Governor and Company of the Bank of England, commonly called *Bank Bills*, as shall be tendred in Payment for any Aids, Taxes, Revenues or Loans whatsoever, unto the End of the next Session of Parliament, and no longer; any Thing in the said recited Act, or in any other Act or Acts of Parliament, or any Custom or Usage to the contrary in any wise notwithstanding: Provided, That none of the said Bank Bills shall be so taken in the Exchequer, when the same are at any Discount.

XV. And whereas in and by one Act made in the fifth Year of the Reign of his Majesty and the late Queen MARY of blessed Memory, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France*, it is (amongst other Things) enacted, That the Sum of one hundred and forty thousand Pounds shall be a yearly Fund for answering the Annuities therein mentioned: And whereas certain Tickets were issued out to the Proprietors of the said Annuities, many of which Tickets are since burnt, lost or otherwise destroyed, whereby the said Proprietors are in Danger of losing their Money contained in such Tickets: Be it enacted by the Authority aforesaid, That in all Cases where it shall appear by Affidavit, to be made before any of the Barons of the Exchequer, that any Ticket or Tickets, for any Payment or Payments on the said Annuities incurred or become due at or before the nine and twentieth Day of September one thousand six hundred ninety and eight, is or are burnt, destroyed, or otherwise lost, it shall and may be lawful for the Officer or Officers appointed to pay and discharge the said Annuities, on producing a Certificate from the said Baron, of such Affidavit made before him (which Affidavit the Barons, or any of them, is and are hereby authorized to take, and which Certificate he or they are hereby required to grant without Fee or Reward) and on Security given to the said Officer, to his good Liking, to indemnify him against all other Persons whatsoever, for or concerning the Monies contained or specified in such Ticket or Tickets, or which was due thereon, he the said Officer shall and is hereby required to pay and discharge the said Annuities, by the said Tickets incurred and grown due as aforesaid, as if the said Tickets had been produced,

duced, and shall be allowed such Payments in his Accounts; any thing in this, or any other Act contained to the contrary hereof in any wise notwithstanding.

Farther Provisions concerning Sale, 1 Ann.

St. 1. c. 21. 2 & 3 Ann. c. 14. 4 Ann. c. 12. 5 Ann. c. 29. 6 Ann. c. 12. 9 Ann. c. 23. 12 Ann. St. 2. c. 2. 5 Geo. I. c. 18. 8 Geo. I. c. 4 & 16. 11 Geo. I. c. 30. 3 Geo. 2. c. 20. 5 Geo. 2. c. 6. 8 Geo. 2. c. 12. 14 Geo. 2. c. 22. 26 Geo. 2. c. 3 & 32.

C A P. XXIII.

An Act for the better apprehending, prosecuting and punishing of Felons that commit Burglary, House-breaking, or Robbery in Shops, Warehouses, Coach-houses or Stables, or that steal Horses.

WHEREAS the Crimes of Burglary and breaking open of Houses in a felonious Manner, and the Crime of stealing Goods privately out of Shops and Warehouses, commonly called *Shoplifting*, and the stealing of Horses, are of late Years much increased, to the great Detriment and unspeakable Loss of many of your Majesty's good Subjects, occasioned for want of due Prosecution and Punishment of Offenders therein, and for want of Encouragement to such as shall vigorously endeavour the apprehending of such Malefactors: For preventing whereof he 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 and every Person and Persons, that shall at any Time or Times, by Night or in the Day-time, from and after the twentieth Day of *May*, which shall be in the Year of our Lord one thousand six hundred ninety-nine, in any Shop, Warehouse, Coach-house or Stable, privately and feloniously steal any Goods, Wares or Merchandizes, being of the Value of five Shillings or more (although such Shop, Warehouse, Coach-house or Stable be not actually broke open by such Offender or Offenders, and although the Owners of such Goods, or any other Person or Persons, be or be not in such Shop, Warehouse, Coach-house or Stable, to be put in Fear) or shall assist, hire or command any Person or Persons to commit such Offence, being thereof convicted or attainted by Verdict or Confession, or being indicted thereof shall stand mute, or will not directly answer to the indictment, or shall peremptorily challenge above the Number of three and twenty Persons returned to be of the Jury, shall by virtue of this Act be absolutely debarred and excluded of and from the Benefit of the Clergy.

25 H. 8. c. 3;

Person stealing Goods in any Shop, Warehouse, &c. of 5 s. Value or more,

or assisting therein, excluded from Benefit of Clergy.

Prosecutor of Felon to have a Certificate.

In case of Dispute, Judge to appoint the Certificate into Shares.

Altered by 6 Geo. 1. c. 23. §. 8.

By 5 Annæ, c. 31. §. 1. Apprehenders of Burglars and House-breakers have a farther Reward of 40l. Certificate may be once assigned. Assignee discharged from Parish and Ward Offices.

Certificate to be inrolled. Fee.

Proviso.

II. And be it enacted by the Authority aforesaid, That from and after the said twentieth Day of *May* one thousand six hundred ninety-nine, all and every Person and Persons, who shall apprehend and take any Person guilty of any the Felonies before mentioned, and prosecute him, her or them so apprehended and taken, until he, she or they be convicted of any the aforesaid Felonies, such Apprehenders and Takers, for his, her or their Reward upon every such Conviction, without any Fee or Reward to be paid for the same, shall have forthwith after every such Conviction a Certificate, which shall be under the Hand or Hands of the Judge, Justice or Justices before whom every such Conviction shall be had, certifying such Conviction, and also within what Parish or Place the Felony was committed, whereof any such Person or Persons was or were convicted as aforesaid, and also that such Felon or Felons was or were discovered and taken, or discovered, or taken, by the Person or Persons so discovering or apprehending any the said Felon or Felons; and in case any Dispute shall happen to arise between any of the Persons so discovering or apprehending any the said Felon or Felons so convicted as aforesaid, touching their Right or Title to the said Certificate, that then the said Judge, Justice or Justices, or the major Part of them, so respectively making such Certificate as aforesaid, shall in and by his or their Certificate, direct and appoint the said Certificate into so many Shares, to be divided amongst the Persons therein concerned, as to the said Judge, Justice or Justices, or the major Part of them shall seem just and reasonable, which Certificate shall and may be once assigned over, and no more, and the original Proprietor of such Certificate, or the Assignee of the same, whomsoever of them shall have the Interest therein, by virtue thereof and of this present Act, shall and may be discharged of and from all and all Manner of Parish and Ward Offices, within the Parish or Ward wherein such Felony or Felonies shall be committed, and such Party or Assignee is hereby declared to be discharged therefrom; which said Certificate shall be inrolled by the Clerk of the Peace of the County in which the same shall be granted; for which Inrollment the said Clerk of the Peace of the County or City, in which the same shall be granted, shall have for his Fee the Sum of one Shilling, and no more.

III. Provided nevertheless, That if any Person having such Certificate, shall at any time make use of the said Certificate to exempt him from any Parish or Ward Office, such Person so making use of the said Certificate, or any other Person or Persons claiming any Interest therein, shall not assign over the said Certificate to any Person or Persons whatsoever.

IV. And be it further enacted, That in case any Person or Persons shall happen to be slain by any such House-breakers, Horse-stealers, or other Felon aforesaid, by endeavouring to apprehend, or in making Pursuit after him, her or them, or any of them, that then the Executors or Administrators of such Person or Persons so slain, to whom the Right of Administration of the personal Estate of every Person so slain shall belong, shall have the said Certificate in Manner as aforesaid, without Fee or Reward as aforesaid.

If Persons be slain in Pursuit of House-breakers, &c. Executor to have the Certificate without Fee.

V. And be it further enacted, That if any Person or Persons, from and after the said twentieth Day of *May* in the said Year of our Lord one thousand six hundred ninety and nine, shall commit any Burglary, House-breaking, or Felony in stealing of any Horse or Horses, or any Money, Wares or Goods, from whom the Benefit of the Clergy is by this Act taken away, and being out of Prison, shall discover

House-breakers, &c. discovering two or more Felons, intitled to the King's Pardon,

two or more Person or Persons, who already hath or hereafter shall commit any such Burglary, Horse-stealing or Felony as aforesaid, and shall be convicted thereof, or cause to be discovered and apprehended two Persons or more, who shall be convicted as aforesaid, every such Discoverer shall have, and is hereby intituled to his Majesty's most gracious Pardon for the Burglaries, House-breakings, Horse-stealings or Felonies as aforesaid, which he, she or they shall have committed at any Time or Times before such Discovery made; which Pardon shall be likewise a good Bar to any Appeal brought or to be brought for any such Burglary, House-breaking, Horse-stealing or Felony.

to be a good Bar to Appeal.

Persons convicted of Theft or Larceny, instead of burning in the Hand, to be burnt in the left Cheek in open Court.

Repealed by 5 Annæ, c. 6. §. 1.

Evidence to pay no Fee, &c.

Fee for Bill of Indictment.

Clerk of Assize, &c. drawing defective Bill, to draw a new one gratis.

Penalty. By 12 Ann. St. 1. c. 7. §. 3.

Felony breaking out of a House in the Night guilty of Burglary. And see 4 Geo. 1. c. 11. and 6 Geo. 1. c. 23.

VI. And forasmuch as many evil-disposed Persons might be deterred from offending, should the Punishment by Law to be inflicted on such Persons be made more visible; Be it further enacted, That from and after the said twentieth Day of *May* one thousand six hundred ninety-nine, all and every Person and Persons who shall be convicted of or for any Theft or Larceny, and shall have the Benefit of the Clergy allowed thereupon, or ought to be burnt in the Hand for such Offence, instead of being burnt in the Hand, shall with the usual Mark wherewith such Offenders, according to the Laws now in Force, ought to be burnt in the Hand, be burnt in the most visible Part of the left Cheek nearest the Nose, which Punishment shall be inflicted in open Court, in the Presence of the Judge, who is hereby directed and required to see the same strictly and effectually executed; any former Law or Statute to the contrary thereof in any wise notwithstanding.

VII. And whereas the great Fees that are often demanded and received by Clerks of Assize, of Persons that appear as Witnesses against Felons, tend very much to the discouraging their Conviction, to the great Damage of his Majesty's good Subjects: To remedy the same for the future be it enacted, That no Clerk of Assize, Clerk of the Peace, or other Person whatsoever, shall demand, take or receive any Fee or Reward of any Person whatsoever that shall be bound by any Justice of the Peace to appear to give Evidence against any Traitor or Felon, for the Discharge of any Recognizance for such Appearance, nor shall demand or receive more than two Shillings for the drawing any Bill of Indictment against any such Felon, upon the Pain of forfeiting to the Person aggrieved, for every such Offence, the Sum of five Pounds, with full Costs of Suit.

VIII. And whereas it often happens that Clerks of Assize, Clerks of the Crown, Clerks of the Peace, Clerks of the Indictments, or other proper Officers, their Clerks or Deputies, do draw Bills defective; be it enacted, That if any Clerk of Assize, Clerk of the Crown, Clerk of the Peace, Clerk of the Indictments, or other proper Officer, or their Clerks or Deputies, shall draw any Bill defective, they shall draw new Bills without demanding any Fee or Reward whatsoever, or forfeit the Sum of five Pounds, with full Costs of Suit, and that all the Forfeitures aforesaid shall be recovered by him, her or them that will sue for the same, by Action of Debt, Bill, Complaint or Information, in any of his Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be allowed.

C A P. XXIV.

An Act for making *Billingsgate* a free Market for Sale of Fish.

13 Ed. 1. St. 1. c. 47.

WHEREAS the publick Wealth, Honour, and Safety of this Kingdom, as well as the Maintenance of Trade, and Support of Navigation, as in many other Respects, depend on the Improvement and Encouragement of the Fishery, and *Billingsgate* having, Time out of Mind, been a free Market for all Manner of Floating and Salt Fish, as also for all Manner of Lobsters and Shell Fish; nevertheless, divers Abuses, evidently destructive to that Trade, have been of late Years practised, by raising new Impositions and Tolls, and by forestalling of the Markets, and other Methods used by the Fishmongers, in not permitting the Fisherwomen and others to buy the said Fish of the said Fishermen, to sell them again in *London* and elsewhere, by which Means the Fishermen are obliged to sell their Fish to the said Fishmongers at their own Rates, to the great Discouragement of the said Fishermen: For Remedy whereof 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 from and after the tenth Day of *May*, which shall be in the Year one thousand six hundred ninety-nine, *Billingsgate* Market, within the said City of *London*, shall be every Day in the Week (except *Sundays*) a free and open Market for all Sorts of Fish whatsoever; and that it shall and may be lawful for any Person or Persons to buy or sell any sort of Fish in the said Market without any Disturbance or Molestation whatsoever.

Billingsgate a free Market for Fish.

Fish taken by Foreigners not to be imported, 1 Geo. 1. Stat. 2. c. 18. §. 1.

Fisherman, &c. to pay Toll.

II. And for the better encouraging the said Fishery, be it further enacted by the Authority aforesaid, That no Fisherman or other Person or Persons, selling any sort of Sea Fish in the said Market, shall, from and after the said tenth Day of *May* one thousand six hundred ninety-nine, pay to any Person or Persons any other Toll or Duty whatsoever, for coming with his Boat or Vessel, or landing, standing, being or selling, in or at the said Market of *Billingsgate*, than is herein after mentioned, that is to say,

Vessel with Salt Fish 8d. per Day Groundage. And 20d. per Voyage.

Lobster Boat 2d. per Day Groundage, and 13d. per Voyage;

III. For every Vessel with Salt Fish, for Groundage, eight Pence per Day, and twenty Pence per Voyage for every such Vessel, and no more, in full for all Duties and Demands, to be disposed of and distributed, as the Lord Mayor and Court of Aldermen shall yearly order and direct, according to the Right of the respective Persons intituled thereunto.

IV. For every Lobster Boat, for Groundage per Day two Pence, and per Voyage thirteen Pence, and no more, in full for all Duties and Demands, to be disposed of and distributed as aforesaid.

V. For every Vessel of fresh Sea Fish, for Groundage *per* Day two Pence, and *per* Voyage thirteen Pence, and no more, in full for all Duties and Demands, to be disposed of and distributed as aforesaid. Vessel with fresh Sea Fish.

VI. For every Dogger Boat or Smack with Sea Fish, for Groundage *per* Day two Pence, and *per* Voyage thirteen Pence, and no more, in full for all Duties and Demands to be disposed of and distributed as aforesaid. Dogger Boat or Smack.

VII. For every Oyster Vessel or Cock, for Groundage *per* Day two Pence, for Metage one Halfpenny *per* Bushel and no more, and *per* Voyage thirteen Pence and no more, in full for all Duties and Demands, to be disposed of and distributed as aforesaid. Oyster Vessel.

VIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons whatsoever, who shall buy any Fish in the said Market, to sell the same again in any other Market, Place or Places within the said City of London or elsewhere, by Retail, except nevertheless, that none but Fishmongers shall be permitted to sell in publick or fixed Shops or Houses, being found and wholsom Fish, without any Let or Disturbance from any Person or Persons whatsoever for so doing; any Law or Statute to the contrary thereof in any wise notwithstanding. Fish bought in the said Market may be sold in any other. Exception.

IX. Provided nevertheless, That this Act shall not extend to alter any Law now in being, concerning Fish caught by Foreigners. Proviso.

X. And whereas in the fifth Year of the Reign of Queen ELIZABETH, among other Things it was enacted, That from and after the first Day of May then next coming, it should not be lawful to any 5 Eliz. c. 5.

Person and Persons, in any Port, City, Town, or Market, or other Place within this Realm, to set Price, make any Restraint, or take or demand Toll or Tax of any Sea Fish to be brought into this Realm, or any Part thereof, being taken by any of her Majesty's Subjects, in Ships and other Vessels of the same Subjects, upon Pain, to every Person offending contrary to the Meaning thereof, to forfeit the Value of the Fish so restrained, prized, tolled, or taken; any Liberty, Custom, Grant, Privilege, or other Matter whatsoever to the contrary in any wise notwithstanding; yet contrary to the true Meaning thereof, several Tolls, Samples, and other Exactions, have been demanded and taken of Sea Fish;

Be it therefore enacted by the Authority aforesaid, That from and after the said tenth Day of May, any Person or Persons, taking or demanding any Toll or Sample, or any other Imposition, or set Price, of any Sea Fish whatsoever of English catching, shall forfeit the Sum of ten Pounds, the one Moiety thereof to his Majesty, and the other Moiety to such Person as shall sue for the same. Penalty on Person demanding Toll or Sample of Sea Fish.

XI. And whereas of late Years, an evil Practice hath been used by the Fishmongers, in employing one or two Persons at the most to buy up all or the greatest Part of the Fish which is brought to the said Market at Billingsgate, and afterwards dividing the same amongst the Fishmongers by Lots, by reason whereof the Fishmongers buy and sell at what Rates they please; Be it therefore enacted by the Authority aforesaid, That no such Practises shall be at any Time hereafter used or allowed. Evil Practice of Fishmongers not allowed.

XII. And for the better preventing the same, or the like evil Practises, for the Time to come; be it further enacted, That no Person or Persons whatsoever shall at any Time after the said tenth Day of May one thousand six hundred ninety-nine, employ or be employed by any other Person or Persons, in buying in or at the said Market of Billingsgate, any Quantity of Fish, to be divided by Lots or in Shares amongst any Fishmongers, or other Persons, in order to be afterwards put to Sale by Retail or otherwise; nor shall any Fishmonger, at any Time after the said tenth Day of May, ingross or by, in the said Market of Billingsgate, any Quantity of Fish, but what shall be for his own Sale or Use, and not for or on the Behalf of any other Fishmonger to expose to Sale, under Pain of forfeiting for each such Offence the Sum of twenty Pounds, one Moiety thereof to the Use of the Poor of the Parish where such Offence shall be committed, and the other Moiety to his or their own Use who shall sue for the same; and that from and after the said tenth Day of May, no Fisherman, or other Person or Persons, shall bring on Shore, or put to Sale, any Lobsters, that are not eight Inches from the Peak of the Nose unto the End of the Middle Fin of the Tail, under Pain of forfeiting for every such Lobster the Sum of one Shilling, the one Moiety to the Poor of the Parish where the Offence shall be committed, the other Moiety to the Prosecutor, to be recovered upon Conviction before the Chief Magistrate of any City or Town Corporate, or before the next Justice of Peace where such Offence shall be committed. Fish not to be bought up, to be divided by Lots, and afterwards retailed. Penalty.

XIII. And for the better Encouragement of the Fishery of this Kingdom, be it further enacted by the Authority aforesaid, That from and after the said tenth Day of May, no Fish (except Stock Fish and Live Eels) taken or caught by any Foreigners, Aliens to this Kingdom (except Protestant Strangers inhabiting within this Kingdom) shall be imported in any foreign Ship, Vessel, or Bottom, not being wholly English Property, and uttered, sold, or exposed to Sale, in this Kingdom, under the Pain of the Forfeiture of such Ship, Vessel, or Bottom, with the Tackle thereunto belonging, and of all such Fish so imported and sold contrary to the true Intent and Meaning thereof, one Moiety thereof to the Use of the Poor of the Parish where the same shall be so found or seized, the other Moiety to his or their own Use who shall so seize the same. Fish to be imported in English Shipping. Forfeiture. By 1 Geo. 2. Stat. 2. c. 18. §. 10. Foreigners may import Lobsters and Turbots.

XIV. Provided nevertheless, That nothing in this Act contained shall be construed to prohibit the importation of Anchovies, Sturgeon, Botargo, or Cavear, nor selling of Mackarel before or after Divine Service on Sundays. Anchovies, Sturgeon, &c. not prohibited.

XV. Provided always, That nothing in this Act contained shall be construed to take away an ancient Duty of Cod and Ling, payable to the Kings of this Realm, for the Service of their Household, by such Merchants as trade to Westmouney and Iseland, but that the same may be taken by his Majesty's Officers, in such Manner as the same hath been lawfully used to be taken before the making of this Act. Cod and Ling continued as usual. Further Provisions for the Preservation of the Fishery.

variation and Improvement of the Fishery, 4 Ann. c. 21. 9 Ann. c. 26. 1 Geo. 1. Stat. 2. c. 18. 5 Geo. 1. c. 18. 23 Geo. 2. c. 25. 26 Geo. 2. c. 9. 30 Geo. 2. c. 21 & 30. and 33 Geo. 2. c. 27.

An Act to encourage the Trade to *Newfoundland*.

WHEREAS the Trade of and Fishing at *Newfoundland* is a beneficial Trade to this Kingdom, not only in the employing great Numbers of Seamen and Ships, and exporting and consuming great Quantities of Provisions and Manufactures of this Realm, whereby many Tradesmen and poor Artificers are kept at work, but also in bringing into this Nation, by Returns of the Effects of the said Fishery from other Countries, great Quantities of Wine, Oil, Plate, Iron, Wooll, and sundry other useful Commodities, to the Increase of his Majesty's Revenue, and the Encouragement of Trade and Navigation; 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 from henceforth it shall and may be lawful for all his Majesty's Subjects residing within this his Realm of *England*, or the Dominions thereunto belonging, trading or that shall trade to *Newfoundland*, and the Seas, Rivers, Lakes, Creeks, Harbours in or about *Newfoundland*, or any of the Islands adjoining or adjacent thereunto, to have, use, and enjoy the free Trade and Traffick, and Art of Merchandize and Fishery, to and from *Newfoundland*, and peaceably to have, use, and enjoy, the Freedom of taking Bait and Fishing in any of the Rivers, Lakes, Creeks, Harbours, or Roads, in or about *Newfoundland*, and the said Seas, or any of the Islands adjacent thereunto, and Liberty to go on Shore on any Part of *Newfoundland*, or any of the said Islands for the curing, salting, drying, and husbanding of their Fish, and for making of Oil, and to cut down Wood and Trees there for building and making or repairing of Stages, Ship-rooms, Trainfats, Hurdles, Ships, Boats, and other Necessaries for themselves and their Servants, Seamen, and Fishermen, and all other Things which may be useful or advantageous to their Fishing Trade, as fully and freely as at any Time heretofore hath been used or enjoyed there by any of the Subjects of his Majesty's Royal Predecessors, without any Hindrance, Interruption, Denial or Disturbance of or from any Person or Persons whatsoever; and that no Alien or Stranger whatsoever (not residing within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*) shall at any Time hereafter take any Bait, or use any Sort of Trade or Fishing whatsoever in *Newfoundland*, or in any of the said Islands or Places abovementioned.

King's Subjects
to have free
Trade to New-
foundland.

No Alien to bait
or fish in New-
foundland.

No Ballast, &c.
to be thrown out
of any Ship into
the Harbours,
but carried on
Shore.

No Person to de-
stroy any Stage
or Cook Room,
&c.

Every Fishing
Ship first entering
Harbour, shall
be Admiral during
that fishing
Season, &c.

Second Ship
Vice Admiral.
Next Ship
Rear Admiral.

Person possessed
of several Places
shall make his
Election which
to abide in,
and give his Re-
solution to any
After-comer in
48 Hours after
Demand.

In case of Diffe-
rence, Admirals
to proportion the
Place,

II. And for the preserving the said Harbours from all Annoyances; be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred, now next coming, no Ballast, Prest Stones, or any Thing else hurtful to or annoying any of the Harbours there, shall be thrown out of any Ship or otherwise, by any Person or Persons whatsoever, to the Prejudice of any of the said Harbours, but that all such Ballast and other Things shall be carried on Shore, and be laid where they may do no Annoyance.

III. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall (at his Departure out of the said Country, or at any other Time) destroy, deface, or do any Detriment to any such Stage or Cook-room, or to the Flakes, Spikes, Nails, or any other Thing whatsoever thereto belonging, as he or they shall fall into at his or their coming into the said Country, but that he or they shall (during his or their Stay there) content him and themselves with such Stage or Stages only as are needful for him or them, and shall also at his or their Departure thence) leave all such his or their Stage or Stages, without doing or causing to be done any wilful Damage to any of them; and that for the repairing of such Stage or Stages as he or they shall so take, during his or their Abode there, the same shall be done with Timber fetcht out of the Woods there, and not by the ruining, breaking down, demolishing, prejudicing, or any wise injuring the Stage or Stages of any other Person or Persons whatsoever.

IV. And be it further enacted by the Authority aforesaid, That (according to the ancient Custom there used) every such Fishing Ship from *England*, *Wales*, or *Berwick*, or such Fishermen as shall, from and after the said twenty-fifth Day of *March*, first enter any Harbour or Creek in *Newfoundland*, in Behalf of his Ship, shall be Admiral of the said Harbour or Creek during that Fishing Season, and for that Time shall reserve to himself only so much Beech or Flakes, or both, as are needful for the Number of such Boats as he shall there use, with an Overplus only for the Use of one Boat more than he needs, as a Privilege for his first coming thither; and that the Master of every of such second Fishing Ship, as shall enter any such Harbour or Creek, shall be Vice Admiral of such Harbour or Creek during that Fishing Season; and that the Master of every such Fishing Ship next coming, as shall enter any such Harbour or Creek, shall be Rear Admiral of such Harbour or Creek during that Fishing Season; and that the Master of every Fishing Ship there, shall content himself with such Beech or Flakes, as he shall have necessary Use for, without keeping or detaining any more Beech or Flakes, to the Prejudice of any such other Ship or Vessel as shall arrive there; and that such Person or Persons as are possessed of several Places in several Harbours or Creeks there, shall make his or their Election of such Place as he or they shall choofe to abide in; and shall also, within eight and forty Hours after any After-comer or After-comers into such Place or Places shall demand such his or their Resolution touching such his or their Election (if the Weather will so soon permit, or so soon after as the Weather will permit) give or send his or their Resolution to such After-comer or After-comers, touching such his or their Election of such Place as he or they shall so choofe to abide in for the Fishing Season, to the End that such After-comer or After-comers may likewise choofe his or their Place or Places of his or their Abode there; and in case any Difference shall arise touching the said Matters, the Admirals of the respective Harbours where such Differences shall arise, or any two of them, shall Proportion the Place to the several Ships, in the several Harbours they fish in, according to the Number of Boats which each of the said Ships shall keep,

V. And

V. And whereas several Inhabitants in *Newfoundland*, and other Persons, have, since the Year of our Lord one thousand six hundred eighty-five, ingrossed and detained in their own Hands, and for their own private Benefit, several Stages, Cook-rooms, Beeches, and other Places in the said Harbours and Creeks (which before that Time belonged to fishing Ships, for taking of Bait, and fishing and curing their Fish) to the great Prejudice of the fishing Ships that arrive there in the fishing Season, and sometimes to the Overthrow of some of their Voyages, and to the great Discouragement of the Traders there; Be it further enacted by the Authority aforesaid, That all and every such Person and Persons, as since the said Year of our Lord one thousand six hundred eighty-five, have or hath taken, seized or detained any such Stage, Cook-room, Beech, or other Place for taking Bait or Fishing, or for the drying, curing or husbanding of Fish, shall on or before the said twenty-fifth Day of *March* relinquish, quit and leave, to the publick Use of the Fishing Ships arriving there, all and every the said Stages, Cook-rooms, Beeches and other Places for taking Bait and Fishing, and for the drying, curing and husbanding of Fish.

Persons who since 1685, have detained any Stage, Cook-room, &c. shall relinquish the same, to the publick Use of Fishing Ships, &c.

VI. And for the preventing the ingrossing and detaining of all such Stages, Cook-rooms, Beeches and other Places, by any Person or Persons for the Time to come; be it enacted by the Authority aforesaid, That no Fisherman or Inhabitant of *Newfoundland*, or any other Person or Persons whatsoever, shall, at any Time after the said twenty-fifth Day of *March*, seize, take up or possess any of the Stages, Cook-rooms, Beeches or other Places, which at any Time since the said Year of our Lord one thousand six hundred eighty-five, did or at any Time hereafter shall belong to any fishing Ship or Ships, for taking Bait or Fishing, or for drying, curing or husbanding of Fish, before the Arrival of the fishing Ships out of *England*, *Wales*, and *Berwick*, and until all such Ships shall be provided with Stages, Cook-rooms, Beeches and other Places for taking Bait and Fishing, and for drying, curing and husbanding of Fish.

No Fisherman or Inhabitant of *Newfoundland*, to possess any Stage &c. until all Fishing Ships be provided, &c.

VII. Provided always, That all such Persons, as since the twenty-fifth Day of *March* one thousand six hundred eighty-five, have built, cut out or made, or at any Time hereafter shall build, cut out or make, any Houses Stages, Cook-rooms, Train-fats, or other Conveniences, for fishing there that did not belong to fishing Ships since the said Year one thousand six hundred eighty-five, shall and may peaceably and quietly enjoy the same to his or their own Use, without any Disturbance of or from any Person or Persons whatsoever.

Proviso.

VIII. And be it further enacted by the Authority aforesaid, That all and every Person or Persons whatsoever, that shall go over with their Servants to *Newfoundland*, to keep Boats on a fishing Voyage, commonly called *By-boat Keepers*, shall not pretend to or meddle with any House, Stage, Cook-room, Train-fat, or other Conveniency, that did belong to fishing Ships since the Year one thousand six hundred eighty-five, or shall be cut out or made by Ships, from and after the said twenty-fifth Day of *March* one thousand seven hundred.

By-boat Keepers not to meddle with House, Stage, &c. belonging to any Fishing Ships.

IX. And be it further enacted by the Authority aforesaid, That every Master of a *By-boat* or *By-boats* shall carry with him at least two fresh Men in six (*viz.*) one Man that hath made no more than one Voyage, and one Man who hath never been at Sea before; and that every Inhabitant shall be obliged to employ two such fresh Men, as the *By-boat Keepers* are obliged for every Boat kept by them; and further, that all Masters of fishing Ships shall carry with them, in their Ship's Company, at least one such fresh Man that never was at Sea before, in every five Men they carry; and that the Master of each such *By-boat*, and each such fishing Ship, shall make Oath before the Collector, or other principal Officer of the Customs of the Port or Ports from whence such Ship intends to sail, that each Ship and *By-boat's* Company have such fresh Men therein as this Act directs; and that the said Officer or Officers is and are hereby impowered and required to administer the aforesaid Oath to the said Masters of Ships and *By-boats*, and give a Certificate thereof under his Hand, without any Fee, Gratuity or Reward for so doing.

And to carry 2 fresh Men in 6. Inhabitant obliged to employ 2 such fresh Men. Master of Fishing Ship to carry 1 fresh Man in 5. And make Oath thereof.

Certificate gratis.

X. And be it further enacted by the Authority aforesaid, That every Master or Owner of any fishing Ship going to *Newfoundland* (after the said twenty-fifth Day of *March*) shall have in his Ship's Company every fifth Man a *Green-man* (that is to say) not a Seaman, or having been ever at Sea before.

Every fifth Man a *Green-man*.

XI. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall at any Time, after the said twenty-fifth Day of *March*, obliterate, expunge, cut out, deface, or any wise alter or change the Mark or Marks of any Boat or Boats, Train-fat or Train-fats, belonging to any other Person or Person, whereby to defraud or prejudice the right Owner or Owners thereof, nor convert to his or their own Use any Boat or Boats, Train-fat or Train-fats, belonging to any other Person or Persons, without his or their Consent or Approbation, nor remove nor take away any such Boat or Train-fat from the Place or Places where they shall be left by the Owner or Owners thereof, except in Case of Necessity, and also upon giving Notice thereof to the Admiral of the Harbour or Place where such Boat or Train-fat shall be left by the Owner or Owners, to the End that the right Owners thereof may know what is become of them.

Marks of Boats or Train-fats not to be obliterated, &c.

without Consent of Owner.

XII. And be it enacted by the Authority aforesaid, That no Person or Persons whatsoever shall, at any Time after the said twenty-fifth Day of *March*, rind any of the Trees there standing or growing upon any Occasion whatsoever, nor shall by any Ways or Means whatsoever set on Fire any of the Woods of the said Country, or do or cause to be done any Damage, Detriment or Destruction to the same, for any Use or Uses whatsoever, except only for necessary Fuel for the Ships and Inhabitants, and for the building and necessary Repairs of Houses, Ships, Boats and Train-fats, and of the Stages, Cook-rooms, Beeches and other Places for taking Bait and Fishing, and for drying, curing and husbanding Fish there; and also that no Person or Persons whatsoever shall, at any Time after the said twenty-fifth Day of *March*, cast Anchor, or do any other Matter or Thing, to the Annoyance or hindring of the haling of Sayns in the accustomary

Standing Trees not to be rinded, nor Woods fired.

Necessary Fuel excepted, &c.

Sayns not to be annoyed,

accustomary baiting Places, or shoot his or their Sayn or Sayns within or upon the Sayn or Sayns of any other Person or Persons whatsoever; and also that no Person or Persons whatsoever shall, at any Time after the said twenty-fifth Day of *March*, steal, purloin or take out of the Net or Nets of any other Person or Persons whatsoever, lying adrift, or drover, for Bait by Night, nor steal, purloin or take away any Bait out of any fishing Boat or Boats, or any Net or Nets belonging to any other Person or Persons.

for Nets, Baits, &c. stolen,

XIII. And whereas several Persons that have been guilty of Thefts, Robberies, Murders and other Felonies upon the Land in *Newfoundland*, and the Islands thereunto adjacent, have many Times escaped unpunished, because the Trial of such Offenders hath heretofore been ordered and adjudged in no other Court of Justice, but before the Lord High Constable, and Earl Marshal of *England*: For Reformation thereof, and for the more speedy and effectual Punishment of such Offences for the Time to come, be it enacted by the Authority aforesaid, That all Robberies, Murders and Felonies, and all other capital Crimes whatsoever, which, at any Time or Times after the said twenty-fifth Day of *March* shall be done and committed in or upon the Land in *Newfoundland*, or in any of the Islands thereunto belonging, shall and may be enquired of, tried, heard, determined and adjudged in any Shire or County of this Kingdom of *England*, by virtue of the King's Commission or Commissions of *Oyer* and *Terminer*, and Gaol Delivery, or any of them, according to the Laws of this Land used for the Punishment of such Robberies, Murders, Felonies, and other capital Crimes done and committed within this Realm.

Robberies, &c. in Newfoundland may be tried in any County in England, by Commission of Oyer and Terminer.

XIV. And be it further enacted by the Authority aforesaid, That the Admirals of and in every Port and Harbour in *Newfoundland* for the Time being, be and are hereby authorized and required (in order to preserve Peace and good Government amongst the Seamen and Fishermen, as well in their respective Harbours, as on the Shore) to see the Rules and Orders in this present Act contained, concerning the Regulation of the Fishery there, duly put in Execution; and that each of the said Admirals do yearly keep a Journal of the Number of all Ships, Boats, Stages, and Train-fats, and of all the Seamen belonging to and employed in each of their respective Harbours, and shall also (at their return to *England*) deliver a true Copy thereof, under their Hands, to his Majesty's most Honourable Privy Council.

Admirals in Newfoundland to see the Rules &c. in this Act executed, keep a Journal, &c. and deliver a Copy thereof to the Privy Council.

XV. And be it further enacted by the Authority aforesaid, That in Case any Difference or Controversy shall arise in *Newfoundland*, or the Islands thereunto adjoining, between the Masters of fishing Ships and the Inhabitants there, or any By-boat Keeper, for or concerning the Right and Property of fishing Rooms, Stages, Flakes, or any other Building or Convenience for Fishing or curing of Fish, in the several Harbours or Coves, the said Differences, Disputes and Controversies, shall be judged and determined by the fishing Admirals, in the several Harbours and Coves; and in Case any of the said Masters of fishing Ships, By-boat Keepers or Inhabitants, shall think themselves aggrieved by such Judgment or determination, and shall appeal to the Commanders of any of his Majesty's Ships of War, appointed as Convoys for *Newfoundland*, the said Commander is hereby authorized and empowered to determine the same, pursuant to the Regulation in this Act.

Admirals to determine Differences between Masters of Fishing Ships and Inhabitants.

Party aggrieved may appeal.

XVI. And to the end that the Inhabitants, Fishermen, Seamen, and all and every other Person and Persons residing or being at *Newfoundland*, or any the said Islands, or other Places, may with all Devotion join in their solemn Prayers and Addresses to Almighty God, for the obtaining of his Blessing upon their Persons and Endeavours; Be it hereby enacted, That all and every the Inhabitants of *Newfoundland*, or the said Islands or Places adjacent near thereto, shall strictly and decently observe every Lord's Day, commonly called *Sunday*; and that none of the said Inhabitants (who keep any Tavern, Alehouse, or other publick House for Entertainment) shall entertain or sell, vend, utter or dispose of to any Fisherman, Seaman or other Person whatsoever, upon any Lord's Day or *Sunday*, any Wine, Beer, Ale, Cyder, strong Waters or Tobacco, or any other Liquor or Liquors whatsoever.

Inhabitants to observe the Lord's Day, and not sell any Liquors thereon.

XVII. And whereas by an Act of Parliament made in the eighth and ninth Years of his Majesty's Reign, intituled, *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage upon Merchandizes imported, for the Term of two Years and three Quarters, and an additional Land Tax for one Year, for carrying on the War against France*; and by another Act made in the ninth and tenth Years of his Majesty's Reign, intituled, *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage, towards the raising a yearly Sum of seven hundred thousand Pounds, for the Service of his Majesty's Household, and other Uses therein mentioned, during his Majesty's Life, an additional Duty of twelve Pence on every twenty Shillings Value of all Goods and Merchandizes imported (all Manner of Fish English taken excepted) is granted to his Majesty, his Heirs and Successors*: And whereas some doubt hath arisen, whether Oil, Blubber, and Fins, taken and imported by the Company of Merchants of *London* trading to *Greenland*, are not liable to the said Duty; Be it therefore enacted by the Authority aforesaid, That all Whale Fins, Oil, and Blubber, taken and imported by the Ships of the Company of Merchants of *London* trading to *Greenland*, were not nor are intended to be charged or made liable to the Duty of twelve Pence for every twenty Shillings Value of Goods imported, charged in the aforesaid Acts; but that the Whale Fins, Oil, and Blubber, taken and imported as aforesaid, and also all Whale Fins, Oil, and Blubber of *English* Fishing, taken in the Seas of *Newfoundland*, or any of the Seas belonging to any of his Majesty's Plantations or Colonies, and imported into this Kingdom by any of his Majesty's Subjects in *English* Shipping, were, and are hereby declared to be free of the said Duties, as all Fish of *English* taking; the aforesaid Acts, or any Thing therein contained to the contrary in any wise notwithstanding.

8 & 9 W. 3. c. 24.

9 & 10 W. 3. c. 23.

5 Geo. 2. c. 28. Whale Fins, Oil, and Blubber, imported by Greenland Merchants, not liable to the Duty of 12 d. per lb. charged in the Tunnage Acts, nor for Whale Fins, &c. taken in Newfoundland.

Further Encouragements to Greenland Trade,

1 Ann. St. 1. c. 15. 10 Geo. 1. c. 16. 12 Geo. 1. c. 25. §. 7. 5 Geo. 2. c. 28. 6 Geo. 2. c. 33. 13 Geo. 2. c. 28. §. 5. 22 Geo. 2. c. 45. 28 Geo. 2. c. 20.

C A P. XXVI.

An Act for opening the ancient and making any new Roynes and Watercourfes in and near *Sedgemore* in P. R. the County of *Somerſet*, for rendring the ſaid Moor more healthful and profitable to the Inhabitants.

Anno Regni GULIELMI III. undecimo.

AT the Parliament begun at *Westminster* the four and twentieth Day of *Auguſt*, Anno Dom. 1698. in the tenth Year of the Reign of our Sovereign Lord *William* the Third, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, &c. And from thence continued by ſeveral Prorogations and Adjournments, to the ſixteenth Day of *November* 1699, being the ſecond Seſſion of this preſent Parliament.

C A P. I.

An Act for taking away the Bounty Money for exporting Corn, from the ninth Day of *February* one thousand ſix hundred ninety-nine, to the nine and twentieth Day of *September* one thousand ſeven hundred.

Anno Regni GULIELMI III. undecimo & duodecimo.

C A P. II.

An Act for granting an Aid to his Maſteſty by Sale of the forfeited and other Eſtates and Interests in *Ireland*, and by a Land-Tax in *England*, for the ſeveral Purpoſes therein mentioned. 2 s. in the Pound.

WHEREAS ſoon after your Maſteſty and your late Royal Conſort of ever bleſſed Memory were graciously pleaſed to accept the Crown and Royal Dignity of this Kingdom, and the Dominions thereunto belonging, many of your Maſteſty's Subjects, contrary to their Duty and Allegiance, traitorouſly adhering to your Maſteſty's Enemies, levied and maintained, within your Realm of *Ireland*, a deſperate and bloody War and Rebellion againſt your Maſteſties, who by the Bleſſing of God upon your Maſteſty's Royal Conduct and Courage, and the Aſſiſtance and very great Expence of your Maſteſty's *Engliſh* Subjects, were reduced unto their due Obedience to the Crown of *England*: And where- as it is highly reaſonable, that the Eſtates of ſuch Rebels and Traitors ſhould be applied, in caſe of your Maſteſty's faithful Subjects of this Kingdom, to the Uſe of the Publick: We your Maſteſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, moſt humbly beſeech your Maſteſty, that it may be enacted; And be it enacted by the King's moſt excellent Maſteſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in Parliament aſſembled, and by the Authority of the ſame, That all and every the Honours, Manors, Baronies, Caſtles, Meſſuages, Lands, Tenements, Rents, Reverſions, Services, Remainders, Poſſeſſions, Royalties, Franchiſes, Juridiſdictions, Privileges, and Appurtenances thereunto belonging, or in any wiſe appertaining, Rights of Entry, Rights of Action, Titles, Conditions, Uſes, Truſts, Powers, and Authorities, Leaſes for Life, Lives, or Years, Penſions, Annuities, Rent-charges, and Hereditaments, whether Freehold, Copyhold, or of what Nature or Kind ſoever they be, within the ſaid Realm of *Ireland*, whereof any Perſon or Perſons, who ſtand convicted or attained of the ſaid High Treason or Rebellion, or other Treason committed in foreign Parts ſince the thirteenth Day of *February* one thousand ſix hundred eighty-eight, or who ſhall be convicted or attained of any ſuch Treason as aforeſaid, by or before the laſt Day of *Trinity* Term, which ſhall be in the Year of our Lord one thousand ſeven hundred and one, or who ſtand convicted or attained of High Treason, by reaſon of being found by Inquiſition to have died or been ſlain in actual Rebellion, ſince the ſaid thirteenth Day of *February* one thousand ſix hundred eighty and eight, was or were ſeiſed or poſſeſſed, or intereſted in, or intitled unto, on the thirteenth Day of *February* one thousand ſix hundred eighty-eight, or at any Time ſince, in their own Right, or to their own Uſe, or whereof any other Perſon or Perſons was or were ſeiſed or poſſeſſed, or intereſted in, to the Uſe of or in Truſt for them, or any of them, on the ſaid thirteenth Day of *February*, or at any Time ſince, or whereof the late King *James* the Second, or any in Truſt for him, or to his Uſe, was ſeiſed or poſſeſſed, or intereſted in, at the Time of his Acceſſion to the Crown of *England*, and all Judgments, Statutes, Recognizances, Extents, Mortgages, and Securities for Money, Right of Redemption of Mortgages, or other Securities, Debts of Record, and other Debts, Specialties, Obligations, Goods, and Chattels, of what Nature or Kind ſoever, which any of the ſaid Perſons ſo convicted or attained, or to be convicted or attained, were poſſeſſed of, or intereſted in, in their own Right, or any other in Truſt for them or any of them, ſtood poſſeſſed of, or intereſted in on the ſaid thirteenth Day of *February* one thousand ſix hundred eighty-eight, or at any Time ſince, ſhall be, and are hereby veſted and ſettled, and adjudged, declared, and taken to be in the actual and real Poſſeſſion and Seifin of Sir *Cyril Wyche* Knight, *Francis Anneſley* Eſquire, *James Hamilton* Eſquire, *John Baggs* Eſquire, *John Trenchard* Eſquire, *John Iſham* Eſquire, *Henry Langford* Eſquire,

All Lands, Tenements, &c. in *Ireland*, whereof any Perſons convicted or attained of Treason, &c. ſince 13 Febr. 1688.

or who died in actual Rebellion, were ſeiſed or intereſted in,

or whereof the late K. *James* II. was ſeiſed, &c. and all Judgments, Securities, Debts, &c. ſhall be veſted in the Truſtees following, and their Heirs, &c.

Esquire, *James Hooper* Esquire, *John Cary* Gentleman, *Sir Henry Sheeres* Knight, *Thomas Harrison* Esquire, *William Fellowes* Esquire, and *Thomas Rawlins* Esquire, (Trustees nominated and appointed for putting in Execution the Powers and Authorities herein after enacted relating to the said forfeited and other Estates and Interests in *Ireland*) and their Heirs, Executors, Administrators and Assigns respectively, from the second Day of *November* one thousand six hundred ninety and nine, according to the several Estates and Interests, which the said Persons convicted or attainted, or to be convicted or attainted, or any in Trust for them, or any of them, or to their or any of their Use or Uses, had therein on the said thirteenth Day of *February* one thousand six hundred eighty-eight, or at any Time afterwards, or the said late King, or any in Trust for him, had in any of the Premises at the Time of his Accession to the Crown of *England*, to the end the same may be bargained, sold, disposed of, and applied by the said Trustees, and the Survivors of them, to and for such Uses, Intents and Purposes, as are herein after expressed, mentioned and declared; and where any of the Person or Persons aforesaid were seized of an Estate Tail only in the said Honours, Manors, Baronies, Castles, Messuages, Lands, Tenements, Hereditaments, or other the Premises, either in Possession, Reversion or Remainder, the same are hereby enacted and declared to be vested in the said Trustees and their Heirs, in Fee-simple, to the End the same may be absolutely sold and disposed of as aforesaid; any thing herein before contained to the contrary thereof in any wise notwithstanding.

that the same may be sold, &c. for the Uses in this Act, Estates Tail vested in the said Trustees, &c. to be sold.

All Grants, &c. since the said 13 Febr. 1688. under the Great Seal, &c. or by Act of Parliament in *Ireland*, of any of the said forfeited Estates, or of the Estate of the said late K. James II. declared null and void.

But Grantees not accountable for the Profits of such Lands, Tenements, &c.

Persons having Right or Interest in any of the Estates vested in the said Trustees, or if their Heirs, &c. have surrendered such Estate, &c. and accepted a new Grant thereof, such Persons are restored, &c.

But not to prejudice any Estate, Right, &c. of Persons comprized in the Articles of *Limerick* or *Galloway*, &c.

nor any Person's personal Estate, who submitted, &c.

II. And for the avoiding all Grants, Alienations and Dispositions, at any Time since the said thirteenth Day of *February* one thousand six hundred eighty-eight, made or granted of the said forfeited or forfeitable Estates or Interests, or of any other the Premises, or any Part or Parcel thereof, or of all or any the Quit-Rents, Crown-Rents, Composition-Rents, or Chiefries belonging to the Crown of *Ireland*; Be it enacted, That all and every Grant, Demise, Surrender, Release, Custodiam, Lease, Confirmation, or other Alienation or Disposition whatsoever, at any Time since the said thirteenth Day of *February* one thousand six hundred eighty-eight, made or granted, or mentioned to be made or granted under the Great Seal of *England* or *Ireland*, or Seal of the Exchequer in *Ireland*, or by any Act or Acts of Parliament in *Ireland*, or otherwise, of any of the said forfeited or forfeitable Estates or Interests, or of the Estate of the said late King JAMES, or any Part thereof, or of any the Quit-Rents, Crown-Rents, Composition-Rents, or Chiefries, belonging to the Crown of *Ireland*, shall be and are hereby declared to be null and void to all Intents and Purposes whatsoever.

III. Provided nevertheless, that nothing herein contained shall be construed or taken to make any such Grantees, their Heirs, Executors, Administrators or Assigns, accountable for the Rents, Issues and Profits of any such Honours, Manors, Baronies, Castles, Messuages, Lands, Tenements, Rents and Hereditaments, by them or any of them had, received, or taken, by or before the said second Day of *November* one thousand six hundred ninety and nine, but that they and every of them, may have, retain, keep and possess the same to their own Uses, as well against your Majesty, your Heirs and Successors, as against the said Trustees herein before named, and the Survivors of them, and the Heirs, Executors and Administrators of such Survivor, without any Account to be rendered for the same.

IV. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons, having any Estate, Right, Title or Interest, in or to any of the Estates or Interests, so as aforesaid vested in the said Trustees, before and upon the said thirteenth Day of *February* one thousand six hundred eighty-eight, or if the Heirs, Executors, Administrators or Assigns of any such Person or Persons have or hath surrendered or released unto his Majesty and the late Queen, or unto his Majesty, such Estate, Right, Title or Interest, and since accepted from his Majesty and the said late Queen, or from his Majesty, any new Grant or Demise thereof, every such Person is hereby declared to be restored to the same Estate, Right, Title or Interest, which he might or would have had in or to such Premises, if no such Surrender or Release had been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

V. Provided also, that nothing herein before contained shall be construed to take away, impeach, or prejudice any Estate, Right, Title, Interest, Claim or Demand whatsoever, which any Person or Persons (who by virtue or in pursuance of any pretended Authority, Power or Jurisdiction of the Council Board in *Ireland*, or of any Commission under the Great Seal of *Ireland* for that Purpose, hath or have been adjudged to be comprized within, or to be intitled unto, the Benefit of the Articles of *Limerick* or *Galloway*) or the Heirs, Executors, Administrators or Assigns of any such Person or Persons had, have, hath or may claim, in, to or out of any Part of the said forfeited or forfeitable Premises; and for composing the Minds of all your Majesty's Subjects concerned therein, every such Adjudication is hereby confirmed.

VI. Provided also, that nothing herein contained shall impeach or prejudice any Property or Interest of any Person or Persons in or to any Goods or personal Chattels whatsoever, who in pursuance of any Declaration of their Majesties, submitted to their Majesties Authority, by the Time therein prescribed, upon any Assurance therein contained, to be secured in their Goods, and all their Chattels personal whatsoever, in case of such Submission.

The Rest of this Act, relating to the Trust, which is executed, is omitted.

Trustees to take the Oaths *W. & M. ff. 1. c. 8.* And appoint Registers, &c. who are to take an Oath, and not to purchase any Part of the Premises. Trustees may meet and act at such Places in *Ireland* as they think fit, may send for Persons, Writings, &c. and administer Oaths. All Sheriffs, Bailiffs, &c. are to obey their Orders. Trustees may act and determine by Examinations on Oath, &c. inform themselves of the Names of Persons convicted or attainted, and of all real and personal Estates, and by whom forfeited,

forfeited, and of all Incumbrances, &c. Persons neglecting or refusing to appear before Trustees, may be committed to the County Gaol. Officers not obeying Trustees Precepts may be fined. Persons making Discovery of Debts due to convicted or attainted Persons, and paying two thirds thereof, shall be discharged of the intire Debt, but neglecting to make such Discovery, shall forfeit double. Allowance for Discovery. Forfeiture on Neglect. Trustees may make Compositions touching such Debts. Persons who shall discover any real or personal Estate concealed, shall have 5 s. per Pound out of such personal Estates, and out of the real Estates a like Proportion, &c. Discoverers Names shall be certified to the Lords Justices of Ireland. Goods, Chattels, &c. sold by his Majesty's Commission, shall be good. Persons not convicted or attainted before the last Day of Trinity Term 1701. shall not be prosecuted for Treason committed during the Rebellion in Ireland. All Persons, except the King and those claiming under him, and except the forfeiting Persons, &c. having any Right, Title, &c. in any the Lands, Tenements, &c. so vested in the Trustees, shall by 10 August 1700. enter their Claims thereunto, or in Default thereof, such Right, Title, &c. shall be void. Claimants shall answer their Claims upon Oath, and produce Writings and Witnesses. Persons concerned, residing in England, Judges there may administer Oath. If such Claim be not allowed by the Trustees, Claimants shall be for ever barred. Claimants making good their Claims, Trustees to allow thereof. Trustees shall be a Court of Record, and their Judgments final. Claims allowed may be certified by the Trustees, and such Certificate, &c. shall be allowed as Evidence. No Rights, &c. so allowed, shall ever after be called in Question. All Conveyances of Lands in Ireland, since 29 May 1686. by Persons since convicted, &c. being private Trusts, except Settlements before Marriage, declared fraudulent: And no Claim to be allowed thereupon. Trustees shall before 25 March 1702. sell the Estates vested in them, &c. not claimed, and Estates claimed as soon as the Claims shall be determined, giving 14 Days Notice, &c. Any Persons, &c. may purchase, &c.

XXV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Bodies Politick and Corporate, and their Heirs, Successors, Executors, Administrators and Assigns, making any such Purchase, and having any such Conveyance and Assurance as aforesaid, and causing the same to be inrolled as aforesaid, within the Space of six Months next after the Date thereof, shall be, and is hereby adjudged to be, in the actual Seisin and Possession of such Parts or Parcels of the Premises as shall be so purchased and conveyed: And the said Trustees, or any seven or more of them, are hereby authorized and empowered (if Need be) to issue out their Precept or Precepts to the Sheriffs, or other proper Officer or Officers, of and in the respective Counties, thereby commanding them to cause Possession to be delivered to such Purchaser or Purchasers, his, her or their Heirs, Successors, Executors, Administrators and Assigns, or to whom they or any of them shall appoint; and all and every such Purchaser or Purchasers, his, her or their Heirs, Successors, Executors, Administrators or Assigns, shall hold and enjoy the same for such Estate and Interest therein respectively, as shall be conveyed by the said Trustees, or any seven or more of them, in such Indenture of Bargain and Sale, freed and discharged of and from all Arrears of Quit-Rents, Crown-Rents and Chiefries, at any Time accrued or to grow due before the Date of such respective Conveyances, and of and from all other Claims and Demands of his Majesty, his Heirs and Successors, and of the said Trustees, their Heirs, Executors, Administrators and Assigns, and of all and every other Person and Persons whatsoever (other than and except such Claims and Demands which shall be allowed by the said Trustees, or any seven or more of them, on the Determination of such Claims as aforesaid) and also freed and discharged of and from any Breach of Trust, which can or may be pretended to be committed by the said Trustees, in not strictly pursuing the Powers or Directions given by this Act: Nevertheless the said forfeited Estates shall after such Sale or Sales thereof be held of the King's Majesty, his Heirs and Successors, as of his Castle of Dublin, by free and common Socage Tenure, and shall be subject from the Time of the Date of such respective Sale and Conveyance, to such Crown-Rents, Quit-Rents, and Chiefries issuing thereout respectively, as the same were respectively liable to and charged with on the said thirteenth Day of February one thousand six hundred eighty-eight; all which Quit-Rents, Crown-Rents and Chiefries, and all other the Quit-Rents, Crown-Rents and Chiefries belonging to the said Crown of Ireland, on the said thirteenth Day of February one thousand six hundred eighty-eight, shall for ever hereafter remain and be for the Support and Maintenance of the Government of the said Kingdom of Ireland, and shall be and are hereby enacted and declared to be unalienable; and all Grants, Charges and Incumbrances since the said thirteenth Day of February, made or at any Time or Times hereafter to be made of the same, or any Part thereof, or wherewith or whereby to affect, charge or incumber the same, or any Part thereof, with any Annuity, Pension, Rent, Debt, Sum or Sums of Money, Charge or Incumbrance whatsoever, shall be and are hereby enacted and declared to be null and void to all Intents and Purposes whatsoever; nevertheless it is hereby declared and enacted, That if any Person or Persons, who shall have contracted for any such Purchase, shall not within the Time appointed pay the Sum of Money contracted for, every such Buyer shall forfeit one fifth Part of the Consideration-money contracted for; and the said Trustees, or any seven or more of them, may and shall proceed to a new Sale of all and every such Lands, Tenements and Hereditaments.

XXVI. Provided, That nothing in this Act contained shall make void any Grant of any Quit-Rents, or other Rents, made in Consideration of any just Debt or Debts released to the Crown, to the full Value of such Grant, or make void any Grant for Reduction or Abatement of any Quit-Rent, where such Abatement hath been made in Consideration of the Barrenness or Coarseness of any Lands out of which such Quit-Rents are issuing, or for their better Habitation or Improvement.

Purchasers having inrolled their Conveyances, adjudged to be actually seized of the Premises,

to be put in Possession by Sheriffs,

and hold the same clear of all Quit-Rents, &c. due before Date of Conveyances, &c.

Quit Rents to be apportioned by 1 Annæ stat. 2. c. 21. §. 1.

To be held of the King in Socage, as of his Castle of Dublin, &c.

Crown-Rents, &c. to be for the Support of the Government of Ireland, and shall be unalienable. Incumbrances thereon, since 13 Feb. declared void.

Contractors not paying their Money to forfeit a fifth Part.

In what Case Grants or Abatements of Quit-Rents shall be valid.

Farther provided for by 1 Ann. st. 1. c. 31 & 32. and 5 Ann. c. 25.

8 W. 3. c. 6.
8 W. 3. c. 7.
8 W. 3. c. 22.
9 W. 3. c. 38.
10 W. 3. c. 9.

Forfeited Estates, subject to Debts or Incumbrances, &c. may be sold. Persons possessed of any Lands, &c. vested in the Trustees, shall give an Account thereof. Penalty. How Fines, &c. shall be sued for. No Protection, &c. shall hinder Prosecution. Trustees not accountable for any Rents, &c. of the said Estates. Purchasers of any forfeited Estates since 13 February 1688. discharged of such Part of the Purchase-money unpaid. Allowance to such Purchasers as shall prove Payment of their Money, &c. Trustees to certify the Proportions, &c. No Allowance to be made to Purchasers, who by Perception of Profits have been satisfied their Purchase-money. Persons having received such Purchase-money, liable to pay the Surplus. Such as have entred on any forfeited Estates, without Grant thereof, shall answer the Value of the Profits, &c. or forfeit. But discovering the same, shall be discharged, &c. The said Estates not charged with Arrears of Rent, &c. during the late War in *Ireland*. Defaulters not claiming their Right, &c. to the said forfeited Estates, &c. Rent, &c. to be paid into the Exchequer, or in Default forfeited. In case of Death surviving Trustees to execute this Act. Debentures, Tallies, &c. shall be taken as Sterling Money in purchasing the said Estates. Interest shall be allowed on the Tallies, &c. Debentures, &c. so taken in, shall be registred, and cancelled, and an Account thereof transmitted to the Exchequer in *England*. Allowance of 1500*l.* per Annum to each of the said Trustees, payable quarterly. Officers, &c. who have taken Grants of forfeited Estates in lieu of Arrears, &c. and released his Majesty, shall be intitled to such Arrears, &c. as if not released. Trustees may convey Church Livings forfeited, to such Trustees as the Bishop of the Diocese shall nominate, &c. Proviso for a Grant of 1500*l.* for Repair of Churches in *Limerick*. And for the Grant of the Earl of *Romney*, &c. And for the King's Grant to Colonel *Richard Gorges*, &c. *Charles* Lord *Baltimore* being outlawed by Mistake may reverse the same, &c. Proviso for *Edward Gohagan*. Clause for selling the forfeited Estate of *William* late Earl of *Limerick*, &c. Lady *Kenmare* and her Children, and the Wife of *Dudly Bagnal*, not to be prejudiced; nor *Anne* Wife of *Christopher* late Lord *Slane*, of her Jointure, &c. nor Sir *Thomas Prendergast*, or *Francis de la rue* Esquire. Proviso for Grants made to Dr. *John Leslie*, *John Baker*, and *James Roch*, for eminent Services, &c. And for saving the Grant, &c. to Sir *Christopher Wandesford* from the Natives of *Idough*, &c. and the Grant in Trust for the Children of Sir *Charles Porter*. Debts or Monies owing to Persons attainted, payable by *James Duke of Ormond*, &c. remitted. Proviso for the Portions and Maintenance of the Daughters of Sir *Valentine Brown*, &c. Proviso for 6000*l.* among the Daughters of *Calaghan* Earl of *Clancarty*, &c. Proviso for *Dorothy* Baroness Dowager of *Upper Ossory*, &c. Commissioners of this Act shall be Commissioners for the Act on Marriages, Births, and Burials, and for the Duties on Houses, during the Continuance of those Acts.

No Member of Parliament shall after 24 June 1700. be a Commissioner or Farmer of the Excise, or a Commissioner of Appeals, or Controller, or Auditor of the said Duty.

CL. And be it enacted by the Authority aforesaid, That no Member of the House of Commons in this present or any future Parliament, during the Time of his being a Member of Parliament, shall from and after the said four and twentieth Day of *June* one thousand seven hundred, be capable of being a Commissioner or Farmer of the Duty of Excise upon Beer, Ale and other Liquors, or of being a Commissioner for determining Appeals concerning the said Duty, or controlling or auditing the Account of the said Duty, or of holding or enjoying in his own Name, or in the Name of any other Person in Trust for him or for his Use and Benefit, or of executing by himself or his Deputy, any Office, Place or Employment, touching or concerning the farming, collecting or managing the said Duty of Excise.

Such Persons incapable of sitting in the Houle of Commons,

CLI. And be it further enacted, That if any Member of the House of Commons in this present or any future Parliament, during the Time of his being a Member of Parliament, shall at any Time after the said four and twentieth Day of *June*, by himself or his Deputy, or any other in Trust for him, or for his Benefit, take, enjoy or execute any Office, Place or Employment, touching or concerning the farming, managing or collecting the said Duty of Excise, or determining Appeals concerning the said Duty, or controlling or auditing the Accounts of the same, such Person is hereby declared and enacted to be absolutely incapable of sitting, voting or acting as a Member of the House of Commons in such Parliament.

but not to disable any present Member till after 24 June.

CLII. Provided always, and be it hereby declared, That nothing herein before contained shall extend, or be construed to extend (during the Continuance of this Parliament) to the disabling any Person, at present a Member of the House of Commons, from being concerned in the managing, farming or collecting the said Duties of Excise, or in determining Appeals concerning the same, or in controlling or auditing the Accounts thereof, so as such Person shall not, after the said four and twentieth Day of *June* one thousand seven hundred, sit, vote or act in the said House; any thing herein before contained to the contrary notwithstanding.

King's Tenants returned into the Exchequer for Rent actually paid, shall be discharged on producing Receipt.

CLIII. And be it further enacted by the Authority aforesaid, That if any Tenant of his Majesty or shall be hereafter, by Neglect or Mistake, returned into his Majesty's Court of Exchequer, for any Rent which hath been actually paid, that then and in every such Case, on producing the Receipt for the said Rent from the Receiver, or other proper Officer, the Treasurer, Remembrancer, Clerk of the Pipe, and other proper Officers, are hereby authorized and required, without Fee or Reward, to discharge such Tenant's Name upon the several Rolls where such Rent is charged, so that the said Rent, by Neglect or Mistake returned into the Exchequer as aforesaid, shall be no more given in Charge to any Sheriff whatsoever.

C A P. III.

An Act for laying further Duties upon Wrought Silks, Muslins, and some other Commodities of the *East Indies*, and for enlarging the Time for purchasing certain reverſionary Annuities therein mentioned.

Most-Gracious Sovereign,

MA Y it please your most Excellent Majesty, we your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, as a further Supply for your Majesty's Occasions in this Act mentioned, have cheerfully and unanimously given and granted, and do hereby give and grant to your Majesty the further Rates, Payments, Duties, and Sums of Money herein after mentioned. And he 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 Authority of the same, That for and upon all wrought Silks, and for and upon all Bengals and Stuffs made of or mixed with Silk or Herba, of the Manufacture of *Persia*, *China*, or the *East Indies*, and for and upon all Calicoes painted, dyed, printed or stained there, which from and after the five and twentieth Day of *March* one thousand seven hundred, and before the thirtieth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and one, shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, by any Person or Persons, or Bodies Politick or Corporate whatsoever, there shall be yielded and paid to his Majesty (over and above all Customs, Subsidies, Impositions and Duties already due and payable for the same) a further Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value of the said Goods, to be ascertained as is herein after mentioned; and for and upon all Muslins which from and after the said five and twentieth Day of *March* one thousand seven hundred, and before the thirtieth Day of *September* one thousand seven hundred and one, shall be imported or brought into the Kingdom, Dominion or Town aforesaid, there shall be yielded and paid to his Majesty (over and above all other Duties now payable for the same) a further Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value of the said Muslins, to be also ascertained as is herein after mentioned.

All wrought Silks, &c. on which a Duty was granted by this Act, were prohibited (after Expiration hereof) by a subsequent Act of this Session, c. 10. but the Duty of 15 l. per Cent. on Muslins is further continued until 1706. by 12 & 13 W. 3. c. 11. Further Duties laid on wrought Silks, Bengals, &c. From 25 March 1700 to 30 Sept. 1701. 15 l. per Cent. 'Explained as to

Muslins and Calicoes 12 & 13 W. 3. c. 11. § 14. farther continued by 3 & 4 Annæ, c. 4. 6 Annæ, c. 22. and perpetuated by 7 Annæ, c. 7. §. 26.' The like Duty on Muslins.

II. And for the better raising, levying and securing the said Duties, after the Rate of fifteen Pounds in the hundred, it is hereby further enacted, That upon the Importation of any such Goods as aforesaid liable thereunto, an Entry or Entries thereof shall be made in the Custom-house where such Goods shall be imported, and before the landing thereof the Importer or Importers of the same shall give Security by Bond, with two or more sufficient Sureties (which the Commissioners or proper Officers of the Customs are hereby required or impowered to take) for Payment of the said Duties after the Rate of fifteen Pounds in the hundred upon the said Goods, as soon as the same shall be sold, and for exposing the Goods so imported to Sale openly and fairly, by way of Auction, or by Inch of Candle, within the City of *London*, within the Time of twelve Months after the Importation thereof.

Goods to be entered at the Custom house where imported. Importer to give Security for Payment of Duty. 'These 12 Months enlarged to 3 Years by 7 Geo. 1. Stat. 1. c. 21. §. 11.'

III. And it is hereby enacted and declared, That the Value of the said Goods, according to which the said Rate is to be paid, shall be reckoned according to the gross Price at which such Goods shall be sold; and that in case any such Goods shall be landed or put on Shore out of any Ship or Vessel, before due Entry be made thereof at the Custom-house in the Port or Place where the same shall be imported, and the Duties hereby imposed shall be secured as aforesaid, or without a Warrant for the landing or delivering of the same first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively, that all such imported Goods as shall be so landed or put on Shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited, and shall and may be recovered of the Importer or Proprietor thereof (to wit) two third Parts of the same to the Use of his Majesty, his Heirs, and Successors, and the other third Part to the Use of such Person or Persons as will seize the said Goods, or sue for the same, or the Value thereof, by Action, Bill, Suit, or Information, wherein no Effoin, Protection, or Wager of Law, shall be allowed.

How Goods shall be valued. Penalty on landing them before Entry.

IV. And it is hereby further enacted, That the said Duties of fifteen Pounds in the hundred shall be from Time to Time under the Management and Government of the Commissioners of the Customs for the Time being, who shall cause the same to be raised, levied, collected, and paid to the Hands of the Receiver or Receivers General of the Revenue of the Customs for the Time being; and such Receiver or Receivers General for the Time being shall answer and pay over all the Monies arising thereby (the necessary Charges of raising, collecting, and answering the same only excepted) into the Receipt of his Majesty's Exchequer, for the Purposes in this Act mentioned.

Commissioners of the Customs to manage these Duties. 'Made perpetual by 7 Annæ, c. 7. and Part of the Aggregate Fund, 3 Geo. 1. c. 8.'

V. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That in case the Goods or Merchandizes upon which the said further Duties of fifteen Pounds in the hundred are paid, or secured to be paid, as aforesaid, be again exported at any Time or Times within twelve Months after the Importation thereof, and that due Proof be first made upon Oath, that the Goods or Merchandizes, so exported, be the same for which the said Duties are paid, or secured to be paid as aforesaid, then and in such Case (and not otherwise) the same Duties shall, without any Delay or Reward, be wholly repaid by the Receiver General of his Majesty's Customs for the Time being, out of such Monies as shall be in his

Goods exported again, Duty to be repaid. 'These 12 Months are enlarged to 3 Years by 7 Geo. 1. Stat. 1. c. 21. §. 11.'

his Hands of the said Duties of fifteen *per Cent.* arising by this Act, unto the Person or Persons, Bodies Politick or Corporate, making the said Exportations, or the said Security shall be vacated, as to so much of the said Goods or Merchandizes as shall be so exported; any Thing in this Act, or in any former Act or Acts of Parliament, contained to the contrary notwithstanding.

Allowance on
prompt Pay-
ment.

VI. Provided also, and it is hereby enacted, That in case any of the said Goods which shall have been entred, and for which Security shall have been given as aforesaid, shall, within the Time hereby limited, be fairly sold by Way of Auction as aforesaid, that then the Importer paying down, in ready Money, his Majesty's said Duties of fifteen Pounds *per Centum* for such Goods, within twenty Days after such Sale, shall have an Allowance for such prompt Payment after the Rate of five Pounds for every hundred Pounds of the Duties so paid.

Persons having
or not having
Estates for Life
in Annuities of
141 *per Cent.*
per Ann.
6 & 7 W. 3.
c. 5.

VII. And for the more effectual raising the Money which is necessary for the Supply of your Majesty's Occasions before mentioned, we your Majesty's said dutiful and loyal Subjects do cheerfully and unanimously grant unto your Majesty a farther Aid, to arise by Contributions for Annuities, to be purchased in such Manner as is herein after expressed. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, having or not having any Estate for one Life, of and in any Annuity purchased or obtained at the Rate of one hundred Pounds for every fourteen Pounds *per Annum*, upon the several Acts of Parliament mentioned in an Act made and passed in the Parliament which was holden at *Westminster* the sixth and seventh Years of his Majesty's Reign, intituled, *An Act for enabling such Persons as have Estates for Life in Annuities, payable by several former Acts therein mentioned, to purchase and obtain further and more certain Interests in such Annuities; and in Default thereof, for admitting other Persons to purchase and obtain the same, for raising Money for carrying on the War against France*, at any Time before the second Day of *November* one thousand seven hundred, to contribute, advance, and pay into the Receipt of his Majesty's Exchequer, so much Money as every or any such Annuity, being computed for five Years, doth or shall amount unto (that is to say) every such Person having or being intituled to such Estate for Life, shall or may pay to his Majesty's Use, for every one hundred Pounds that was paid for the single Life in any Annuity of fourteen Pounds *per Annum* the Sum of seventy Pounds, for changing or converting the same into a certain Term for the Residue which shall be then to come of ninety-six Years, to be reckoned from the five and twentieth Day of *January* one thousand six hundred ninety-five, or for an Interest in such Annuity for the Residue of the said Term of ninety-six Years, to take effect after the said Estate for Life; and every Person not having such Estate for Life, shall or may contribute or pay to his Majesty's Use for every one hundred Pounds that was paid for the single Life in any such Annuity of fourteen Pounds *per Annum*, the like Sum of seventy Pounds for an Interest in such Annuity for the Residue of the said Term of ninety-six Years, to be charged with and subject to the present Estate for Life of and in the same Annuities respectively, and in the same Proportion there shall be paid a Rate or Consideration for higher or larger Annuities; and that all and every the Person or Persons so paying the Consideration Money as aforesaid, shall immediately, upon Payment of their Monies, be intituled by this Act to such Annuity or Annuities so to be purchased, and the same shall be charged upon such respective Fund or Revenue in the said former Act mentioned, as if the Consideration Money so to be contributed or advanced for the same, had been actually advanced or contributed within the respective Times limited by the said former Act.

may for 70 l.
change the same
into a Term cer-
tain for the Re-
sidue of 96
Years, &c.

Purchasers, on
Payment, inti-
tled to such An-
nuities, &c.

Powers, &c. in
6 & 7 W. 3.
c. 5. revived.

VIII. And it is hereby further enacted, That all and every the Directions, Powers, and Clauses in the said former Act contained, for or concerning the levying of Tallies, the making forth of Orders, or for making Transferences or Assignments, or for the apportioning or applying the Monies arising by the said Funds or Revenues, or any of them, or for appointing, settling, or establishing any other Matter or Thing for or in Relation to the respective Annuities thereby purchased or obtained, shall be and are by Force and Virtue of this Act revived, and shall be duly observed, practised, and put in Execution, for or in respect of such Annuities as shall be purchased and obtained upon this Act, as fully and effectually, as if the same Powers, Directions, and Clauses were here again expressed and particularly repeated.

Dr. Allix may
import 5000
Ream of great
Demy Paper,

IX. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for his Majesty, by any Warrant under his Royal Sign Manual, to be countersigned by any three or more of the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, to give Licence and Power to Doctor *Peter Allix*, or his Assigns, to import and bring into the Port of *London* any Quantity of Paper, called *Great Demy Paper*, to be used in the printing of a History of the several Councils to be set forth by the said Doctor *Allix*, not exceeding in the whole five thousand Reams, and that the Quantity of Paper, so licensed, shall and may be imported and passed, without Payment of any Custom, Subsidy, or other Duty for the same, upon the Importation thereof; any Law or Statute to the contrary notwithstanding.

Custom Free.

X. And whereas several Persons have purchased upon former Acts several Annuities, which were respectively to take effect after one Life, then supposed to be in being, for the Remainder of the said Term of ninety and six Years, and at the Time of the Purchase of such Annuities, some of the Nominees, upon whose Lives such Annuities depended, or were supposed to depend, or expect, were actually dead, but not known to be so: Be it enacted by the Authority aforesaid, That in case it shall appear to the Lord High Treasurer of *England*, or the Commissioners of his Majesty's Treasury for the time being, or any three or more of them, that any such Reversionary Annuity hath been so purchased as aforesaid, and at the Time of such respective Purchase, the Nominee or Nominees, upon whose Live or Lives such Reversion or Reversions did depend or were supposed to depend, or expect, was or were actually dead, that then and in such case, the respective Person or Persons that have so purchased such Reversion or Reversions, and his, her, or their Assignees thereof respectively, upon delivering up of the Tallies and

On Death of
Nominee,
Purchaser of the
reversionary An-
nuity to have a
new Talley and
Order, &c.

and Orders for such respective reversionary Annuities to the Officers of his Majesty's Exchequer, shall in lieu thereof there receive from them, by Warrant or Order from the said Lord High Treasurer, or Commissioners of the Treasury for the Time being as aforesaid, who are hereby impowered to grant the same, one or more Tallies or Orders for the like Reversion of the same yearly Sum or Annuity as is mentioned in such Tallies or Orders so to be delivered up, expectant and to commence upon the Death of a Nominee and Nominees who shall be then actually living; any Thing in this or any former Act or Acts of Parliament contained to the contrary notwithstanding.

XI. And whereas some of the said Nominees, for whose Lives some of the said Annuities are or have been held, cannot be found or heard of, and the Parties that are or were intituled to such Annuities do not come or send to demand the said Annuities, whereby it is become uncertain whether such Nominees be living or dead, or were so at the Time of the purchasing such Reversions, whereby the Titles of such Purchasers of such Reversions are become and will become disputable: For Remedy whereof, be it enacted by the Authority aforesaid, That in case any of the said Annuity or Annuities (whereupon the Reversion or Reversions are or shall be purchased, as aforesaid) are or shall not be demanded at the Exchequer for the Space of two Years next after the same shall become payable, and in case Certificates of the Life or Lives of any Nominee or Nominees, upon whose Life or Lives any Annuities do depend, shall not be produced to the Officers of his Majesty's Exchequer, or sufficient Proof made thereof, according to the Rules prescribed by the former Acts, within two Years next after the said Annuities shall from Time to Time become payable, then and from thenceforth, from and after the Expiration of the said two Years, such Nominee and Nominees, of whose Life or Lives no such Certificate shall be produced, or Proof made, shall be taken to be dead, and the Person or Persons that hath or shall hereafter purchase such Reversion or Reversions of such Annuity or Annuities, expectant upon the Death of such Nominee or Nominees, of whose Life or Lives no such Certificate shall be produced, or Proof made, shall receive the said respective Annuity and Annuities, from Time to Time, until such Certificate shall be produced, or Proof made, and shall not be accountable for such Part of the said Annuity as he shall then have actually received for Default of such Certificate or Proof; any Thing in this or in any former Act or Acts of Parliament contained to the contrary notwithstanding.

If Annuity be not demanded in 2 Years, nor Certificate produced of the Life of Nominee,

such Nominee, &c. shall be taken to be dead, and the Purchaser of the Reversion shall receive the same.

XII. And whereas by an Act of Parliament made and passed in the fourth Year of the Reign of his present Majesty and the late Queen MARY, intituled, *An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France*, it is (amongst other Things) enacted, That it shall and may be lawful for any Contributor, his Executors, Administrators, or Assigns, by any Writing under Hand and Seal, or by his last Will in Writing, to assign or devise any one or more Share or Shares of the Fund therein mentioned to any Person or Persons, and no such Assignment to be revocable, so as an Entry or Memorandum thereof be made in the Office of the Auditor of the Receipt within the Space of two Months after such Assignment or Death of the Devisor; and upon producing such Assignment or Will, the Party is to bring an Affidavit of the Execution thereof, to be filed, as is therein specified: And whereas in pursuance of an Act of Parliament made in the ninth Year of his Majesty's Reign, intituled, *An Act for enlarging the Time for purchasing certain Estates or Interests in several Annuities therein mentioned*, several reversionary Tallies have been struck, and Orders thereupon drawn, for Payment of reversionary Annuities, in the Name of Richard Earl of Ranelagh of the Kingdom of Ireland, and by him issued out to such Uses as in and by the said Act is directed; but some Doubt arising whether the Assignments made by the said Earl, on the Back of the said Orders, be according to the Form prescribed by the first recited Act, whereby the several and respective Assignees may not have such legal Titles to the said Tallies and Orders, as by the said last recited Act was intended they should, which may obstruct the Sale or conveying away the same, and their receiving any Annuity due or to grow due thereon; To the end therefore that all Persons who now are or at any Time hereafter shall or may be possessed of or interested in any of the said Tallies and Orders, may have and be invested in a good and lawful Title to the same, be it enacted by the Authority aforesaid, That all and every the said indorfed Assignments now made or hereafter to be made by the said Earl of Ranelagh, or other Person or Persons authorized to make the same, for conveying the said Tallies and Orders to such Persons, and to such Uses, as in the said recited Act are specified, and all other Assignments, whether indorfed or otherwise, made by virtue of and subsequent to such indorfed Assignments, so as an Entry or Memorandum of such subsequent Assignments be made in the said Office of the Receipt, before the nine and twentieth Day of September one thousand seven hundred, shall be and are hereby deemed and adjudged to be as good to all Intents and Purposes whatsoever in Law, as if each and every of the said Assignments had been executed in every Particular, pursuant to the Form and Manner in the first above recited Act more at large prescribed and enacted.

4 W. & M. c. 3.

9 W. 3. c. 24.

Indorfed Assignments made on Reversionary Tallies by the Earl of Ranelagh, &c. adjudged good.

Explained by 5 Geo. 1. c. 2. §. 3.

XIII. And whereas several Tickets, commonly called *Malt Tickets*, which are unpaid, and several of the Bills, commonly called *Exchequer Bills*, not discharged, are by Casualty or Mischance, burnt, lost, or otherwise destroyed; it is hereby further enacted, That in all Cases, where it shall appear by Affidavit to be made before any of the Barons of the *Exchequer*, that any such Ticket or Tickets, or any such Exchequer Bills, as aforesaid, before the third Day of April one thousand seven hundred, have been or are burnt, destroyed, or otherwise lost, it shall and may be lawful for the respective Officers appointed to pay or discharge the said Tickets or Bills, upon the producing a Certificate from the said Baron, of such Affidavit made before him (which Affidavit the said Barons or any of them is and are hereby authorized to take, and which Certificate he or they are hereby required to grant, without Fee or Reward) and on Security given to the said respective Officers to their good liking, to indemnify them respectively against all

Malt Tickets or Exchequer Bills burnt or lost, &c. shall be paid and discharged.

all other Persons whatsoever, for or concerning the Money contained or specified in such Ticket or Tickets, Bill or Bills, or which was due thereon, they the said Officers respectively shall, and are hereby required to pay and discharge the said Tickets or Bills, as he or they should have paid or discharged the original Tickets or Bills, if the same had been produced, and shall be allowed such Payment in their respective Accounts; any Thing in this or any other Act contained to the contrary hereof in any wise notwithstanding.

3 W. 3. c. 20.

XIV. And whereas in and by an Act made and passed in the eighth Year of his Majesty's Reign, intituled, *An Act for making good the Deficiencies of the several Funds therein mentioned, and for enlarging the capital Stock of the Bank of England; and for raising the publick Credit*, it was amongst other Things enacted, That no Assignment or Transference, which from and after the tenth Day of June one thousand six hundred ninety-seven should be made of any the Orders or Tallies therein mentioned, or any the Monies contained therein, upon the selling, buying, or bargaining of the same, should be good, unless such Assignment or Transference be made and signed, or sealed, and be, within ten Days after the signing thereof, entred or registred, and that Oath be thereupon made concerning the Premium, Gratuity, or Consideration in the Manner and Form prescribed by the said Act, as by the said Act, Relation being thereunto had, may more fully appear: And whereas the Provision so made concerning the Sale of Tallies and Orders, was at the Time of making thereof, and afterwards, of great Service to the Publick; but by reason such Tallies and Orders, as aforesaid, are now generally risen in their Value and Estimation, and the said Provision is become needless, and in some Respects inconvenient; Be it therefore enacted by the Authority aforesaid, That the Clauses of the said Act herein recited, for or concerning the making, entring, and registring such Assignments, as aforesaid, and for making Oath concerning the Premium, Gratuity or Consideration Money, as aforesaid, are and shall be repealed and utterly void, and that all Assignments made or to be made, of or upon any the said Orders or Tallies, shall be of such or the like Force and Effect, as the same would have been, if the said recited Clauses concerning the same, had not been inserted in the said Act; any Thing in the said Act contained to the contrary notwithstanding.

Part thereof repealed.

English Bone-lace, &c. may be exported into America or Scotland, &c. Custom Free.

XV. And whereas great Numbers of the Poor of this Kingdom are employed in the Manufacture of Bone-lace: For the Encouragement thereof, be it enacted by the Authority aforesaid, That from and after the first Day of May one thousand seven hundred it shall and may be lawful, for all Persons, Natives and Foreigners, to export to the *English* Plantations in *America*, or to any other Parts beyond the Seas, or into *Scotland*, all Sorts of *English* Bone-lace, Needle-work, Point or Cut-work without paying any Custom or Duty for the same, Oath being first made, that the same was made or manufactured within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*; any Law or Statute to the contrary in any wise notwithstanding.

Tallow Candles imported, on Exportation again, one Moiety of the Duties to be repaid.

Clause of Appropriation.

XVI. And whereas Tallow Candles imported into this Kingdom, are chargeable by several Acts of Parliament, with the Subsidies of Tunnage and Pondage, and other Impositions; Be it enacted by the Authority aforesaid, That from and after the tenth Day of April one thousand seven hundred the one Moiety and no more of all the said Subsidies and Impositions, payable only for such Tallow Candles as shall be exported, according to the Rules and Methods by the said Acts appointed, shall be repaid, or discharged upon the Security for the same; any Law or Statute to the contrary thereof in any wise notwithstanding.

One Year's Interest on Malt Tickets, &c.

Half-pay to disbanded Officers.

XVII. And be it enacted by the Authority aforesaid, That over and above the Sum of twenty-seven thousand Pounds, by another Act of this Session of Parliament, appointed to be paid for the Uses therein mentioned, out of the Money to be advanced by Farmers or Contractors for the Duties of Excise, and certain Duties upon Salt, upon a Farm or Contract (if any such shall be) for a Term not exceeding three Years, to commence from the four and twentieth Day of June next, there shall be and is hereby appropriated and applied out of such Advance Money a further Sum not exceeding twenty-five thousand Pounds, as well for discharging one Year's Interest upon the four and twentieth Day of June one thousand six hundred ninety-eight, upon the Tickets commonly called the *Malt Tickets*, as also to go in aid of the Arrears of the late Duties upon Malt, to make up the sixty-fifth Payment in Course of the *Malt Tickets*; that is to say, to compleat the sixty-fifth Sum of ten thousand Pounds payable thereupon; and the proper Officer and Officers concerned in the Payment of the said Tickets, are hereby required to indorse the Interest so paid upon every Ticket, and to keep a fair Account of such Payments in a Book for that Purpose; and if any of the said Tickets, or any of the Exchequer Bills, shall be applied to the purchasing of any forfeited Estates in *Ireland*, the same shall be first tried or proved with the Counterparts thereof in the respective Offices for the same in *England*, and be certified to be true Bills or Tickets by the proper Officers there; and such further Sum not exceeding twelve thousand Pounds, as shall be necessary for the discharging the Half-pay of disbanded Officers, to the five and twentieth Day of December one thousand seven hundred, shall (over and above the Sum of forty-one thousand Pounds already appropriated for the Half-pay of such Officers) be likewise furnished and supplied out of such Advance-money, to be paid by such Farmers or Contractors as aforesaid (if any such be) and all the rest and Residue of the said Monies to be advanced by such Farmers or Contractors as aforesaid (if any such be) is hereby appropriated, and shall be applied, to and for the making good of the several and respective Funds, and to the several and respective Uses and Purposes, whereunto the several Branches of the said Excise and Salt Duties are appropriated or directed by any Act or Acts of Parliament now in Force, and in the same Proportions, Order and Form, as the said Duties themselves are hereby appropriated or applicable; any Thing in this or any former Act or Acts of Parliament contained to the contrary notwithstanding.

XVIII. Provided

XVIII. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be law-^{20,000l. to-} for the Lord Treasurer, or the Commissioners of his Majesty's Treasury for the Time being, or ^{wards the Debt} any three or more of them, and they are hereby directed, to pay or cause to be paid out of the Money ^{for sick and} appropriated to the Use of the Navy for this present Year one thousand seven hundred, the Sum of twenty ^{wounded Sea-} thousand Pounds towards the discharging Part of the Debt due for sick and wounded Seamen; any Thing ^{men.} in this or any other Act to the contrary notwithstanding.

C A P. IV.

An Act for the further preventing the Growth of Popery.

WHEREAS there has been of late a much greater Resort into this Kingdom than formerly of Popish Bishops, Priests and Jesuits, and they do very openly, and in insolent Manner, affront the Laws, and daily endeavour to pervert his Majesty's natural-born Subjects, which has been occasioned, by neglect of the due Execution of the Laws already in Force: For preventing the further Growth of Popery, and of such treasonable and execrable Designs and Conspiracies against his Majesty's Person and Government, and the established Religion, as have lately, as well as frequently heretofore, been brought to light, and happily defeated by the wonderful Providence of God; 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 Authority of the same, That from and after the five and twentieth Day of *March* one thousand and seven hundred, all and every Person and Persons, who shall apprehend and take one or more Popish Bishop, Priest or Jesuit, and prosecute him or them so apprehended and taken, until he or they be convicted of saying Mass or of exercising any other Part of the Office or Function of a Popish Bishop or Priest within these Realms, shall have and receive from the Sheriff or Sheriffs of the County where such Conviction shall be made (without paying any Fee for the same) for every such Offender so convicted, the Sum of one hundred Pounds within four Months after such Conviction, and Demand thereof made, by tendering a Certificate to the said Sheriff or Sheriffs, under the Hand or Hands of the Judge or Justices before whom such Conviction shall be made, certifying the Conviction of such Popish Bishop, Priest or Jesuit, and also that such Popish Bishop, Priest or Jesuit, Popish Bishops, Priests or Jesuits, was or were taken by the Person or Persons claiming the said Reward: And in case any Dispute shall happen to arise between the Persons so apprehending any Popish Bishop, Priest or Jesuit, touching their Right and Title to the said Reward, that then the said Judge or Justices so respectively certifying as aforesaid, shall in and by their said Certificate direct and appoint the said Reward to be paid unto and amongst the Parties claiming the same, in such Share and Proportion as to the said Judge or Justices shall seem just and reasonable; and if it shall happen any such Sheriff or Sheriffs shall die, or be removed, before the Expiration of four Months after such Conviction and Demand made of the said Reward (not being paid as aforesaid) that then the next succeeding Sheriff or Sheriffs of the said County shall pay the same, within two Months after Demand, and Certificate brought as aforesaid; and if Default of Payment of the said Sum or Sums of Money shall happen to be made by any Sheriff or Sheriffs, such Sheriff or Sheriffs, so making Default, shall forfeit to the Person or Persons to whom such Money is due as aforesaid, two hundred Pounds, to be recovered by him or them, or his or their Executors or Administrators, in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein but one Imparance, and no Essoin, Protection or Wager of Law shall be allowed, with full Costs of Suit by him or them expended in the Recovery of the same.

100l. Reward for taking Popish Bishop, Priest, or Jesuit, &c. convicted of saying Mass, &c.

to be paid by the Sheriff, &c.

In case of Dispute about sharing the Reward, Judge to proportion the same.

Penalty on Sheriff making Default of Payment.

II. And it is hereby further enacted, That all Sheriffs, their Successors, Executors or Administrators, upon producing such respective Certificates, or a Duplicate or Duplicates thereof, shall have the Monies contained in such Certificate paid to them by the Lord Treasurer, or Commissioners of his Majesty's Treasury for the time being, out of the Revenue of the Crown.

Sheriffs to be repaid by the Treasury.

III. And for a further Remedy against the growth of Popery, over and beyond the good Laws already made, be it further enacted by the Authority aforesaid, That if any Popish Bishop, Priest or Jesuit whatsoever, shall say Mass, or exercise any other Part of the Office or Function of a Popish Bishop or Priest within these Realms, or the Dominions thereunto belonging, or if any Papist, or Person making Profession of the Popish Religion, shall keep School, or take upon themselves the Education or Government, or boarding of Youth in any Place within this Realm, or the Dominions thereunto belonging, such Person or Persons being thereof lawfully convicted, that then every such Person shall on such Conviction be adjudged to perpetual Imprisonment, in such Place or Places within this Kingdom, as the King by Advice of his Privy Council shall appoint.

Penalty on Popish Bishop, Priest, &c. saying Mass, &c. or keeping School, &c.

IV. And be it also further enacted by the Authority aforesaid, That from and after the nine and twentieth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred, if any Person educated in the Popish Religion, or professing the same, shall not within six Months after he or she shall attain the Age of eighteen Years, take the Oaths of Allegiance and Supremacy, and also subscribe the Declaration set down and express in an Act of Parliament made in the thirtieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*, to be by him or her made, repeated and subscribed in the Courts of *Chancery* or *King's Bench*, or Quarter-Sessions of the County where such Person shall reside, every such Person shall in respect of him or herself only, and not to or in respect of any of his or her Heirs or Posterity, be disabled and made incapable to inherit or take by De-

Papists not taking the Oaths in six Months after 18 Years of Age.

30 Car. 2. stat. 2.

Incapable to inherit any Lands, &c. Next of Kin, being a Protestant, to enjoy the same, and not accountable, &c. except for wilful Waste, ' Explained by 3 Geo. 1. c. 18. §. 4.

Papist, &c. incapable to purchase Lands, &c.

Act not to extend to Popish Priest saying Mass, &c. in foreign Minister's House, so as he be not King's natural-born Subject, &c. 3 Jac. 1. c. 5.

Person convicted of sending Child, &c. beyond Sea, to be educated in the Romish Religion, to forfeit 100 l.

Popish Parent refusing to allow his Protestant Child, &c. fitting Maintenance, on Complaint thereof, Lord Chancellor, &c. to make Order therein.

PR. 13 & 14 Car. 2. c. 27. ' Continued by 9 Geo. 1. c. 30. §. 1. to May 1744. and further continued for 21 Years by 11 Geo. 2. c. 7.

scant, Devise or Limitation, in Possession, Reversion or Remainder, any Lands, Tenements or Hereditaments, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*: And that during the Life of such Person, or until he or she do take the said Oaths, and make, repeat and subscribe the said Declaration in Manner as aforesaid, the next of his or her Kindred, which shall be a Protestant, shall have and enjoy the said Lands, Tenements and Hereditaments, without being accountable for the Profits by him or her received during such Enjoyment thereof as aforesaid: But in case of any wilful Waste committed on the said Lands, Tenements or Hereditaments, by the Person so having or enjoying the same, or any other by his or her Licence or Authority, the Party disabled, his or her Executors and Administrators, shall and may recover treble Damages for the same, against the Person committing such Waste, his or her Executors or Administrators, by Action of Debt in any of his Majesty's Courts of Record at *Westminster*; and that from and after the tenth Day of *April*, which shall be in the Year of our Lord one thousand seven hundred, every Papist, or Person making Profession of the Popish Religion, shall be disabled, and is hereby made incapable, to purchase, either in his or her own Name, or in the Name of any other Person or Persons, to his or her Use, or in Trust for him or her, any Manors, Lands, Profits out of Lands, Tenements, Rents, Terms or Hereditaments, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*; and that all and singular Estates, Terms, and any other Interests or Profits whatsoever out of Lands, from and after the said tenth Day of *April*, to be made, suffered or done, to or for the Use or Behoof of any such Person or Persons, or upon any Trust or Confidence, mediately or immediately, to or for the Benefit or Relief of any such Person or Persons, shall be utterly void and of none Effect, to all Intents, Constructions and Purposes whatsoever.

V. Provided always, That nothing in this Act contained shall be construed to extend to any Popish Priest for saying Mass, or officiating as a Priest, within the Dwelling-house of any foreign Minister residing here, so as such Priest be not one of his Majesty's natural-born Subjects, nor naturalized within any of his Kingdoms or Dominions, and so as the Name of such Priest, and the Place of his Birth, and the foreign Minister to whom he shall belong, be entered and registred in the Office of the principal Secretary of State.

VI. And whereas by an Act made in the third Year of King JAMES the First, intituled, *An Act to prevent and avoid Dangers which may grow by Popish Recusants*, whosoever shall be convicted of sending, or causing to be sent, any Child, or any other Person under their Government, into Parts beyond the Seas out of the King's Obedience, to the Intent that such Child or Person so sent should be educated in the Romish Religion, contrary to the said Act, is to forfeit one hundred Pounds, one Half to the King's Majesty, and the other Half to him that shall sue for the same: For the greater Encouragement and Reward of those who shall discover such Offenders, be it enacted by the Authority aforesaid, That the said Sum of one hundred Pounds shall be to the sole Use and Benefit of him or her who shall discover and convict any Person so offending, to be recovered in such Manner as in the said recited Act is enacted; any thing in the said Act to the contrary notwithstanding.

VII. And to the End that the Protestant Children of Popish Parents may not in the Life-times of such their Parents, for want of fitting Maintenance, be necessitated, in Compliance with their Parents, to embrace the Popish Religion, contrary to their own Inclinations; Be it enacted by the Authority aforesaid, That from and after the said five and twentieth Day of *March* one thousand seven hundred, if any such Parent, in order to the compelling such his or her Protestant Child to change his or her Religion, shall refuse to allow such Child a fitting Maintenance, suitable to the Degree and Ability of such Parent, and to the Age and Education of such Child, then upon Complaint thereof made to the Lord High Chancellor of *England*, or Lord Keeper of the Great Seal, or Commissioners for the Great Seal for the time being, it shall be lawful for the said Lord Chancellor, Lord Keeper, or Commissioners, to make such Order therein as shall be agreeable to the Intent of this Act.

C A P. V.

An Act for the Repair of *Dover* Harbour. From 1 *May* 1700. to 1 *May* 1709. Duty to be paid for all Ships, &c. from 20 to 300 Tuns, for every loading and discharging in *England*, for, from, to, or by *Dover*, &c. towards Repair of the Harbour, 3 *d.* per Tun. Aliens the like. Coals to pay Three Halfpence per Chaldron. Grindstones Three Halfpence per Tun. Number of Tuns to be made from Entry of Goods. No Goods to be entered till Oath made of Ship's Burthen, &c. Receivers of the Monies to keep Account thereof, and pay the same once a Month to the Cashier of the Customs at *London*, &c. who is to pay the same to the Treasurer of *Dover* Harbour, to be expended in Repair of the said Harbour. No Coaster or Fisherman to pay but once a Year. Warden, &c. to cause the Repair of the Harbour to be set upon, and give Order therein, &c. Treasurer may convey the Duties for five Years, for 6000 *l.* to be lent at 6 *l.* per Cent. Persons disbursing Monies for Repair of the Harbour, to be accountable on Oath. Account to remain in the Navy Office. If the Harbour be sufficiently repaired within the Time limited, Collection to cease. Ships belonging to *Weymouth*, &c. exempted, as also *Great Yarmouth*, and *Ramsgate*.

C A P. VI.

An Act to enable his Majesty's natural-born Subjects to inherit the Estate of their Ancestors, either lineal or collateral, notwithstanding their Father or Mother were Aliens.

WHEREAS divers Persons, born within the King's Dominions, are disabled to inherit and make their Titles by Descent from their Ancestors, by reason that their Fathers or Mothers, or some other Ancestor (by whom they are to derive their Descent) was an Alien, and not born within the King's Dominions: For Remedy whereof 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 and every Person or Persons, being the King's natural-born Subject or Subjects within any of the King's Realms or Dominions, shall and may hereafter lawfully inherit and be inheritable as Heir or Heirs to any Honours, Manors, Lands, Tenements or Hereditaments, and make their Pedigrees and Titles by Descent from any of their Ancestors lineal or collateral, although the Father and Mother, or Fathers or Mothers, or other Ancestor of such Person or Persons, by, from, through, or under whom he, she, or they shall or may make or derive their Title or Pedigree, were or was, or is or are, or shall be born out of the King's Allegiance, and out of his Majesty's Realms and Dominions, as freely, fully, and effectually, to all Intents and Purposes, as if such Father or Mother, or Fathers or Mothers, or other Ancestor or Ancestors, by, from, through, or under whom he, she, or they shall or may make or derive their Title or Pedigree, had been naturalized, or natural-born Subjects, or Subjects within the King's Dominions; any Law or Custom to the contrary notwithstanding.

King's natural-born Subjects shall inherit as Heirs to any Honours, Manors, &c. though their Parents were born out of the King's Dominions, &c.

C A P. VII.

An Act for the more effectual Suppression of Piracy.

WHEREAS by an Act of Parliament made in the twenty-eighth Year of the Reign of King HENRY the Eighth, it is enacted, That Treasons, Felonies, Robberies, Murders, and Conderacies committed on the Sea, shall be enquired of, tried, and determined according to the common Course of the Laws of this Land used for such Offences upon the Land within this Realm; whereupon the Trial of those Offenders before the Admiral, or his Lieutenant, or his Commissary, hath been altogether refused: And whereas, that since the making of the said Act, and especially of late Years, it hath been found by Experience, that Persons committing Piracies, Robberies, and Felonies on the Seas, in or near the East and West Indies, and in Places very remote, cannot be brought to condign Punishment without great Trouble and Charges in sending them into England to be tried within the Realm, as the said Statute directs, insomuch that many idle and profligate Persons have been thereby encouraged to turn Pirates, and betake themselves to that sort of wicked Life, trusting that they shall not, or at least cannot easily, be questioned for such their Piracies and Robberies, by reason of the great Trouble and Expence that will necessarily fall upon such as shall attempt to apprehend and prosecute them for the same: And whereas the Numbers of them are of late very much increased, and their Insolencies so great, that unless some speedy Remedy be provided to suppress them, by a strict and more easy Way for putting the ancient Laws in that Behalf in Execution, the Trade and Navigation into remote Parts will very much suffer thereby; Be it therefore declared and 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 Piracies, Felonies, and Robberies committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals have Power, Authority, or Jurisdiction, may be examined, inquired of, tried, heard and determined, and adjudged, according to the Directions of this Act, in any Place at Sea, or upon the Land, in any of his Majesty's Islands, Plantations, Colonies, Dominions, Forts, or Factories, to be appointed for that Purpose by the King's Commission or Commissions under the Great Seal of England, or the Seal of the Admiralty of England, directed to all or any of the Admirals, Vice-Admirals, Reer-Admirals, Judges of Vice-Admiralties, or Commanders of any of his Majesty's Ships of War, and also to all or any such Person or Persons, Officer or Officers, by Name, or for the Time being, as his Majesty shall think fit to appoint; which said Commissioners shall have full Power jointly or severally, by Warrant under the Hand and Seal of them, or any one of them, to commit to safe Custody any Person or Persons, against whom Information of Piracy, Robbery, or Felony upon the Sea, shall be given upon Oath (which Oath they or any one of them shall have full Power, and are hereby required to administer) and to call and assemble a Court of Admiralty on Ship-board, or upon the Land, when and as often as Occasion shall require; which Court shall consist of seven Persons at the least.

28 H. 8. c. 15. Amended by 18 Geo. 2. c. 30.

1 Hal's P. C. 355. Vin. V. 16: 352.

How and where Piracies, Felonies, &c. committed on the Sea may be tried.

By 4 Geo. 1: c. 11. §. 7. Offenders against this Act may be tried as directed by 28 H. 8. c. 15.

Admiralty Court to consist of seven Persons.

II. And if so many of the Persons aforesaid cannot conveniently be assembled, be it further enacted by the Authority aforesaid, That any three of the aforesaid Persons (whereof the President or Chief of some English Factory, or the Governor, Lieutenant Governor, or Member of his Majesty's Councils in any of the Plantations or Colonies aforesaid, or Commander of one of his Majesty's Ships, is always to be one) shall have full Power and Authority, by virtue of this Act, to call and assemble any other Persons on Ship-board, or upon the Land, to make up the Number of seven.

III. Provided, That no Persons but such as are known Merchants, Factors, or Planters, or such as are Captains, Lieutenants, or Warrant Officers in any of his Majesty's Ships of War, or Captains, Masters,

Persons qualified to sit and vote, &c.

or Mates of some *English* Ship, shall be capable of being so called, and sitting and voting in the said Court.

Power of Court so called in case of Trial of Pirate, &c.

IV. And be it enacted by the Authority aforesaid, That such Persons called and assembled as aforesaid, shall have full Power and Authority, according to the Course of the Admiralty, to issue Warrants for bringing any Persons accused of Piracy or Robbery, before them to be tried, heard, and adjudged; and to summon Witnesses, and to take Informations and Examinations of Witnesses upon their Oath; and to do all things necessary for the hearing and final Determination of any Case of Piracy, Robbery, and Felony; and to give Sentence and Judgment of Death, and to award Execution of the Offenders convicted and attainted as aforesaid, according to the Civil Law, and the Methods and Rules of the Admiralty; and that all and every Person and Persons so convicted and attainted of Piracy or Robbery, shall have and suffer such Losses of Lands, Goods and Chattels, as if they had been attainted and convicted of any Piracies, Felonies, and Robberies according to the aforementioned Statute made in the Reign of King HENRY the Eighth.

King's Commission to be first read.

President to take the following Oath.

V. Provided always, and be it further enacted by the Authority aforesaid, That so soon as any Court shall be assembled as aforesaid, either on Ship-board or upon the Land, the King's Commission shall first be openly read, and the said Court then and there shall be solemnly and publickly called and proclaimed; and then the President of the Court shall, in the first Place, publickly in open Court take the following Oath, viz.

I *A. B.* do swear in the Presence of Almighty God, That I will truly and impartially try and adjudge the Prisoner or Prisoners which shall be brought upon his or their Trials before this Court, and honestly and duly, on my Part, put his Majesty's Commission for the trying of them in Execution, according to the best of my Skill and Knowledge: And that I have no Interest, directly or indirectly, in any Ship or Goods, for the Piratically taking of which any Person stands accused, and is now to be tried:

So help me God.

And then to administer the same to the other Members. How Prisoners shall be brought before them and tried.

VI. And he having taken the Oath in Manner aforesaid, shall immediately administer the same Oath to every Person who shall sit, and have and give a Voice in the said Court upon the Trial of such Prisoner or Prisoners as aforesaid; and immediately thereupon the said Prisoner or Prisoners shall be formally brought before them; and then the Register of the said Court shall openly and distinctly read the Articles against such Prisoner or Prisoners, upon which they or any of them is or are to be tried; wherein shall be set forth the particular Fact or Facts of Piracy, Robbery, and Felony, with the Time and Place when and where, and in what Manner it was committed; and then each Prisoner shall be asked, Whether he be guilty of the said Piracy and Robbery, or Felony, or not guilty? Whereupon every such Prisoner shall immediately plead thereunto, Guilty, or Not guilty, or else it shall be taken as confessed, and he shall suffer such Pains of Death, Loss of Lands, Goods and Chattels, and in like Manner, as if he or they had been attainted or convicted upon the Oath of Witnesses, or his own Confession; but if any Prisoner shall plead Not guilty, Witnesses shall be produced by the Register, and duly sworn and examined openly, *viva voce*, in the Prisoner's Presence; and after a Witness hath answered all the Questions proposed by the President of the Court, and given his Evidence, it shall and may be lawful for the Prisoner to have the Witness cross-examined, by first declaring to the Court what Questions he would have asked, and thereupon the President of the Court shall interrogate the Witness accordingly; and every Prisoner shall have Liberty to bring Witnesses for his Defence, who shall be sworn, and examined upon Oath, as the Witnesses were that testified against him; and afterwards the Prisoner shall be fairly heard what he can say for himself; all which being done, the Prisoner shall be taken away and kept in safe Custody, and all other Persons, except the Register, shall withdraw from the said Court, and then the Court shall consider of the Evidence which hath been given, and debate the Matters and Circumstances of the Prisoner's Case, and the President of the Court shall collect all the Votes of the Persons who do sit and have Voices in the said Court, beginning at the Junior first, and ending with himself; and according to the Plurality of Voices, Sentence and Judgment shall be then given and pronounced publickly in the Presence of the Prisoner or Prisoners, being called in again; and according to such Sentence and Judgment the Person or Persons attainted shall be executed and put to Death, at such Time, in such Manner, and in such Place upon the Sea, or within the ebbing or flowing thereof, as the President or the Major Part of the Court, by Warrant directed to a Provost Marshal (which the President or said Major Part shall have Power to constitute) shall appoint.

Prisoners pleading Not guilty, Witnesses shall be examined *viva voce*.

How Sentence shall be executed.

Register of the Court to be a Publick Notary.

VII. And be it further enacted by the Authority aforesaid, That some Person, being a Publick Notary, shall be Register of the Court; and in case of his Absence, Death, or Incapacity, or for want of a Person so qualified, the President of the Court shall and may appoint a Register, giving him an Oath (which he is hereby impowered to administer) duly, faithfully, and impartially to execute his Office; which Register shall prepare all Warrants and Articles, and take care to provide all Things requisite for any Trial, according to the substantial and essential Parts of Proceedings in a Court of Admiralty, in the most summary Way; and shall take Minutes of the whole Proceedings, and enter them duly in a Book by him to be kept for that Purpose; and shall from Time to Time, as Opportunity offers, transmit the same, with the Copies of all Articles and Judgments given in any such Cases, in any Court whereof he shall be Register, unto the High Court of Admiralty of *England*.

VIII. And be it further enacted by the Authority aforesaid, That if any of his Majesty's natural-born Subjects, or Denizens of this Kingdom, shall commit any Piracy or Robbery, or any Act of Hostility, against others his Majesty's Subjects upon the Sea, under colour of any Commission from any foreign Prince or State, or Pretence of Authority from any Person whatsoever, such Offender and Offenders, and every of them, shall be deemed, adjudged, and taken to be Pirates, Felons, and Robbers; and they and every of them being duly convicted thereof, according to this Act, or the aforesaid Statute of King HENRY the Eighth, shall have and suffer such Pains of Death, Loss of Lands, Goods, and Chattels, as Pirates, Felons, and Robbers upon the Seas ought to have and suffer.

King's Subjects, &c. committing Piracy on others of the King's Subjects by Commission from any foreign Prince, shall be adjudged Pirates, &c. and suffer Death.

IX. And be it further enacted, That if any Commander or Master of any Ship, or any Seaman or Mariner, shall in any Place where the Admiral hath Jurisdiction, betray his Trust, and turn Pirate, Enemy, or Rebel, and piratically and feloniously run away with his or their Ship or Ships, or any Barge, Boat, Ordnance, Ammunition, Goods, or Merchandizes, or yield them up voluntarily to any Pirate, or shall bring any seducing Messages from any Pirate, Enemy, or Rebel; or consult, combine, or confederate with, or attempt or endeavour to corrupt any Commander, Master, Officer, or Mariner to yield up or run away with any Ship, Goods, or Merchandizes, or turn Pirate, or go over to Pirates, or if any Person shall lay violent Hands on his Commander, whereby to hinder him from fighting in Defence of his Ship and Goods committed to his Trust, or that shall confine his Master, or make, or endeavour to make a Revolt in the Ship, shall be adjudged, deemed, and taken to be a Pirate, Felon, and Robber, and being convicted thereof, according to the Directions of this Act, shall have and suffer Pains of Death, Loss of Lands, Goods, and Chattels, as Pirates, Felons, and Robbers upon the Seas ought to have and suffer.

Commander or Mariner who shall betray his Trust, or turn Pirate, &c.

or Person laying violent Hands on his Commander, &c. shall be adjudged a Pirate, and suffer Death.

X. And whereas several evil-disposed Persons, in the Plantations and elsewhere, have contributed very much towards the Increase and Encouragement of Pirates, by setting them forth, and by aiding, abetting, receiving, and concealing them and their Goods, and there being some Defects in the Laws for bringing such evil-disposed Persons to condign Punishment; Be it enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who, after the twenty-ninth Day of September in the Year of our Lord one thousand seven hundred, shall either on the Land, or upon the Seas, knowingly or wittingly set forth any Pirate, or aid and assist, or maintain, procure, command, counsel or advise any Person or Persons whatsoever, to do or commit any Piracies or Robberies upon the Seas, and such Person and Persons shall thereupon do or commit any such Piracy or Robbery, then all and every such Person or Persons whatsoever, so as aforesaid setting forth any Pirate, or aiding, assisting, maintaining, procuring, commanding, counselling or advising the same, either on the Land or upon the Sea, shall be and are hereby declared, and shall be deemed and adjudged to be accessory to such Piracy and Robbery done and committed; and further, That after any Piracy or Robbery is or shall be committed by any Pirate or Robber whatsoever, every Person and Persons, who knowing that such Pirate or Robber has done or committed such Piracy and Robbery, shall, on the Land or upon the Sea, receive, entertain or conceal any such Pirate or Robber, or receive or take into his Custody any Ship, Vessel, Goods or Chattels, which have been by any such Pirate or Robber piratically and feloniously taken, shall be and are hereby likewise declared, deemed and adjudged to be accessory to such Piracy and Robbery; and that after the said nine and twentieth Day of September, all such Accessories to such Piracies and Robberies shall and may be enquired of, tried, heard, determined and adjudged after the common Course of the Laws of this Land, according to the said Statute made in the twenty-eighth Year of King HENRY the eighth, as the Principals of such Piracies and Robberies may and ought to be, and no otherwise; and being thereupon attainted, shall suffer such Pains of Death, Losses of Lands, Goods and Chattels, and in like Manner, as the Principals of such Piracies, Robberies and Felonies ought to suffer, according to the said Statute of King HENRY the eighth, which is hereby declared to be and continue in full Force; any thing in this present Act contained to the contrary notwithstanding.

Persons setting forth, or aiding, or assisting any Pirate, &c.

shall be adjudged Accessories.

The like for concealing Pirate, &c.

How Accessories shall be tried.

XI. And forasmuch as it will also conduce to the suppressing of Robberies on the Sea, if due Encouragement be given, and Rewards allowed, to such Commanders, Masters, and other Officers, Seamen, and Mariners, as shall either bravely defend their own Ships, or take, seize and destroy Pirates, Sea Rovers, and Enemies; Be it further enacted by the Authority aforesaid, That when any English Ship shall have been defended against any Pirates, Enemies, or Sea Rovers by Fight, and brought to her designed Port, in which Fight any of the Officers or Seamen shall have been killed or wounded, it shall and may be lawful to and for the Judge of his Majesty's High Court of Admiralty, or his Surrogate in the Port of London, or the Mayor, Bailiff, or Chief Officer in the several Out Ports of this Kingdom, upon the Petition of the Master or Seamen of such Ship, so defended as aforesaid, to call unto him four or more good and substantial Merchants, and such as are no Adventurers or Owners of the Ship or Goods so defended, and have no Manner of Interest therein, and by Advice with them to raise and levy upon the respective Adventurers and Owners of the Ship and Goods so defended, by Process out of the said Court, such Sum or Sums of Money as himself and the said Merchants, by Plurality of Voices, shall determine and judge reasonable, not exceeding two Pounds per Centum of the Freight, and of the Ship and Goods so defended, according to the first Costs of the Goods; which Sum or Sums of Money so raised, shall be distributed among the Captain, Master, Officers, and Seamen of the said Ship, or Widows and Children of the slain, according to the Direction of the Judge of the said Court, or his Surrogate in the Port of London, or the Mayor, Bailiff or Chief Officer in the several Out-ports of this Kingdom, with the Approbation of the Merchants aforesaid, who shall proportion the same, according to their best Judgment, unto the Ships Company as aforesaid, having special Regard unto the Widows and Children of such as shall have been slain in that Service, and such as have been wounded or maimed.

Encouragement for Commanders and Mariners to defend their Ships against Pirates, &c.

Reward to Discoverer of any Combination for running away with Ship, &c.

and how to be paid.

Act to be in Force for seven Years.

'Made perpetual by 6 Geo. 1. c. 19. and enforced by 8 Geo. 1. c. 24.'

Commissioners, &c. shall have Power to try the aforesaid Crimes in all the Colonies, &c. in America.

Governors of the said Colonies, &c. to assist Commissioners, &c.

and deliver up Pirates, &c.

Penalty on Governor, &c. not yielding Obedience to this Act.

How Commissioners for trying of Offences within the Jurisdiction of the Cinque Ports shall be directed, and Inquisition made.

Seamen deserting Merchant Ships to lose their Wages.

Penalty on Master, &c. forcing Seaman on Shore, or refusing to bring him Home.

4 Ann. c. 34.
1 Geo. 1. c. 25.

XII. And for the better and more effectual Prevention of Combinations and Confederacies, for the running away with or destroying of any Ship, Goods or Merchandizes; be it further enacted by the Authority aforesaid, That a Reward of ten Pounds for every Ship or Vessel of one hundred Tuns or under, and fifteen Pounds for every Ship or Vessel of a greater Burthen, shall be paid by the Captain, Commander, or Master of every Ship or Vessel, wherein any such Combination or Confederacy shall be set on Foot, for the running away with or destroying any such Ship, or the Goods and Merchandizes therein laden, to such Person as shall first make a Discovery thereof, upon due Proof of such Combination or Confederacy; the same to be paid at the Port where the Wages of the Seamen of the said Ship are or ought to be paid, after such Discovery and Proof made.

XIII. Provided also, That this Act shall be in Force for seven Years, and to the End of the next Session of Parliament after the Expiration of the said seven Years, and no longer.

XIV. And for the more effectual Prosecution and Punishment of Piracies, Felonies and Robberies upon the Sea, and of all other Offences aforementioned; be it declared and enacted by the Authority aforesaid, That the Commissioners appointed or to be appointed by the aforementioned Statute of King HENRY the eighth, or the Commissioners for Trial of Pirates appointed by this Act, shall, from and after the said nine and twentieth Day of *September* one thousand seven hundred, have the sole Power and Authority of trying, hearing, and determining the said Crimes and Offences, within all or any of the Colonies and Plantations in *America*, governed by Proprietors, or under Grants or Charters from the Crown, and of bringing the Offenders to condign Punishment; and shall and may issue forth their Warrant or Warrants for the Seizing and apprehending of any Pirates, Felons, or Robbers upon the Sea, or their Confederates or Accessaries, being within any of the said Colonies and Plantations, in order to their being brought to Trial within the same, or any other Plantation in *America*, according to this Act, or sent into *England* to be tried there; and that all and every Governor and Governors, Person and Persons in Authority in the said Colonies and Plantations governed by Proprietors, or under Charters as aforesaid, shall assist the Commissioners and their subordinate Officers in doing their Duty, and also in the Execution of such Warrants and otherwise, and shall deliver up to such Commissioner or Commissioners, Officer or Officers, any Pirates, Felons and Robbers upon the Sea, and their Confederates and Accessaries, in order to their being tried or sent into *England* as aforesaid; any Letters Patents, Grants or Charters of Government, in and about the said Plantations, or other Usages heretofore had or made to the contrary notwithstanding.

XV. And be it hereby further declared and enacted, That if any of the Governors in the said Plantations, or any Person or Persons in Authority there, shall refuse to yield Obedience to this Act, such Refusal is hereby declared to be a Forfeiture of all and every the Charters granted for the Government or Propriety of such Plantation.

XVI. Provided always, and be it enacted by the Authority aforesaid, That whensoever any Commission for the Trial and Punishment of the Offences aforesaid, or any of them, shall be directed or sent to any Place within the Jurisdiction of the Cinque Ports, that then every such Commission shall be directed unto the Lord Warden of the Cinque Ports for the Time being, or to his Lieutenant, and unto such other Persons as the Lord High Chancellor, or Keeper of the Great Seal of *England* for the Time being, or Commissioners for the Custody of the Great Seal, shall name and appoint; and likewise that every Inquisition and Trial, to be had by virtue of such Commission so directed and sent to any Place in the said Cinque Ports, shall be made and had by the Inhabitants of the said Cinque Ports, or the Members of the same; any thing in this Act to the contrary thereof notwithstanding.

XVII. And for the Prevention of Seamen deserting of Merchants Ships Abroad in Parts beyond the Seas, which is the chief Occasion of their turning Pirates, and of great Detriment to Trade and Navigation in general; Be it enacted by the Authority aforesaid, That all such Seamen, Officers or Sailors, who shall desert the Ships or Vessels wherein they are hired to serve for that Voyage, shall for such Offence forfeit all such Wages as shall be then due to him or them.

XVIII. And be it further enacted by the Authority aforesaid, That in case any Master of a Merchant Ship or Vessel shall, after the nine and twentieth Day of *September* one thousand seven hundred, during his being Abroad, force any Man on Shore, or wilfully leave him behind in any of his Majesty's Plantations, or elsewhere, or shall refuse to bring Home with him again all such of the Men which he carried out with him, as are in a Condition to return, when he shall be ready to proceed in his Homeward-bound Voyage, every such Master shall, being thereof legally convicted, suffer three Months Imprisonment without Bail or Mainprize.

9 Geo. 1. c. 8. 6 Geo. 1. c. 19. and see 8 Geo. 1. c. 24. for the more effectual suppressing of Piracy.

C A P. VIII.

'Revived by 1 Annæ, Stat. 2. c. 20. for two Years.'

An Act for the appointing Commissioners, to take examine and determine the Debts due to the Army, Navy, and for Transport Service, and also an Account of the Prizes taken during the late War. EXP.

C A P. IX.

An Act for preventing of frivolous and vexatious Suits in the Principality of *Wales*, and the Counties Palatine.

22 & 23 Car. 2. c. 9. §. 126.

WHEREAS by a Clause in an Act made in the twenty-second and twenty-third Years of King CHARLES the Second, intituled, *An Act for laying Impositions on Proceedings at Law*, it is enacted

enacted, That in all Actions of Trespafs, Assault and Battery, and other personal Actions, the Plaintiff in such Actions, in case the Jury shall find the Damages to be under the Value of forty Shillings, shall not recover or obtain more Costs of Suit than the Damages so found shall amount unto; which Clause having Reference to an Act made in the forty-third Year of Queen ELIZABETH, for avoiding infinite Numbers of small and trifling Suits commenced in the Courts at *Westminster*, hath been under stood to relate only to the said Courts; Be it therefore 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 as well the said Clause, and all the Powers and Provisions thereby, or by any other Law now in Force, made for Prevention of frivolous and vexatious Suits in Law commenced in the Courts at *Westminster*, shall from and after the first Day of *May* which shall be in the Year of our Lord one thousand seven hundred, be extended to, and be of the same Force and Efficacy in all such Suits, to be commenced or prosecuted in the Court of Great Sessions for the Principality of *Wales*, the Court of Great Sessions for the County Palatine of *Chester*, the Court of Common Pleas for the County Palatine of *Lancaster*, and the Court of Pleas for the County Palatine of *Durham*, as fully and as amply, as if the said Courts had been mentioned therein.

43 Eliz. c. 6.

Clause in 22 & 23 Car. 2. c. 9.

to extend to the Courts of Great Sessions for *Wales*, *Chester*, &c.

II. And whereas the holding of Persons inhabiting within the said Principality of *Wales*, and Counties Palatine, to special Bail in small Actions, is oppressive and vexatious to the Subject: For Remedy whereof, be it further enacted by the Authority aforesaid, That no Sheriff or other Officer within the said Principality or Counties Palatine, upon any Writ or Process issuing out of any of his Majesty's Courts of Record at *Westminster*, shall hold any Person to special Bail, unless an Affidavit be first made in Writing, and filed in that Court, out of which such Writ or Process is to issue, signifying the Cause of Action, and that the same is twenty Pounds and upwards; and where the Cause of Action is twenty Pounds and upwards, Bail shall not be taken for more than the Sum expressed in such Affidavit.

No Sheriff, &c. in *Wales*, &c. shall hold Persons to special Bail, unless Cause of Action be 20 l.

C A P. X.

An Act for the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom.

WHEREAS it is most evident, that the Continuance of the Trade to the *East Indies*, in the same Manner and Proportions as it hath been for two Years last past, must inevitably be to the great Detriment of this Kingdom, by exhausting the Treasure thereof, and melting down the Coin, and taking away the Labour of the People, whereby very many of the Manufacturers of this Nation are become excessively burdensome and chargeable to their respective Parishes, and others are thereby compelled to seek for Employment in foreign Parts: For Remedy whereof, 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 from and after the twenty-ninth Day of *September* one thousand seven hundred and one, all wrought Silks, Bengalls, and Stuffs mixed with Silk or Herba, of the Manufacture of *Persia*, *China*, or *East India*, and all Calicoes, painted, dyed, printed, or stained there, which are or shall be imported into this Kingdom, shall not be worn, or otherwise used within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, but under such Limitations as are herein after mentioned and expressed.

After 29 Sept. 1701. no wrought Silks, &c. of *Persia*, *China*, or *India*, or Calicoes, &c. shall be worn, &c.

II. And for the better effecting the same, be it enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and one, all such wrought Silks, Bengalls, and Stuffs mixed with Silk or Herba, of the Manufacture of *Persia*, *China*, or *East India*, as aforesaid, and all Calicoes, painted, dyed, printed, or stained there, which are or shall be imported into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, shall, after Entry thereof, be forthwith carried and put into such Warehouse or Warehouses, as shall be for that Purpose approved of by the Commissioners of his Majesty's Customs for the Time being, so as none of them shall be taken or carried out thence upon any Account whatsoever, other than in order for Exportation, and not until sufficient Security be first given to the King's Majesty, his Heirs and Successors (which the said Commissioners are hereby required and empowered to take) that the same and every Part thereof shall be exported, and not landed again in any Part of this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*; which said Securities shall be discharged without any Fee or Reward, upon Certificate returned under the Common Seal of the Chief Magistrate in any Place or Places beyond the Seas, or under the Hands and Seals of two known *English* Merchants upon the Place, that such Goods were there landed, or upon Proof by credible Persons that such Goods were taken by Enemies, or perished in the Seas; the Examination and Proof thereof being left to the Judgment of the said Commissioners; and all such of the aforesaid Goods, whether the same shall be mixed, sewed, or made up together for Sale, with any other Goods or Materials, or otherwise, which shall be found in any House, Shop, or Warehouse, or other Place whatsoever (other than in such Warehouses as shall be approved of by the said Commissioners, as aforesaid) shall be forfeited, and subject and liable to be searched for, and seized, in like Manner as prohibited and uncustomed Goods are, by an Act (intituled, *An Act for preventing Frauds, and regulating Abuses in his Majesty's Customs*) made in the fourteenth Year of the Reign of our late Sovereign Lord King CHARLES the Second; and all such Goods, so forfeited as aforesaid, shall, upon Seizure thereof, be carried to the next Custom House, and after Condemnation shall be sold to the best Advantage for Exportation, at publick Sale by Candle; the Buyer and Buyers giving Security for the Exportation thereof in Manner as aforesaid; and one third Part of the Monies to be raised by such Sale shall

Such Goods imported after 29 Sept. 1701.

after Entry thereof shall be put into Warehouses,

and shall be exported again, and not landed in *England*, &c. These Securities when to be void, 8 Annæ, c. 13. §. 24.

Penalty. 14 Car. 2. c. 11.

Goods forfeited to be sold, &c.

be paid to the King's Majesty, his Heirs and Successors, and the other two third Parts thereof to him, her, or them that shall seize or prosecute for the same; and over and above the Loss of the said Goods the Person or Persons in whose Custody, knowing thereof, the same shall be found or seized, or that shall sell or dispose thereof to any Person or Persons whatsoever, shall forfeit and lose the Sum of two hundred Pounds, one third Part thereof to the King's Majesty, his Heirs and Successors, and the other two third Parts thereof to such Person or Persons that shall sue for the same, to be recovered by Action of Debt, Bill, Plaint, Suit, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Effoin, Protection, or Wager of Law, shall be allowed, or any more than one Impar lance.

III. And for preventing all clandestine importing or bringing into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, any of the aforesaid Goods hereby prohibited, or intended to be prohibited, from being worn or used in *England*; Be it further enacted by the Authority aforesaid, That if any Person or Persons, or Bodies Corporate, from and after the said twenty-ninth Day of *September* one thousand seven hundred and one, shall import or bring into any Port of or in this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, other than the Port of *London*, any of the aforesaid prohibited Goods, or into the Port of *London*, and shall not make due Entries of such Goods so imported, or brought in, the same shall be, and is hereby adjudged, deemed, accounted, and taken to be clandestine running thereof, and such Person or Persons, or Bodies Corporate, so offending therein, and their Abettors, shall not only forfeit and lose the said Goods so clandestinely run, as aforesaid, but also the Sum of five hundred Pounds, to be recovered and divided in such Manner as aforesaid.

Penalty on importing such Goods, otherwise than into the Port of London, and there making Entry thereof.

Proof where Goods were manufactured to lie on the Owner.

IV. And be it further enacted, That if any Question or Doubt shall arise where the said Goods were manufactured, the Proof shall lie upon the Owner or Owners thereof, and not upon the Prosecutor; any Law, Usage, or Custom to the contrary notwithstanding.

V. And be it further enacted, by the Authority aforesaid, That if any Action, Bill, Plaint, Suit, or Information, shall be commenced or prosecuted against any Person or Persons, for any Seizure, or other Thing to be made or done in Pursuance, or in Execution of any Thing before in this Act contained, such Person or Persons, so sued in any Court whatsoever, may plead the General Issue, and give this Act and the special Matter in Evidence, for their Excuse or Justification; and if the Plaintiff or Plaintiffs, or Prosecutor or Prosecutors, shall become nonsuit, or forbear Prosecution, or suffer Discontinuance, or if a Verdict pass against him, her, or them, in any such Action, Bill, Plaint, Suit, or Information, as aforesaid, the Defendant or Defendants shall have Treble Costs, for which they shall have the like Remedy, as in any Case where Costs by Law are given to the Defendant.

Treble Costs.

Warehouse-keepers to enter all Goods brought in or carried out of their Warehouses, &c.

and give Account every six Months to Commissioners of Customs, &c.

Penalty.

VI. And for preventing clandestinely carrying out of the said Warehouses any of the said Goods hereby prohibited, and by this Act intended for Exportation, as aforesaid; Be it further enacted by the Authority aforesaid, That the Warehouse-keeper or Warehouse-keepers shall keep one or more Book or Books, wherein he or they shall fairly enter or write down an exact, particular, and true Account of all and every Chest, Bale, and Number of Pieces therein contained, of such of the aforesaid Goods only, which shall be brought into, and carried out of, his or their said Warehouse or Warehouses, and the Days and Times when the same shall be so brought in and carried out; and shall every six Months in the Year transmit in Writing an exact Account thereof, upon Oath, to the said Commissioners, together with an exact Account how much shall be remaining in his or their said Warehouse or Warehouses respectively; and the said Commissioners are hereby impowered and enjoined, within one Month after the same shall be transmitted to them, as aforesaid, to appoint one or more Person or Persons to inspect the said Book or Books, Warehouse or Warehouses, and examine the said Accounts, and to lay a true Account of the same before the Parliament, within the first Week of every Session thereof; and if upon Examination it shall appear, that any of the aforesaid Goods were carried out, unless for Exportation, or before sufficient Security given for their Exportation, as aforesaid, that then the Warehouse-keeper or Warehouse-keepers, so offending therein, shall not only forfeit and lose the Value of the said Goods so carried out, as aforesaid, and be for ever disabled from any publick Employment for the future, but shall also forfeit the Sum of five hundred Pounds for every such Offence, to be recovered and divided in Manner as aforesaid.

Not to extend to Apparel, &c. The Benefit of this Proviso applied by 10 Geo. 1. c. 11. to Furniture made up before 25 Dec. 1722.

Proprietors of such Goods may affix one Lock to Warehouse, &c.

Goods imported before 29 Sept. and exported again 3 Years after, Duties on Exportation to be allowed.

VII. Provided always, and it is hereby enacted, That this Act shall not extend to any Silks, Bengals, Stuffs, mixed with Silk or Herba, or painted, dyed, printed, or stained Calicoes manufactured in *Persia*, *China*, or *East India*, which shall have been made up and used in any Sort of Apparel or Furniture, before the said twenty-ninth of *September* one thousand seven hundred and one.

VIII. Provided, always, and be it further enacted, That it shall and may be lawful to and for the Proprietor or Proprietors of the said Goods so lodged in any Warehouse or Warehouses, as aforesaid, to affix one Lock to every such Warehouse or Warehouses, the Key of which shall remain in the Custody of the said Proprietor or Proprietors; and that he or they may view, sort, or deliver the said Goods, in Order for Exportation, as aforesaid, in the Presence of the said Warehouse-keeper or Warehouse-keepers, who is and are hereby obliged, at seasonable Times, to give Attendance for that Purpose.

IX. Provided also, and be it enacted by the Authority aforesaid, That every Person or Persons, or Bodies Corporate, who shall on or before the said twenty-ninth Day of *September* one thousand seven hundred and one, import into this Kingdom, Dominion of *Wales*, or Town of *Berwick upon Tweed*, any of the Commodities aforesaid, and shall, within the Space of three Years from such Importation, export the same again, shall be allowed and paid the several Duties payable upon the Exportation thereof, as fully as if the same had been exported within twelve Months after the Importation thereof,

X. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and one, there shall be no Customs or Duties whatsoever paid or secured to be paid for any of the said Goods or Commodities, which shall be imported at any Time from and after the said twenty-ninth Day of *September* one thousand seven hundred and one, other than and except the Half Subsidy, which is to remain by Law after the Goods are exported; but that all other Customs and Duties, now chargeable upon or payable for the said Goods, shall from that Time cease and determine.

After 29 Sept. no Duties to be paid for such Goods imported, except the Half Subsidy.

C A P. XI.

An Act to repeal an Act made in the ninth Year of his Majesty's Reign, intituled, *An Act for rendering the Laws more effectual for preventing the Importation of Foreign Bone Lace, Loom Lace, Needle-work, Point and Cut-work*, three Months after the Prohibition of the Woollen Manufactures in *Flanders* shall be taken off.

WHEREAS great Complaints are daily made of the Decay of the Woollen Manufactures in this Kingdom, to the Impoverishment of many thousands of poor Families: And whereas by Experience it is found, that an Act made in the ninth and tenth Years of his now Majesty's Reign, intituled, *An Act for rendering the Laws more effectual, for preventing the Importation of Foreign Bone Lace, Loom Lace, Needle-work, Point and Cut-work*, has been one great Cause thereof. by being the Occasion that our Woollen Manufactures are prohibited to be imported into *Flanders*: For Remedy therefore of the Mischief aforesaid, 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 at the End of three Months, to commence from the Time of taking off the Prohibition of the *English* Woollen Manufactures in *Flanders*, the said Act, and every Clause, Matter, and Thing therein contained, shall be and become hereby repealed, determined, and of no Force.

9 & 10 W. 3. c. 9.

Repealed.

C A P. XII.

An Act to punish Governors of Plantations in this Kingdom, for Crimes by them committed in the Plantations.

WHEREAS a due Punishment is not provided for several Crimes and Offences committed out of this his Majesty's Realm of *England*, whereof divers Governors, Lieutenant Governors, Deputy Governors, or Commanders in Chief of Plantations and Colonies within his Majesty's Dominions beyond the Seas, have taken Advantage, and have not been deterred from oppressing his Majesty's Subjects within their respective Governments and Commands, nor from committing several other great Crimes and Offences not deeming themselves punishable for the same here, nor accountable for such their Crimes and Offences to any Person within their respective Governments and Commands: For Remedy whereof 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 Parliament assembled, and by the Authority of the same, That if any Governor, Lieutenant Governor, Deputy Governor, or Commander in Chief of any Plantation or Colony within his Majesty's Dominions beyond the Seas, shall after the first Day of *August* one thousand seven hundred, be guilty of oppressing any of his Majesty's Subjects beyond the Seas, within their respective Governments or Commands, or shall be guilty of any other Crime or Offence, contrary to the Laws of this Realm, or in force within their respective Governments or Commands, such Oppressions, Crimes, and Offences, shall be enquired of, heard and determined in his Majesty's Court of King's Bench here in *England*, or before such Commissioners, and in such County of this Realm, as shall be assigned by his Majesty's Commission, and by good and lawful Men of the same County, and that such Punishments shall be inflicted on such Offenders, as are usually inflicted for Offences of like Nature committed here in *England*.

Oppression of Governors, &c. of any Colony, &c. beyond Sea, may be tried in England.

C A P. XIII.

An Act for continuing several Laws therein mentioned; and for explaining the Act, intituled, *An Act to prevent the Exportation of Wooll out of the Kingdoms of Ireland and England into Foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of England*.

WHEREAS divers temporary Laws, which by Experience have been found useful and beneficial, are expiring; Therefore for continuing the same, 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 an Act made in the Session of Parliament held in the thirteenth and fourteenth Years of the Reign of King CHARLES the second, intituled, *An Act for providing Carriages by Land and by Water, for the Use of his Majesty's Navy and Ordnance*, which was thereby to have Continuance, and be in Force, until the End of the first Session of the next Parliament, and no longer; which said Act, being expired, was, by one Act made in the first Year of the Reign of the late King JAMES the second, revived, and was enacted to have Continuance during the

13 & 14 Car. 2. c. 20. for providing Carriages, &c. 1 Jac. 2. c. 11. EXP.

4 & 5 W. & M.
c. 24.

continued for 7
Years.

Space of seven Years, from the four and twentieth Day of *June* in the Year of our Lord one thousand six hundred eighty-five, and from thence to the End of the first Session of Parliament then next ensuing; which said Act was, by an Act made in the fourth and fifth Years of the Reign of his present Majesty, continued during the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the first Session of Parliament then next ensuing, shall be and is hereby continued, and shall be in Force for and during the Space of seven Years, from the nine and twentieth Day of *September* one thousand seven hundred, and from thence to the End of the next Session of Parliament.

22 & 23 Car. 2.
c. 26. to prevent
planting Tobacco
in England.
1 Jac. 2. c. 17.
4 & 5 W. & M.
c. 24. continued
for 7 Years.
Perpetual 5
Geo. 1. c. 11.

II. And be it further enacted by the Authority aforesaid, That an Act made at the Session of Parliament holden in the two and twentieth and three and twentieth Years of the Reign of the said King CHARLES the second, intituled, *An Act to prevent the planting of Tobacco in England, and for regulating the Plantation Trade*, which, by an Act made in the first Year of the Reign of the late King JAMES the second, was enacted to have Continuance from the first Day of the then present Session of Parliament for seven Years, and from thence to the End of the next Session of Parliament, which by an Act made in the fourth and fifth Years of the Reign of his present Majesty and the late Queen was continued for the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament, shall be and is hereby continued, and shall be in Force for and during the Space of seven Years, from the nine and twentieth Day of *September* one thousand seven hundred, and from thence to the End of the next Session of Parliament.

19 Car. 2. c. 12.
for assigning Orders
in the Exchequer, &c.

1 Jac. 2. c. 17.
4 & 5 W. & M.
c. 24.

continued for 7
Years. EXP.

III. And be it further enacted by the Authority aforesaid, That an Act made in the nineteenth Year of the Reign of King CHARLES the second, intituled, *An Act for assigning Orders in the Exchequer, without Revocation*, which Act, in the first Year of the Reign of the late King JAMES the second, was enacted to be in Force from the first Day of the then present Session of Parliament, and to continue for seven Years, and from thence to the End of the next Session of Parliament; which said Act was, by an Act made in the fourth and fifth Years of the Reign of his present Majesty and the late Queen, continued for the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament, shall be and is hereby continued, and shall be in Force for and during the Space of seven Years, from the nine and twentieth Day of *September* one thousand seven hundred, and from thence to the End of the next Session of Parliament.

22 & 23 Car. 2.
c. 23. to prevent
Disturbance of
Seamen, &c.
1 Jac. 2. c. 17.
4 & 5 W. & M.
c. 24.

continued for 7
Years. EXP.

IV. And whereas by an Act made at the Session of Parliament holden in the said two and twentieth and three and twentieth Years of the Reign of the said King CHARLES the second [intituled, *An Act to revive an Act intituled, An Act to prevent the Disturbance of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal*] with some Alterations and Additions, was, by an Act made in the first Year of the Reign of the late King JAMES the second, enacted to be in Force from the first Day of the then present Session of Parliament, for seven Years, and from thence to the End of the first Session of the next Parliament; which said last mentioned Act was, by an Act made in the fourth and fifth Years of the Reign of his present Majesty and the late Queen, continued for the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament; Be it enacted, That the same be continued and be in Force for and during the Space of seven Years, from the nine and twentieth Day of *September* one thousand seven hundred, and from thence to the End of the next Session of Parliament.

22 & 23 Car. 2.
c. 19. to prevent
Frauds in buying
and selling of
Cattle.
1 Jac. 2. c. 17.
EXP.

4 & 5 W. & M.
c. 24.

continued for 7
Years.

continued for 7
Years.

V. And whereas an Act was made at the said Session of Parliament, held in the two and twentieth and three and twentieth Years of the Reign of the said King CHARLES the second, intituled, *An Act to prevent Frauds in the buying and selling of Cattle in Smithfield, and elsewhere*, which was thereby to continue in Force from the four and twentieth Day of *June* one thousand six hundred seventy-one, and from thence to the End of the next Session of Parliament: And whereas the said Act, being expired, was afterwards, by an Act made in the first Year of the Reign of the late King JAMES the second, enacted to be in force from the twenty-fourth Day of *June* one thousand six hundred eighty-five, for seven Years, and from thence to the End of the next Session of Parliament; nevertheless it was thereby provided, that neither the said Act, nor any Thing therein contained, should extend to Salesmen or Factors employed by Farmers or Feeders, which said Act, together with the said Proviso, was, by an Act made in the fourth and fifth Years of the Reign of his present Majesty and the late Queen, continued for the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence unto the End of the next Session of Parliament; Be it enacted by the Authority aforesaid, That the said Act, together with the said Proviso, shall continue and be in Force for and during the Space of seven Years, from the nine and twentieth Day of *September* one thousand seven hundred, and from thence to the End of the next Session of Parliament. EXP.

13 & 14 Car. 2.
c. 12 for better
Relief of the
Poor.

1 Jac. 2. c. 17.

3 & 4 W. & M.
c. 11.

VI. And whereas an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the second, intituled, *An Act for the better Relief of the Poor of this Kingdom*, was enacted to have Continuance (except what related to the Corporations therein mentioned, and thereby constituted) until the nine and twentieth Day of *May* one thousand six hundred and sixty-five, and from thence to the End of the first Session of the next Parliament; which said Act, by an Act made in the first Year of the Reign of the late King JAMES the second (except as to what related to the Corporations therein mentioned, and thereby constituted) was enacted to be in Force from the first Day of *May* one thousand six hundred eighty-five, and so to continue for the Space of seven Years, and from thence to the End of the next Session of Parliament: And whereas by an Act made in the third and fourth Years of the Reign of his present Majesty and the late Queen, the said last mentioned Act (as to what therein related to the Settlement of the Poor) was enacted to be in Force from the first Day of *March* one thousand six hundred

dred ninety-one; but no Provision was thereby made for continuing of divers other Parts of the said Act; which said Act, for the better Relief of the Poor of this Kingdom, as to all Parts thereof, not mentioned and continued in and by the said Act, made in the third and fourth Years of the Reign of his present Majesty and the late Queen (other than and except what relates to the Corporations mentioned in the said Act for the better Relief of the Poor of this Kingdom, and thereby constituted) was, by an Act made in the fourth and fifth Years of the Reign of his present Majesty and the late Queen, continued for the Space of seven Years, from the thirtieth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament; Be it enacted by the Authority aforesaid, That the said Act for the better Relief of the Poor of this Kingdom, as to all Parts thereof which were continued by the said Act made in the fourth and fifth Years of the Reign of his present Majesty and the late Queen, shall be continued and be in force for and during the Space of seven Years, from the nine and twentieth Day of *September* one thousand seven hundred, and from thence to the End of the next Session of Parliament.

Exception.
4 & 5 W. & M. c. 24.
continued for 7 Years.
Made perpetual 12 Ann. st. 1. c. 18.

VII. And be it enacted by the Authority aforesaid, That an Act made in the eighth and ninth Years of his present Majesty's Reign, intituled, *An Act to restrain the Number and Practice of Brokers and Stock Jobbers*, which was enacted to continue from the first Day of *May* one thousand six hundred ninety-seven, for the Space of three Years, and from thence to the End of the next Session of Parliament, shall be continued and be in Force for and during the Space of seven Years, from the nine and twentieth Day of *September* one thousand seven hundred, and from thence to the End of the next Session of Parliament.

8 & 9 W. 3. c. 32. to restrain the Number of Brokers and Stock Jobbers, continued for 7 Years. E X P. 6 & 7 W. 3. c. 18.

VIII. And whereas by an Act made in the sixth and seventh Years of his present Majesty's Reign, intituled, *An Act for granting to his Majesty certain Duties upon Glass Wares, Stone and Earthen Bottles, Coals and Culm, for carrying on the War against France*, reciting, that the Imposition upon Coals exported to foreign Parts was so great, that it was almost a Prohibition, to the great Diminution of his Majesty's Customs, the lessening of the *English* Navigation and the Exportation of Coals beyond the Seas: For Remedy whereof it was thereby enacted, That all Coals exported beyond the Seas in foreign Bottoms should, during the Continuance of the said Act, only pay ten Shillings the Chaldron, and in *English* Bottoms only three Shillings the Chaldron; which Part of the said Act will determine on or about the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred, if timely Care be not taken for continuing of the same, which hath been found very beneficial and useful to the Publick, and fully to have answered the good End and Intent of the said Act of Parliament; Be it therefore enacted by the Authority aforesaid, That all Coals exported beyond the Seas in foreign Bottoms shall, from and after the said nine and twentieth Day of *September* in the Year of our Lord one thousand seven hundred, for and during the Space of seven Years, and from thence to the End of the next Session of Parliament, only pay ten Shillings the Chaldron, and in *English* Bottoms only three Shillings the Chaldron; any Law to the contrary notwithstanding.

Duty on Coals exported, continued for 7 Years.
Enlarged as to the Duty on Coals exported in foreign Bottoms, and further continued by 9 Annæ, c. 6. §. 5.

IX. And whereas by an Act made in the tenth and eleventh Years of his Majesty's Reign, intituled, *An Act to prevent the Exportation of Wooll out of the Kingdoms of Ireland and England into foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of England*, it is enacted and declared, That no Wooll, Woollfells, Shortlings, Mortlings, Wooll-flocks, Worsted Bays, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth Serges, Shalloons, or any other Drapery, Stuffs, or Woollen Manufactures whatsoever, made up or mixed with Wooll or Wooll-flocks, shall be exported, transported, shipped off, carried, or conveyed out of or from the said Kingdom of *Ireland* into any foreign Realm, States, or Dominions, or into any Parts or Place whatsoever, other than the Parts within the Kingdom of *England*, or the Dominion of *Wales*, under several Penalties and Forfeitures in the said Act mentioned: And whereas several Disputes have arisen concerning the true Intent and Meaning thereof; Be it therefore enacted and declared by the Authority aforesaid, That neither the said Act, nor any thing therein contained, shall be construed to extend to subject any Person or Persons, or any Ship or Vessel, to any of the Pains, Penalties, or Forfeitures in the said Act contained, for or touching such Wooll-fells, Shortlings, or Mortlings, as shall be necessary for the Use of the Gunner or Boatwain's Stores for the Ship or Vessel only, and as for so much Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth Serges, Shalloons, or other Draperies, Stuffs, or other Manufactures, as shall be for the proper Use for Clothes only of any Mariner or Passenger, for his or her wearing Apparel or Furniture on Board such Ship in the Voyage, and shall not exceed in the whole, for any one Mariner or Passenger, the Value of forty Shillings; any thing in the said Act to the contrary notwithstanding.

Clause in 10 & 11 W. 3. c. 10. concerning Wooll, Wooll-fells, &c. exported from Ireland, &c.

not to extend to Wooll-fells, &c. for Gunners Stores, &c. or for Cloth, &c. for any one Mariner's Clothes, &c. not exceeding 40s. This Act made perpetual by 3 Geo. 1. c. 7. but the last Clause

is repealed by 5 Geo. 2. c. 21. §. 6.

C A P. XIV.

An Act for raising the Militia for the Year one thousand seven hundred, although the Month's Pay formerly advanced be not repaid. E X P.

C A P. XV.

An Act for the ascertaining the Measures for retailing Ale and Beer.

WHEREAS by the Laws and Statutes of this Realm all Inn-keepers, Alehouse-keepers, and Victuallers, ought to utter and sell their Ale and Beer by the Ale Quart, according to the Standard thereof, remaining in the Custody of the Chamberlains of his Majesty's Exchequer; the neglecting the Observance whereof, and selling and retailing their Ale and Beer in uncertain Measures,

much less than the said Standard, is found to be of evil Consequence in hindring the Consumption of malted Corn, and lessening his Majesty's Revenues of Excise, and a great Wrong and Prejudice to wayfaring Men, Travellers, Manufacturers, Labourers and others, and also to such poor People whose Necessities force them to buy Ale and Beer from them: For remedying whereof may it please your most gracious 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 Authority of the same, That from and after the four and twentieth Day of *June* one thousand seven hundred, all Inn-keepers, Alehouse-keepers, Sutlers, Victuallers, and other Retailers of Ale or Beer, and every Person and Persons keeping any Publick-house, and retailing and selling Ale or Beer in any City, Town Corporate, Borough, Market Town, Village, Hamlet, Parish, Part, or Place whatsoever, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, shall retail, utter, and sell their Ale and Beer, in and from their respective Houses, by a full Ale Quart or Ale Pint, according to the said Standard, or in Proportion thereunto, in a Vessel made of Wood, Earth, Glass, Horn, Leather, Pewter, or of some other good and wholesome Metal, made, sized, and equalled unto the said Standard, and signed, stamped, or marked to be of the Content of the said Ale Quart or Ale Pint, according to the said Standard, either from the said Exchequer, or from the City of *London*, or from some City, Town Corporate, Borough, or Market Town, where a Standard Ale Quart or Ale Pint, made from the said Standard, shall be kept for that Purpose, and shall not retail and utter any Ale or Beer to any Person or Persons in any other Vessel not signed and marked as aforesaid, on Pain to forfeit a Sum not exceeding forty Shillings, nor less than ten Shillings, for every such Offence, to be recovered as herein after is provided.

All Retailers of Ale and Beer to sell the same by Standard Measure,

in Vessels of Wood, Earth, &c. marked according to the Standard.

Penalty on Retailer selling Ale or Beer in Vessels not marked.

II. And be it further enacted by the Authority aforesaid, That if any Inn-keeper, Alehouse-keeper, Victualler, Sutler, or other Retailer aforesaid, shall from and after the nine and twentieth Day of *September* one thousand seven hundred, retail, utter, or sell any Ale or Beer in any Vessel not signed, stamped or marked as aforesaid, to any Traveller, or other Person or Persons, or if in giving any Account or Reckoning in Writing or otherwise, such Inn-keeper, Alehouse-keeper, or other Retailer as aforesaid, shall refuse or deny to give in the particular Number of Quarts or Pints of Ale or Beer, for which Demand is made in such Account, it shall not be lawful for any such Inn-keeper, Alehouse-keeper, or other Retailer as aforesaid, for Default of Payment of such Reckoning, to detain any Goods, or other thing or things belonging to the Person or Persons from whom such Reckoning shall be due, but shall be left to his Action at Law for the same; any Custom or Usage to the contrary in any wise notwithstanding.

Collectors of the Excise to provide Ale Quarts, and Ale Pints of Brasses Standard Measure, for the Mayor, &c. of each City, &c. in their Division, where no such is already, &c.

III. And for the better Execution of this Act, and to the Intent that Vessels containing the said Ale Quart and Ale Pint respectively, may be from time to time sized and equalled according to the said Standard, and signed, stamped and marked as aforesaid, by the Mayor or other chief Officer of each City, Town Corporate, Borough, and Market Town in *England*, *Wales*, and Town of *Berwick upon Tweed*, for all Inn-keepers, Alehouse-keepers, Victuallers, and other Retailers as aforesaid, procuring and desiring the same; Be it further enacted by the Authority aforesaid, That the Sub-Commissioners or Collectors of his Majesty's Revenues of Excise, within their respective Circuits or Divisions, shall forthwith provide and procure a substantial Ale Quart and Ale Pint, according to the Standard of the Measures aforesaid remaining in the said Exchequer, of Brasses; to be made, sealed and certified from the said Chamberlains of the said Exchequer, without any Fee or Reward, for the Mayor or chief Officer in each City, Town Corporate, Borough, and Market Town within his said Division, in which there is not already a Brasses Standard Ale Quart and Ale Pint, made and certified either from the said Exchequer, or from the Lord Mayor of the City of *London*, in the Custody or Power of such Mayor or chief Officer, and shall, on or before the said four and twentieth Day of *June*, cause the same to be delivered unto the Mayor or other chief Officer in every City, Town Corporate, Borough, and Market Town within his said Division (which chief Officer is hereby required to give a Receipt for the same; and the said Standard Measures shall be delivered to every succeeding Officer) in which there is not already such Brasses Standard Ale Quart and Ale Pint as aforesaid, to be by them respectively safely kept for the Purposes aforesaid; on Pain that each Sub-Commissioner or Collector, for every Default herein, shall forfeit the Sum of five Pounds, to be recovered as aforesaid.

Penalty on Collector making Default.

Collector to charge the said Measures in his Accounts, and be allowed the same.

IV. And it is hereby further enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for the said Sub-Commissioners or Collectors of Excise respectively, to deduct and detain their respective reasonable Charges and Expences in the procuring, providing and delivering of such Brasses Ale Quarts and Ale Pints to each Mayor or other chief Officer within his said Division as aforesaid, and to insert the same in his next Account to be made or given to the Commissioners of his Majesty's Revenues of Excise, who are hereby authorized and directed to allow of the same accordingly.

Mayor, &c. to cause all Measures sized with such Standard, to be marked,

V. And be it further enacted by the Authority aforesaid, That every Mayor or chief Officer of each City, Town Corporate, Borough or Market Town for the time being, from and after the said four and twentieth Day of *June*, shall from time to time, on Request to him or them respectively made, cause or procure all such Ale Quarts and Ale Pints made of Wood, Earth, Glass, Horn, Leather, Pewter, or other good and wholesome Metal, as shall be brought to him or them respectively, to be measured, compared, sized and equalled with such Standard Ale Quart and Ale Pint in their Custodies; and shall then cause the same, and every of them, to be plainly and apparently signed, stamped, and marked with *W. R.* and a Crown, testifying that such Ale Quarts and Ale Pints respectively have been so measured, compared, sized, and equalled with such their Standard as aforesaid; which Stamps or Marks the said Mayor or

and provide Stamps. One Farthing a Measure to be paid for stamping,

Penalty on Mayor, &c. The University Privileges are provided for by 12 & 13 W. 3. c. 11. §. 19.

chief Officer are hereby respectively required to provide, and for which their stamping or marking they shall not demand or receive above one Farthing for each Measure; and in case any such Mayor, or other chief Officer, as aforesaid, shall neglect or refuse to perform and execute his Duty herein, according to the true Intent and Meaning of this Act, he shall forfeit the Sum of five Pounds, to be recovered as aforesaid, and shall also render to the Party thereby grieved his treble Damages, together with Costs of Suit, to be sued for and recovered in any of his Majesty's Courts of Record, in which Suit there shall be no Protection, Wager of Law, or other Delay, other than one Imparlane.

VI. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed or inflicted shall be divided, one half Part thereof to the Use of the Poor of the Parish where such Forfeiture shall be made or committed, and the other Part to him or them that shall prosecute or sue for the same, to be recovered by the Oath of one or more credible Witnesses, made before one or more Justice or Justices of the Peace of the County, City, or Place, where such Offence shall be committed, who are hereby required and impowered to administer an Oath to that Purpose, such Person being prosecuted for such Offence within thirty Days next after such Offence committed; and the said Justice or Justices are hereby respectively authorized to hear and determine the same, and to cause the Penalty to be levied (by Warrant under his or their Hands and Seals) upon the Goods and Chattels of the Offender, rendering to the Party the Overplus, if any shall be, deducting thereout the reasonable Charges.

How Forfeitures shall be divided.

VII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend or be construed to extend to subject any Person or Persons to the Penalties in this Act contained, or any of them, so as all such Beer or Ale as shall be retailed, uttered, or sold by such Person or Persons, to be spent out of the House of such Person or Persons, be measured out by the Standard, according to the true Intent and Meaning of this Act, although such Drink be carried away in any other Vessel, or of any other Quantity or Quality than the Ale Quart before mentioned.

Act not to subject Retailers to Penalty for Drink sold out of their Houses, so it be measured by the Standard.

VIII. Provided always, and be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought and prosecuted by any Person or Persons against any Justice of the Peace, or other Person or Persons employed by them, or any of them, in the Execution of this Act, for any Matter, Cause, or Thing by them, or either of them, done, committed, or executed, by Virtue or Reason of this Act, or any Clause or Article therein contained, that then, and in every such Case, the Action shall be laid in the proper County where the Fact was done and committed, and not elsewhere; and the Defendant and Defendants may plead the General Issue, and give this Act and the special Matter in Evidence at the Trial, that the same was done in Pursuance and by Authority of this Act; and if upon such Action or Actions Verdict be given for the Defendant or Defendants, or the Plaintiff become nonsuit, or discontinue his Action, then the Defendant or Defendants shall have treble Costs, which he or they shall sustain, or be put unto, by reason of his or their wrongful Vexation in Defence of the said Action or Suit.

Action to be laid in the County where Fact is.

General Issue.

Treble Costs.

IX. And be it further enacted by the Authority aforesaid, That the Justices of the Peace within the several Counties and Cities of this Kingdom are hereby required, at their respective General Quarter-Sessions, to give the Matters contained in this Act in Charge to the Grand Juries of the respective Counties and Cities within this Kingdom.

Justices at the Sessions to give this Act in Charge.

X. Provided, and it is hereby declared and enacted, That nothing in this Act contained shall extend or be construed to extend to any Colleges or Halls in either of the Universities of this Kingdom; any Thing in this Act contained to the contrary in any wise notwithstanding.

Act not to extend to Colleges, &c.

C A P. XVI.

An Act for the better ascertaining the Tithes of Hemp and Flax.

WHEREAS an Act made in the third Year of the Reign of his Majesty and the late Queen, intitled, *An Act for the better ascertaining the Tithes of Hemp and Flax*, was made to continue but for seven Years, and to the End of the next Session of Parliament after such Term ended, and is now expired: And whereas the said Act hath by Experience been found very useful and necessary; Be it therefore 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 from and after the five and twentieth Day of *March* which shall be in the Year of our Lord one thousand seven hundred, all and every Person or Persons, who shall sow or cause to be sown any Hemp or Flax in any Parish or Place in the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, shall pay or cause to be paid to every Parson, Vicar, or impropriator of any such Parish or Place, yearly and every Year, the Sum of five Shillings, and no more, for each Acre of Hemp and Flax so sown, before the same be carried off the Ground, and so proportionably for more or less Ground so sown; for the Recovery of which Sum or Sums of Money, the Parson, Vicar, or Impropriator, shall have the common and usual Remedy allowed of by the Laws of the Land.

27 H. 8. c. 20. 3 W. & M. c. 3.

Ground sown with Flax or Hemp, to pay 5 s. per Acre.

II. Provided, That this Act, or any Thing therein contained, shall not extend to charge any Lands discharged by any *Modus Decimandi*, ancient Composition, or otherwise discharged of Tithes by Law.

Lands discharged by Modus Decimandi not to be charged.

III. Provided always, That nothing herein contained shall extend, or be construed to extend to make any Alteration in the Right or Manner of Payment of Tithes of Flax and Hemp to any Ecclesiastical Person, Incumbent of any Parsonage, Vicarage, or Curacy, or to any Inpropriator or Body Corporate, ha-

Not to alter Payment of Tithes for

Ground sown with Hemp or Flax between 2 Feb. 1684. and 2 Feb. 1691. vng

ving or holding any Impropration, for such Ground as hath at any Time since the second Day of *February* one thousand six hundred eighty-four, and before the second Day of *February* one thousand six hundred ninety-one, been sown with Flax or Hemp, and paid Tithe in Kind to such Incumbent, Improprator, or Body Corporate respectively, but that the same shall continue and be payable and paid, as fully and in such Manner as formerly; any Thing in this Act to the contrary notwithstanding.

Act to continue
Seven Years.

IV. Provided, That this Law shall continue in Force for seven Years, to be accounted from the said five and twentieth Day of *March*, and from thence to the End of the next Sessions of Parliament, and no longer. [Made perpetual by 1 Geo. 1. stat. 2. cap. 26. sect. 2.]

C A P. XVII.

EXP.
7 W. 3. c. 25.
25 Car. 2. c. 2.
1 W. & M. II. c. 8.

An Act to prevent Disputes that may arise by Officers and Members of Corporations, having neglected to sign the Association, and taking the Oaths in due Time. Members of Corporations, who subscribed the Association, though not according to the Act 7 W. 3. shall be indemnified, &c. Officers, &c. who have or shall take the Oaths, &c. before 1 *August* 1700. indemnified against all Incapacities, &c. Officer, &c. removed for such Neglect, not to be restored, if another be elected.

C A P. XVIII.

EXP.
Continued for
3 Years longer
by 1 Annæ,
stat. 2 c. 13.
Enforced by
5 Annæ, c. 32.
§. 5.

An Act for the more effectual Punishment of Vagrants, and sending them whither by Law they ought to be sent. Vagabond, &c. brought to Constable with a Pass, &c. shall be taken before a Justice, and examined, and be either punished, or conveyed away, &c. Justice to give Constable a Certificate thereof. And tax on the Back of Certificate an Allowance for his Trouble, &c. to be paid out of the Gaol Money, &c. Inhabitants not to be charged for conveying Vagabonds, &c. Act to continue three Years. Divisions, &c. in Counties to be deemed Counties as to this Act, &c. Justices to act in such Divisions as in Counties. A Clause in 9 & 10 W. 3. c. 47. (a private Act) for erecting Workhouses, &c. in *Kingslon* upon *Hull* repealed.

C A P. XIX.

An Act to enable Justices of Peace to build and repair Gaols in their respective Counties.

Continued by 10
Ann. c. 14.
which is made
perpetual 6 Geo.
1. c. 19.
Justices of Peace
on Presentment
of the Grand
Jury, &c. of the
Insufficiency, &c.
of any Gaol, &c.
may agree on a
Sum for building
or repairing a
publick Gaol,
and may charge
the Sums to be
levied on the se-
veral Hundreds,
&c. of the
County.

If Persons refuse
to pay the As-
sessment,

Collector may
levy the same by
Distress.

Justices to ap-
point a Receiver,
who shall give
Security.

Penalty on Re-
ceiver, Collector,
&c. refusing to
account.

‘ WHEREAS for want of due Repair, several Gaols and Prisons within this Realm are become prejudicial to the Health of Prisoners, and insufficient for the safe Custody of them;’ Be it therefore 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 and may be lawful for the Justices of the Peace, or the greater Number of them, within the Limits of their Commissions, upon Presentment of the Grand Jury or Grand Juries, at the Assize, Great Sessions, and general Gaol Delivery held for the said County, of the Insufficiency or Inconvenience of their Gaol or Prison, to conclude and agree upon such Sum or Sums of Money, as upon Examination of able and sufficient Workmen shall be thought necessary for the building, finishing, or repairing a publick Gaol or Gaols belonging to the Shire or County whereof they are Justices of the Peace; and by Warrant under their Hands and Seals, or under the Hands and Seals of the greater Number of them, by equal Proportion to distribute and charge the Sum or Sums of Money to be levied for the Uses aforesaid, upon the several Hundreds, Lathes, Wapentakes, Rapes, Wards, or other Divisions of the said County; and the Justices of the Peace are hereby authorized and empowered at the General Quarter-Sessions held for the respective Division of the said County, to direct their Warrants or Precepts to High Constables, Petty Constables, Bailiffs, or other Officer or Officers, as they in their Discretion shall think most convenient, for levying and collecting the same.

II. And be it further enacted and declared, That if any Person or Persons shall refuse or neglect to pay his or their Assessment, by the Space of four Days after Demand thereof by the proper Officer appointed to collect the same, or shall convey away his or their Goods or Estate, whereby the Sum or Sums of Money so assessed cannot be levied, then it shall and may be lawful to and for the said Collectors, by Warrants from any one of the Justices of the Peace present at the said General Quarter-Sessions, as aforesaid, to levy the Sum so assessed by Distress and Sale of the Goods and Chattels of such Persons so refusing or neglecting to pay, and the Goods and Chattels then and there found, and the Distress so taken, to keep by the Space of four Days at the Costs and Charges of the Owner thereof; and if the said Owner do not pay the Sum or Sums of Money so rated or assessed, within the Space of the said four Days, then the said Distress to be appraised by two or more of the Inhabitants, where the same shall be taken, or other sufficient Persons, and to be sold by the Collector for Payment of the said Money, and the Overplus of such Sale (if any be) over and above the Sum so assessed, and Charges of taking and keeping of the Distress, to be immediately returned to the Owner thereof; and the said Justices of the Peace are hereby authorized and empowered, under their Hands and Seals, or under the Hands and Seals of the greater Number of them, to constitute and appoint one or more sufficient Person or Persons to be Receiver of the Money so assessed; the said Receiver first giving Security to be accountable, when thereunto required, for all Sums of Money received or disbursed by him in pursuance of such Order as he shall have received, under the Hands and Seals of the Justices of the Peace, or the greater Number of them; and if the said Receiver or Receivers, High Conitable, Petty Constable, or other Officers, shall, by the Space of four Days after Demand, refuse to account for all Sums of Money received by them, in pursuance of this Act, then it shall and may be lawful for the Justices of the Peace, or the greater

Number of them, to commit him or them to Prison, there to remain without Bail or Mainprize, until he or they shall have made a true Account, satisfied, or paid such Sum or Sums of Money, as shall appear to remain in his or their Hands; and the Receipt of such Receiver shall be a sufficient Discharge to all High Constables, Petty Constables, or other Officer or Officers paying their Proportion of such Assessments; and the Discharge under the Hands and Seals of the Justices of the Peace, or the greater Number of them, at the Assize, Great Sessions, and General Gaol Delivery, to such their Receivers, shall be deemed and allowed as a good and sufficient Release, Acquittance, or Discharge in any Court of Law or Equity, to all Intents and Purposes whatever; and the said Justices of the Peace are hereby authorized and empowered to covenant, contract, and agree with any Person or Persons, for the well and sufficient building, finishing, or repairing of the said Gaol or Gaols.

Receiver's Receipt to Collectors.

III. And be it further enacted by the Authority aforesaid, That all Murderers and Felons shall be imprisoned in the said Common Gaol, and not elsewhere, and that the Sheriff shall have the keeping of the said Gaols.

Murderers and Felons to be kept in the Common Gaols.

IV. Provided always, That this Act be not in any wise hurtful or prejudicial to any Person or Persons, having any Common Gaol by Inheritance for Term of Life, or for Years, but that they shall have and enjoy the said Gaols, and the Profits, Fees, and Commodities of the same, as they had or might lawfully have had before making this Act, and as if this Act never had been made.

Act not to prejudice Gaols held by Inheritance, &c.

V. Provided, That this Act shall not extend to charge any Person inhabiting in any Liberty, City, Town, or Borough Corporate, which have Common Gaols for Felons taken in the same, and Commissions of Assize, or Gaol-delivery of such Felons, for any Assessment to the making the Common Gaol or Gaols of the respective Shire or County.

Inhabitants in any Liberty, &c. who have a Common Gaol, not chargeable.

VI. And be it further enacted by the Authority aforesaid, That if any Action, Complaint, Suit, or Information shall be commenced or prosecuted against any Person or Persons, for what he or they shall do in Pursuance or in Execution of this Act, such Person or Persons so sued in any Court whatever, shall and may plead the General Issue, Not guilty, and upon any Issue joined may give this Act and the special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer a Discontinuance, or if a Verdict pass against him, the Defendants shall recover their Treble Costs, for which they shall have the like Remedy, as in any case when Costs by the Law are given to Defendants.

General Issue.

Treble Costs.

VII. And be it further enacted, That where any Prisons or Gaols belonging to any County of this Realm, or the Dominion of *Wales*, are situate upon any Lands or Hereditaments of or belonging to the King's Majesty in Right of the Crown, that the said Lands and Hereditaments, with their and every of their Appurtenances, shall not at any Time be alienated from the Crown, but remain and be for the publick Service and Benefit of the County.

If Gaols be situate on the Crown Lands, such Lands shall not be alienable.

VIII. Provided always, and it is hereby enacted, That it shall not be lawful for any Collector or other Officer to enter into the Mansion-house of any Peer or Peerefs of this Realm, to distrain for the Duties aforesaid.

No Officer to enter into Peer's House to distrain, &c.

IX. Provided, That this Act shall continue and be in Force for the Space of ten Years, and from thence to the End of the next Session of Parliament, and no longer. [Made perpetual by 6 Geo. 1. cap. 19. sect. 1.]

Act to continue 10 Years. 1 Geo. 1. c. 26; Farther Provisi-

ons concerning Prisons, &c. 1 Ann. Stat. 2. c. 6. 5 Ann. c. 9. 9 Geo. 1. c. 28. 11 Geo. 1. c. 22. 11 Geo. 2. c. 20. 16 Geo. 2. c. 31. 27 Geo. 2. c. 3 17.

C A P. XX.

An Act for taking away the Duties upon the Woollen Manufactures, Corn, Grain, Bread, Biscuit, and Meal exported.

WHEREAS certain Subsidies or Duties, which were payable upon the Exportation of the Woollen Manufactures, as well of the old as the new Draperies, by the Act of Tunnage and Poundage, made in the twelfth Year of the Reign of King CHARLES the second, and by the Book of Rates thereunto annexed (except such Part thereof as hath been taken away by an Act made in the five and twentieth Year of the Reign of the said late King CHARLES the second, intituled, *An Act for taking off Aliens Duties upon Commodities of the Growth, Product, and Manufacture of the Nation*) are, by an Act of Parliament, made and passed in the eighth Year of his now Majesty's Reign, intituled, *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging the Capital Stock of the Bank of England; and for raising the publick Credit*, granted to continue until the first Day of August, which shall be in the Year of our Lord one thousand seven hundred and six: And whereas by an Act of Parliament, which was made in the fourteenth Year of the Reign of the said late King CHARLES the second, intituled, *An Act for preventing Frauds, and regulating Abuses, in his Majesty's Customs*, all Woollen Manufactures, exported from any Port of this Kingdom, capable of a Ship or Vessel of two hundred Tuns upon an ordinary full Sea, to any Part or Place of the *Mediterranean* Sea, beyond the Port of *Malaga*, in any Ship or Vessel that hath not two Decks, and doth carry less than sixteen Pieces of Ordnance mounted, together with two Men for each Gun, and other Ammunition proportionable, are (amongst other Things) liable to a further Duty of one *per Centum*; as by the said several Acts, Relation being thereunto had, may more fully appear: And whereas the Wealth and Prosperity of this Kingdom doth, in a great Measure, depend upon the Improvement of its Woollen Manufactures, and the profitable Trade carried on by the Exportation of the same, which Trade ought, by all proper Means, to be encouraged;

12 Car. 2. c. 4.

25 Car. 2. c. 6.

8 W. 3. c. 20.

14 Car. 2. c. 11.

Duties payable by the aforesaid Acts on Exportation of English Woollen Manufactures, &c. determined.

'courage'd; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in Parliament assembled, and by the Authority of the same, That from and after the thirtieth Day of *March* one thousand and seven hundred, all and every the Subsidies, Duties, and Sums of Money, by the Acts before mentioned, or any of them, or by any other Act or Acts of Parliament, or Law whatsoever now in Force, granted, continued, due, or payable, or to grow due or payable, for or upon the Exportation of any Long Cloths, Short Cloths, Kerseys, Bays, or Serges, Cottons, Stuffs, Stockings, Hats, Caps, or any other Manufactures of Wooll, or made of Sheeps Wooll, or Coney Wooll, or mixed with any or either of them, and which are or shall be made or manufactured within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, shall cease, determine, and be no longer due or payable to his Majesty, his Heirs or Successors, for so much as shall be exported after the said thirtieth Day of *March*; the aforesaid Acts of Parliament or any of them, or any other Law, Statute, Ordinance, Custom, Prescription, or Provision whatsoever to the contrary notwithstanding.

Aulnage Duties (after Expiration of the Grants thereof) to cease, &c.

II. And for the better Encouragement of the Woollen Manufactures of this Kingdom; be it further enacted by the Authority aforesaid, That the Subsidy and Aulnage of the old and new Draperies, and of all Woollen Manufactures whatsoever, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, shall, from and after the Expiration, or other sooner Determination (except for Non-payment of Rent, within three Months after the same becomes due and payable) of the two Grants or Leaves of the said Duties, to *Charles Duke of Richmond and Lenox*, for the Term of sixty Years, bearing Date the eighteenth Day of *December* in the sixteenth Year of King *CHARLES* the second, cease, determine, and be no longer due or payable; any Law, Statute, Usage, Prescription, or Custom whatsoever to the contrary in any wise notwithstanding.

But not to prejudice Sir James Hayes and Sir Peter Apfley.

III. Provided always, That nothing in this Act contained shall be prejudicial to the Patent granted by the late King *CHARLES* the second, bearing Date at *Westminster*, the fifteenth Day of *April* in the twenty-eighth Year of his Reign, to Sir *James Hayes*, and Sir *Peter Apfley*, their Executors and Administrators, of which there is about eight Years yet to come, but that the same shall remain in the same and no other or better Plight and Condition than as before the making of this Act; any Thing herein contained to the contrary notwithstanding.

Duties payable on Exportation of Wheat, Rye, &c. to cease. 1 Annæ, Stat. 1. c. 13. §. 2. 9 Annæ, c. 6. 3 Geo. 1. c. 7.

IV. And for the greater Encouragement of Tillage, be it further enacted by the Authority aforesaid, That from and after the thirtieth Day of *March* one thousand seven hundred, the Subsidy and all other Duties whatsoever payable for or upon the Exportation of Wheat, Rye, Barley, Malt, Beans, Pease, and other Sorts of Corn and Grain whatsoever, ground or unground, and for and upon the Exportation of Bread, Biscuit, and Meal, or any of them, out of or from the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, as to so much of the said Commodities, or any of them, as shall be so exported after the said thirtieth Day of *March*, shall cease, determine, and be no longer due or payable to his Majesty, his Heirs and Successors; any Law, Statute, Usage, or Prescription to the contrary notwithstanding.

C A P. XXI.

An Act for the Explanation and better Execution of former Acts made touching Watermen and Wherry-men rowing on the River of *Thames*, and for the better ordering and governing the said Watermen, Wherry-men, and Lightermen, upon the said River between *Gravesend* and *Windsor*.

2 & 3 P. & M. c. 16. Farther Provisions in relation to Matters, &c. in this Act by 2 Geo. 2. c. 26.

1 Hawk. P. C. c. 6. f. 3. All Laws concerning Watermen, &c. to be put in Execution. Lightermen, Wherry-men, &c. made one Company,

WHEREAS, notwithstanding the Laws that have been heretofore made for good Order, Rule, and Government amongst the Watermen and Wherry-men, using and rowing on the said River of *Thames*, it hath oftentimes happened, that divers People passing by Water upon the said River, have been put in Danger of their Lives and Goods, and many Times have perished and been drowned, and this occasioned by the Unskilfulness and Want of Experience in Wherry-men and Watermen, and Persons out of the Rule of any Master or Governor; and for that in and by the said Acts, the Rulers, and Overseers of the Company or Society of Watermen are not sufficiently impowered to make Rules, Orders and Constitutions, for the Order, Rule, and Government of the Watermen and Wherry-men rowing on the said River, with Pains and Penalties to enforce their due Obedience to such Orders, Rules, and Constitutions, and easy Recovery of the said Penalties: And whereas the Lightermen, rowing on the said River of *Thames*, are grown very numerous, and are at present without Rule and Government amongst them, by whose Rudeness and Unskilfulness, in working of Lighters and other large Craft, Ships and Vessels are hindred in the Delivery of Coals, and thereby frequently stopp'd in the Proceed of their Voyages, and the Goods and Lives of divers of his Majesty's Subjects are likewise frequently endangered and lost, and notorious Disorders are occasioned: For Remedy whereof, 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 and every Law and Statute now in Force, touching or concerning Watermen and Wherry-men, and every Article and Thing in them contained, and not herein or hereby altered or repealed, shall be duly put in Execution by all Persons therein concerned, according to the Tenor of the said Laws, and under the Penalties therein contained; and that all and every Person being a Lighterman or Owner of any Lighter or Lighters, or having and keeping any Lighter or other large Craft, or working in the same between *Gravesend* and *Windsor*, shall be, and be deemed and taken to be of one and the same Society or Company with the said Wherry-

Wherry-men and Watermen; and the said Wherry-men, Watermen, and Lightermen, are declared to be, and are hereby made and constituted, one Society and Company, and as such shall be hereafter deemed and taken.

II. And be it enacted by the Authority aforesaid, That all and every Person and Persons, who now keep, or shall hereafter keep or work, or shall be employed in rowing or any ways navigating any Lighter or Lighters, or other great Craft, on the River of *Thames* (*Trinity Men*, *Fishermen*, *Ballast Men*, *Western Barges*, and *Mill Boats*, *Chalk Hoys*, *Faggot* and *Wood Lighters*, and other Craft carrying the same excepted) shall be duly and truly registered in a Book or Books for that Purpose to be kept by the Company of Watermen and Lightermen, and shall likewise be liable to such Orders, Rules and Constitutions, made or to be made, for the better Rule and Government of the said Society or Company of Watermen and Lightermen, and the Pains and Penalties to enforce due Obedience thereunto.

Lightermen to be registered at Watermans Hall.

Exception. See 4 Annæ, c. 19. §. 18.

III. And be it also enacted by the Authority aforesaid, That there shall be yearly appointed, elected and chosen, by the Court of Lord Mayor and Aldermen of the City of *London* for the Time being, the Number of eight Persons, of the most wise, discreet, and best Sort of Watermen, and the Number of three Persons, out of twelve Persons to be yearly nominated by the Lightermen, of the most wise, discreet, and best Sort of Lightermen, being Householders, having two Lighters or Flat Boats upon the said River, between *Gravefend* and *Windfor*; which Elections shall be yearly at the first Court of Aldermen to be holden within the said City, next after the first Day of *June*; and the said eleven Persons so elected shall be named and called *The Overseers and Rulers* of all the Wherry-men, Watermen, and Lightermen, that from and after the said first Day of *June* shall use, occupy, or exercise any Rowing upon the said River of *Thames* betwixt *Gravefend* and *Windfor* aforesaid; which said Overseers and Rulers shall keep and maintain good Orders and Obedience amongst the said Watermen and Lightermen, according to the true Meaning of this present and former Acts; and the said eleven Overseers and Rulers, or the greater Part of them, are hereby authorized from Time to Time to convene and call before them, at the Hall of the said Company, within the City of *London* and Liberties thereof, all and every such Person or Persons, which from and after the nine and twentieth Day of *June* one thousand seven hundred, shall keep or use in rowing or any ways navigating any Lighter or other great Craft (except as before excepted) betwixt *Gravefend* and *Windfor* aforesaid, and shall enter and register the Name and Names of them and every of them for Lightermen to row on the said River, in a Book to be kept for the same Intent and Purpose; and from Time to Time to take such Order and Direction therein, with every of the said Parties, by Authority of this present Act, as it shall seem meet and necessary by the Discretion of the said Overseers and Rulers for the Time being, or the greater Part of them, for the common Benefit of his Majesty's Subjects.

Rulers, &c. to be elected yearly,

and to register all Lightermen rowing, &c. between *Gravefend* and *Windfor*.

IV. And in regard the Numbers of Wherry-men, Watermen and Lightermen, are more numerous and disorderly than heretofore; Be it enacted by the Authority aforesaid, That for the better Order and Government of the said Society and Company, the said Rulers and Assistants for the time being shall and are hereby required, on the first Court Day after the first Day of *June* next, and so yearly and every Year, by their Order, to appoint the Watermen of the principal Towns, Stairs and Places of plying, or the major Part of them respectively, between *Gravefend* and *Windfor*; and such Watermen shall and are hereby required to choose one free Waterman, being an Householder, to be of their Assistants, so as they exceed not sixty, nor be less than the Number of forty Watermen; and on the first Day of *June* next, the Lightermen which shall meet at the Hall of the said Company, between the Hours of Eight and Twelve in the Morning, or the major Part of them then present, and so yearly and every Year, shall choose nine Lightermen, who, together with the said Watermen, shall be and be called *The Assistants* of the said Society and Company, to advise and assist the Rulers of the said Company for the time being, in the Discovery and Regulation of Miscarriages from time to time done on the said River of *Thames*, for putting the former Laws and this present Act in due and full Execution, and in preserving good Rule and Government amongst the said Society and Company; and the said Rulers and Assistants, or the major Part of them, shall yearly and every Year, on the first Day of *July*, present to the Court of Lord Mayor and Aldermen for the time being, for their Approbation, five Persons able and fit Watermen, and two Persons able and fit Lightermen, to be called *Auditors* of the said Society and Company, who shall, or the major Part of them, audite the Accounts of the Rulers and others of the said Society and Company for the time being; and that upon auditing and true stating of the said Accounts, the same shall be fairly entred in a Book to be kept for that Purpose, and signed by the said Auditors, or the major Part of them, to be set in some publick Place of the Company's Hall aforesaid, to be inspected by any Person concerned at Times convenient; and if any Person or Persons, which at any Time hereafter shall be elected or appointed Ruler, Assistant, or Auditor of the said Company, do, after Notice given him or them, obstinately refuse to take upon him or them the Place or Places to which he or they shall be so elected, or shall negligently exercise or use such his or their Place or Places, that then every such Offender or Offenders shall forfeit and pay five Pounds; and the said Rulers, Auditors and Assistants, or the major Part of them present, being all duly summoned by Summons in Writing left at the Place of their usual Abode, shall and may, and they are hereby empowered and authorized, from time to time, for the better and more effectual keeping and maintaining good Order and Obedience amongst the said Society and Company, to make, ordain, and provide such reasonable and lawful Rules, Orders and Constitutions, as in their Discretion they shall think fit, with reasonable Pains and Penalties to the same annexed; which said Rules, Orders and Constitutions shall, from time to time, be laid before the Court of Lord Mayor and Aldermen of the City of *London* for the time being, to be by them examined, altered or approved,

Rulers yearly to appoint Assistants,

for Watermen not under forty,

and for Lightermen nine.

Seven Auditors to be elected yearly, &c.

Rulers, Auditors, &c. may make By-laws, to be approved by the Court of Aldermen of *London*, and confirmed by one of the two Chief Justices. By-Laws made in pursuance

proved, and afterwards confirmed or altered by the Lord Chief Justice of either Bench, for the common Good and Profit of his Majesty's Subjects; and all such Rules, Orders and Constitutions, so made and examined, approved, ratified and confirmed, shall from Time to Time, and at all Times, be well and duly observed and put in Execution.

Lord Mayor, &c.
and Justices to
hear and deter-
mine Complaints.

V. And for the further and better enforcing due Obedience to the said Rules, Orders and Constitutions, and more easy and speedy Recovery of the Pains and Penalties to the same annexed; be it further enacted, That the Lord Mayor of *London*, and the Aldermen of the said City, and the Justices of the Peace within the Shires next adjoining to the said River of *Thames* between *Gravesend* and *Windsor*, every of them within their several Jurisdictions and Authorities, shall have full Power and Authority, by virtue of this present Act, upon Complaint made to them, or any of them, by the said Overseers and Rulers, or any two of them, to examine, hear and determine, by the Oath of one or more Witnesses (which every of them are hereby authorized to administer) or by the Confession of the Offender, all Complaints or Offences to be done or committed by any such Person or Persons that shall offend contrary to the true Meaning of this present Act, or any Rule, Order or Constitution, to be made pursuant to the Authority hereby given, and by Distress and Sale of the Goods of every such Offender, by Warrant under the Hand and Seal of the said Lord Mayor and Aldermen, or one or more of the said Aldermen or Justices, to cause to be levied, from Time to Time, all the Penalties inflicted by former and this present Act touching Watermen, Wherry-men or Lightermen, or by any such Rule, Order or Constitution, that shall by virtue of this present Act be forfeited.

Penalties inflicted
to be levied
by Distress.

None but regis-
tered Lightermen
(except Free Wa-
termen, &c.) to
work any Light-
ter, &c.

VI. And be it further enacted and declared by the Authority aforesaid, That all and every Person or Persons now owning, having, using, keeping, or working any Lighter or Flat Boats, commonly used for the lading and unlading Goods and Merchandizes, to or from any Ship or Ships, or other Vessel or Vessels, who shall register the Names of themselves and their Servants, with their respective Places of Abode, in the Book or Books of the said Company kept for that Purpose, on or before the nine and twentieth Day of *September* next, shall be deemed and taken to be Lightermen, and they are hereby declared to be Lightermen, within the Intent and Meaning of this present Act; and it shall and may be lawful to and for all and every such Person and Persons so registered, and no other Person or Persons, but such (Free Watermen, who are not at present Lightermen, that shall be registered as Lightermen at any Time or Times hereafter, and such Person and Persons who shall have been or are lawfully retained and served his Apprenticeship with a Lighterman, excepted) to use, keep and work, or be employed in the working of or in any Lighter or Lighters, or other great Craft; upon Pain that every Person or Persons doing the contrary, shall from Time to Time, for every such Offence, forfeit and lose the Sum of five Pounds for every Week, that he or they shall have, use and work, or work in any Lighter, or other large Craft; any thing herein contained to the contrary in any wise notwithstanding.

Penalty.

No Person (ex-
cept Trinity Men)
to row or ply be-
twixt Gravesend
and Windsor, un-
less he served his
Apprenticeship to
a Waterman, &c.
To whom Forfeitures
shall be
paid, and for
what Use.

Owners of Keys,
&c. betwixt the
Hermitage
Bridge and Lon-
don Bridge may
use their own
Lighters, &c. and
employ Persons
qualified to row
therein.

* Persons keeping
Wharfs, or deal-
ing in Coals, &c.
may use their
own Lighters, &c.
3 Geo. 2. c. 26.
§. 1.

Woodmongers
may keep Lighters for carrying their own Goods, &c.

VII. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever (except *Trinity Men*) be admitted or allowed to work, row or ply on the said River of *Thames*, betwixt *Gravesend* and *Windsor*, in any Boats, Wherries, or Barges ordinarily serving for carrying Passengers for Profit, Gain or Reward, except such Person or Persons as shall have served his Apprenticeship to a Waterman, or is a Servant or Apprentice to a Waterman, and shall in all Things be duly qualified as by former Statutes and this Act is directed, for the Security and Safety of Goods and Passengers carried by Water; and that all and singular the Forfeitures and Penalties in the said former Laws and this present Act contained, shall from Time to Time, and at all Times, be paid unto the Rulers and Overseers of the said Wherry-men, Watermen and Lightermen, or the major Part of them, for the Use of the poor, aged, decayed and maimed Persons of the said Society and Company of Wherry-men, Watermen and Lightermen.

VIII. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lessees, Owners or Occupiers of any Key or Keys betwixt the *Hermitage Bridge* and *London Bridge*, or any or either of them, to use their and every their Lighters or large Crafts, as has been heretofore lawfully accustomed, for the carrying of Goods and Merchandizes to and from their respective Keys and Wharfs, and to and from Ships loading or unloading, and to employ any Person or Persons, being Watermen or Lightermen duly qualified as in and by this present Act is directed or appointed, to row and work in their respective Lighters or large Craft, and to do and act any thing as heretofore they might lawfully do, from such their respective Keys and Wharfs to any Ships or Vessels as aforesaid; any thing in this present Act contained to the contrary thereof in any wise notwithstanding: And that it shall and may be lawful for any Person or Persons, who now are, or hereafter shall be a Woodmonger or Woodmongers, and do keep a Wharf or Wharfs for retailing of Fuel, to keep, use and row, by themselves or Servants, any Lighter or Lighters, or other large Craft, for carrying of their own Goods so to be retailed, and none others; provided such Servants be Watermen or Lightermen within the Meaning of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Act not to pro-
hibit Dung Ligh-
ters, nor Garde-
ners Boats, &c.

IX. Provided always, That this Act, nor any thing herein contained, shall not extend or be construed to extend to prohibit any Owners, Proprietors or Lessees of Laystalls to carry off the Soil from the said Laystalls in such Lighters or Vessels, and by such Persons, as have hitherto been accustomed, nor to prohibit any Gardiner from bringing to the Markets of the Cities of *London* and *Westminster*, and the Places adjacent, their own Fruit, Herbs, Roots and other Products of their Gardens, or Soil and Dung in their Boats, and by their own Servants, as they have formerly accustomed to do; any thing herein contained to the contrary notwithstanding.

Prosecution to be
in 30 Days after
Offence.

X. Provided also, That no Person shall be punished for any Offence against this Act, unless such Offender shall be prosecuted for the same within thirty Days after the Offence committed.

XI. Provided

XI. Provided always, That if any Action, Bill, Plaint or Suit, shall at any Time after the first Day of June be commenced or brought against any Person or Persons whatsoever, for or by Reason of any Matter or Thing which he or they shall do in Pursuance of or by Colour of this Act, it shall and may be lawful to and for the Person or Persons so sued or prosecuted to plead the General Issue, or that what was done by him was done by virtue of this Act, without saying more, and give this Act or any other Special Matter in Evidence; which Act is hereby declared to be a publick Act; and if the Verdict shall pass for the Defendant or Defendants in such Action, or the Plaintiff or Plaintiffs become nonsuit, or suffer any Discontinuance thereof, that in any such Case the Defendant or Defendants shall have his or their Double Costs, which he or they shall have sustained in Defence of such Action or Suit, for which the said Defendant or Defendants shall have the like Remedy, as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Persons sued may plead the General Issue: Publick Act.

Double Costs.

XII. Provided, That where any Offender shall be punished by Force of this Act, he shall not be prosecuted nor incur the Penalty of any other Law or Statute for the same Offence.

Proviso concerning Punishment of Offender.

XIII. and whereas great Numbers of idle and loose Watermen and Boys do work on the Lord's Day, commonly called Sunday, and exact large Prices from Passengers, whose necessary Occasions oblige them to pass and repass the River of Thames, and generally spend such their Gains in Drunkenness and Prophaneness the succeeding Week: For Prevention whereof, and to the End that what shall be got thereby, may be applied to the charitable Relief of such aged and maimed Watermen and Lightermen, their Widows and Children, whose Circumstances want Assistance; Be it enacted by the Authority aforesaid, That from and after the first Day of June next it shall and may be lawful to and for the said Rulers and Overseers, Auditors and Assistants, of the said Society and Company for the Time being, or the major Part of them, on their respective Court Days, to appoint any Number of Watermen, not exceeding forty, to ply and work on every Lord's Day between Vaux Hall above London Bridge, and Limehouse, below the same Bridge, at such common Stairs or Places of plying, as to the Rulers and Overseers, Auditors and Assistants, or the major Part of them, shall seem most convenient, for the carrying and re-carrying of Passengers cross the said River, between the Limits aforesaid, at one Penny each Person so to be carried; and all the Watermen so to be appointed on every the Days aforesaid, shall, on every Monday Morning respectively, pay unto the Order of the said Overseers and Rulers, Auditors and Assistants, all such Sum and Sums of Money as by them respectively shall be received for conveying Passengers on the Lord's Day as aforesaid; and the said Overseers and Rulers, Auditors and Assistants, or the major Part of them, or their Order, shall pay to each respective Waterman working as aforesaid, for his Day's Labour so much as they shall agree for, and the Overplus shall from Time to Time be applied to the Use of the poor, aged, decayed, and maimed Watermen and Lightermen of the said Society and Company, and their Widows; and if any Person appointed to work, as aforesaid, shall neglect to pay on every Monday to the Order aforesaid, the full Sum of Money that he shall have earned and received on the Lord's Day next before, he shall for every such Omission or short Payment forfeit and pay to the Order of the said Overseers and Rulers, Auditors and Assistants, or the major Part of them, the Sum of forty Shillings to be recovered, as aforesaid.

Rulers may appoint 40 Watermen to work on Sundays between Vaux Hall and Lime House, for carrying Passengers cross the River at 1 d. each. Watermen so appointed, to pay the Money received every Monday Morning to the Rulers, and be only allowed for their Labour. Overplus how applied. Penalty on Waterman not paying the Money received.

XIV. Provided always, That this Act, or any Thing therein contained, shall not extend, or be construed to extend to the lessening, taking away, abridging, hindring, prejudicing, or otherwise howsoever impeaching of any Right belonging to or lawfully claimed by the late Charles Duke of Richmond and Lenox, Lord of the Manor of Gravesend, his Heirs, Executors, Administrators, or Assigns, for the holding a certain Court within the said Manor, called Curia eursus aquæ, or, The Court of the Watercourse, for the better Government of Barges, Boats, and Vessels, using the Ferry or Passage from the Town of Gravesend, to London, and of the Persons owning or working the same, or of any other Rights, Liberties, Powers, and Privileges whatsoever belonging to the said late Duke, his Heirs, Executors, Administrators, and Assigns, relating to the said Ferry or Passage, or to the Barges, Tilt-boats, or other Boats and Vessels using the said Ferry or Passage, or plying at the Bridge of the said Town of Gravesend, or the Persons owning or working the same, or otherwise howsoever.

Act not to abridge the late Duke of Richmond's Right of holding a Court in Gravesend, &c. called Curia eursus aquæ.

XV. Provided always, That this Act, or any Thing therein contained, shall not extend, or be construed to extend to the lessening, taking away, abridging, hindring, prejudicing, or impeaching of any Grants, Liberties, Franchises, Customs, Privileges, or Usages, now or heretofore lawfully, used, held, or enjoyed, by the Mayor, Jurats, and capital Inhabitants of the Villages and Parishes of Gravesend and Milton, in the County of Kent, touching, concerning, or relating to the Passage and Ferry upon the said River of Thames, from the said Villages and Parishes of Gravesend and Milton, to the said City of London, or touching or concerning the Government or Gubernation of the said Passage and Ferry; but that the said Mayor, Jurats, and Inhabitants, and their Successors, shall and may do and execute all and every such lawful Act and Act, Powers and Authorities, touching the said Passage and Ferry, and the Government thereof, as they might or could have done, if this Act had not been made; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Nor to lessen, &c. the Liberties, &c. of the Inhabitants of Gravesend, &c. relating to the Ferry from Gravesend to London, &c.

XVI. Provided always, That this Act, or any Thing therein contained shall not extend to hinder or prevent the Watermen of the Parish of St. Margaret, Westminster, from plying or working cross the River of Thames from Westminster Bridge to Standgate, and from the Horse Ferry to Lambeth Bridge, on every Lord's Day, in their several Turns, as they have lately accustomed and used to do; and the Money earned by them or any of them on that Day is hereby directed to be, from Time to Time, employed for the Use of the poor, aged, decayed, and maimed Watermen and their Widows of the Parish of Saint Mar-

Proviso concerning the Watermen of St. Margaret, Westminster.

2 Geo. 2. c. 26. 10 Geo. 2. c. 31.

Farther Provisions relating hereto, 4 & 5 Ann. c. 13 & 19. 4 Geo. 2. c. 24. and 10 Geo. 2. c. 31. garet,

garet, Westminster; and any two Justices of the Peace of the said Parish are hereby authorized, from Time to Time to call the Watermen, so working, to account for the Monies by them earned on the Lord's Day, as aforesaid, and to cause the same to be applied and disposed as aforesaid; and that the said Watermen of the said Parish of Saint *Margaret* for the Time being shall choose two Stewards and a Clerk on the three and twentieth Day of *April* in every Year yearly, and such Watermen of the said Parish, or the major Part of them, which shall be present at a Meeting of their Society, shall, and have hereby Power to appoint such of the Watermen of the said Parish, as shall in their respective Turns work on the Lord's Days, as aforesaid; any Thing in this Act contained to the contrary notwithstanding.

C A P. XXII.

PR. An Act for making the River *Larke*, alias *Burn*, navigable. *Henry Ashley*, Esq; impowered to make the said River navigable, improve the Passage for Boats, &c. make new Cuts through the King's or other Grounds, and build Bridges, Sluices, &c. with free Liberty of Ways for carrying Materials, &c. and may alter Bridges, turn Highways, &c. and set out Towing-paths, &c. first giving Satisfaction to the Owner. Undertaker to make a Ditch between Towing-path and Lands of *William Gage*, &c. In case Undertaker and Owners cannot agree, &c. Commissioners to inquire upon Oath, and determine what Satisfaction Owners shall have for Damages, &c. not exceeding 25 Years Purchase, and proportion every one's Share. Commissioners Orders to be kept amongst the Records of the Sessions, &c. On Payment of Money agreed on, Undertaker may dig, cut, &c. the said Lands, erect Bridges, &c. and maintain the same, &c. Owner, &c. refusing to appear, Commissioners may inquire into such respective Owners Damage, and order Satisfaction. Rights of Fishing and Fowling reserved. In case of Death of Commissioners, others to be chosen, having 300*l.* per Annum, or 6000*l.* If the Water be raised higher than usual, Banks to be raised proportionably, or if the River be deepened at any Forging Place, &c. the Undertaker to make Bridges, &c. No Highway or Foot-path to be removed without Allowance. If Undertaker pull down any Bridge, he shall erect another as useful. Justices to determine Offences concerning Bridges, and inflict Penalties. All Banks to be maintained as usual. Undertaker to demand for all Goods, &c. carried up or down the said River, from *Mildenhall Mill*, to *Bury St. Edmond's*, the Rates following, For every Chaldron of Coals *Lynn Measure*, 3*s.* 2*d.* For every Half-hundred of Deals, 2*s.* Load of Timber (forty Foot to the Load) 2*s.* Eight Packs of Wooll, ten Tod to the Pack, 2*s.* 6*d.* Weigh of Salt, 2*s.* 6*d.* Load of Wheat or Barley, ten Combs to the Load, 2*s.* Last of Oats, 2*s.* 6*d.* Load of Beans or Peas, 2*s.* 6*d.* Tun of Grocery Wares, 2*s.* 6*d.* Tun of Oil or Wine, 3*s.* 10*d.* Thousand of Turf, 3*s.* 2*d.* Load of Reed, Sedge, or Hay, twenty hundred to a Load, 3*s.* 2*d.* Load of Hemp, twenty hundred Weight, 3*s.* 2*d.* Last of Malt, 2*s.* 6*d.* Load of Bricks, five hundred to the Load, 2*s.* Thousand of Tiles, 2*s.* 6*d.* And for every Tun of other Goods, 2*s.* Watermen, &c. to give Account of all Goods conveyed; &c. In case of Refusal, Goods may be stopt, and weighed. Any Person concealing Goods, &c. may be stopped, &c. Millers may carry Materials; &c. for repairing their Mills, &c. Toll free. Liberty granted to *Sir Edward Gage* and *William Gage*, to carry Dung, &c. for their own Lands, and their Tenants, Toll free. And the like Liberty for carrying the Product thereof. Like Liberty to Occupiers of Lands adjoining to the River, &c. Twenty Chaldron of Coals may be conveyed yearly to *Bury*, for the Poores Use, Toll free. Boat Master, &c. answerable for Damages. Boats, &c. lying in any Sluice, &c. obstructing the Passage of others, may be removed. Undertaker with Consent of Commissioners may make By-laws, and set Penalties. No common Wharf or Key to be made in *Bury* without Consent of Magistrates. Liberty to keep Pleasure Boats on the said River, Toll free; but not to carry Goods, &c.

C A P. XXIII.

PR. An Act for the better preserving the Navigation of the Rivers *Avon* and *Froome*, and for cleansing, paving and enlightning the Streets of the City of *Bristol*. Throwing Ballast Cinders, &c. into the River *Avon*, &c. or placing Ballast, &c. on the Wharfs, &c. in the City or Suburbs of *Bristol*, &c. adjudged a common Nufance. Mayor, &c. of *Bristol* to appoint convenient Places for laying Ashes, &c. Scavengers to carry all Dust, &c. to the said Places. House-keepers, &c. twice a Week to sweep their Streets, and Scavenger to carry away the Dirt. No Ashes, &c. to be laid in the Streets, &c. or thrown into any common Sewer, &c. House-keepers, &c. to cause the Streets before their Houses to be paved, and default the same out of their Rent. Penalty on laying empty Drays, &c. in the Street, or sawing Timber, &c. without Licence. Mayor, &c. to make Orders for regulating the Markets, and for carrying away Dirt, &c. Mayor, &c. appointed Conservators of the River *Avon*, from *Tower Harritz* to *Hannam's Mills*, and to punish Nufances, &c. appoint Officers for Preservation thereof, &c. and impose Fines, &c. to be levied by Distress. Surveyors of the Highways to have the Care of cleansing the Streets, &c. Churchwardens, &c. to settle a Parish Rate for cleansing the Streets, payable quarterly. Persons aggrieved may appeal to the Quarter-Sessions. Monies collected to be yearly accounted for. How the Ward of the Castle Precinct shall be rated. The Rights of Fishery, or Royalties on the Rivers, saved. Not to abridge any Rights of the Mayor, &c. of *Bristol* on the said Rivers. Householders paying 2*d.* per Week to the Poor, to hang out Lights in the Street, unless they agree to use Lamps, &c. Persons authorized may make a Rate for cleansing the Streets, and an Assesment for erecting publick Lamps, &c.

C A P. XXIV.

An Act to enable the Mayor and Citizens of the City of *Chester* to recover and preserve the Navigation upon the River *Dee*. Duties to be paid for 21 Years to the Mayor, &c. of *Chester*, for making the River *Dee* navigable. Coals three Half-pence per Barrel, Lime or Limestone 2d. per Barrel, to be paid on unloading, &c. Mayor and Aldermen, &c. to appoint Collectors and Receivers, &c. Monies collected to be paid to the City Treasurer. Coal, Limestone, &c. shall be sold in some publick Place in *Chester*, as the Mayor, &c. shall appoint. On Nonpayment of Duty, Boat and Goods may be stopt, and Cart, Horse, &c. until the same be paid. Mayor, &c. to nominate Collector, Receiver, &c. who shall give Security, and be allowed 12d. in the Pound for their Pains. Mayor, &c. may contract for making new Works, &c. Accounts of Receipts and Disbursements to be entred. Seven Commissioners to be chosen yearly for executing the Powers in this Act, who may examine Collectors, &c. on Oath, allow their Accounts, &c. River *Dee* may be made navigable from the Sea to *Chester*, and the Channel turned. Commissioners for executing the Powers, may mark out the Sands, Soil, &c. Sand and Ground inclosed, &c. vested in the Mayor and Citizens for ever, who may improve the same, and take the Profits, for maintaining and repairing the Works. Commissioners to set out a publick Highway over the Sands. Mayor, &c. may survey the River, &c. Rights of *Anne Offley* reserved, &c. Owners of *Blacon Manor* may set up Sluices, &c. In case new Channel be cut within 450 Yards Southwards of *Blacon-houfe*, Owners to have Satisfaction for Damage, &c. Differences shall be adjusted by Arbitrators. Party aggrieved may appeal to the Chief Justice of *Chester*, whose Order shall be final. Not to extend to Sir *William Glynn* and others. In case River be not fordable at low Water, Mayor, &c. to employ two free Ferry-boats, &c.

P. R. & EXP.
6 Geo. 2. c. 30.

Anno Regni GULIELMI III. duodecimo & decimo tertio.

AT the Parliament begun at *Westminster* the sixth Day of *February*, Anno Dom. 1700. in the twelfth Year of the Reign of our Sovereign Lord *WILLIAM* the Third, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and from thence continued by Prorogation to the tenth Day of *February* 1700. and from thence by Adjournments continued till the twenty-fourth Day of *June* 1701. being the first Session of this present Parliament.

C A P. I.

An Act for renewing the Bills of Credit, commonly called *Exchequer Bills*.

EXP.

C A P. II.

An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject.

WHEREAS in the first Year of the Reign of your Majesty, and of our late most Gracious Sovereign Lady Queen *MARY* (of blessed Memory) an Act of Parliament was made, intituled, *An Act for declaring the Rights and Liberties of the Subject, and for settling the Succession of the Crown*, wherein it was (amongst other Things) enacted, established and declared, That the Crown and Regal Government of the Kingdoms of *England*, *France* and *Ireland*, and the Dominions thereunto belonging, should be and continue to your Majesty and the said late Queen, during the Joint-Lives of your Majesty and the said Queen, and to the Survivor: And that after the Decease of your Majesty and of the said Queen, the said Crown and Regal Government should be and remain to the Heirs of the Body of the said late Queen: And for Default of such Issue, to her Royal Highness the Princess *ANNE* of *Denmark*, and the Heirs of her Body: And for Default of such Issue, to the Heirs of the Body of your Majesty. And is was thereby further enacted, That all and every Person and Persons that then were, or afterwards should be reconciled to, or should hold Communion with the See or Church of *Rome*, or should profess the Popish Religion, or marry a Papist, should be excluded, and are by that Act made for ever incapable to inherit, possess, or enjoy the Crown and Government of this Realm and *Ireland*, and the Dominions thereunto belonging, or any Part of the same, or to have, use, or exercise any Regal Power, Authority, or Jurisdiction within the same: And in all and every such Case and Cases the People of these Realms shall be and are thereby absolved of their Allegiance: And that the said Crown and Government shall from Time to Time descend to and be enjoyed by such Person or Persons, being Protestants, as should have inherited and enjoyed the same, in case the said Person or Persons, so reconciled, holding Communion, professing, or marrying as aforesaid, were naturally dead. After the making of which Statute, and the Settlement therein contained, your Majesty's good Subjects, who were restored to the full and free Possession and Enjoyment of their Religion, Rights, and Liberties, by the Providence of God giving Success to your Majesty's just Undertakings and unwearied Endeavours for that Purpose, had no greater temporal Felicity to hope or wish for, than to see a Royal Progeny descending from your Majesty, to whom (under God) they owe their Tranquillity, and whose Ancestors have for many Years been principal Assertors of the reformed Religion and the Liberties of *Europe*, and from our said most Gracious Sovereign Lady, whose Memory will always be precious to the Subjects of these Realms: And

1 W. & M. c. 2.
c. 2.

‘ And it having since pleased Almighty God to take away our said Sovereign Lady, and also the most hopeful Prince WILLIAM Duke of *Gloucester* (the only surviving Issue of her Royal Highness the Princess ANNE of *Denmark*) to the unspeakable Grief and Sorrow of your Majesty and your said good Subjects, who under such Losses being sensibly put in mind, that it standeth wholly in the Pleasure of Almighty God to prolong the Lives of your Majesty and of her Royal Highness, and to grant to your Majesty, or to her Royal Highness, such Issue as may be inheritable to the Crown and Regal Government afore said, by the respective Limitations in the said recited Act contained, do constantly implore the Divine Mercy for those Blessings: And your Majesty’s said Subjects having daily Experience of your Royal Care and Concern for the present and future Welfare of these Kingdoms, and particularly recommending from your Throne a further Provision to be made for the Succession of the Crown in the Protestant Line, for the Happiness of the Nation, and the Security of our Religion; and it being absolutely necessary for the Safety, Peace and Quiet of this Realm, to obviate all Doubts and Contentions in the same, by reason of any pretended Title to the Crown, and to maintain a Certainty in the Succession thereof, to which your Subjects may safely have Recourse for their Protection, in case the Limitations in the said recited Act should determine: Therefore for a further Provision of the Succession of the Crown in the Protestant Line, we your Majesty’s most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, do beseech your Majesty that it may be enacted and declared, and be it enacted and declared 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 most Excellent Princess SOPHIA, Electress and Dutches Dowager of *Hanover*, Daughter of the most Excellent Princess ELIZABETH, late Queen of *Bohemia*, Daughter of our late Sovereign Lord King JAMES the first, of happy Memory, be and is hereby declared to be the next in Succession, in the Protestant Line, to the Imperial Crown and Dignity of the said Realms of *England*, *France* and *Ireland*, with the Dominions and Territories thereunto belonging, after his Majesty, and the Princess ANNE of *Denmark*, and in Default of Issue of the said Princess ANNE, and of his Majesty respectively: And that from and after the Deceases of his said Majesty, our now Sovereign Lord, and of her Royal Highness the Princess ANNE of *Denmark*, and for Default of Issue of the said Princess ANNE, and of his Majesty respectively, the Crown and Regal Government of the said Kingdoms of *England*, *France* and *Ireland*, and of the Dominions thereunto belonging, with the Royal State and Dignity of the said Realms, and all Honours, Stiles, Titles, Regalities, Prerogatives, Powers, Jurisdictions and Authorities, to the same belonging and appertaining, shall be, remain, and continue to the said most Excellent Princess SOPHIA, and the Heirs of her Body, being Protestants: And thereunto the said Lords Spiritual and Temporal, and Commons, shall and will, in the Name of all the People of this Realm, most humbly and faithfully submit themselves, their Heirs and Posterities; and do faithfully promise That after the Deceases of his Majesty, and her Royal Highness, and the Failure of the Heirs of their respective Bodies, to stand to, maintain, and defend the said Princess SOPHIA, and the Heirs of her Body, being Protestants, according to the Limitation and Succession of the Crown in this Act specified and contained, to the utmost of their Powers, with their Lives and Estates, against all Persons whatsoever that shall attempt any Thing to the contrary.

II. Provided always, and it is hereby enacted, That all and every Person and Persons, who shall or may take or inherit the said Crown, by virtue of the Limitation of this present Act, and is, are or shall be reconciled to, or shall hold Communion with, the See or Church of *Rome*, or shall profess the Popish Religion, or shall marry a Papist, shall be subject to such Incapacities, as in such Case or Cases are by the said recited Act provided, enacted, and established; and that every King and Queen of this Realm, who shall come to and succeed in the Imperial Crown of this Kingdom, by virtue of this Act, shall have the Coronation Oath administered to him, her or them, at their respective Coronations, according to the Act of Parliament made in the first Year of the Reign of his Majesty, and the said late Queen MARY, intituled, *An Act for establishing the Coronation Oath*, and shall make, subscribe, and repeat the Declaration in the Act first above recited mentioned or referred to, in the Manner and Form thereby prescribed.

‘ III. And whereas it is requisite and necessary that some further Provision be made for securing our Religion, Laws and Liberties, from and after the Death of his Majesty and the Princess ANNE of *Denmark*, and in Default of Issue of the Body of the said Princess, and of his Majesty respectively;’ 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 Parliament assembled, and by the Authority of the same,

‘ THAT whosoever shall hereafter come to the Possession of this Crown, shall join in Communion with the Church of *England*, as by Law established.’

‘ That in case the Crown and Imperial Dignity of this Realm shall hereafter come to any Person, not being a Native of this Kingdom of *England*, this Nation be not obliged to engage in any War for the Defence of any Dominions or Territories which do not belong to the Crown of *England*, without the Consent of Parliament.’

‘ That no Person who shall hereafter come to the Possession of this Crown, shall go out of the Dominions of *England*, *Scotland*, or *Ireland*, without Consent of Parliament.’

‘ That from and after the Time that the further Limitation by this Act shall take Effect, all Matters and Things relating to the well governing of this Kingdom, which are properly cognizable in the Privy Council by the Laws and Customs of this Realm, shall be transacted there, and all Resolutions taken thereupon shall be signed by such of the Privy Council as shall advise and consent to the same.’

Princess Sophia declared next Successor to the Crown,

after the King and Princess Anne of Denmark and their Issue, &c.

and to the Heirs of her Body, being Protestants.

Papist, &c. incapacitated from inheriting the Crown.

King and Queen to take the Coronation Oath,

1 W. & M. st. 1. c. 6.

and subscribe the Declaration.

Conditions for securing the Religion, Laws, &c. in Default of Issue of the Princess Anne and the King.

Repealed by 1 Geo. 1. stat. 2. c. 51.

Repealed by 4 Ann. c. 8. s. 21.

That after the said Limitation shall take Effect as aforesaid, no Person born out of the Kingdoms of England, Scotland, or Ireland, or the Dominions thereunto belonging (although he be naturalized or made a Denizen, except such as are born of English Parents) shall be capable to be of the Privy Council, or a Member of either House of Parliament, or to enjoy any Office or Place of Trust, either Civil or Military, or to have any Grant of Lands, Tenements or Hereditaments from the Crown, to himself or to any other or others in Trust for him.

This Clause extends not to Persons naturalized at or before the Accession of King Geo. I. to the Crown.

That no Person who has an Office or Place of Profit under the King, or receives a Pension from the Crown, shall be capable of serving as a Member of the House of Commons.

Repealed by 4 Ann. c. 8. §. 25. 6 Ann. c. 7. 1 Geo. I. c. 56.

That after the said Limitation shall take Effect as aforesaid, Judges Commissions be made *Quandiu se bene gesserint*, and their Salaries ascertained and established; but upon the Address of both Houses of Parliament it may be lawful to remove them.

That no Pardon under the Great Seal of England be pleadable to an Impeachment by the Commons in Parliament.

IV. And whereas the Laws of England are the Birth-right of the People thereof, and all the Kings and Queens, who shall ascend the Throne of this Realm, ought to administer the Government of the same according to the said Laws, and all their Officers and Ministers ought to serve them respectively according to the same: The said Lords Spiritual and Temporal, and Commons, do therefore further humbly pray, That all the Laws and Statutes of this Realm for securing the established Religion, and the Rights and Liberties of the People thereof, and all other Laws and Statutes of the same now in Force, may be ratified and confirmed, and the same are by his Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, and by Authority of the same, ratified and confirmed accordingly.

All Laws for securing the established Religion, &c. confirmed. See farther 13 W. 3. c. 6.

C A P. III.

An Act for preventing any Inconveniencies that may happen by Privilege of Parliament.

FOR the preventing all Delays the King or his Subjects may receive in any of his Courts of Law or Equity, and for their Ease in the Recovery of their Rights and Titles to any Lands, Tenements or Hereditaments, and their Debts or other Dues, for which they have Cause of Suit or Action; 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 from and after the four and twentieth Day of June one thousand seven hundred and one, any Person and Persons shall and may commence and prosecute any Action or Suit in any of his Majesty's Courts of Record at *Westminster*, or High Court of *Chancery*, or Court of *Exchequer*, or the Duchy Court of *Lancaster*, or in the Court of Admiralty, and in all Causes Matrimonial and Testamentary in the Court of the Arches, the Prerogative Courts of *Canterbury* and *York*, and the Delegates, and all Courts of Appeal, against any Peer of this Realm, or Lord of Parliament, or against any of the Knights, Citizens and Burgesses of the House of Commons for the time being, or against their or any of their Menial or other Servants, or any other Person intitled to the Privilege of Parliament, at any Time from and immediately after the Dissolution or Prorogation of any Parliament, until a new Parliament shall meet, or the same be re-assembled and from and immediately after any Adjournment of both Houses of Parliament for above the Space of fourteen Days, until both Houses shall meet or re-assemble; and that the said respective Courts shall and may, after such Dissolution, Prorogation, or Adjournment as aforesaid, proceed to give Judgment, and to make final Orders, Decrees and Sentences, and award Execution thereupon; any Privilege of Parliament to the contrary notwithstanding.

Amended by 11 Geo. 2. c. 24.

Action may be commenced against Peer or Member of Parliament, &c. in the Interval of Parliament, &c.

and after Prorogation, &c. Court may give Judgment.

II. Provided nevertheless, That this Act shall not extend to subject the Person of any of the Knights, Citizens and Burgesses of the House of Commons, or any other Person intitled to the Privilege of Parliament, to be arrested during the Time of Privilege: Nevertheless, if any Person or Persons, having Cause of Action or Complaint against any Peer of this Realm, or Lord of Parliament, such Person or Persons, after any Dissolution, Prorogation or Adjournment as aforesaid, or before any Sessions of Parliament, or Meeting of both Houses as aforesaid, shall and may have such Process out of his Majesty's Courts of *King's Bench*, *Common Pleas*, and *Exchequer*, against such Peer or Lord of Parliament, as he or they might have had against him out of the Time of Privilege; and if any Person or Persons, having Cause of Action against any of the said Knights, Citizens or Burgesses, or any other Person intitled to Privilege of Parliament, after any Dissolution, Prorogation, or such Adjournment as aforesaid, or before any Sessions of Parliament, or Meeting of both Houses as aforesaid, such Person or Persons shall and may prosecute such Knight, Citizen or Burgess, or other Person intitled to the Privilege of Parliament, in his Majesty's Courts of *King's Bench*, *Common Pleas*, or *Exchequer*, by Summons and Distress infinite, or by Original Bill, and Summons, Attachment, and Distress Infinite thereupon to be issued out of any of the said Courts of Record, which the said respective Courts are hereby empowered to issue against them, or any of them, until he or they shall enter a Common Appearance, or file Common Bail to the Plaintiff's Action, according to the Course of each respective Court; and any Person or Persons, having Cause of Suit or Complaint, may, in the Times aforesaid, exhibit any Bill or Complaint against any Peer of this Realm or Lord of Parliament, or against any of the said Knights, Citizens or Burgesses, or other Person intitled to the Privilege of Parliament, in the High Court of *Chancery*, Court of *Exchequer*, or Duchy Court of *Lancaster*, and may proceed thereupon by Letter or *Subpoena* as is usual, and upon leaving a Copy of the Bill with the Defendant, or at his House or Lodging, or last Place of

Person may have Process against Peer, &c. after Dissolution of Parliament,

and may exhibit Bill against any Peer or Member, &c.

Abode,

and sequester the Party's Estate, but not arrest his Body.

any Order or Decree, or Breach thereof, may sequester the real and personal Estate of the Party, as is used and practised where the Defendant is a Peer of this Realm, but shall not arrest or imprison the Body of any of the said Knights, Citizens and Burgeffes, or other privileged Person, during the Continuance of Privilege of Parliament.

Plaintiff prevented from Prosecution by Privilege of Parliament, not to be barred by any Statute of Limitation, &c.

III. And be it enacted by the Authority aforesaid, That where any Plaintiff shall, by Reason or Occasion of Privilege of Parliament, be stayed or prevented from prosecuting any Suit by him commenced, such Plaintiff shall not be barred by any Statute of Limitation, or nonsuited, dismissed, or his Suit discontinued, for want of Prosecution of the Suit by him begun, but shall from Time to Time, upon the Rising of the Parliament, be at Liberty to proceed to Judgment and Execution.

No Action, &c. against the King's immediate Debtor, &c.

IV. And it is hereby enacted, That no Action, Suit, Proc. s, Order, Judgment, Decree or Proceeding in Law or Equity against the King's original and immediate Debtor, for the Recovery or Obtaining of any Debt or Duty originally and immediately due or payable unto his Majesty, his Heirs or Successors, or against any Accountant, or Person answerable or liable to render any Account unto his Majesty, his Heirs or Successors, for any Part or Branch of any of his or their Revenues, or other original or immediate Debt or Duty, or the Execution of any such Process, Order, Judgment, Decree or Proceedings, shall be impeached, stayed or delayed, by or under the Colour or Pretence of any Privilege of Parliament; yet so nevertheless, that the Person or Persons of any such Debtor or Accountant, or Person answerable or liable to account, being a Peer of this Realm or Lord of Parliament, shall not be liable to be arrested or imprisoned by or upon any such Suit, Order, Judgment, Decree, Process or Proceedings, or being a Member of the House of Commons, shall not, during the Continuance of the Privilege of Parliament, be arrested or imprisoned, by or upon any such Order, Judgment, Decree, Process or Proceedings.

Proviso,

Farther Provisions concerning Parliament, 2

V. Provided nevertheless, That neither this Act, nor any thing therein contained, shall extend to give any Jurisdiction, Power or Authority, to any Court, to hold Plea in any real or mixt Action, in any other Manner than such Court might have done before the making this Act.

3 Ann. c. 18. 6 Ann. c. 7 & 23. 9 Ann. c. 5. 10 Ann. c. 19 & 23. 1 Geo. 1. c. 38 & 56. 2 Geo. 2. c. 24. 6 Geo. 2. c. 23. 8 Geo. 2. c. 30. 9 Geo. 2. c. 38. 11 Geo. 2. c. 24. 13 Geo. 2. c. 20. 15 Geo. 2. c. 22. 19 Geo. 2. c. 28. 31 Geo. 2. c. 14. 33 Geo. 2. c. 20.

C A P. IV.

An Act for appointing Wardens and Assay Masters for assaying Wrought Plate in the Cities of York, Exeter, Bristol, Chester, and Norwich,

Cities appointed for assaying, &c. Wrought Plate. By 1 Annæ, stat. 1. c. 9. §. 3. Newcastle on Tyne hath the like Power. Goldsmiths, &c. in the said Cities incorporated a Company, and shall choose Wardens annually.

‘ W H E R E A S the Goldsmiths, Silversmiths, and Plateworkers of this Kingdom, remote from the City of London, are under great Difficulties and Hardships in the Exercise of their Trades, for want of Assayers in convenient Places to assay and touch their Wrought Plate:’ For Remedy whereof, and for preventing all Frauds and Corruptions therein, 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 several Cities within this Kingdom, where the Mints were lately erected for recoining the Silver Money of this Kingdom, (*viz.*) York, Exeter, Bristol, Chester, and Norwich, shall be, and are hereby appointed to the assaying and marking of Wrought Plate, and for executing the Powers, Authorities, and Directions given by this Act.

II. Be it enacted by the Authority aforesaid, That in every of the Cities aforesaid, the Goldsmiths, Silversmiths, and Plateworkers, who are or shall be Freemen of, or inhabiting within, any of the said Cities, and having served an Apprenticeship to the said Trade of a Goldsmith, Silversmith, or Plateworker, shall be, and are hereby respectively incorporated a Company of or belonging to such City, and shall be called and known by the Name of *The Company of Goldsmiths* of such City respectively: Which Company of such City shall be enabled, and are hereby authorized, annually to choose two Persons to be the Wardens of the said Company in each of the said Cities respectively: Which said Wardens shall continue for the Space of one Year, and no longer, unless re-elected by the said Company: And if any of the said Wardens so chosen as aforesaid, shall happen to die or remove out of such City, then the said Company shall, within one Month after such Death or Removal, choose another Person of their Company to be Warden in his Room, and such Person so chosen, shall, and is hereby authorized and required to act accordingly.

No Goldsmith, &c. to make Plate less in Fineness than Standard, nor shall sell any until marked, &c. 72 Geo. 2. c. 26.

III. And be it further enacted by the Authority aforesaid, That no Goldsmith, Silversmith, or Plateworker in any of the said Cities, shall work or make, or cause to be wrought or made, any Silver Vessel, Plate, or Manufacture of Silver, less in Fineness than according to the Standard of this Kingdom, which for the Time being is or shall be appointed by Law for Wrought Plate, nor shall put to sale, exchange, or sell any Plate or Manufacture of Silver made after the nine and twentieth Day of September one thousand seven hundred and one, until such Time as such Plate or manufactured Silver shall be marked as followeth, *viz.* with the Worker's Mark, to be expressed with the two first Letters of his Surname, to denote the Maker thereof, and also with the Lion's Head erased, and the Figure of a Woman commonly called *Britannia*, and with the Arms of such of the Cities aforesaid; wherein such Plate shall be assayed and marked, to denote the Goodness thereof, and the Place where the same was assayed and marked, and also with a distinct variable Mark or Letter in Roman Character; which Mark or Letter shall be annually changed upon the Election of new Wardens for each respective Company, to denote the Year in which such Plate is made; upon Pain that all such Silver Vessels, Plate, or other manufactured Silver (except such Things as by reason of their Smallness are not capable of receiving a Touch)

Penalty, Exception.

which shall be made, exposed to sale, or exchanged, contrary to this Act, shall be forfeited, or the Value thereof, one Moiety thereof to the King's Majesty, his Heirs and Successors, and the other Moiety thereof to such Person or Persons as will sue for the same, to be recovered by Action of Debt, Bill, Suit, or Information, in any Court of Record in any County or Place wherein such Offence shall be committed, and wherein no Essoin, Protection, Wager of Law, or any more than one Imparance shall be allowed.

IV. And be it further enacted by the Authority aforesaid, That there shall be an able and skilful Man, experienced in assaying of Gold and Silver, elected by the said Company of Goldsmiths in each of the said Cities respectively, for whom it shall and may be lawful to detain eight Grains only from every Pound Troy of Silver he shall assay, four Grains whereof shall be put into the Box of Diet, and the other four Grains shall be allowed him towards his Waste and Spillings in making the said Assays; and who immediately after his Election, shall take the Oath following, *viz.*

An Assayer to be elected in each City, and allowed eight Grains per Pound Troy of Silver.

I *A. B.* do swear, That I will be faithful and true to our Sovereign Lord King WILLIAM, and will so long as I shall continue an Assayer, well and faithfully behave myself in the said Office, and no undue Profit to myself take, to the hurting or hindrance of any Person that is Owner or Bringer in of any Gold or Silver in Plate, to be assayed, except of Plate wrought only four Grains of every Pound Weight to be taken and put into the Box of Diet, and other four Grains to be taken likewise of every Pound Weight of Plate wrought (and not otherwise) towards my Waste and Spillings in making the said Assays; and that I will touch no Gold nor Silver, but what shall be of the Goodness of, and according to the Standard of this Kingdom, which for the Time being is or shall be appointed by Law for wrought Plate; and all such Gold or Silver as shall be brought to me to be touched, I will truly set down in Writing, and the same at all Times, as I shall be required, will duly and truly deliver again (except eight Grains as aforesaid) and will true Accounts make thereof, when thereunto required by the Wardens of the Companies wherein I am chosen Assayer; and that I will no Assays make of Things new wrought before they be marked with the Mark of the Maker or Owners thereof; and that I will not put into the aforesaid Box any Silver, but that Silver which I shall have scraped and taken from the Plate, which I shall assay and pass for Standard.

Assayer's Oath:

So help me God.

V. Which Oath the Mayor in the respective Cities aforesaid is hereby required and impowed to administer to such Assayer.

Mayor to administer the Oath.

VI. And it is hereby further enacted, That the Box or Boxes wherein the Diet of all such Plate as shall be tried by the Assayers aforesaid, is put, shall be locked up with three different Locks, and the respective Keys thereof shall be kept by the Wardens and Assayers of such respective Company, -by whom such Assayers shall be elected and chosen: Which Box or Boxes shall be at the Charge of each respective Company, conveyed annually (if required by the Lord Chancellor or Keeper of the Great Seal of England for the Time being) to his Majesty's Royal Mint at the Tower of London; and the said Diet therein contained shall be tried as the Pix of the Coin of this Kingdom is tried; and if in any of the said Diets there shall be found any Falshood or Deceit, then every such Company, for every such Offence, shall forfeit the Sum of fifty Pounds, to be recovered, in Manner as aforesaid, against such Company, or any Member thereof in his private Capacity, and to be disposed of as aforesaid: And if any Plate shall be touched, allowed, or marked, for Good, by any of the Assayers of the respective Places aforesaid, and if in the same there shall be found any Deceit, then such Assayer, who so marked the same, shall forfeit double the Value of the Plate so marked, to be recovered and disposed of as aforesaid.

Diet Box to be locked with three Locks.

Box may be annually conveyed to the Mint in the Tower, &c. Penalty on Company. Penalty on Assayer.

VII. And be it further enacted by the Authority aforesaid, That on or before the nine and twentieth Day of September one thousand seven hundred and one, every Goldsmith, Silversmith, or Plateworker, inhabiting in any of the Cities aforesaid, or in any other Town or Place within this Kingdom, where an Assayer is not, or shall not be appointed, and also every Person who at any Time after the said nine and twentieth Day of September shall be a Goldsmith, Silversmith, or Plateworker, and shall inhabit in any of the Cities aforesaid, or in any other Town or Place within this Kingdom, where an Assayer is not, or shall not be appointed, before he takes upon him to exercise any of the said Trades, shall enter his Name and his Mark, and Place of Abode, with the Wardens of such Company of that City or Place where an Assayer is or shall be appointed; which shall be done by the said Wardens, upon Demand, without Fee or Reward; and if any such Goldsmith, Silversmith, or Plateworker, shall not enter his Name, and Mark, and Place of Abode as aforesaid, or shall strike any other Mark on Plate, but what is so entred, such Goldsmith, Silversmith, or Plateworker so offending, shall forfeit double the Value of the Plate so marked, to be recovered and disposed of as aforesaid.

Goldsmith, &c. of any City where no Assayer is appointed shall enter his Name, &c. with the Wardens of the Company of such City where an Assayer is appointed. Penalty on Goldsmith, &c.

VIII. And be it further enacted, That if any Person shall counterfeit any of the Stamps appointed by this Act to be used by the said Wardens or Assayers for marking Wrought Plate, or any of the Stamps used by the Wardens of the Company of Goldsmiths of the City of London, such Person shall for every such Offence forfeit the Sum of five hundred Pounds, to be recovered and disposed of as aforesaid.

Penalty on Person counterfeiting Stamps. Repealed, and 1001. inflicted by 12 Geo. 2. c. 26.

IX. And whereas it is not the Intent and Meaning of this Act to hinder any Goldsmith, Silversmith, or Plateworker, not inhabiting within any of the Cities aforesaid, from exercising his or their Trade of Goldsmith, Silversmith, or Plateworker; yet for preventing of Abuse and Corruption therein, it is hereby further enacted, That all and every Goldsmith, Silversmith, and Plateworker, inhabiting in any Town or Place, where an Assayer is not or shall not be appointed, elected, or chosen, shall first fix his or their Mark upon all his and their Plate which shall be made from and after the said nine and twentieth Day of September (except such Things as by reason of their Smallness are not capable of receiving

Goldsmith, &c. shall first fix his own Mark on all his Plate, &c. and then send it to be assayed, &c.

If Standard, Assayers to mark the same, and have 6d. per Pound Troy.

Penalty on Goldsmith, &c.

the Touch) and shall then bring or send the same to some City or Place where an Assayer is or shall be appointed, elected, or chosen, and the same shall be there assayed according to this Act; and if by the said Assayer it shall be found to be of the Fineness of the Standard, which for the Time being is or shall be by Law appointed for wrought Plate, then the same shall be marked by the said Assayer; as he is by this Act required to mark the Plate of the respective Company by which he shall have been chosen an Assayer; and shall be allowed, satisfied and paid towards his Charge and Trouble in making such Assays, by the Owner or Owners, Bringer or Bringers of such Plate so assayed, a Sum not exceeding Six-pence for every Pound Troy, and so proportionably for every greater or lesser Quantity of Plate so assayed and marked; and if any such Goldsmith, Silversmith, or Plateworker shall work or make, or cause to be wrought or made any Silver Vessel, Plate, or Manufacture of Silver less in Fineness than according to the Standard, which for the Time being is or shall be by Law appointed for Wrought Plate, or shall put to sale, exchange, or sell any Silver Vessel, Plate, or Manufacture of Silver, made after the said nine and twentieth Day of *September* (unless it be such Things as in respect of their Smallness are not capable of receiving a Touch) before such Vessel, Plate, or Manufacture of Silver shall be assayed and marked as aforesaid, every such Goldsmith, Silversmith, and Plateworker so offending, shall forfeit the said Plate, or the Value thereof, to be recovered and disposed as aforesaid.

C A P. V.

An Act for continuing a former Act to prevent false and double Returns of Members to serve in Parliament.

7 W. 3. c. 7.

Continued for eleven Years.

WHEREAS in the first Session of the Parliament, begun the two and twentieth Day of *November* in the seventh Year of his present Majesty's Reign, an Act was made, intituled, *An Act to prevent false and double Returns of Members to serve in Parliament*, which is thereby enacted to continue for the Term of seven Years, and from thence to the End of the next Session of Parliament, and no longer; which said Act has been found by Experience to be very useful for the Preservation of the Rights of the several Counties, Cities, and Boroughs of this Kingdom, in the Election of Members to serve in Parliament; 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 Parliament assembled, and by the Authority of the same, That the said Act, and every Clause therein contained, shall hereafter remain and be in full Force, and is hereby continued, for and during the Term and Space of eleven Years, and from thence to the End of the first Session of the next Parliament, and no longer.

C A P. VI.

An Act for continuing the Acts therein mentioned, for preventing Theft and Rapine upon the Northern Borders of *England*.

13 & 14 Car. 2. c. 22.

18 Car. 2. c. 3.

29 & 30 Car. 2. c. 2.

1 Jac. 2. c. 14.

7 & 8 W. 3. c. 17.

Continued for eleven Years.

and deemed Publick Acts, 10 Geo. 1. c. 17.

WHEREAS in the Session of Parliament, holden in the thirteenth and fourteenth Years of the Reign of our late Sovereign King CHARLES the Second, an Act was made, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of England*, which was thereby to continue in Force for and during the Term of five Years; And whereas another Act was made in the eighteenth Year of the said late King, intituled, *An Act to continue a former Act, to prevent Theft and Rapine upon the Northern Borders of England*; both which Acts were revived and continued by another Act, made in the twenty-ninth and thirtieth Years of the Reign of the said late King, intituled, *An Act for continuing of two former Acts for preventing of Theft and Rapine upon the Northern Borders of England*, for and during the Space and Term of seven Years, and also from thence until the End of the first Session of the then next Parliament; which three aforementioned Acts were continued by an Act made in the first Year of the late King JAMES the Second, for and during the Space and term of eleven Years, and also from thence until the End of the first Session of the then next Parliament; and were further continued by another Act made in the seventh and eighth Years of his present Majesty's Reign, for and during the Space and Term of five Years, and from thence to the End of the first Session of the next Parliament; which Laws have been found necessary for the Preservation of those Places from that great Number of lewd, disorderly and lawless Persons, that usually frequented and infested those Parts, and are now near expiring: Be it therefore enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That the said Acts, and all and every of them, and all and every Matter, Clause and Clauses therein contained, and all and every the Powers and Authorities thereby given, be and continue, and are hereby continued in full Force, from and after the Expiration of the last mentioned Act, for and during the Space and Term of eleven Years, and from thence to the End of the first Session of the next Parliament, and no longer.

II. Provided always, and be it enacted by the Authority aforesaid, That the said Acts shall be accepted, taken and reputed to be General and Publick Acts of Parliament, of which all and every the Judge and Judges of this Kingdom in all Courts shall take Notice on all Occasions whatsoever, as if they were Publick Acts of Parliament relating to the whole Kingdom; any Thing therein contained to the contrary thereof in any wise notwithstanding.

C A P. VII.

An Act for the better settling and preserving the Library kept in the House at *Westminster*, called *Cotton House*, in the Name and Family of the *Cottons*, for the Benefit of the Publick.

WHEREAS Sir *Robert Cotton*, late of *Connington*, in the County of *Huntington*, Baronet did at his own great Charge and Expence, and by the Assistance of the most learned Antiquaries of his Time, collect and purchase the most useful Manuscripts, written Books, Papers, Parchments, Records, and other Memorials in most Languages, of great Use and Service for the Knowledge and Preservation of our Constitution both in Church and State; which Manuscripts and other Writings were procured, as well from Parts beyond the Seas, as from several private Collectors of such Antiquities within this Realm, and are generally esteemed the best Collection of its Kind now any where Extant: And whereas the said Library has been preserved with the utmost Care and Diligence by the late Sir *Thomas Cotton*, Son of the said Sir *Robert*, and by Sir *John Cotton* of *Westminster* now living, Grandson of the said Sir *Robert*, and has been very much augmented and enlarged by them, and lodged in a very proper Place in the said Sir *John's* ancient Mansion House at *Westminster*, which is very convenient for that Purpose: And whereas the said Sir *John Cotton*, in pursuance of the Desire and Intentions of his said Father and Grandfather, is content and willing that the said Mansion House and Library should continue in his Family and Name, and not be sold, or otherwise disposed or imbeziled, and that the said Library should be kept and preserved by the Name of *The Cottonian Library*, for publick Use and Advantage: Now for the better settling and assuring the same, according to the Desire of the said Sir *John Cotton*, and at his Request; 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 Parliament assembled, and by the Authority of the same, That from and immediately after the Death of the said Sir *John Cotton*, the said Mansion House, with the Gardens, and all other Appurtenances, and also all the said Library or Collection of Manuscripts, written Books, Papers, Parchments, Records, and other Memorials, all which are particularly mentioned and named in a Schedule now remaining in the said Library, together with all Coins, Medals, and other Rarities and Curiosities in the said Library now remaining, be settled, limited, and vested in the Trustees hereafter named, to have, hold and enjoy to them and their Successors for ever, to the Uses, Intents and Purposes following (that is to say) As for the said House, Gardens and Appurtenances, other than the Room where the said Library now is, or hereafter may be lodged, and a convenient Way, Passage and Resort to the same, at the Will and Discretion of the Heirs of the Family, and the Library hereafter mentioned, to the only proper Use and Behoof of *John Cotton*, Esquire, of *Connington*, Grandson and Heir of the said Sir *John Cotton*, and after his Decease, to the first and every Son and Sons of the Body of the said *John Cotton*, to be begotten, and the Heirs Males of the Body of such Son or Sons issuing successively; and for Default of such Issue, to the Use of *Thomas Cotton*, Brother of the said *John Cotton*, for the Term of his natural Life; and after his Decease, to the first and every Son and Sons of the Body of the said *Thomas* to be begotten successively, and to the Heirs Males of such Son or Sons; and for Default of Issue, to *Robert Cotton* of *Giddin* in the County of *Huntington*, Esquire, Son of the said Sir *John Cotton*, for the Term of his natural Life; and after his Decease to *John Cotton*, Son of the said *Robert Cotton*, for his natural Life; and after his Decease, to the first and every Son and Sons of the said *John* to be begotten successively, and the Heirs Males of their Bodies issuing; and for Default of such Issue to all and every the other Son and Sons of the said Body of the said *Robert* to be begotten, and the Heirs Males of such Son or Sons successively; and for Default of such Issue to Sir *Robert Cotton*, of *Hattley Saint George* in the County of *Cambridge*, Knight, for his natural Life; and after his Decease, to the first and every Son or Sons of his Body to be begotten, and the Heirs Males of such Son or Sons issuing successively; and for Default of such Issue, to *Philip Cotton* of *Connington* in the County of *Cambridge*, Esquire, for his natural Life; and after his Decease, to the first and every Son or Sons of his Body to be begotten, and the Heirs Males of such Son or Sons issuing successively; and for Default of such Issue, to *Thomas Cotton* of *Cotton* in the County Palatine of *Chester*, Esquire, for the Term of his natural Life; and after his Decease, to the first and every the Son and Sons of his Body to be begotten, and the Heirs Males of such Son or Sons issuing successively; and for Default of such Issue, to the right Heirs of *John Cotton*, Grandson and Heir of the said Sir *John Cotton*, for ever: And as for and concerning the said Library, and the Room wherein the same is or shall be contained, together with a convenient Passage for resorting thereunto, upon this Trust and Confidence, that the said Trustees and their Successors shall and will from Time to Time, and at all Times hereafter, as Occasion shall require, inspect, consult, and take Care of the said Library, and other Particulars abovementioned, and also make and appoint such Orders and Rules as they shall think proper, for the reading and using the same, and for their better Preservation, and to the Intent and Purpose that the said Trustees, or the major Part of them, shall nominate and appoint a good and sufficient Person, well read in Antiquities and Records, to have the immediate Care and Custody of the said Library; which Person so nominated shall, before he takes upon him the said Custody and Employment, give Security to the Value of five hundred Pounds by Recognizance, with sufficient Sureties, that none of the Manuscripts, written Books, Papers, Parchments, Records, or other Memorials, whose Names and Titles are in the said Schedule, shall be lost, or otherwise imbeziled; and shall also, before he take upon him the said Custody and Employment, take the Oath following before the Lord Chancellor, or Lord Keeper of

To be called the Cottonian Library,

and after Sir John Cotton's Death, the said Mansion House, Library, &c.

shall be vested in Trustees, to the Uses following,

John Cotton Esquire of Connington;

Thomas Cotton;

Robert Cotton of Giddin;

John Cotton,

Sir Robert Cotton;

Philip Cotton;

Thomas Cotton of Cotton;

Trustees to inspect and take Care of the said Library, &c.

and appoint a Library Keeper, who shall give Security,

and take the following Oath,

the Great Seal of *England* for the Time being, in open Court, who is hereby impowered and required to administer the same, *viz.*

‘ I *A. B.* do swear, That I shall and will during my Continuance in the Employment of Keeper of the *Cottonian* Library, use my utmost Care and Endeavour for the preserving of the same; and will not willingly or wittingly permit or suffer the same, or any of the said Books, Papers, Parchments, Records, or other Particulars contained in the said Library, to be given away, aliened, disposed, or otherwise imbeziled.’

So help me God.

House and Library, &c. not subject to Judgments, &c. Trustees.

II. And it is hereby further enacted, That the said House, with the Appurtenances, and the Library, and other Particulars aforesaid, shall never be subject or liable to any Judgments, Statutes, Recognizances, or any other Incumbrances, nor shall ever be sold or aliened, forfeited or forfeitable, upon any Account or Pretence whatsoever: And further, That the Lord Chancellor, or Lord Keeper for the Time being, the Honourable *Robert Harley* Esquire, Speaker of the House of Commons, and the Honourable the Speaker of the House of Commons for the Time being, the Lord Chief Justice of the *King's Bench* for the Time being, Sir *Robert Cotton* of *Hatley Saint George* in the County of *Cambridge* Knight, *Philip Cotton* of *Connington* in the said County Esquire, *Robert Cotton* of *Giddin* in the County of *Huntington* Esquire, and *William Hanbury* of the *Inner Temple London* Esquire; shall be the Trustees to and for the Purposes aforesaid; and in case of the Decease of any of the said last recited four Persons, the said *John Cotton*, or other Heir Male of the said Family, who shall be in Possession, or intitled to the Possession of the Mansion House by the Limitations above recited, shall nominate and appoint one or more fit Persons to succeed him or them, and supply the Place of him or them so dying.

Bargains, &c. of any Manuscript, &c. in the said Library made void.

Library Keeper to make a new Schedule of the Manuscripts, &c. and inroll the same in Chancery, without Fee: Saving the King's Right, &c. 5 Ann. c. 30.

III. And be it further enacted by the Authority aforesaid, for the better securing and preserving the said Library, That all Bargains, Sales, Gifts, Grants, Devises, or other Alienation whatsoever, of any of the Manuscripts, Parchments, written Papers, Records, or other Memorials in the Schedule now remaining in the said Library, and also of all Coins, Medals, and other Rarities in the said Library contained, are hereby declared to be absolutely void and of none Effect: And further, That within six Months after any Library Keeper shall undertake the said Office, he shall cause another Schedule to be made in Parchment, which shall contain not only the Names and Titles of all the said Manuscripts, Parchments, written Papers, Records, and other Memorials, but also the Number of the Pages and Folio's thereunto belonging, and cause the same to be inrolled in the High Court of *Chancery*, as also the Names of all such Coins, Medals, and other Rarities as he shall find contained in the said Library; which said Inrollments so to be made, shall be taken and received in the said Court without any Fee or Reward for the same.

IV. Saving nevertheless to his Majesty, and all Bodies Politick and Corporate, their Heirs and Successors, and all and every other Person and Persons, their Heirs, Executors and Administrators (other than the said Sir *John Cotton*, *John Cotton* the Grandson, and *John Cotton*, and all claiming from, by or under them, or either of them) all such Right, Title and Interest, as they or any of them might have or claim, if this Act had never been made; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

C A P. VIII.

EXP. An Act for raising the Militia for one Year, although the Month's Pay formerly advanced be not repaid.

C A P. IX.

PR. An Act for the recovering, securing, and keeping in Repair the Harbour of *Minehead*, for the Benefit and support of the Navigation and Trade of this Kingdom. Duties to be paid for Wooll, &c. exported or imported into the Port of *Minehead*. For Wooll a Halfpenny per Stone, and for Woollen and Bay Yarn one Penny per Stone. Stone to contain 18 l. All other Goods 6 d. per Tun. Ship, &c. drove into *Minehead* by stress of Weather, to pay Tunnage and Keelage, *viz.* Coasting Ship, &c. of 30 Tuns 1 s. of 50 Tuns 2 s. of 30 Tuns, &c. trading to *Ireland*, &c. 2 s. 6 d. of 50 Tons, &c. 5 s. Trustees appointed. In case of Death, &c. surviving Trustees may elect new ones. Trustees may make Orders, direct the disposing of the Duties, &c. and appoint Collectors, &c. No Entry, &c. to be taken until Duty hereby granted be paid, &c. Person authorized may go on board any Ship, &c. demand the Duties, and on Nonpayment distrain, &c. Twelve Pence per Pound allowed for collecting. Collector to enter in a Book all Receipts and Disbursements, &c. to be stated yearly, and delivered to the Trustees on Oath. Trustees may convey the Duties as a Security for Monies to be borrowed, &c. Lord of the Manor of *Minehead* to appoint a Water Bailiff, who is to be sworn. Duties to be paid to the Lord of the Manor after Expiration of the Term. Act not to take away the ancient Rights of the Lord of the Manor. An Account of all Expences, &c. disbursed by the Mayor, &c. of *Bridgewater*, the additional Duty, &c. received on Goods, &c. shall be entered in a Book, &c. Collector at the Quarter-Sessions for the County of *Somerset*, yearly, shall bring in the said Book, &c. Justices to survey the Accounts, &c. and examine upon Oath. When *Bridgewater* Key shall be repaired, &c. additional Duty to cease. Power given to Undertaker for repairing *Birdlip* Highways, &c. to *Gloucester*, vested in Justices of Peace, &c. Monies received to be paid to the Justices or Order. Distress on Nonpayment. Act not to prejudice any Security for Money lent. Highways to be repaired within the Time limited. P R.

C A P. X.

An Act for granting an Aid to his Majesty for defraying the Expence of his Navy, Guards, and Garrisons for one Year, and for other necessary Occasions. 2s. in the Pound.

LXXXIX. **A**ND be it enacted by the Authority aforesaid, That no Member of the House of Commons, from and after the Dissolution of this present Parliament, shall be capable of being a Commissioner or Farmer of the Customs, or of holding or enjoying in his own Name, or in the Name of any other Person in Trust for him, or for his Use or Benefit, or of executing by himself or his Deputy, any Office, Place, or Employment, touching or concerning the farming, collecting, or managing the Customs.

After Dissolution of this Parliament, no Member shall be a Commissioner, &c. of Customs.

XC. And be it further enacted, That if any Member of the House of Commons, from and after the Dissolution of this present Parliament, shall, during the Time of his being a Member of Parliament, by himself or his Deputy, or any other in Trust for him, or for his Benefit, take, enjoy, or execute any Office, Place, or Employment, touching or concerning the farming, managing, or collecting the Customs, such Person is hereby declared and enacted to be absolutely incapable of sitting, voting, or acting as a Member of the House of Commons in such Parliament.

Member executing Office in Custom incapable of sitting.

XCI. And be it further enacted by the Authority aforesaid, That from and after the nine and twentieth Day of September one thousand seven hundred and one, no Commissioner, Collector, Comptroller, Searcher, or other Officer or Person whatsoever, concerned or employed in the charging, collecting, levying or managing the Customs, or any Branch or Part thereof, shall by Word, Message, or Writing, or in any other Manner whatsoever, endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for the Choice of any Person to be a Knight of the Shire, Citizen, Burgefs, or Baron, of any County, City, Borough, or Cinque Port to serve in Parliament; and every Officer, or other Person offending therein, shall forfeit the Sum of one hundred Pounds; one Moiety thereof to the Informer, the other Moiety to the Poor of the Parish where such Offence shall be committed, to be recovered by any Person that shall sue for the same, by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record at Westminster, in which no Effoin, Protection, or Wager of Law, or more than one Imparance shall be allowed; and every Person convicted on any such Suit, of the said Offence, shall thereby become disabled and incapable of ever bearing or executing any Office or Place concerning or relating to the Customs, or any other Office or Place of Trust whatsoever under his Majesty, his Heirs or Successors.

No Officer of the Customs to influence any Election of Members.

Penalty.

Farther Provisions concerning Parliament, 2 & 3 Ann. c. 18. 6 Ann. c. 7 & 23. 9 Ann. c. 5. 10 Ann. c. 19 & 23.

1 Geo. 1. st. 2. c. 38 & 56. 2 Geo. 2. c. 24. 6 Geo. 2. c. 23. 8 Geo. 2. c. 30. 9 Geo. 2. c. 38. 11 Geo. 2. c. 24. 13 Geo. 2. c. 20. 15 Geo. 2. c. 22. 19 Geo. 2. c. 28. 31 Geo. 2. c. 14. 33 Geo. 2. c. 20.

XCIII. And whereas by an Act of Parliament made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the encouraging the Exportation of Corn*, it is enacted, That all Persons who should export out of this Kingdom, into Parts beyond the Seas; any of the Sorts of Grain therein enumerated, when the Prices of such Corn at such Places were under the Rates therein set, should have paid them by the Commissioners, Farmers, or Collectors of his Majesty's Customs of the Port from whence such Corn was exported, upon a Certificate thereof, and Proof upon Oath, according to the Intent of the said Act, the Sum of five Shillings for every Quarter of Wheat, ground or unground; three Shillings and six Pence for every Quarter of Rye, ground or unground; and two Shillings and six Pence for every Quarter of Barley or Malt, ground or unground: And forasmuch as in many Ports and Places on the Coast of this Kingdom, where such Corn is exported to Parts beyond the Seas, there is not so much Money received by the Collectors of the Customs arising by the Duties chargeable with the Monies given for the Encouragement of the Exportation of Corn, as is or may be sufficient to pay or discharge the same, according to the Intent of the said Act, so that there are great Arrears in several Ports, whereby the Owners of Land, and Exporters of Corn, are under great Disadvantages in the Sale of their Corn in those Parts, and cannot have the Benefit of the said Act, as others in other Places have, where such Allowance is duly paid, according to the Intent thereof: For Remedy whereof be it enacted by the Authority aforesaid, That if the Collector of the Customs of any such Port shall not have sufficient in his Hands to satisfy and pay such Sum or Sums of Money (which are or shall be due to any Exporter, by Virtue of the said Act, arising out of the Customs and Duties out of which it ought to be paid, upon demand, according to the Intent of the said Act, that then such Collector shall give to the Person demanding such Sum or Sums of Money (without Fee or Reward) a Certificate under his Hand of what is due to such Person for the Corn exported from such Port, certifying to the Commissioners of the Customs at London, that he hath not Monies in his Hands sufficient to pay the same; which Certificate being affixed to the Debenture for the Corn so exported, and being produced to the Commissioners of his Majesty's Customs at London, they the said Commissioners are hereby authorized and required, on demand by the Person that shall bring the same, to cause the Monies thereby due to be paid in three Months by the general Receiver or Cashier of the Customs, out of such Monies as shall be in his Hand, arising out of such Customs or Duties in the said Port of London, as are chargeable with the Payment of any Money for the Exportation of Corn, according to the said Act, without Fee or Reward; any Law or Statute to the contrary notwithstanding.

1 W. & M. st. 1. c. 12.

Allowance on the Exportation of Corn by 1 W. & M. st. 1. c. 12. how to be paid.

C A P. XI.

An Act for granting to his Majesty several Duties upon Low Wines or Spirits of the first Extraction, and continuing several additional Duties upon Coffee, Tea, Chocolate, Spices, and Pictures, and certain Impositions upon Hawkers, Pedlars, and Petty Chapmen, and the Duty of fifteen *per Centum* upon Muslins, and for improving the Duties upon japanned and lacquered Goods, and for continuing the Coinage Duty, for the several Terms and Purposes therein mentioned.

Continued and made perpetual
3 & 4 Annæ,
c. 4.
5 Annæ, c. 19.
1 Geo. 1. c. 12.
§. 8.

From 24 March 1700. until 25 March 1706.
Excise to be paid for Low Wines, &c.

Every Gallon of Low Wines or Spirits 4 d.
Low Wines, &c. drawn from Wash, &c. 1 d. per Gallon, or from Brewers Wash 1 d. per Gallon, or from any other English Materials three Half-pence per Gallon.
Duties to be collected and paid according to 12 Car. 2. c. 24.
7 W. 3. c. 30.
Powers in the aforesaid Acts continued.

Distiller on Oath exporting Brandy, &c. drawn from malted Corn, &c.

to be allowed 3 d. per Gallon on Exportation.

MOST Gracious Sovereign, we your Majesty's most dutiful and loyal Subjects, the Commons of England, in Parliament assembled, as a further Supply for your Majesty's necessary Occasions, have given and granted unto your Majesty the Rates and Duties herein after mentioned, and do most humbly beseech 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 from and after the twenty-fourth Day of *March* in the Year of our Lord one thousand seven hundred, and until the twenty-fifth Day of *March* one thousand seven hundred and six, and no longer, there shall be paid by way of Excise, unto his Majesty, his Heirs and Successors, for all Low Wines or Spirits of the first Extraction, made or drawn by any Distiller or other Person making or drawing Spirits or Strong Waters for Sale or Exportation; within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, the Rates and Duties following, over and above the Duties payable for Spirits perfectly made; that is to say,

II. For every Gallon of Low Wines or Spirits of the first Extraction, made or drawn from any foreign or imported Materials, or any Mixture therewith, four Pence.

III. For every Gallon of Low Wines or Spirits of the first Extraction, made or drawn only from any Sort of Drink or Wash, brewed or made from any Sort of Malt or Corn, other than and except Brewers Wash and Tilts, one Penny.

IV. For every Gallon of Low Wines or Spirits of the first Extraction, made or drawn from Brewers Wash or Tilts, or any Mixture therewith, one Penny.

V. For every Gallon of Low Wines or Spirits of the first Extraction, made or drawn from any other Sort or Kind of *English* Materials, or any Mixture therewith, three Half-pence.

VI. And be it further enacted by the Authority aforesaid, That the several Rates and Duties hereby imposed on the Liquors aforesaid, shall be raised, levied, collected, recovered, and paid unto his Majesty, his Heirs and Successors, during the Time before mentioned, in the same Manner and Form, and by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures as are mentioned, expressed, and directed, in and by one Act of Parliament made in the twelfth Year of the Reign of the late King CHARLES the second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*, and in and by one Act made in the seventh Year of his Majesty's Reign, intituled, *An Act for laying several Duties upon Low Wines or Spirits of the first Extraction, and for preventing the Frauds and Abuses of Brewers, Distillers, and other Persons chargeable with the Duties of Excise*, or by any other Law now in Force relating to the Revenue of Excise, and all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauses, Matters and Things, which in and by the said Acts, and every or any of them, are provided, settled or established, for the raising, levying, collecting, recovering, adjudging, and ascertaining (the Duties thereby granted, or any of them (other than and in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, levied, recovered, and put in Execution, for the raising, levying, collecting, recovering and paying the several Rates and Duties on Low Wines, or Spirits of the first Extraction, hereby imposed, during the Continuance of the same, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters and Things were particularly again repeated and enacted in the Body of this present Act.

VII. And for the Encouragement of Distillers and others to brew and make Spirits and Brandies from Drink brewed or made from malted Corn, and to export the same, as Merchandizes, into Parts beyond the Seas; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Distillers, or others, upon Oath made before any two or more of the Commissioners of the Excise for the Time being, or two or more Justices of the Peace for the County or Place from whence any Brandy, Spirits or Strong Waters made from malted Corn only, shall be exported (which Brandy, Spirits or Strong Waters, shall have been made, during the Time before mentioned) that the same were or was, made and drawn from Drink brewed, or made from malted Corn, without any Mixture with any other Materials, and that the same is not mixed with any Low Wines not drawn a second Time, nor with any other Brandy or Spirits made from any other Materials, either native or foreign, and that the Duties for the same are paid or duly entred in order to be paid, and that the same, and every Part thereof, are exported as Merchandize, and are to be spent beyond the Seas, to export such Spirits and Brandies made from Drink brewed or made from malted Corn only, as aforesaid, and upon Certificate under the Hands of the Officers of Excise for the Port or Place where such Spirits or Brandies were shipped off, of the Quantity so shipped, and that the same was shipped in the Presence of such Officers, such Distillers, or others, so exporting such Spirits or Brandies, shall be allowed or paid back by the Commissioners of Excise for the Time being,

being, or their Collector for the Port or Place where such Spirits and Brandies shall be so shipt off, out of the Duties on Low Wines, Spirits, and Strong Waters, and *Aqua Vitæ*, for every Gallon of such Spirits or Brandy so shipt off, the Sum of three Pence.

VIII. And be it further enacted by the Authority aforesaid, That a certain Clause in an Act made in the second Year of the Reign of his present Majesty and the late Queen MARY, of blessed Memory, intituled, *An Act for the encouraging the distilling of Brandy and Spirits from Corn, and for laying several Duties on Low Wines or Spirits of the first Extraction*, relating to Strong Waters, Brandies, *Aqua Vitæ*, and other exciseable Liquors brought from the Islands of *Guernsey, Jersey, Sark or Alderney*, and all the Charges, Duties and Penalties, and every Article and Thing therein contained, shall continue and be of Force and Virtue during the Continuance of this Act, in as full and ample Manner, to all Intents and Purposes, as if the said Clause was herein Word for Word repeated and enacted.

Clause in 2 W. & M. ff. 2. c. 9. continued.

IX. And be it further enacted by the Authority aforesaid, That the Penalties and Forfeitures, hereby imposed for any Offence relating to the said Duties upon Low Wines or Spirits of the first Extraction, shall be one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall inform or sue for the same; and that the same Penalties and Forfeitures, for any Offence relating to the said Duties upon Low Wines or Spirits of the first Extraction, shall be recovered and levied by the same Ways, Means and Methods, as any Fines, Penalties and Forfeitures, are or may be recovered by any of the Laws of Excise, or by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection or Wager of Law, nor any more than one Imparlanse shall be allowed.

Penalties, &c. how levied, &c.

X. And be it enacted by the Authority aforesaid, That all the Rates, Duties, additional Duties, Impositions, and Sums of Money whatsoever, granted to his Majesty by the Act passed in the sixth Year of his Majesty's Reign, intituled, *An Act for granting to his Majesty several additional Duties upon Coffee, Tea, Chocolate and Spices, towards Satisfaction of the Debts due for Transport Service for the Reduction of Ireland*, which were thereby charged or imposed upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, Pictures, or any other Matters or Things thereby charged, from the first Day of *May* one thousand six hundred ninety-five, until the second Day of *May* one thousand six hundred ninety-eight, and which, by an Act made in the ninth Year of his Majesty's Reign, were continued from the first Day of *May* one thousand six hundred ninety-eight, until the first Day of *May* one thousand seven hundred and one, shall be continued from the thirtieth Day of *April* one thousand seven hundred and one, and be raised, levied, collected, answered and paid unto his Majesty, his Heirs and Successors, until the first Day of *May* one thousand seven hundred and six; and that the said Act of the sixth Year of his Majesty's Reign, concerning the said Coffee and other the enumerated Commodities aforesaid, and all the Powers, Privileges, Provisions, Penalties, Forfeitures, Articles and Clauses therein contained (and not hereby altered) which were to have Continuance until the said first Day of *May* one thousand seven hundred and one, shall continue and be in full Force and Effect, until the said first Day of *May* one thousand seven hundred and six, and shall be practised and executed for raising, levying, collecting and answering the Duties hereby continued, for the Uses and Purposes in this Act expressed, and to no other Use, Intent or Purpose whatsoever.

Duties on Coffee, &c. and all Powers in 6 W. 3. c. 7. & 9 W. 3. c. 14. continued till 1 May 1706. 7 Ann. c. 7. §. 26.

XI. And whereas in the eighth Year of his Majesty's Reign an Act was made for licensing of Hawkers and Pedlars, which Act, and the Impositions therein contained, had Continuance till the four and twentieth Day of *June* one thousand six hundred ninety-eight; and in the ninth Year of his Majesty's Reign another Act was made for licensing of Hawkers and Pedlars, which Act, with the Impositions therein mentioned, were to continue from the four and twentieth Day of *June* one thousand six hundred ninety-eight, until the four and twentieth Day of *June* one thousand seven hundred and one; It is hereby further enacted by the Authority aforesaid, That from and after the three and twentieth Day of *June* one thousand seven hundred and one, until the four and twentieth Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and six, the Duties, Impositions and Sums of Money to be paid by every Hawker, Pedlar, Petty Chapman, and such other trading Persons as are described in the said Act of the ninth Year of his Majesty's Reign for licensing Hawkers and Pedlars, and all the Powers for granting Licences and other Powers, Clauses, Rules, Directions, Allowances, Penalties and Forfeitures, Articles, Matters and Things therein contained (and not hereby altered) shall be continued, and shall be practised, observed and put in Execution, from the said three and twentieth Day of *June* one thousand seven hundred and one, until the said four and twentieth Day of *June* one thousand seven hundred and six, as fully and effectually, as if the same were particularly repeated and again enacted by this present Act; nevertheless the said Duties or Sums of Money to be paid by such Hawkers, Pedlars, Petty Chapmen and others as aforesaid, shall be for the Uses and Purposes in this Act expressed, and for no other Use, Intent or Purpose whatsoever; any thing in the said recited Acts, or any of them, contained to the contrary notwithstanding.

8 W. 3. c. 25.

9 W. 3. c. 27.

made for licensing Hawkers and Pedlars, and the Duties thereby paid, &c. continued until 24 June 1706. Wholesale Traders in Bone Lace are not Hawkers within this Act 4 Geo. 1. c. 6.

XII. And it is hereby further enacted by the Authority aforesaid, That the Duty upon Muslins, after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, which was imposed by an Act made in the eleventh Year of his Majesty's Reign, whereby further Duties were laid upon wrought Silk, Muslins, and some other Commodities of *Perfia, China*, and the *East Indies*, which should be imported after the five and twentieth Day of *March* one thousand seven hundred, and before the thirtieth Day of *September* one thousand seven hundred and one, shall be continued for and upon all Muslins which from and after the nine and twentieth Day of *September* one thousand seven hundred and one, and before the thirtieth Day of *September* one thousand seven hundred and six, shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, over and

11 W. 3. c. 33 concerning Duty on Muslins, continued until 30 Sept. 1706.

and above all other Duties payable for the said Muslins; and that all the Rules, Directions, Powers, Allowances, Penalties, Forfeitures, Clauses, Matters and Things in the said last mentioned Act contained (and not hereby altered) for or concerning the ascertaining, securing, levying or raising the Duties thereby imposed, shall be revived, practised and put in Execution, for ascertaining, securing, levying and raising the Duties upon Muslins hereby imposed during the Time aforesaid, for the Uses and Purposes in this Act expressed, and to no other Use, Intent or Purpose whatsoever.

If Muslins for which Duty is paid be again exported within 12 Months, Duty to be repaid. These 12 Months enlarged to three Years by 7 Geo. 1. stat. 1. c. 21. §. 11.

Species of Muslins.

What is meant by painted Calicoes, &c. in the Act 11 W. 3. c. 3.

Duties on japanned and lacquered Goods imported shall be paid ad valorem,

as prescribed in the Act 11 & 12 W. 3. c. 3. and applied to the same Uses, &c.

18 Car. 2. c. 5.
25 Car. 2. c. 8.
1 Jac. 2. c. 7.

4 W. & M. c. 24. for encouraging of Coinage, continued for seven Years. Farther continued by 19 Geo. 2. c. 14. & 27 Geo. 2. c. 11.

Proviso concerning Distiller, &c.

No Person to sell Brandy or other distilled Liquors by Retail, without Licence. By 1 Annæ, stat. 2. c. 14. this Clause is repealed as to Distillers.

XIII. Provided always, and it is hereby enacted, That if the said Muslins hereby charged, or any of them, upon which the said further Duties of fifteen Pounds in the hundred are paid or secured to be paid as aforesaid, be again exported at any Time or Times within twelve Months after the Importation thereof, and that due Proof be first made upon Oath, that the Goods or Merchandizes so exported be the same for which the said Duties are paid or secured to be paid as aforesaid, then and in such Case, and not otherwise, the same Duties shall without any Delay or Reward be repaid by the Receiver General of his Majesty's Customs for the Time being, out of such Monies as shall be in his Hands of the said Duties of fifteen Pounds *per Centum* arising by this Act, unto the Person or Persons, Bodies Politick or Corporate, making the said Exportations, or the said Security shall be vacated as to so much of the said Goods or Merchandizes as shall be so exported; any thing in this Act, or in any former Act or Acts of Parliament contained to the contrary notwithstanding.

XIV. And it is hereby declared, That by Muslins, the several Species following are meant, *viz.* *Aubroaks, Abdaties, Betelles plain, striped Pandavarts, Rowallew, Golconda, Oringall, Junays*, and also *Dorcas, Coffaes*, plain and flowered *Tanjebbs*, plain and flowered *Jamdanues, Mullmulls*, plain and flowered *Jecolgies, Mamolwhiates*, plain and flowered Neckcloths, *Rebing; Sallows, Comervilles, Seerbands*, Night Ralls, Aprons, *Tirindames*, Callico Lawns, and all other thin Callicoes, commonly called *Muslins*; and that by painted, dyed and stained Callicoes, mentioned in the said Act of the eleventh Year of his Majesty's Reign, for laying the said Duty of fifteen Pounds *per Centum* on several Commodities from *Persia, China*, and the *East Indies*, are meant not only all Callicoes painted, dyed or stained, after the Weaving thereof, but all such whereof the Yarn or other Materials were painted, dyed or stained before the making of such Callicoes.

XV. And it is hereby further enacted by the Authority aforesaid, That all the Duties by any Act or Acts of Parliament now in being, charged or imposed upon all or any japanned and lacquered Goods which shall be imported into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, from and after the four and twentieth Day of *June* one thousand seven hundred and one, shall be answered and paid, according to the true and real Value of the same, to be ascertained by the Gross Price at which such Goods shall be sold by the Candle, in such Manner and Form, and under such Rules and Directions, and subject to such Penalties and Forfeitures, as by the said Act of the eleventh Year of his Majesty's Reign are prescribed for ascertaining the said Duty upon Muslins; nevertheless the said Duties upon japanned and lacquered Goods shall be applied and disposed to the same Uses and Purposes to which the respective Duties upon the same Goods, payable in any other Manner, by the said former Act or Acts were appropriated or applicable.

XVI. And be it further enacted by the Authority aforesaid, That an Act made in the eighteenth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for encouraging of Coinage*, and another Act made in the five and twentieth Year of the Reign of the said late King CHARLES, intituled, *An Act for continuing a former Act concerning Coinage*, both which said Acts were revived by an Act made in the first Year of the Reign of the late King JAMES the Second, and were further continued by an Act made in the fourth Year of the Reign of his present Majesty and the late Queen of blessed Memory, to be in Force for the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the first Session of Parliament then next following, shall be and are by virtue of this Act continued, and shall be in Force for the Space of seven Years, from the first Day of *June* one thousand seven hundred and one, and from thence to the End of the first Session of Parliament then next following, and no longer, to defray the necessary Expences of his Majesty's Mint,

XVII. Provided also, That no Information shall be brought, laid or prosecuted against any common Distiller, Vinegar-maker or Cyder-maker, for any False or Mis-Entry, or Offence made or committed, from and after the four and twentieth Day of *June* one thousand seven hundred and one, unless the same Information or Informations be laid and entred before such Persons appointed to determine the same, within three Months next after every such Offence committed, and that Notice thereof be given to such Person or Persons (against whom such Information shall be laid) in Writing, or left at their Dwelling-houses within one Week after the laying and entring such Information, to the End a timely Provision may be had and made in defending the same; any thing in this Act, or other Law to the contrary notwithstanding.

XVIII. And be it enacted by the Authority aforesaid, That no Person or Persons whatsoever shall, from and after the nine and twentieth Day of *September* one thousand seven hundred and one, sell Brandy or other distilled Liquors by Retail, to be drank in his, her or their House or Houses, but such Persons, only as shall be thereunto licenced and allowed, in the same Manner as common Alehouse-keepers; and every Person or Persons so selling Brandy or other distilled Liquors by Retail as aforesaid, shall be subject to the same Rules, Penalties and Forfeitures for selling Drink without Licence, as common Alehouse-keepers now are; and the several Justices of the Peace of this Kingdom, and other Officers, are hereby empowered and authorized to have and exercise the same Jurisdiction, Powers and Authorities, over such Retailers

Retailers of Brandy and other distilled Liquors, which they now have or exercise over common Ale-house-keepers by any Law or Statute whatsoever.

XIX. And whereas by an Act made in the eleventh Year of his Majesty's Reign, intituled, *An Act for ascertaining the Measures for retailing Ale and Beer*, it is enacted, That every Mayor or chief Officer of each City, Town Corporate, Borough or Market Town, from and after the twenty-fourth Day of June one thousand seven hundred, shall from time to time cause or procure all Ale Quarts and Ale Pints brought to him or them respectively to be measured, compared, sized and equalled with the Standard, and then signed, stamped and marked, as in the said Act is mentioned and described; Be it enacted and declared, That nothing in the said recited Act contained shall extend, or be construed or taken to extend, to deprive the two Universities of this Kingdom, or either of them, of their Right, Privilege and Usage of sizing, equalling, signing, stamping and marking of Measures for Ale and Beer, within their respective Limits and Jurisdictions, but that they and each of them respectively, shall and may have and enjoy their said Right, Privilege, and Usage; any thing in the said recited Act to the contrary thereof in any wise notwithstanding.

11 W. 3. c. 15. concerning Measures for retailing Ale and Beer,

not to deprive the two Universities of their Right of sizing, &c. their Measures.

XX. And for the preventing all secret and unlawful Importation of foreign Spirits or Brandy; be it enacted by the Authority aforesaid, That if any foreign Brandy or Spirits of any Kind whatsoever, shall from and after the nine and twentieth Day of September one thousand seven hundred and one, be imported into this Kingdom, or be brought into any Port, Creek, or Haven of this Realm, in any Ship or Vessel, under the Burden of fifteen Tuns (except for the Use of the Seamen, on board such Ship or Vessel only, not exceeding one Gallon for each Seaman) such Brandy or Spirits shall be forfeited, one Moiety thereof to his Majesty, his Heirs and Successors, the other Moiety to such Person as shall seize or sue for the same, by Bill, Complaint, or Information, in any of his Majesty's Courts of Record at Westminster.

Foreign Brandy or Spirits imported to be forfeited.

XXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for his Majesty, or his Majesty's Officers in the Receipt of his Exchequer, to borrow or take in by way of Loan to his Majesty's Use, on Credit of the said Rates and Duties upon low Wines or Spirits of the first Extraction, and of the said Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paffe, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and any other Things therewith charged, as aforesaid, and of the said Impositions and Sums of Money payable by Hawkers, Pedlars, and Petty Chapmen, and of the said further Duties imposed upon Muslins, any Sum or Sums of Money, not exceeding three hundred thousand Pounds, from any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, as shall be willing to advance or lend the same, and that Interest for the Forbearance thereof, not exceeding the Rate of six Pounds *per Centum per Annum* for the first one hundred and fifty thousand Pounds, and seven Pounds *per Centum per Annum*, for the remaining one hundred and fifty thousand Pounds, which shall be so lent, shall be allowed and paid out of the same Rates and Duties; and that the Money so to be lent shall not be rated or assessed to any public Tax or Assessment whatsoever.

King may borrow 300,000l. on Credit of this Act,

at 6l. per Cent. Interest for 150,000l. and 7l. per Cent. for the other 150,000l. Money lent not to be taxed.

XXII. And to the end all the Money that shall be so lent to his Majesty on the said Duties on Low Wines, and other the Duties before particularly expressed, may be well and sufficiently secured and repaid with Interest as aforesaid, out of the same, be it further enacted by the Authority aforesaid, That all the Monies arising by the said Duties, upon which the said Loans are to be made, shall be brought and paid from Time to Time weekly into the Receipt of the Exchequer (that is to say) upon *Wednesday* in every Week, if it be not an Holiday, and if it be, then the next Day after that is not an Holiday; and that there shall be provided and kept in his Majesty's Exchequer (that is to say) in the Office of the Auditor of the Receipt, one Book in which all the said Monies which shall be so paid into the Exchequer shall be entred apart and distinct from all other Monies paid or payable to his Majesty, his Heirs and Successors, upon any Account whatsoever.

Monies to be paid weekly into the Exchequer. Auditor to enter the said Monies apart.

XXIII. And be it further enacted by the Authority aforesaid, That from Time to Time, upon making such Loans, as aforesaid, on Credit of the said Duties on Low Wines and other the Duties before mentioned, as aforesaid, Tallies of Loan shall be levied for all and every Sum and Sums of Money so to be lent, and that Orders according to the Course of the Exchequer, shall be drawn and signed for Repayment of the same, and for Payment of such Interest, as aforesaid, for the Forbearance thereof, the said Interest to be paid every three Months, until Satisfaction of the principal Sum; and that all and every such Order and Orders, and the Monies therein to be contained, or any Part thereof, shall be assignable and transferrable, without Power of Revocation, so as the Assignments thereof be indorsed upon the respective Orders, and entered or notified in the Office of the Auditor of the Receipt of the Exchequer, in a Book to be there kept for that Purpose; and that a distinct Register shall be kept in the said Receipt of Exchequer, of all the said Orders of Repayment, not exceeding three hundred thousand Pounds, in which the said Orders shall be registred in Course, according to the Date of the Tallies respectively, without any other Preference of one before another; and that every Person shall be paid in Course as his Order shall stand entred in such Register Book, out of the said Duties upon Low Wines, and the said other Duties whereupon the said Loans shall be made, as aforesaid, which are hereby appropriated thereunto, and that no Fee, Reward, or Gratuity, directly or indirectly, shall be demanded or taken for providing or making any such Book or Register, or for any View or Search in the same, by any of his Majesty's Officers, their Clerks, or Deputies, on Pain of Forfeiting treble Damages to the Party grieved, to be recovered by Action of Debt, or of the Case, Bill, Complaint, or Information in any of his Majesty's Courts of Record at Westminster, by any Person or Persons who will sue for the same, wherein no Essoin Protection, Wager of Law, Privilege of Parliament, or other Privilege, or more than one Imparlance shall be

Tallies and Orders to be levied and signed for Repayment and Interest paid every three Months. Orders to be assigned, &c.

and registred in Course without undue Preference, without Fee,

Penalty.

granted or allowed, either for demanding or taking any such Fee or Gratuity, or for giving any undue Preference in Point of Registry or Payment.

No undue Preference where Tallies bear Date the same Day, nor where Teller pays subsequent Orders, &c.

XXIV. Provided always, That if it shall happen that several of those Tallies and Orders bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, it shall be interpreted no undue Preference which of those be entred first.

but Interest to cease.

Monies lent on this and the following Acts,

XXV. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, or the Clerk of the Pells record, and the Tellers do pay subsequent Orders of Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come and demand their Monies, and bring their Orders in their Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them; yet so as that Interest of Loan shall in that Case cease from the Time the Money is so reserved and kept in Bank for them.

12 & 13 W. 3. c. 10.

XXVI. And be it further enacted by the Authority aforesaid, That all the Money to be lent by virtue of this Act upon Credit of the several Duties and Impositions hereby granted, and all the Monies arising by this Act, of and for the same Duties and Impositions respectively (the Monies of the said Duties and Impositions which are to go in Repayment of the Loans, and for Satisfaction of the Interest thereof, and the Charges of raising and levying the said several Duties and Impositions by this Act granted, always excepted) and all the Monies lent at the Receipt of Exchequer, between the eighteenth Day of *February* one thousand seven hundred, and the tenth Day of *June* one thousand seven hundred and one, not exceeding seven hundred thousand Pounds, for which the Orders are appointed to be transferred to the Register of Orders payable out of two third Parts of the Monies arising by another Act of this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty for defraying the Expence of his Navy, Guards, and Garisons for one Year, and for other necessary Occasions*, and all the Monies which shall be further lent to his Majesty upon Credit of the said two third Parts of the Monies arising by the Act last mentioned, and so much of the said two third Parts, as after Repayment of all the Loans transferred made or to be made thereupon, and the Interest thereof, and the making of such Allowances as are to be made by the Act last mentioned, shall or may arise or be brought into the said Receipt of the Exchequer; and all the Monies which shall be lent or advanced to his Majesty upon Credit of the weekly Sum of three thousand seven hundred Pounds of lawful *English* Money, by any other Act or Acts of this present Session of Parliament, to be taken out of certain Branches of the Excise, for five Years from the five and twentieth Day of *December* one thousand seven hundred, and the Monies arising by such weekly Payments (so much thereof as is to go in Repayment of Loans thereupon, and the Interest of such Loans, always excepted) and all the Overplus of the several Funds, which by certain Clauses in the Act for the Land Tax made in the eleventh Year of his Majesty's Reign, were appropriated for Sea Services therein particularly mentioned, and for Land Service in the Office of his Majesty's Ordnance, and for the Charge of circulating Exchequer Bills, and for Half-pay to disbanded Officers, and for his Majesty's Guards and Garisons for one Year therein mentioned, and for Arrears due to the same; which said Overplus is hereby declared to consist of so much Monies as shall remain of those appropriated Funds, after the said Uses and Services are or shall be fully satisfied and discharged, as the Act last mentioned did direct (the Money due and to be paid to the Governor and Company of the Bank of *England*, out of the said Overplus Monies, to make good the Deficiency of their Fund for the Year ended on the first Day of *June* one thousand seven hundred, only excepted) and all the Monies to arise by the Arrears of the Subsidy of Tunnage and Poundage, and other Duties upon Goods and Merchandizes imported and exported, which were granted for five Years, ending upon the five and twentieth Day of *December* one thousand six hundred ninety-nine, and are yet unsatisfied, over and above the Debentures and other legal Allowances which are to be first satisfied out of the said Arrears; and all the Monies which from the five and twentieth Day of *December* one thousand seven hundred, until the five and twentieth Day of *March* one thousand seven hundred and two, shall arise by the Duty of five Shillings per Tun upon *French* Shipping, pursuant to an Act of Parliament in that Behalf made in the twelfth Year of the Reign of King *CHARLES* the Second; and all the several Duties which in one Year, to be reckoned from the last Day of *March* one thousand seven hundred and one, shall arise by virtue of the Act of Parliament made and passed in the seventh Year of his Majesty's Reign, intituled, *An Act for granting to his Majesty an additional Duty upon all French Goods and Merchandizes*, and all the Monies which from the said five and twentieth Day of *December* one thousand seven hundred, shall arise by the Duty of one Shilling and ten Pence for every Pound Weight of wrought Silk, which before the thirtieth Day of *September* one thousand seven hundred and one, shall have been imported from the *East Indies*, or *Persia*, pursuant to an Act of Parliament in that Behalf made in the ninth Year of his Majesty's Reign; and the Monies which from the four and twentieth Day of *June* one thousand seven hundred and one, until the five and twentieth Day of *March* one thousand seven hundred and two, shall arise by the Rents of Licences for Hackney Coaches, pursuant to the Act of Parliament in that Behalf (the necessary Charges of raising and levying the said Arrears of the Subsidy of Tunnage and Poundage, and the said Duties of five Shillings per Tun upon *French* Shipping, and the said additional Duties upon *French* Goods and Merchandizes, and the said Duty upon wrought Silks, and for the Execution of the said Act for licencing of Hackney Coaches, always excepted) and every of them, be and shall be appropriated and applied, and the same are hereby appropriated and applied in Manner and Form following (that is to say) Out of the said Aids, Supplies, Duties, Overplus Money, and other Monies hereby appropriated, as aforesaid, there is and shall be applied for Sea Service (to wit) for Arrears of Wages due to Officers and Seamen of the Fleet, and for Payments upon the Recalls, two hundred thousand Pounds; for Bounty-Money to the Officers of the Fleet, and for the Ordinary

11 W. 3. c. 2.

12 Car. 2. c. 4.

7 W. 3. c. 20.

9 W. 3. c. 44.

5 & 6 W. & M. c. 22.

to be applied for Sea Service, Bounty Money.

ary of the Navy (excluding the Charge of the Register for Seamen) one hundred and ninety thousand Pounds; towards extraordinary Repairs of the Fleet, ninety thousand Pounds; and for the Service of the Navy and the Victualling thereof, and for the Sea Service of the Office of the Ordnance performed, and to be performed, the Sum of nine hundred thousand Pounds; out of which Sum last mentioned, the Sum of twenty thousand Pounds shall be applied towards discharging a further Part of the Debt due for sick and wounded Seamen; and out of all the said Aids, Supplies, Duties, Overplus Money, and other Monies hereby appropriated, as aforesaid, there is and shall be also applied for Land Service, performed, and to be performed, by his Majesty's Office of Ordnance, twenty-five thousand Pounds; and to and for Subsistence, Off- reckonings, and Clearings to his Majesty's Guards and Garisons in England, and the Dominions thereunto belonging (*Ireland* excepted) for one Year, from the four and twentieth Day of *December* one thousand seven hundred, the Sum of three hundred thousand Pounds; and to discharge Debts due to Clothiers and others incurred by reason of the extraordinary Expence of his Majesty's Guards and Garisons within the Year, ended upon the four and twentieth Day of *December* one thousand seven hundred, the Sum of forty thousand Pounds; and for one Year's Pay of the Officers and Soldiers of twelve Battalions, intended for the Assistance of the States General of the United Provinces, and for the contingent Charges of the said Battalions for one Year, and for Levy-money to raise five thousand Recruits for the said Battalions, the Sum of one hundred eighty-one thousand and thirty-three Pounds two Shillings and six Pence; for the receiving, issuing, and paying of which Sum of one hundred eighty-one thousand and thirty-three Pounds two Shillings and six Pence, or any Part thereof, the Officers in the Receipt of his Majesty's Exchequer, or any of them, shall not demand or take any Fees or Reward whatsoever; and for Payment of seven Quarters Interest due at *Lady-day* one thousand six hundred ninety-nine, upon the Malt Tickets remaining unsatisfied, a Sum not exceeding thirty-seven thousand seven hundred eighty-eight Pounds and one Shilling; the same to be issued to the Paymaster of the Malt Tickets by way of Imprest, and upon Account, for that Purpose; and for Payment of one Year's Interest of the Loans remaining due upon the first Aid of three Shillings in the Pound, which was granted to his Majesty, a Sum not exceeding thirty-three thousand eight hundred forty-seven Pounds eighteen Shillings and five Pence; and for Payment of one Year's Interest for the Monies remaining unsatisfied, which were advanced upon Credit of the late Duties laid upon Vellum, Parchment and Paper, a Sum not exceeding twelve hundred thirty-two Pounds; and for paying one Year's Interest of the Money remaining due upon the third quarterly Poll Tax, which was granted to his Majesty, a Sum not exceeding eighteen thousand three hundred eighty-one Pounds and twelve Shillings; and for paying one Year's Interest of the Loans remaining unpaid upon the third Aid of three Shillings in the Pound, which was granted to his Majesty, a Sum not exceeding seventeen hundred thirty-eight Pounds and seven Pence; and for eighteen Months Interest of the Principal Money remaining due and unsatisfied to all and every Person and Persons, Bodies Politick and Corporate, upon the Register for the late Duties which were charged upon Leather, a Sum not exceeding fifty-two thousand nine hundred sixty-six Pounds; and for and towards Half-pay now due, and which shall grow due to disbanded Officers and Soldiers, a Sum not exceeding forty-one thousand Pounds; and for completing the sixty-sixth Payment upon the Malt Tickets, so much as, together with the Monies of the Malt Duties resting in the Exchequer, and in the Hands of the Paymaster of the said Tickets, shall be sufficient to complete the Sum of ten thousand Pounds Principal Money for the sixty-sixth Payment, and the Interest thereof, and the Benefits attending the same; and for the Salaries of five Commissioners for stating the Accounts of the Army, Transport Debts and Prizes, and for incident Charges in the Execution of their Trust, a Sum not exceeding three thousand and five hundred Pounds; and the proper Officer and Officers concerned in the Payment of the said Malt Tickets are hereby required to indorse the Interest which shall be paid in pursuance of this Act, upon every such Ticket, and to keep a fair Account of such Payments in a Book; for that Purpose; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, and the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, are hereby directed and authorized to issue and pay, or to assign by Tallies, or otherwise, as to them shall seem most expedient for his Majesty's Service, all the Monies hereby appropriated as aforesaid, for which no other Credit is given, to the several Uses and Purposes by this Act directed and intended as aforesaid, and to no other Use, Intent or Purpose whatsoever, and to allow an Interest upon any such Tallies or Assignments, not exceeding the Rate of six Pounds *per Centum per Annum*, for any Part of the said Money, which shall be so advanced for the Purposes aforesaid, or any of them.

XXVII. And to the End the Sums by this Act appropriated may not be diverted or applied to any other Purposes than are hereby declared and intended; be it further enacted by the Authority aforesaid, That the Rules and Directions appointed and enacted in one Act made in the first Year of his Majesty's Reign, intituled, *An Act for granting to their Majesties an Aid of two Shillings in the Pound for one Year*, for the speedy Payment of Money thereby granted into the Receipt of the Exchequer by the Collectors and Receivers, and for the Distribution and Application thereof, and keeping distinct Accounts of the same, and all other Provisions, Pains, Penalties and Forfeitures thereby enacted, in case of Diversions or Misapplication of any Money thereby appropriated, are hereby revived and enacted to be in Force, and shall be practised, applied, executed and put in Ure, for and concerning the Distribution and Application of the said Sums hereby appropriated, as fully, amply and effectually, as if the same were here again particularly repeated and re-enacted.

XXVIII. And whereas several Sums of Money have, during the Continuance of the late War against *France*, and since, been imprested at the Receipt of Exchequer to the respective Treasurers of the Navy, and to the several Paymasters of the Land Forces, for the Service of the said Navy and Land Forces,

Repairs of the Fleet, Navy, Victualling, and Ordnance. Sick and wounded Seamen.

Land Service. Subsistence to the Guards and Garisons. Clothiers Debts.

Twelve Battalions.

Levy Money.

Seven Quarters Interest on Malt Tickets.

Loan Interest on the first 3s. Aid.

A Year's Interest for the Money due on Vellum, Parchment, &c. Third quarterly Poll.

Third 3s. Aid.

Leather Duties. Half-pay to disbanded Officers and Soldiers. A 66th Payment of the Malt Tickets.

Commissioners Salaries for stating the Army Accounts, &c.

Treasury to pay the Monies hereby appropriated or assign Tallies,

with Interest at 6l. per Cent.

Rules in an Act 1 W. & M. st. 2. c. 1. revived for the Appropriation of the Monies hereby given.

Treasurers of the Navy, and Paymasters of the Land Forces and their Officers, &c. shall charge themselves on Oath with the Interest-monies by them received in Tallies or Orders, &c.

Charge to be examined by the Auditor of the Receipt, and attested, &c. Far her provided for by 1 Annæ, stat. 1. c. 13. §. 21. and 2 & 3 Ann. c. 17.

Commissioners, &c. may compound with Collectors of Excise, Salt, &c. who have failed.

Monies due to the four Marine Regiments to be discharged.

Hellen Arthur, Widow, may enter her Claim before the Trustees in Ireland, appointed by 11 & 12 W. 3. c. 2.

The like to any other Person, who hath prayed Relief, &c.

11 & 12 W. 3. c. 2.

‘ and for the Service of several Offices subordinate to them, by Tallies of fictitious Loans, with Orders for principal Sums equal to the Sums so imprested, and for Interest thereof, at several Rates payable to the said respective Treasurers and Paymasters, or their Assigns, with Power to them respectively to make Assignments of or upon such Orders, for the respective Services aforesaid;’ Be it further enacted by the Authority aforesaid, That the said respective Treasurers and Paymasters, and all the Officers in the said subordinate Offices, who are to render Accounts for the Money so imprested in the Exchequer, shall fully charge themselves upon Oath (which the said Auditors of the Imprests, or either of them, for the time being, have hereby Power to administer to the said Treasurers, Paymasters, and other Officers, and to their Agents respectively) with all the Interest Monies by the said Treasurers, Paymasters, and other Officers respectively, or by their respective Agents, received at the Exchequer, or otherwise, for or upon Account of any such Tallies and Orders, or any of them, or any Part thereof, at any Time or Times before any Assignment or Assignments made of or upon such Orders, or any of them, by the said Treasurers, Paymasters, or other Officers respectively, which Interest-monies ought, in Justice, to be accounted for to the Uses aforesaid, and shall specify therein every particular Sum so received for Interest, and the Order or Talley upon which the same were so received, and the Persons to whom the Assignments were made upon the said Tallies or Orders, for which the said Interest was received; and that every such Charge shall be examined by the Auditor of the Receipt of the Exchequer for the time being, with the Entries or Vouchers remaining in the said Receipt, and shall be attested by the said Auditor of the Receipt, who (if any Omission or Omissions be made in the said Charge) shall take Care to add and surcharge the same before the respective Account or Accounts of the said Treasurers, Paymasters, and other Officers before mentioned, shall be declared.

‘ XXIX. And whereas many Persons who pay Duties of Excise and Salt, and some Collectors of the said Duties, and of the late Duties on Malt and Leather, have by Accidents failed in their Credit, and may hereafter fail, and they and their Securities become insolvent, being indebted to his Majesty for the said Duties, or for Monies collected for the same, and though incapable to pay all the Monies due or to grow due from them to his Majesty, may notwithstanding, by the Assistance of Friends and Relations, be capacitated to pay Part of their said Debts, which they would in many Cases do, if a Composition could be made for the same, and such Persons could be discharged of the Remainders of the said Debts; but for want of sufficient Authority to make such Compositions, such Debts do and may frequently become wholly and utterly lost:’ For Remedy whereof be it enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of his Majesty’s Treasury, or any three or more of them, or Lord High Treasurer, or Commissioners of his Majesty’s Treasury for the time being, for any such Debts incurred before the five and twentieth Day of *March* one thousand seven hundred and one, to make such reasonable Compositions as to him or them shall seem meet, and upon Payment of the Money compounded for, in case he or they shall think it reasonable, by Warrant to the Commissioners of Excise, to discharge the Remainder of the Debt or Debts so compounded.

XXX. And it is hereby enacted and declared, That the Monies remaining due to the Officers and Soldiers of the four Marine Regiments lately commanded by Colonel *William Seymour*, Colonel *Edward Dutton Colt* (since deceased) Colonel *Harry Mordant*, and Colonel *Thomas Brudenell*, shall and may be discharged and satisfied to them or their Assigns, out of such Monies as were issued to the Earl of *Orford*, late Treasurer of the Navy, for the Service thereof, and are still undisposed, or out of such Monies as are or shall be issued for Wages to the present Treasurer of the Navy.

XXXI. Provided always, and be it enacted, That it shall and may be lawful to and for *Hellen Arthur*, Widow and Relict of *Robert Arthur* of *Hacketts Town* in the County of *Dublin* Esquire, deceased, to go into *Ireland*, and in Behalf of herself and of her Children, to enter her and their respective Claim and Claims before the Trustees appointed by an Act made in the eleventh and twelfth Years of his Majesty’s Reign, intituled, *An Act for granting an Aid to his Majesty by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land Tax in England, for the several Purposes therein mentioned*, or before any seven or more of them, to and for her and their respective Rights and Titles to any Manors, Lands, Tenements or Herediments, and to the respective Portions of the said Children, at any Time before the first Day of *September* one thousand seven hundred and one: And further, That it shall and may be lawful to and for all and every other Person or Persons, who have, by Petition to the House of Commons, prayed Relief either for not entering his, her or their Claim or Claims within the Time limited by the said Act, or for not doing thereof according to the Directions of the said Act, and who are mentioned in the Report from a Committee of the Commons appointed to separate the Petitions relating to the said *Irish Forfeitures*, to enter his, her and their respective Claims before the said Trustees, or any seven or more of them, in Manner and within the Time aforesaid; and the said respective Claims being so entred, shall be heard, adjudged and determined by the said Trustees, according to the Direction of the said Act; any thing in the said former Act to the contrary thereof in any wise notwithstanding.

XXXII. And whereas several Persons have exhibited Petitions to the House of Commons for Relief in divers Matters relating to an Act of Parliament made in the eleventh and twelfth Years of his present Majesty’s Reign, intituled, *An Act for granting an Aid to his Majesty by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land Tax in England, for the several Purposes therein mentioned*, which said Petitions have been by them referred to Sir *Henry Sheers* Knight, *Francis Annesley*, and *John Trenchard*, Esquires, three of the Trustees in the said Act mentioned; and Reports have been thereupon made: And whereas it was resolved by the said House, that the said Petitions (except such Cases as are certified under the Hands of the twelve Trustees, and except such of the said Petitions as the *Irish* Trustees in *England* have certified the Matter of Fact to be true) be referred to the Trustees in *Ireland* to

‘ examine

‘ examine upon Oath the Matter of Fact, and represent the same to the said House; and the said House
 ‘ appointed a Committee to separate the same, according to the said Resolution, which were separated ac-
 ‘ cordingly, and reported to the said House: And whereas some of the said Petitions now lie before the
 ‘ said House, upon the said Report, and the rest of them are to be further examined by the Trustees no-
 ‘ minated by the said Act in order to ascertain the Facts therein contained;’ Be it enacted by the Autho-
 rity aforesaid, That the several and respective Estates, Rights, Titles, Possessions and Interests claimed
 by the said Petitions, shall not be sold, aliened, transferred, removed, or prejudiced by the said Trustees
 in the said Act mentioned, or any of them, until after the End of the next Session of Parliament, except
 such Claims as have been already adjudged by the Trustees; and as to the said Petitions so to be further
 examined as aforesaid, the same are hereby referred to the Trustees nominated in the said Act, to examine
 the respective Allegations contained in the said several Petitions, and to report the same within the Space
 of ten Days after the Commencement of the next Session of Parliament; and such Petitions as lie before
 the said House upon the said Report as aforesaid, they and every of them shall and may be proceeded upon,
 and taken into Consideration the next Session of Parliament.

Petitions relating
 to the Irish For-
 feitures, and re-
 ferred, &c.
 Lands shall not
 be sold, &c. till
 the End of the
 next Session.
 Exception.

C A P. XII.

An Act for appropriating three thousand seven hundred Pounds weekly, out of certain Branches
 of Excise, for publick Uses, and for making a Provision for the Service of his Majesty's
 Household and Family, and other his necessary Occasions.

‘ **W**HEREAS by an Act of Parliament made and passed in the ninth Year of his Majesty's Reign,
 ‘ intituled, *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage, towards* 9 W. 3. c. 23.
 ‘ *raising the yearly Sum of seven hundred thousand Pounds, for the Service of his Majesty's Household, and other*
 ‘ *Uses therein mentioned, during his Majesty's Life, the yearly Sum of seven hundred thousand Pounds was*
 ‘ *intended to be supplied to his Majesty, for the Service of his Household and Family, and for other his*
 ‘ *necessary Expences and Occasions, out of the Hereditary Rates and Duties of Excise upon Beer, Ale,*
 ‘ *and other Liquors, which were granted to the Crown in the twelfth Year of the Reign of King*
 ‘ *CHARLES the second, and out of the Rates and Duties of Excise on Beer, Ale, and other Liquors,* 12 Car. 2. c. 23.
 ‘ *payable for the Term of his Majesty's Life, by an Act of Parliament made and passed in the second*
 ‘ *Year of the Reign of his Majesty and the late Queen of Blessed Memory, and out of the Revenue of* 2 W. & M. II. 1.
 ‘ *the General Letter Office, or Post Office, or the Office of the Postmaster General, and out of the small* c. 3.
 ‘ *Branches of his Majesty's Revenues herein after mentioned and expressed (that is to say) The first*
 ‘ *Fruits and tenths of the Clergy; the Fines for Writs of Covenant and Writs of Entry, payable in the*
 ‘ *Alienation Office; the Post Fines; the Revenue of the Wine Licences; the Monies arising by the Sher-*
 ‘ *iffs Profers and Compositions in the Exchequer, and by the Seizures of uncustomed and prohibited*
 ‘ *Goods; the Revenue of the Duchy of Cornwall, and any other Revenue arising by the Rents of Lands*
 ‘ *in England or Wales, or for Fines of Leases of the same, or any of them; and the Duty of four and half*
 ‘ *per Centum in Specie, arising in Barbadoes, and the Leewards Islands in America; and out of the Monies*
 ‘ *which should arise by the said Act for the said further Subsidy of Tunnage and Poundage: And it was*
 ‘ *thereby further enacted, That if the said great and small Branches and Revenues, herein before men-*
 ‘ *tioned, should produce in clear Money more than the yearly Sum of seven hundred thousand Pounds,*
 ‘ *from the five and twentieth Day of December one thousand six hundred ninety-nine, then the Overplus*
 ‘ *of such Produce, being more than the said yearly sum of seven hundred thousand Pounds, should not*
 ‘ *be issued, disposed, made use of, or applied to any Use or Purpose, or upon any Pretext whatsoever,*
 ‘ *without the Authority of Parliament, as by the said Act, Relation being thereunto had, may more fully*
 ‘ *appear: And whereas the Necessity of the publick Affairs doth require, that the weekly Sum of three*
 ‘ *thousand seven hundred Pounds of lawful English Money for every Week, to be reckoned from the five*
 ‘ *and twentieth Day of December one thousand seven hundred, and to be taken out of the said Hereditary*
 ‘ *Revenue or Branch of Excise, and out of the said Duties of Excise, payable during his Majesty's Life,*
 ‘ *and either or any of them, be applied and disposed to and for the publick Use and Service, during his*
 ‘ *Majesty's Life; and that the Monies arising by such weekly Payments, during the Term of five Years,*
 ‘ *to be accounted from the said five and twentieth Day of December one thousand seven hundred, be now*
 ‘ *made a Security or Fund of Credit for raising thereupon any Sum or Sums of Money, not exceeding eight*
 ‘ *hundred and twenty thousand Pounds, for the immediate Service of his Majesty's Navy, Guards, and Gar-*
 ‘ *risons, Land Forces, and other publick Uses; and it is intended, that all the Rest and Residue of the*
 ‘ *said particular Branches of Excise, and all the said other great and small Branches and Revenues, herein*
 ‘ *before particularly enumerated and expressed, shall from the said five and twentieth Day of December*
 ‘ *one thousand seven hundred, be for the Service of his Majesty's Household and Family, and for other*
 ‘ *his necessary Expences and Occasions, during his Majesty's Life;’ Be it therefore enacted by the King's*
 ‘ *most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and*
 ‘ *the Commons, in this present Parliament assembled, and by the Authority of the same, That from and*
 ‘ *after the said five and twentieth Day of December one thousand seven hundred, for and during the whole*
 ‘ *Term of five Years from thence next and immediately ensuing, the full, clear, and entire weekly Sum of three*
 ‘ *thousand seven hundred Pounds of lawful English Money, out of all the Monies arising by the said Heredi-*
 ‘ *tary Duties of Excise, and by the said Duties of Excise payable during his Majesty's Life, and by every*
 ‘ *or any of them, if all those Duties of Excise shall so long continue; and if the said Duties of Excise, pay-*
 ‘ *able*

From 25 Dec.
 1700. for 5
 Years, 3700 l.
 per Week out of
 the Excise
 Duties,

able during his Majesty's Life (which God long preserve) shall happen to determine before the End of the said Term of five Years, then out of the Monies arising entirely by the said Hereditary Duties of Excise, for and during all the Residue which shall be then to come and unexpired of the said Term of five Years, shall be brought and paid by the Commissioners, Farmers, Receiver and Receivers General, for the Time being, of the said Duties of Excise (who are hereby enjoined and required to bring and pay the same accordingly) into the Receipt of Exchequer, distinctly and separately from all other Monies whatsoever that are or shall be payable by them into the said Receipt; the same to be brought and paid into the said Receipt in Manner and Form following (that is to say) The Sum of ninety-six thousand two hundred Pounds for the first twenty-six Weeks, to be reckoned from the said five and twentieth Day of *December* one thousand seven hundred, and to end upon *Wednesday* the five and twentieth Day of *June* one thousand seven hundred and one, shall be brought and paid into the said Receipt as by this Act is specially provided in that Behalf; and from and after the said five and twentieth Day of *June* one thousand seven hundred and one, during all the then Residue of the said Term of five Years, the said weekly Sum or Payment of three thousand seven hundred Pounds shall, upon *Wednesday* in every Week, if it be not an Holiday, and if it be, then upon the next Day that is not an Holiday, as one Week shall successively and immediately follow and succeed another, be brought and paid into the said Receipt of Exchequer, for the Purposes in this Act expressed; and in case in any Week or Weeks the whole Receipt of the said several Branches or Duties of Excise, hereby charged as aforesaid, shall not be sufficient to answer the weekly Payment or Payments hereby directed, for such particular Week or Weeks, that then and so often the Deficiency and Deficiencies thereof shall be supplied and made good out of the whole Receipt of the said particular Branches of Excise, and every or any of them, arising in the next Week or Weeks, when the Receipt or Receipts will be sufficient to bear the same.

II. And as to the said Sum of ninety-six thousand two hundred Pounds, to be reckoned for the first twenty-six Weeks from the said five and twentieth Day of *December* one thousand seven hundred, and ending upon *Wednesday* the five and twentieth Day of *June* one thousand seven hundred and one as aforesaid, it is hereby enacted, That the said Sum of ninety-six thousand two hundred Pounds shall be brought and paid into the Receipt of Exchequer out of the Duties of Excise aforesaid, by two thousand three hundred Pounds a Week, for one and forty Weeks, to be reckoned from the said five and twentieth Day of *June* one thousand seven hundred and one, successively, and by paying nineteen hundred Pounds, to be reckoned from the said five and twentieth Day of *June* one thousand seven hundred and one, over and above the constant weekly Payment of three thousand seven hundred Pounds aforesaid, for the Purposes in this Act expressed; and that all the Monies hereby appointed to be weekly paid into the said Receipt as aforesaid, and every Part thereof, shall be applied and disposed, and the same are hereby appropriated, for and towards the Repayment and Satisfaction of the Sum not exceeding eight hundred and twenty thousand Pounds hereby authorized to be borrowed thereupon, and the Interest thereof, as is herein after mentioned, and to no other Use, Intent, or Purpose whatsoever; any former Act or Acts of Parliament, or other Matter or Thing whatsoever to the contrary notwithstanding.

III. And be it further enacted by the Authority aforesaid, That all the Rest and Residue of the said particular Branches of Excise upon Beer, Ale, and other Liquors, which shall from Time to Time remain after the said weekly Payments shall be made out of the same, and the said Revenues arising in the said General Letter Office or Post Office, and by the said small Branches herein before particularly expressed, and by the said further Subsidy of Tunnage and Poundage, and all other the Branches and Revenues herein before mentioned, which were chargeable with the said yearly Sum of seven hundred thousand Pounds as aforesaid, shall, from Time to Time, during his Majesty's Life, be for the Use and Service of his Majesty's Household and Family, and for other his necessary Expences and Occasions; the said Act made in the ninth Year of his Majesty's Reign, herein before recited, or any Clause, Matter or Thing therein contained to the contrary notwithstanding.

IV. And it is hereby declared and enacted, That all and every the Clauses contained in the said recited Act of Parliament for, touching, or concerning the Overplus or Produce of the said Branches and Revenues, over and above the said yearly Sum of seven hundred thousand Pounds, are and shall be repealed, void, and of none Effect.

V. And it is hereby further enacted by the Authority aforesaid, That the Commissioners of Excise for the Time being, at the Head Office in *London*, shall from Time to Time separate and keep apart all the Monies arising by the said particular Branches of Excise herein before mentioned, as the same shall, from Time to Time, arise or be paid into the said Office of Excise by the Receivers or Collectors of the same, or by any other Person or Persons whatsoever; and shall, out of the Monies so arising, make the said weekly Payments into the Exchequer, for Repayment of Loans, and the Interest thereof, according to the Purport of this present Act.

VI. And be it further enacted, That if the said Commissioners of Excise for the Time being shall refuse or neglect to pay or cause to be paid into the Exchequer the said weekly Sums hereby appointed, or shall divert or misapply any Part of the Monies which should make good the same, then they, and every of them so offending, shall forfeit their several Offices and Places, and be incapable to serve the King in any Office or Place of Trust or Profit, and shall be liable for every such Offence to pay double the Value of the Money so diverted or misapplied, to any Person or Persons, who will inform or sue for the same, by Action of Debt, or of the Case, Bill, Suit, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Escoin, Protection, Wager of Law, or more than one Imparance, shall be granted or allowed,

shall be paid into the Exchequer in Manner following.

Perpetuated by 1 Geo. 1. Stat. c. 1. §. 4. Sec 2 Annæ, c. 3. & 3 Annæ, c. 2. 6 Geo. 1. c. 4.

Weekly Deficiency (if any) how to be supplied.

How the 96,200 l. for the first 26 Weeks shall be paid into the Exchequer, &c.

Residue of the Branches of Excise, &c. chargeable with the yearly Sum of 700,000 l. to be for the Use of the King's Household and Family, &c.

Clauses touching the Overplus in the Act 9 W. 3. c. 23. repealed.

Commissioners of Excise to make the said weekly Payments into the Exchequer.

Penalty.

VII. And be it enacted, That the Comptroller of the Excise for the Time being shall keep a perfect and distinct Account, in a Book or Books fairly written, of all the Monies which shall arise by the said particular Branches of Excise, out of which the said weekly Payments are to be made as aforesaid, as the same shall from Time to Time arise or be raised (to which Books all Persons concerned shall, at all reasonable Times, have free Access, without Fee or Charge) and such Comptroller, in Default thereof, shall forfeit his Office or Place, and be rendered incapable as aforesaid, and shall also forfeit the Sum of one hundred Pounds for every such Default, to any Person or Persons who will inform or sue for the same, as is before mentioned.

Comptroller of Excise to keep Account of all the Monies arising by the particular Branches of Excise. Penalty.

VIII. And to the End the said weekly Sum of three thousand seven hundred Pounds, and all the Payments hereby directed to be made into the said Receipt of Exchequer, for or upon Account of the same, may be made a Fund or Security for borrowing thereupon any Sum or Sums of Money, not exceeding eight hundred and twenty thousand Pounds, and for Repayment thereof, with Interest for the same, Be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the Receipt of Exchequer one Book, in which all the Monies which ought to be paid in weekly sums as aforesaid, for or upon Account of the said weekly Sums out of the said particular Branches of Excise, and which shall be brought to the said Receipt, shall be entred apart and distinct from all other Monies paid into the said Receipt, on any other Account whatsoever.

Auditor to enter in a Book the Monies brought in weekly.

IX. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to his Majesty, at the said Receipt of Exchequer, any Sum or Sums of Money, not exceeding the Sum of eight hundred and twenty thousand Pounds, upon Credit of the weekly Payments hereby appointed to be made as aforesaid, out of the said particular Branches of Excise; and that Tallies of Loans shall be levied for all and every Sum and Sums of Money so lent, and that Orders, according to the Course of the Exchequer, shall be drawn, signed, and issued for the Repayment of the same, and for Payment of Interest for the Forbearance of every such Sum of Money, after the Rate of six Pounds *per Centum per Annum*, for the first four hundred thousand Pounds, and seven Pounds *per Centum per Annum*, for the remaining four hundred and twenty thousand Pounds; which Interest shall be payable every three Months from the respective Dates of the said Tallies of Loan, until the Satisfaction of the said respective Principal Sums; and all and every such Order and Orders, and the Monies therein to be contained, or any Part thereof, shall be assignable and transferrable, without Power of Revocation, so as the Assignments thereof be indorsed on the respective Orders, and entred or notified in the Office of the Auditor of the Receipt of Exchequer, in a Book to be there kept for that Purpose; and that all and every the Sum and Sums of Money so to be lent to his Majesty, upon Credit of the said weekly Payments, shall be free from all Manner of publick Taxes and Impositions whatsoever; and that a distinct Register shall be kept in the said Receipt of Exchequer, of all the Orders for Repayment of the said Sum not exceeding eight hundred and twenty thousand Pounds, in which all the said Orders shall be registered in Course, according to the Dates of the Tallies respectively, without any other Preference of one before another; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand entred in the said Register; and that all the Monies to come in by this Act, of or for the said weekly Payments appropriated for Repayment of Loans, and the Interest thereupon as aforesaid, shall be in the same Order liable to the Satisfaction of the respective Lenders, their Executors, Administrators, and Assigns respectively, according to the Dates of their Tallies, and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken for providing or making of any Books, Entries, Registers, Views, or Search, in or for Payment of Money lent upon the said weekly Payments, out of the said Branches of Excise, or Interest as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party aggrieved by the Party offending, with Costs of Suit, or if the Officer himself take and demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in Point of Registry or Payment, contrary to the true Meaning of this Act, in reference to the said Principal and Interest payable out of the said weekly Sums charged on the said particular Branches of Excise, then the Party offending shall be liable, by Action of Debt or on the Case, to pay the Value of the Debt, Damages, and Costs to the Party aggrieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk shall also be liable to such Action of Debt, Damages and Costs, and shall be for ever after incapable of any Place or Office; and in case the Auditor shall not direct the Order, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Place and Order, as afore directed, in reference to the said weekly Sum of three thousand and seven hundred Pounds, or the said Principal and Interest to be paid out of the same, then he or they shall be adjudged to forfeit, and they and their respective Deputies and Clerks herein offending, to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid; all which said Penalties and Forfeitures to be incurred by any of the Officers of the Exchequer, or any their Deputies and Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint shall be in any wise granted or allowed.

Persons may lend 820,000 l. on the weekly Payments, &c. By 6 Geo. 1. c. 4 §. 1. these Annuities may taken in by the South Sea Company.

Money lent not to be taxed.

No Fee to be taken, &c.

Penalty.

Penalty on Officer making undue Preference in Payment, &c.

Penalties how to be recovered.

No undue Preference where Orders bear Date the same Day,

X. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Repayment of Money lent upon the said weekly Sums out of the said Branches of Excise, bear Date or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those he enters first, so he enters them all the same Day.

nor if the Tellers pay subsequent Orders, &c.

XI. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of the Payment last mentioned, if the Auditor direct, or the Clerk of the Pells record, and the Tellers do pay, subsequent Orders of Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to demand their Money, and bring their Orders, in their Course, so as there be so much Money reserved as will satisfy precedent Orders; which shall not be otherwise disposed, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Charge of collecting, &c. how to be defrayed.

XII. Provided always, and it is hereby enacted, That the Charge of collecting, managing, and levying the said particular Branches of Excise, and other Branches and Duties before mentioned, which were liable to the said yearly Sum of seven hundred thousand Pounds, shall be born and defrayed out of the said rest and residue of the same Branches and Revenues hereby appointed for the Service of his Majesty's Household and Family, and other his necessary Expences and Occasions, as aforesaid; any thing herein contained to the contrary notwithstanding.

Monies may be lent on the last 420,000 l. without staying till the preceding 400,000 l. be lent, &c.

XIII. Provided also, and it is hereby enacted, that if any Person or Persons, Bodies Politick or Corporate, at any Time or Times after the passing of this Act, and before such Time as four hundred thousand Pounds principal Monies in the whole shall be first lent thereupon, shall be willing to advance and lend to his Majesty any Sum or Sums of Money, for or in Part of the Sum of four hundred and twenty thousand Pounds, being the last Part of the Sum not exceeding eight hundred and twenty thousand Pounds, authorized to be borrowed upon this Act, that then it shall and may be lawful to and for any such Person or Persons, Bodies Politick or Corporate, to make such Loans for or in Part of the said last four hundred and twenty thousand Pounds, without staying till the preceding four hundred thousand Pounds shall be first lent; and that the principal Monies upon the Orders of Loan, for or in Part of the said last four hundred and twenty thousand Pounds, shall be registred and paid in Course as this Act directs, but shall take Place, in point of Registry and Payment, next after four hundred thousand Pounds principal Monies, which shall be first registred, or be reserved to be registred upon this Act; and that the Interest of the said Loans, for or in Part of the said four hundred and twenty thousand Pounds, so to stand last upon the said Register, shall be paid every three Months from the respective Dates of the Tallies of Loans for the same, out of the said Monies to arise weekly from the said particular Branches of Excise as aforesaid, under the like Penalties, Forfeitures, and Disabilities, for not duly registring or repaying the Monies so to be lent, for or in Part of the said four hundred and twenty thousand Pounds, or for not duly paying the Interest thereof, as are by this Act provided for not duly registring or repaying any other Part of the said Monies, not exceeding eight hundred and twenty thousand Pounds, by this Act authorized to be borrowed, as aforesaid, or Interest of the same; any Thing in this Act contained to the contrary notwithstanding.

Proviso concerning the Bank of England, &c.

XIV. Provided always, and be it enacted by the Authority aforesaid, That the Governor and Company of the Bank of *England*, until such Time as they shall be fully satisfied and repaid all the principal Monies which they shall lend upon Credit of this Act, for or in Part of the said Sum not exceeding four hundred and twenty thousand Pounds before mentioned, and the Interest thereof, shall not be obliged to make any Dividend or Dividends of the Monies, which hereafter shall become due and payable to, and be received by, the said Governor and Company, their Servants and Agents, out of the Exchequer, or any publick Office, upon or by virtue of any Tallies or Orders subscribed into the capital Stock of the said Governor and Company, pursuant to the Act of Parliament made in the eighth Year of his Majesty's Reign, intituled, *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging the capital Stock of the Bank of England, and for raising the publick Credit*, but at such Times only as shall be ordered by a general Court of the said Governor and Company; any Clause or Clauses, Matters, or Things whatsoever in the Act last mentioned, or in one other Act of the ninth Year of his Majesty's Reign, intituled, *An Act to give further Time for the administering of Oaths relating to Tallies and Orders, and for the easier Dispatch of the publick Business in the Exchequer, and in the Bank of England*, or in any other Act or Acts of Parliament whatsoever contained to the contrary notwithstanding.

8 W. 3. c. 20.

9 W. 3. c. 3.

In Lieu of the perpetual annual Payments out of the Excise granted by King Charles 2. the Hereditary Excise after 25 Dec. 1705, shall stand charged with the yearly Payments of 31, per Cent. See 13 Geo. 1. c. 3. §. 7.

XV. Provided always, and be it further enacted by the Authority aforesaid, That in Lieu and Discharge of certain perpetual annual Payments, and of all Arrears thereof, granted by his late Majesty King CHARLES the Second, by Letters Patent, out of the said Hereditary Revenue of Excise, in Satisfaction of certain principal Sums mentioned in the said Letters Patent to be then due from his said late Majesty to the respective Patentees therein named, the said Hereditary Revenue of Excise shall, from and after the twenty-sixth Day of *December* one thousand seven hundred and five, be and stand charged and chargeable for ever with the Payment of annual Sums after the Rate of three Pounds *per Centum per Annum*, for the principal Sums mentioned in the said respective Letters Patent, to be issued and paid out of the said Revenue by quarterly Payments, out of the Receipt of his Majesty's Exchequer, by the Officers of the same, unto the respective Owners and Proprietors of such annual Sums, and to their Heirs and Assigns for ever, without any Fee or Charge, and any further or other Warrant, to be issued forth, had, or obtained in that Behalf; the said annual Payments, after the Rate of three Pounds *per Centum*, to be subject nevertheless to be redeemed upon Payment of a Moiety of the principal Sums mentioned in the said respective Letters Patent.

Clause in 11 & 12 W. 3. c. 10.

XVI. And whereas by the Act passed in the Parliament held in the eleventh and twelfth Years of his present Majesty's Reign, intituled, *An Act for the more effectual employing the Poor by encouraging the Manufactures of this Kingdom*, all wrought Silks, Bengalls, Stuffs mixed with Silk, Herba, of the Manufacture of *Persia*, *China*, or *East India*, are prohibited to be worn after the nine and twentieth Day of *September* one thousand seven hundred and one, unless the same be before that Time made up and used

‘ in Apparel or Furniture; and Direction is by the said Act given for bringing of all such Goods, as shall
 ‘ be imported after the said nine and twentieth Day of *September* one thousand seven hundred and
 ‘ one, into a publick Warehouse, in order to the Exportation thereof; but no Direction is by the
 ‘ said Act given for bringing of such Goods into a publick Warehouse, as should be imported before
 ‘ the said nine and twentieth Day of *September*.’ For Remedy whereof, be it declared and enacted by
 the Authority aforesaid, That such of the said prohibited Goods as shall have been imported into this
 Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, before the thirtieth Day of
September one thousand seven hundred and one, and shall not before that Time be made up in Apparel
 or Furniture, shall be subject to the same Rules and Directions for bringing thereof into one or more
 publick Warehouse or Warehouses, and such other Provisions as are by the said Act given and directed,
 touching such of the said Goods as shall be imported after the said twenty-ninth Day of *September* one
 thousand seven hundred and one, so as the said Goods be brought to such Warehouse or Warehouses,
 upon or before the tenth Day of *October* one thousand seven hundred and one.

relating to pro-
 hibited Goods,
 explained.

C A P. XIII.

An Act to enable his Majesty to make Leases and Copies of Offices, Lands and Hereditaments, Parcel
 of his Duchy of *Cornwall*, or annexed to the same; and for Confirmation of Leases already made. All
 Leases, &c. made by Car. 2. Ja. 2. or W. & M. &c. of any Offices, Lands, &c. in the Duchy of
Cornwall, shall be good in Law, &c. Proviso that they exceed not the Term of Lives or Years. Co-
 venants, &c. in Lease or Grant, &c. good in Law. Saving of Right to all Persons, &c. Tenant
 compounding for taking of any increased Rent, &c. on Payment of Composition-money, increased
 Rent to cease, &c. King may make any further Grant of Grounds, &c. being Part of his Manor
 of *Greenwich*, to the Use of *Greenwich Hospital*.

Anno Regni GULIELMI III. decimo tertio.

‘ AT the Parliament begun at *Westminster* the thirtieth * Day of *December*, Anno Dom. 1701. in
 ‘ the thirteenth Year of the Reign of our Sovereign Lord *WILLIAM* the Third, by the
 ‘ Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, &c. and con-
 ‘ tinued till the eighth Day of *March* following, on which Day he expired.

* The former
 Editions have it,
 the thirteenth.’

C A P. I.

An Act for reviving and continuing an Act, intituled, *An Act for the appointing Commissioners to take, EXP.*
examine, and determine the Debts due to the Army, Navy, and for Transport Service, and also an Account
of Prizes taken during the late War.

C A P. II.

An Act for punishing of Officers and Soldiers, that shall mutiny or desert in *England* or *Ireland*. EXP.

C A P. III.

An Act for the Attainder of the pretended Prince of *WALES* of High Treason.

‘ W H E R E A S the pretended Prince of *WALES* hath, since the Decease of the late King *JAMES*,
 ‘ by the Incitation and Encouragement of the *French* King (being bred up and instructed to in-
 ‘ troduce the *Romish* Superstition and *French* Government into these your Majesty’s Kingdoms) openly
 ‘ and traiterously, with Design to dethrone your Majesty, assumed the Name and Title of *JAMES* the
 ‘ Third, King of *England*, *Scotland*, and *Ireland*, and caused himself to be so proclaimed in the Kingdom
 ‘ of *France* in manifest Violation of your Majesty’s most lawful and rightful Title to the Crown of these
 ‘ Realms, and of the several Acts of Parliament made, as well for recognizing of the same, as for settling
 ‘ the Succession of the Crown, contrary to the Duty of his Allegiance, and to the disturbing of the Peace
 ‘ to these your Majesty’s Kingdoms: To the End therefore that your Majesty’s good and loyal People of
England, assembled in Parliament, may in the most solemn Manner express their utmost Resentment of
 so great an Indignity done to your Majesty’s most sacred Person and Government, and that the said
 Traitor may be brought more certainly and speedily to condign Punishment; may it 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 pretended Prince of *WALES* stand and be convicted and
 attainted of High Treason, and that he suffer Pains of Death, and incur all Forfeitures, as a Traitor con-
 victed and attainted of High Treason.

Pretended Prince
 of *Wales* attaint-
 ed of High Treas-
 on:

II. And for preventing traiterous Correspondence between your Majesty’s Subjects and the said pre-
 tended Prince of *WALES*, or his Adherents; be it further enacted by the Authority aforesaid, That if

King’s Subjects
 holding Corre-
 spondence, &c. with him or with any employed by him, or remitting Money for his Use, guilty of High Treason,
 any

spondence, &c. with him or with any employed by him, or remitting Money for his Use, guilty of High Treason,
 any

any of the Subjects of the Crown of *England*, from and after the first Day of *March* one thousand seven hundred and one, shall, within this Realm or without, hold, entertain, or keep any Intelligence or Correspondence in Person, or by Letters, Messages, or otherwise, with the said pretended Prince of *WALES*, or with any Person or Persons employed by him, knowing such Person to be so employed, or shall by Bill of Exchange, or otherwise, remit or pay any Sum or Sums of Money for the Use or Service of the said pretended Prince of *WALES*, knowing such Money to be for such Use or Service, such Person so offending, being lawfully convicted, shall be taken, deemed and adjudged to be guilty of High Treason, and shall suffer and forfeit as in Cases of High Treason.

Offences committed out of the Realm may be tried in England.

III. And be it further enacted, That where any of the Offences against this Act shall be committed out of this Realm, the same may be alledged, and laid, inquired of, and tried, in any County of this Kingdom of *England*.

C A P. IV.

An Act for continuing an Act intituled, *An Act that the Solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in the usual Form.*

& 8 W. 3.
c. 34.

WHEREAS an Act made in the seventh and eighth Years of his present Majesty's Reign, intituled, *An Act that the Solemn Affirmation and Declaration of the People called Quakers shall be accepted instead of an Oath in the usual Form*, was made to continue for seven Years, and from thence to the End of the next Sessions of Parliament; and the same will expire at the End of the next Sessions of Parliament after the two and twentieth Day of *November* next: Now for the further avoiding the Inconveniences in the said Act mentioned, to those People and their Families, 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, with all the Clauses and Powers therein contained, shall continue and be in Force for and during the Term of eleven Years after the Determination of the said Act, and from thence to the End of the next Session of Parliament.

continued for eleven Years.

C A P. V.

An Act for granting an Aid to his Majesty, by laying Duties upon Malt, Mum, Cyder, and Perry.

EXP.

WE your Majesty's most dutiful and loyal Subjects, the Commons assembled in Parliament, for a further Supply for the necessary Defence of your Majesty's Realms and Dominions, do humbly present your Majesty with the Gift of the several Rates, Duties and Impositions herein after mentioned, and do beseech 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 there shall be raised, levied, collected, paid and satisfied, unto and for the Use of his Majesty, his Heirs, and Successors, for and upon all Malt, Mum, Cyder and Perry, the several Rates Duties and Impositions herein after mentioned (that is to say)

For and upon all Malt, ground or unground (whether the same shall be made of Barley, or any other Corn or Grain whatsoever) which any Malster or Maker of Malt for Sale, Seller or Retailer of Malt, Brewer, Distiller, Inkeeper, Victualler or Vinegar-Maker, within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, or any Person or Persons in Trust for him, her or them, or for his her or their Use, shall be possessed of, or interested in upon the ninth Day of *March* one thousand seven hundred and one, the Sum of six Pence for every Bushel, and so in Proportion for every greater or lesser Quantity, to be paid by such Person and Persons respectively.

Duties on Malt, &c. from 9 March 1701, to 24 June 1703.

Malt 6 d. per Bushel.

For every Bushel of Malt which at any Time or Times, from and after the said ninth Day of *March* one thousand seven hundred and one, and before the twenty-fourth Day of *June* which shall be in the Year of our Lord one thousand seven hundred and three, shall be made of Barley, or any other Corn or Grain, within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, by any Person or Persons whatsoever (whether the same be or be not for Sale) the Sum of six Pence, and so proportionably for a greater or lesser Quantity, to be paid by the Maker or Makers thereof respectively.

Mum 10 s. per Barrel.

For every Barrel of Mum, which at any Time or Times, from and after the said ninth Day of *March* one thousand seven hundred and one, and before the said twenty-fourth Day of *June* one thousand seven hundred and three, shall be made or imported within the said Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, the Sum of ten Shillings (over and above all present Duties payable for the same) and so proportionably for a greater or lesser Quantity, to be paid by the Maker or Importer thereof respectively.

And for all Cyder and Perry, which at any Time or Times from and after the said ninth Day of *March* one thousand seven hundred and one, and before the said twenty-fourth Day of *June* one thousand seven hundred and three, shall be made for Sale within the said Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed* (over and above all other Duties payable for Cyder and Perry made and

and Sold by Retail) the Sum of four Shillings for every Hoghead, and so in Proportion for a greater or lesser Quantity, to be paid by the first Buyer or Retailer thereof.

*Cyder and Perry
4 s. per Hoghead.
All Persons selling
Cyder or Perry
deemed Retailers.*

And for the avoiding of Disputes in charging of the Duties upon Cyder and Perry, Be it enacted and declared, That every Person who shall buy any Cyder or Perry, or any Fruit to make into Cyder or Perry, and shall sell any of the Cyder or Perry so bought or made by the Hoghead, or any greater or lesser Measure, shall during the Continuance of this Act, and no longer be deemed and taken to be a Retailer of Cyder and Perry, and shall be chargeable with the Duties of all such Cyder and Perry.

And for the better ascertaining, charging, levying and collecting of all the said severall and respective Duties hereby granted, Be it further enacted by the Authority aforesaid, That all and every the said Duties and Impositions by this Act granted or imposed, as well upon Malt, as upon Mum, Cyder and Perry, shall from Time to Time, during the continuance of this Act, be within the Receipt, Management and Government of the chief Commissioners and Governors of the Receipt of Excise upon Beer, Ale, and other Liquors, for the Time being; and that all inferior Officers, whether they be Subcommissioners, Collectors, Supervisors, Gaugers, or others, that are or shall be constituted or appointed for levying, receiving, collecting, or answering of his Majesty's Duties of Excise upon Beer, Ale, and other Liquors, shall within the respective Limits or Districts, or in the severall Places or Stations to which they are or shall be appointed, be also the Subcommissioners, Collectors, Supervisors, Gaugers, or other Officers respectively, for the severall Duties by this Act granted; nevertheless, under the Government and Direction of the said chief Commissioners of Excise for the Time being, or the Major Part of them, who have hereby Power to dismiss or alter them, or any of them, and to make and constitute from Time to Time, such, and so many inferior Officers, for the said Duties hereby granted, and every or any of them, as to the said chief Commissioners for the Time being, or the major Part of them, shall seem meet.

*Duties to be under
the Management
of Commissioners
of the Excise.*

And be it further enacted by the Authority aforesaid, That all and every the said Malsters or Makers of Malt for Sale, Sellers, or Retailers of Malt, Brewers, Distillers, Innkeepers, Victuallers and Vinegar-Makers, and all and every other Person and Persons whatsoever, who in Trust for them, or any of them, or for the Use of them, or any of them, shall be possessed of, or have in his, her or their Custody or Possession, or in his, her or their Houses, Outhouses, Barns, Granaries, or in any other Place or Places whatsoever, upon the said ninth Day of *March* one thousand seven hundred and one, any Parcel or Quantity of Malt whatsoever, shall on or before the tenth Day of *April* one thousand seven hundred and two, make a true and particular Entry thereof at the Office of Excise within the Limits of which they shall then respectively inhabit, upon Pain to forfeit the Sum of fifty Pounds, and the Malt, for which no such Entry shall have been made; and within six Days after he, she or they shall have made or ought to have made such Entries, as aforesaid, shall pay down the Duties hereby due or payable for such Malt to the proper Officer or Officers for receiving the same; or within the said six Days shall give Security to the said respective Officers for paying the said Duties to his Majesty's Use within six Months then next ensuing; and in case the said Duties shall be paid down within the said six Days, then there shall be allowed out of the said Duty for such Prompt Payment, a Discount or Allowance after the Rate of eight Pounds *per Centum per Annum*, for the said Time of six Months.

*Malster, &c. to
make Entry at
Excise Office.*

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all such Officers as are or shall be appointed, as aforesaid, respectively, to take a true and particular Account and Admeasurement of all such Malt as any Malsters or Makers of Malt for Sale, Sellers or Retailers of Malt, Brewers, Distillers, Innkeepers, Victuallers, or Vinegar-Makers, or any Person or Persons for them, or any of them, shall on the said ninth Day of *March* one thousand seven hundred and one, have or be possessed of; and for that Purpose, shall be permitted in the Day Time to enter into any Dwelling House, Outhouse, Barn or other Place whatsoever belonging to such Malster or Maker of Malt for Sale, Sellers and Retailers of Malt, Brewers, Distillers, Innkeepers, Victuallers, and Vinegar-Makers, and every of them; who are hereby required to permit and suffer such Officer or Officers, upon his or their Request, to make such Entrance on the said ninth Day of *March* one thousand seven hundred and one, or afterwards, at any Time before the Duty upon such Malt shall be paid or secured, and to take such Account and Admeasurement thereof, and to cast such Malt into a regular Form, for the better ascertaining the Quantity thereof, under the Penalty of twenty Pounds.

*Officers may enter
into Dwelling
House, &c.*

And be it further enacted by the Authority aforesaid, that all and every the said Gaugers and Officers which are or shall be so constituted and appointed, shall at all Times in the Day time be permitted, upon their Request, to enter the House, Malt-house, and all other Places whatsoever, belonging to or used by any Person or Persons whatsoever, who at any Time or Times, from and after the said ninth Day of *March* one thousand seven hundred and one, and before the said twenty-fourth Day of *June* one thousand seven hundred and three, shall make any Malt (either for Sale or not for Sale) and to Gauge all Cisterns, Uting-Fats, Utensils and other Vessels, used by any such Malster or Maker of Malt, for the wetting or steeping of any Barley or other Corn or Grain for the making of Malt, and to gauge, measure and take an Account of the just Quantity of the Barley and other Corn or Grain which shall be found wet or steeping in any such Uting-Fat, Utensil, Cistern, or other Vessel, or shall have been wetted or steeped in them or any of them, for the making of Malt; and shall thereof make Return or Report in Writing to the said Commissioners, or such other Person or Persons as they shall appoint to receive the same, leaving a true Copy of such Report in Writing under his Hand with such Malster or Maker of Malt; and such Report or Return of the said Gauger shall be a Charge upon such Malsters or Makers of

*Officers shall be
permitted to enter
House, &c.*

*and gauge Cisterns,
&c.*

*and make Report
to the Commission-
ers.*

Malt respectively; and if any such Malster or other Person, making Malt for Sale or private Use, shall refuse to permit any such Gauger or Officer to enter his House, Malthouse, or other Place aforementioned, or to measure, compute and take an Account of all his Malt, and to gauge all and every such Uting-Fats, Utensils, Cisterns and other Vessels, and to gauge and take an Account of his Barley or other Corn or Grain in any such Cistern, Uting-Fat, Utensil or other Vessel, or which shall have been steeped or wetted, and shall be upon any Floor or other Place, every such Malster or other Person shall forfeit and lose for every such Offence the Sum of twenty Pounds; and that from and after the said ninth Day of *March* one thousand seven hundred and one, during the Continuance of this Act, every Malster or other Person, making Malt for Sale or not for Sale, shall Monthly and every Month make a true Entry at the said Office of Excise of all the Malt made in such Month respectively, on Pain to forfeit for every such Neglect the Sum of ten Pounds.

Penalty on Malsters refusing to permit Officer, &c.

Malster once a Month to make Entry at Excise Office; and clear off the Duties in three Months.

Malsters refusing, to pay, &c.

And be it further enacted by the Authority aforesaid, That every such Malster or other Maker of Malt shall within three Months after he shall make or ought to have made such Entry, as aforesaid, pay and clear off all the said Duties which shall be due from him or them respectively.

And be it further enacted, That every such Malster or other Person chargeable with the said Duties, who shall neglect or refuse to make such Payment, as aforesaid, shall forfeit and lose for every such Offence double the Sum of the said Duty, whereof the Payment shall be so refused or neglected; and that no such Malster or other Person, after such Default made, shall sell, deliver or carry out any Malt, until he hath paid and cleared off his Duty, as aforesaid, on Pain to forfeit Double the Value of such Malt so delivered or carried out.

Malt to be measured by Winchester Bushel.

And for the avoiding all Disputes touching the Returns made or to be made by the Gaugers of any Malt, as aforesaid, Be it enacted and declared by the Authority aforesaid, That by the Bushel, in this Act mentioned, is meant and intended a Bushel according to the Standard remaining in the Custody of the Chamberlains of his Majesty's Exchequer, commonly called or known by the Name of the *Winchester* Bushel; and that the Quantity of Barley or other Corn or Grain taken by the Gauge, according to such Bushel, in any Cistern, Uting-Fat, Utensil or other Vessel, wherein such Barley, or other Corn or Grain, shall be found wetting or steeping, or which shall be found to have been wetted or steeped for the making of Malt, shall be charged and returned by the Gauger as so many Bushels of Malt.

Malsters to give Notice of all Cisterns, &c. made Use of in wetting or steeping Corn, &c.

And be it further enacted, That on or before the tenth Day of *April* one thousand seven hundred and two, all Malsters and Makers of Malt for Sale, shall give Notice in Writing at the next Excise Office of the Number and Situation of all Cisterns, Uting-Fats, Utensils, or other Vessels, Kilns, Floors, Rooms and Places by them made use of for the wetting or steeping of Corn, or making or keeping of Malt, or keeping of Corn or Grain for making into Malt, upon Pain of forfeiting the Sum of five Pounds for every Cistern, Uting-Fat, Utensil or other Vessel, Kiln, Floor, Room or other Place by him or them made use of for the wetting or steeping of Corn, or making or keeping of Malt without such Notice, as aforesaid; and that from and after the said tenth Day of *April* one thousand seven hundred and two, during the Continuance of this Act, no Malster or other Person making Malt for Sale, shall erect or set up, alter or enlarge, or make use of any Cistern, Uting-Fat, Utensil or other Vessel for the wetting or steeping any Barley or other Corn or Grain for the making of Malt, or of any Kiln, Floor, Room or other Place for the making or keeping of Malt, or keeping of Corn or Grain making into Malt, without first giving Notice thereof in Writing at the next Office of Excise, or shall keep or make use of any private Cistern, Uting-Fat, Utensil or other Vessel, for the wetting his Barley or other Corn or Grain to make Malt, other than such as are openly known and made use of in his common Malt-House, on Pain to forfeit for every such Cistern, Uting-Fat or Utensil, or other Vessel, Kiln, Floor, Room or other Place so erected or set up, altered or enlarged, kept private or concealed, or made use of without such Notice, as aforesaid, the Sum of fifty Pounds.

And use no Cistern, &c. without giving Notice at Excise Office, &c.

Penalty.

If Malster shall convey away his Stock of Malt,

without giving Notice at Excise Office,

twenty Shillings per Bushel Penalty.

And be it further enacted by the Authority aforesaid, That if any Malster or Maker of Malt for Sale, Seller or Retailer of Malt, Brewer, Distiller, Innkeeper, Victualler, or Vinegar-Maker, shall fraudulently convey any of his Stock of Malt, which he shall be intitled unto on the said ninth Day of *March* one thousand seven hundred and one, out of his Custody or Possession from the Sight or View of the Gauger or Gaugers appointed to take an Account of the same, and shall not give Notice thereof at the next Office of Excise before the tenth Day of *April* one thousand seven hundred and two, then and in such Case the Person offending therein, shall forfeit and lose for every Bushel of Malt so conveyed from the Sight and View of the Gaugers the Sum of twenty Shillings; and the Person or Persons in whose Custody such Malt shall be found, who shall not before the Discovery thereof, give Notice at the next Excise Office of the Quantity of Malt so in his Custody, shall also forfeit and lose the Sum of twenty Shillings for every Bushel.

Powers, &c. in 12 Car. 2. c. 24. to be in Force.

And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties and Forfeitures, Clauses, Matters and Things, which in and by an Act of Parliament made in the twelfth Year of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service and Purveyance, and for settling a Revenue upon his Majesty in Lieu thereof*, or by any other Law now in Force, relating to his Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled or established, for raising, levying, collecting or recovering, adjudging or ascertaining the Duties thereby granted, or any of them (other than in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, levied, recovered, and put in Execution, for the raising, levying,

levying, collecting, recovering and paying, as well the said Duties upon Malt, as the said several Duties upon Mum, Cyder and Perry, hereby granted, during the Continuance of this Act, as fully and effectually to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties and Forfeitures, Clauses, Matters and Things were particularly repeated, and again enacted in the Body of this present Act.

And be it further enacted by the Authority aforesaid, That all Fines, Penalties and Forfeitures by this Act imposed, shall be sued for, levied and recovered by such Ways, Means and Methods, as any Fine, Penalty and Forfeiture is or may be recovered by any Law or Laws of Excise, or by Action of Debt, Bill, Complaint or Information in any of his Majesty's Courts of Record at *Westminster*; and that one Moiety of every such Fine, Penalty and Forfeiture shall be to his Majesty or his Heirs and Successors, and the other Moiety to him or them that shall discover, inform or sue for the same.

And be it further enacted by the Authority aforesaid, That all Malt in the Custody of any Maker of Malt shall be liable and subject to, and are hereby made chargeable with all and singular the Debts and Duties of Malt in arrear and owing by any Person or Persons, for any Malt made by such Malster, or within his Malt-House, and shall also be subject to all Penalties and Forfeitures incurred by such Person or Persons so using such Malt-house, for any Offence against the Laws relating to the Duties on Malt; and that it shall be lawful in all Cases to levy Debts and Penalties, and use such Proceedings against such Malt, as it may be lawful to do in Case the Debtor or Offender were the true and real Owner of the same Malt.

And whereas many of his Majesty's Subjects do make Malt not to sell or make any Profit thereof, but to be consumed in their own private Families only; for the better Accommodation of such Persons, It is hereby further enacted and provided by the Authority aforesaid, That the said Commissioners of Excise for the Time being, or the major Part of them, or such Person or Persons as they, or the major Part of them shall appoint for that Purpose; and in Default of such Appointment, then the Collector and Supervisor for the District and Division, within which such Person doth or shall inhabit, shall and may compound and agree with such Person or Persons for the said Duties of such Malt, which shall grow due or payable from him, her or them by this Act, until the End of the Term hereby granted, at the Rate of five Shillings *per Annum*, for every Head, which at any Time or Times, during the Continuance of such Composition, shall be of the Family of such Person or Persons respectively, and to receive such Composition Money, or to take security for the Payment thereof quarterly; and that the Houses, Out-houses, Malt-Houses, or other Places of such particular Persons making such Composition and Agreement, and paying such Composition in Money, or giving such Security, and duly complying with their Payments thereupon, shall not be liable to the said Duty of six Pence *per Bushel* upon Malt, or to the Survey or Search of any Gauger or Officer of the Excise, for or by reason of his or their making such Malt, as aforesaid.

Provided that if any such Person, after such Composition made, shall sell, exchange, barter or deliver out any Malt to any other Person or Persons, or shall permit any other Person or Persons to make any Malt in his, her or their Houses or Out-Houses, or shall sell any Beer, Ale or other Liquors made of Malt, or shall have more Persons of their Families than they shall so compound for, without giving Notice of them to the next Office of Excise, at or before the next Quarter-Day, and paying or securing the like Composition for them, then every such Person shall forfeit the Sum of five Pounds, to be recovered and distributed, as aforesaid; and after any such Offence committed, shall lose the Benefit of his, her or their Composition, and shall be liable to the said Duty of six Pence a Bushel upon Malt, and to the Survey and Search of the said Officers, as if no such Composition had been made; and for every Bushel of Malt so fraudulently sold, exchanged, bartered, delivered out, or fraudulently made, every such Person shall forfeit the Sum of twenty Shillings; any Thing in this Act to the contrary notwithstanding.

And in regard the Quantity of Barley, or other Corn or Grain, taken by the Gauge in any Cistern, Utting-Fat, or other Vessel or Utensil, wherein such Barley, or other Corn or Grain shall be found wetting or steeping, or which shall be found to have been wetted or steeped for the making of Malt, is by this Act to be charged and returned by the Gauger, as so many Bushels of Malt: It is hereby further enacted by the Authority aforesaid, That out of every twenty Bushels so charged by the Gauger, there shall be an Allowance made to the Maker of the said Malt of four Bushels, and out of every greater or lesser Quantity, a proportionable Allowance shall be made in Consideration of the Difference between the Quantity of such Corn when it is wet and swollen, and the Quantity thereof, when it is converted into dry Malt; any Thing herein contained to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, who shall have actually paid his Majesty's Duties by this Act payable for any Quantity of Malt whatsoever, and to and for any other Person or Persons, who shall buy or be lawfully intitled to any such Quantity of Malt from the said Person or Persons who actually paid his Majesty's Duties for the same, to export such Malt for any Foreign Parts (*Scotland* excepted) giving sufficient Security before the Shipping thereof for Exportation, that the particular Quantity of Malt, which shall be intended to be exported, as aforesaid, or any Part thereof, shall not be relanded, or brought again into any Part or Parts of this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, which Security the Customer or Collector of the respective Port for such Exportation, is hereby directed and authorized to take in his Majesty's Name, and to his Use.

If after Malt is shipped for Exportation it is re-landed, over and above the Penalty of the Bond, the Malt is forfeited.

Certificate to be produced of having paid Duty.

Malt sold before 9 March 1701, and not delivered, Buyer to pay Seller 6d. per Bushel.

Rent payable in Malt, Tenant to deduct 4s. per Quarter.

Malt imported from beyond Sea forfeited.

Dimensions of Bushel.

Malt destroyed by Fire or Water,

on Oath that Duty was paid,

Officer to repay Duty.

Provided always, that if after the shipping of any such Malt to be exported, as aforesaid, and the giving or tendering of such Security, as aforesaid, in order to obtain the Allowance or Drawback herein after mentioned, the Malt so shipped to be exported shall be re-landed in any Part of the said Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, that then, and in every such Case, over and above the Penalty of the Bond, which shall be levied and recovered to his Majesty's Use, all the Malt which shall be landed, or the Value thereof, shall be forfeited, that is to say, one Moiety thereof to the King, and the other Moiety to the Person or Persons that will seize, inform or sue for the same, to be recovered as any other Penalties by this Act are recoverable.

And be it further enacted by the Authority aforesaid, That any Person or Persons who shall export any Malt into foreign Parts (except as aforesaid) shall produce a Certificate or Certificates from the Collector or Officer, who received the Duty of such Malt, that the Duty thereof hath been paid, or secured to be paid; which Certificate the Collector or Officer is hereby required to give, Proof being made upon Oath that the Duty of such Malt hath been paid or secured to be paid (which Oath the said Collector or Officer is hereby required to administer) and also making Oath before the Officer or Collector of the Port, that the Malt so exported is the same mentioned in such Certificate, That then the Collector or Chief Officers of the Port where such Malt shall be exported, shall give to the Exporter thereof a Certificate or Debenture, expressing the true Quantity of the Malt so exported, or shipped for Exportation, which Certificate or Debenture being produced to the Collector, or other Officer, appointed to receive the said Duty in the County or Place where such Malt was exported, he is hereby required to pay the said Duty of six Pence per Bushel to the Persons, or their Agents, so exporting the same; and in case the Collector, or other Officers, should not have any Money in their Hands, to pay the same, then the Commissioners appointed for executing of this Act, are hereby required to pay the same out of the Duties arising by the said Act; any Thing in this Act contained to the contrary notwithstanding.

Provided always, and be it enacted and declared by the Authority aforesaid, That wherever any Person or Persons, Bodies Politick or Corporate, or others, that are charged with the Duty mentioned in this Act, shall have sold any Malt to any Person or Persons before the said ninth Day of March one thousand seven hundred and one, and not delivered the same to the Buyer, or contracted so to do, that then, and in every such Case the Buyer of the said Malt shall be obliged to pay to the Seller, the Duty of six Pence per Bushel for every Bushel so sold, upon Delivery thereof, otherwise such Bargain or Contract shall be, and is hereby declared to be void; any Thing in this Act contained to the contrary in any wise notwithstanding.

And be it further enacted by the Authority aforesaid, That where any Rent is reserved and payable in Malt, or if payable in Money, and the Sum or Quantity of such Rent is to be ascertained by the Price of Malt, and is to increase just as much as the Price of Malt doth increase, it shall and may be lawful, during the Continuance of this Act, for the Tenant of any Lands subject to any such Rent, to detain, deduct and abate so much of every such Rent as will amount to four Shillings a Quarter for every Quarter of Malt, or the Value of it in Money that is so reserved, and so proportionably for any lesser Quantity; and the Person or Persons, Body Politick or Corporate, to whom any such Rent is reserved as aforesaid, shall upon the Receipt of the Residue of any such Rent make an Allowance of such Deductions as aforesaid, and the Tenant be discharged, as if such Payment had been made without any Deduction or Abatement whatsoever.

Provided always, and be it further enacted by the Authority aforesaid, That from and after the said ninth Day of March one thousand seven hundred and one, during the Continuance of this Act, no Malt shall be brought or imported into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, from any foreign Part or Parts beyond the Seas, upon Pain of Forfeiture of the Malt so imported, or the full Value thereof, one Moiety to the King, and the other Moiety to such Person or Persons as shall seize, inform, or sue for the same, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection or Wager of Law, or any more than one Imparance shall be allowed.

And to the End all his Majesty's Subjects may know the Content of the Winchester Bushel, whereunto this Act refers, and that all Disputes and Differences about Measure may be prevented for the future, it is hereby declared, That every round Bushel, with a plain and even Bottom, being made eighteen Inches and an Half wide throughout, and eight Inches deep, shall be esteemed a Legal Winchester Bushel, according to the Standard in his Majesty's Exchequer.

And whereas several Persons making and dealing in Malt, are subject to many Hazards and Inconveniences, as well by Fire as Water; Be it therefore further enacted by the Authority aforesaid, That from and after the ninth Day of March one thousand seven hundred and one, and after the Duty by this Act imposed on Malt is paid, or secured to be paid by the Malster, if any Quantity of Malt shall unfortunately happen to be destroyed by Fire, by the burning of the Malt-house, Granary, or other Place where the same shall be made or kept; or shall perish by Water, by the casting away of the Barge or Vessel in which the said Malt shall be transported from any Part of this Kingdom to another, it shall and may be lawful for the Proprietor or Proprietors of such Malt, so perishing as aforesaid, to make Proof thereof by two credible Witnesses upon Oath, and of his or their having paid or given Security to pay the said Duty before the Justices of the Peace of the County, Riding or Division where such Accident shall happen, at the next General Quarter-Sessions to be held for such County, Riding or Division, (who are hereby empowered to give Certificate under their Hands and Seals of such Loss) upon producing of which Certificate to the Officer appointed to collect the said Duty, he shall be obliged to repay or allow to the said Proprietor

prietor or Proprietors, so much of the said Duty as shall have been by him paid for the Quantity of Malt proved to have so perished or been destroyed as above said.

Provided always, That if any Barley or other Corn or Grain that hath been steeped or wetted in any Cistern, Uting-Fat or other Vessel, shall be found working or growing upon the Floor before it is put upon the Kiln, in order to be made into Malt, after the said ninth Day of *March* one thousand seven hundred and one, or at the Time of Gauging or charging Stock in Hand, which when dried and made into Malt will not answer so great a Quantity from the Floor as from the Cistern or Fat, It is hereby enacted by the Authority aforesaid, That out of every twenty Bushels so charged upon the Floor, there shall be an Allowance made to the Maker of the said Malt of four Bushels, and out of every greater or lesser Quantity a proportionable Allowance shall be made in Consideration of the difference between the Quantity of such Corn when it is making upon the Floor, and the Quantity thereof when it is dried and perfectly made into Malt; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Allowance of Difference between Corn on the Floor and made into Malt.

And whereas by an Act made in the first Year of his present Majesty and the late Queen, intituled, *An Act for Encouragement of the Exportation of Corn*; It is hereby enacted, That when Malt or Barley is at twenty-four Shillings *per Quarter* or under, every Merchant that shall put on board any Malt, according to or under the Limitations or Conditions in the said Act expressed, the said Merchant shall have and receive from the Farmers, Commissioners or Collectors of the Duties arising from the Customs, for every Quarter of Malt or Barley so exported, the Sum of two Shillings and six Pence; Be it hereby enacted, That the Duty of six Pence *per Bushel* by this Act imposed upon Malt, shall not be reckoned or valued towards the Price of twenty-four Shillings *per Quarter*, by the said recited Act limited, but that the Exporter of Malt shall have and receive the Bounty granted by the said recited Act, unless when the Price of Malt exceeds twenty-four Shillings *per Quarter*, over and above the Duty of six Pence *per Bushel* by this Act granted.

Exporters of Malt to receive the Bounty granted by 1 W. & M. c. 12.

Provided always, and be it further enacted and declared by the Authority aforesaid, That in case any Person or Persons whatsoever shall export any ground Malt from any Port or Place in *England* or *Wales*, or the Town of *Berwick* upon *Tweed*, to any foreign Parts (*Scotland* excepted) the Duties whereof shall have been paid or secured to be paid according to this Act, such Person and Persons shall have the like Drawback or Allowance out of the Duties on Malt by this Act granted, as if the said Malt had been whole, upon Debentures to be obtained, and upon producing Certificates, making Oath, and doing and performing the other Matters and Things herein before prescribed and directed, in order to obtain Debentures upon Exportation of Malt for foreign Parts; yet nevertheless such ground Malt so exported shall be computed and estimated after the Rate of so many Bushels of Malt as the same did contain before it was ground, and no more.

Allowance of Drawbacks.

Provided always, and be it further enacted, That every Gauger or other Officer, who shall be constituted or appointed to put this Act in Execution, shall be, and are hereby required to leave a true Copy of each Gauge, and the Quantity thereof, in Writing under his or their Hands, with or for the said Maker or Makers of Malt at the Time of taking such Gauge upon Demand, under the Penalty of forty Shillings.

Gauger to leave Copy of Gauge.

And for the Prevention of Evil Practices in brewing Beer and Ale, with Sugar, Honey, foreign Grains, *Guinea* Pepper, or with a late invented Liquor or Syrup made from Malt and Water, boiled up to the consistency of Melasses, and very much resembling the same, and commonly called *Essentia Bine*, or with other unwholsome Materials; and that no Mixture of Sugar, Honey, foreign Grains, *Guinea* Pepper, or of the said Liquor or Syrup, or other unwholsome Materials, may be used in the brewing or making of Beer and Ale; Be it enacted, That from and after the said tenth Day of *April* no common Brewer, Innkeeper, Victualler, or other Retailer of Beer and Ale, shall make use of any Sugar, Honey, foreign Grains, *Guinea* Pepper, or of the said Liquor or Syrup, called *Essentia Bine*, *Coccus Indiarum* or any unwholsome Materials or Ingredients whatsoever, in the brewing or making of any Beer or Ale, or mix any Sugar, Honey, foreign Grains, *Guinea* Pepper, or any of the said Liquor called *Essentia Bine*, *Coccus Indiarum*, or any unwholsome Materials or Ingredients whatsoever, with any Beer or Ale in Cask, after the same is cleansed, upon Pain of forfeiting twenty Pounds for every such Offence.

Penalty of using unwholsome Materials in brewing, &c.

And be it enacted by the Authority aforesaid, That all Monies which shall arise by this Act of the said Duties upon Malt, *Mum*, *Cyder* and *Perry* (over and above the necessary Charges of raising and levying the said Duties) shall, from Time to Time, be brought and paid into the Receipt of the Exchequer; and that it shall and may be lawful to and for any Person and Persons, Natives or Foreigners, Bodies Politick or Corporate, to lend to his Majesty at the said Receipt, upon Credit of the said Duties, any Sum or Sums of Money, not exceeding in the whole six hundred thousand Pounds; which Lenders shall have Interest for the Forbearance of their respective Loans, after the Rate of six Pounds *per Centum per Annum*, to be paid every three Months, from the making of such Loans, until Satisfaction of the principal Sums respectively; and that no Monies so to be lent shall be rated or assessed to any Tax or Assessment whatsoever; and that every such Lender shall immediately have a Talley of Loan struck for the Money by him, her or them lent, and an Order of the same Date for Repayment thereof, with such Interest as aforesaid; and that all such Orders shall be registred in Course according to their Dates; and all Persons thereupon shall be paid in Course, as their Orders shall stand registred, so as the Person, Native or Foreigner, his Executors, Administrators or Assigns, whose Order shall be first registred, shall be accounted the Person to be first paid, out of the Monies to come in by Virtue of this Act; and he or they who shall have his or their Order or Orders next entred shall be taken to be the second Person to be paid, and so successively and in Course; and that the said Monies to come in by this Act of the said Duties, shall be in the same

The Monies arising to be paid into the Exchequer,

Sum not exceeding 600,000 l. may be lent on the said Duties,

Lenders to have 6 per Cent.

To have a Talley and Order for Repayment, to be paid in due Course.

Order

Order liable to the satisfaction of the said respective Persons, their Executors, Administrators or Assigns successively, without undue Preference of one before another, and not otherwise, and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever; and that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any his Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views or Search, in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party aggrieved by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also: And if any undue Preference of one before another shall be made, either in Point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt or on the Case to pay the Value of the Debt, with Damages and Costs, to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Directions or Privity of his Master, then such Deputy or Clerk only, shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct, or the Clerk of the Pells Record, or the Teller make Payment, according to each Persons due Place and Order, as afore directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending, to be liable to such Action, Debt, Damages and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint shall be in any wise granted or allowed.

Penalty on Officers giving undue Preference.

No undue Preference to pay those first entred.

Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt, to be registred, then it shall be interpreted no undue Preference which of those be entred first, so as he enters them all the same Day.

Nor to pay Subsequent Orders of Persons who demand their Money, before others that did not come to take their Money, &c.

Proprietors may transfer their Interest, &c.

Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells Record, and the Tellers do pay subsequent Orders of Persons that come and demand their Monies, and bring their Orders before other Persons that did not come to take their Monies, and bring their Orders in their Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them, Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans, by Virtue of this Act, after Order entred in the Book of Register as aforesaid, his or their Executors, Administrators or Assigns, by Indorsements of his Order, may assign or transfer his Right, Title, Interest, and Benefit of such Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid, for Orders, which the Officers shall, upon Request, without Fee or Charge accordingly make, shall intitle such Assignee, his Executors, Administrators, Successors and Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may in like Manner assign again, and so *toties quoties*, and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignments, to make void, release, or discharge the same, or any the Monies thereby due, or any Part thereof.

These Duties are regrantred by 1 Ann. st. 2, c. 3. s. 2.

C A P. VI.

An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors.

1 W. & M. c. 2. s. 8.

WHEREAS by an Act made in the first Year of the Reign of your most Excellent Majesty and your late Royal Consort Queen MARY, of ever blessed Memory, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*, it was enacted, established and declared, That the Crown and Regal Government of the Kingdoms of *England*, *France*, and *Ireland*, and the Dominions thereunto belonging, should be and continue to your said Majesties, and the Survivor of you, during your joint Lives, and the Life of the Survivor of your Majesties; and that after the Decease of your Majesty and of the said late Queen MARY, the said Crown and Regal Government should be and remain to the Heirs of the Body of the said late Queen; and for Default of such Issue, to her Royal Highness the Princess ANNE of *Denmark*, and the Heirs of her Body; and for Default of such Issue, to the Heirs of the Body of your Majesty: And whereas by one other Act made in the twelfth

22 W. 3. c. 2.

Year of your Majesty's Reign, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, it was enacted, That the Crown and Regal Government of the said Kingdoms, and the Dominions thereunto belonging, with the Royal State and Dignity of the said Realms, and all Honours, Stiles, Titles, Regalities, Prerogatives, Powers, Jurisdictions and Authorities, to the same belonging and appertaining, after the Decease of your Majesty, and of the said Princess ANNE of *Denmark*, and in Default of Issue of the said Princess ANNE of *Denmark*, and of your Majesty respectively, should be, remain, and continue to the most excellent Princess SOPHIA, Electress and

Duchess

‘ Ducheſs Dowager of *Hanover*, Daughter of the moſt excellent Princeſs ELIZABETH late Queen of *Bohemia*, Daughter of our late Sovereign Lord King JAMES the Firſt, and the Heirs of the Body of the ſaid Princeſs SOPHIA, being Proteſtants: And whereas the *French* King, in Hopes of diſturb- ing the Peace and Repoſe of your Maſteſty and your Kingdoms, and creating Diviſions therein, hath, ſince the making the ſaid Act, cauſed the pretended Prince of *Wales* to be proclaimed in your Ma- jeſty’s ſaid Kingdom of *France*, by the Name, Stile and Title of JAMES the Third, King of *England*, *Scotland*, and *Ireland*, whereupon the ſaid pretended Prince hath aſſumed the ſaid Stile and Title, in open Deſiance of the Proviſions made for the Eſtabliſhment of the Title and Succeſſion of the Crown, by the ſaid ſeveral Acts of Parliament; on which ſaid Acts the Safety of your Maſteſty’s Royal Perſon and Government, the Continuance of the Monarchy of *England*, the Preſervation of the Proteſtant Religion, the Maintenance of the Church of *England* as by Law eſtabliſhed, the Security of the ancient and undoubted Rights and Liberties, and the future Peace and Tranquillity of this Kingdom, do (under God) entirely depend: To the Intent therefore that the ſaid Acts may be for ever inviolably preſerved, and that all future Queſtions and Diviſions by Reaſon of any pretended Titles to the Crown may be prevented; we your Maſteſty’s moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, do humbly beſeech your moſt Excellent Maſteſty that it may be enacted; and be it enacted by the King’s moſt Excellent Maſteſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That all and every Perſon and Perſons, as well Peers as Commoners, that ſhall bear any Office or Offices, Civil or Military, or ſhall receive any Pay, Salary, Fee or Wages, by Reaſon of any Patent or Grant from his Maſteſty, or ſhall have Command or Place of Truſt from or under his Maſteſty, or from any of his Maſteſty’s Predeceſſors, or by his or their Authority, or by Authority derived from him or them, within the Realm of *England*, Do- minion of *Wales*, or Town of *Berwick* upon *Tweed*, or in his Maſteſty’s Navy, or in the ſeveral Iſlands of *Ferſey* and *Guernſey*, or ſhall be of the Houſhold or in the Service or Employment of his Maſteſty, or of his Royal Highneſs Prince GEORGE, or her Royal Highneſs the Princeſs ANNE of *Denmark*, and all Eccleſiaſtical Perſons, all Members of Colleges and Halls in either Univerſity, that are or ſhall be of the Foundation (being of the Age of eighteen Years) and all Perſons teaching Pupils in either Univerſity, or elſewhere, and all Schoolmaſters and Uſhers, and all Preachers and Teachers of ſeparate Congregations, and every Perſon that ſhall act as a Serjeant at Law, Counſellor at Law, Barrifier, Ad- vocate, Attorney, Solicitor, Proctor, Clerk, or Notary, by practiſing in any Manner as ſuch in any Court or Courts whatſoever, who ſhall inhabit, reſide, or be within the Cities of *London* or *Westmiſter*, or within thirty Miles Diſtant from the ſame, on the firſt Day of *Eaſter* Term, which ſhall be in the Year of our Lord one thouſand ſeven hundred and two, or at any Time during the ſaid Term, ſhall perſonally appear before the End of the ſaid Term, or of *Trinity* Term next following, in his Ma- jeſty’s High Court of *Chancery*, or in his Maſteſty’s Court of *King’s Bench*, *Common Pleas*, or *Exchequer*, and there in publick and open Court, between the Hours of nine of the Clock and twelve in the Fore- noon, take the Oath herein after mentioned; that is to ſay,

All Perſons ha-
ving any Office,
&c. under the
King,

in *England*, &c.

or in the Service
of Prince George
and Princeſs
Anne, and all
Eccleſiaſtical
Perſons, &c.
Practiſers of the
Law, &c.
reſiding in *Lon-
don*, &c. ſhall, in
one of the Courts
of *Westmiſter*,
in *Eaſter* Term,
&c.

take the follow-
ing Oath, viz.

‘ I *A. B.* do truly and ſincerely acknowledge, profeſs, teſtify and declare, in my Conſcience before God and the World, That our Sovereign Lord King WILLIAM is lawful and rightful King of this Realm, and of all other his Maſteſty’s Dominions and Countries thereunto belonging. And I do ſolemnly and ſincerely declare, That I do believe in my Conſcience, that the Perſon pretended to be Prince of *Wales*, during the Life of the late King JAMES, and ſince his Deceafe pretending to be and taking upon himſelf the Stile and Title of King of *England*, by the Name of JAMES the Third, hath not any Right or Title whatſoever to the Crown of this Realm, or any other the Dominions thereto belonging: And I do re- nounce, reſuſe, and abjure any Allegiance or Obedience to him. And I do ſwear, That I will bear Faith and true Allegiance to his Maſteſty King WILLIAM, and him will defend to the utmoſt of my Power, againſt all traitorous Conſpiracies and Attempts whatſoever, which ſhall be made againſt his Perſon, Crown, or Dignity. And I will do my beſt Endeavour to diſcloſe and make known to his Maſteſty and his Suc- ceſſors all Treafons and traitorous Conſpiracies, which I ſhall know to be againſt him or any of them. And I do faithfully promiſe, to the utmoſt of my Power, to ſupport, maintain and Defend the Limita- tion and Succeſſion of the Crown, againſt him the ſaid JAMES, and all other Perſons whatſoever, as the ſame is and ſtands limited (by an Act intituled, *An Act declaring the Rights and Liberties of the Subject, and ſettling the Succeſſion of the Crown*) to his Maſteſty during his Maſteſty’s Life, and after his Maſteſty’s De- ceafe, to the Princeſs ANNE of *Denmark*, and the Heirs of her Body, being Proteſtants; and for Default of ſuch Iſſue, to the Heirs of the Body of his Maſteſty, being Proteſtants: And as the ſame by one other Act intituled, *An Act for the further Limitation of the Crown, and better ſecuring the Rights and Liber- ties of the Subject*, is and ſtands limited after the Deceafe of his Maſteſty, and the Princeſs ANNE of *Den- mark*, and for Default of Iſſue of the ſaid Princeſs, and of his Maſteſty reſpectively, to the Princeſs SOPHIA, Eleceſſis and Ducheſs Dowager of *Hanover*, and the Heirs of her Body, being Proteſtants. And all theſe Things I do plainly and ſincerely acknowledge and ſwear, according to theſe expreſs Words by me ſpoken, and according to the plain and common Senſe and Underſtanding of the ſame Words, without any Equivocation, mental Eviſion, or ſecret Reſervation whatſoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation and Promiſe, heartily, willingly and truly, upon the true Faith of a Chriſtian.’

Altered by 1 Ann.
St. 1. c. 22. and
farther by 5 Ann.

c. 8. Art. 22. and by 6 Ann. c. 7. §. 20. and c. 14. and ſee farther 8 Ann. c. 15.

and subscribe the same. Persons not having taken the Oaths at Westminster to take the same at the Quarter Sessions for the County where Resident, &c. and subscribe their Names.

Persons admitted into Offices Civil or Military shall take the said Oath,

and all Ecclesiastical Persons, &c.

Practisers of the Law, &c.

Person beyond Sea to take the Oath in three Months after Return.

Penalty on Persons refusing or neglecting to take the Oath;

and afterwards executing any Office, &c.

Courts of Westminster to administer the Oath, &c.

Manner of subscribing the same. 25 Car. 2 c. 2.

Persons forfeiting Office by Neglect, &c. may have a new Grant thereof, on taking the Oath.

II. Unto which Oath so taken, every such Person so taking the same shall subscribe or make his Name or Mark, and during the Time of taking the said Oath, all Pleas and Proceedings in the said respective Courts shall cease, and all and every the said respective Persons and Officers, not having taken the said Oath, and subscribed the same as aforesaid, shall on or before the first Day of August in the Year of our Lord one thousand seven hundred and two, at the General or Quarter Sessions for that County, Riding, Liberty, City, Borough, Town Corporate, or Place where he or they shall be, inhabit or reside, on the twentieth Day of May in the Year of our Lord one thousand seven hundred and two, take the said Oath in open Court, between the said Hours of Nine and Twelve of Clock in the Forenoon, and subscribe his Name, or make his Mark under the same as aforesaid.

III. And be it further enacted by the Authority aforesaid, That all and every Person and Persons that shall be admitted, entred, placed or taken into any Office or Offices, Civil or Military, or shall receive any Pay, Salary, Fee or Wages, by reason of any Patent or Grant from his Majesty, or shall have Command or Place of Trust from or under his Majesty, or by his Authority, or by Authority derived from him, within this Realm of England, Dominion of Wales, Town of Berwick upon Tweed, or in his Majesty's Navy, or in the several Islands of Jersey and Guernsey, or that shall be admitted into any Service or Employment in his Majesty's Household or Family, or of his Royal Highness Prince GEORGE, or of her Royal Highness the Princess ANNE of Denmark, after the said first Day of Easter Term aforesaid, shall take the said Oath at the same Time that he or they shall make and subscribe the Declaration mentioned in a Statute made in the five and twentieth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from Popish Recusants*, and all Ecclesiastical Persons, all Members of Colleges and Halls in either University, that are or shall be of the Foundation, being of, or as soon as they shall attain the Age of eighteen Years, and all Persons teaching Pupils in either University, or elsewhere, and all Schoolmasters and Ushers, and all Preachers and Teachers of separate Congregations, and every Person who shall act as Serjeant at Law, Counsellor at Law, Barrister, Advocate, Attorney, Solicitor, Proctor, Clerk, or Notary, by practising in any Manner as such, in any Court or Courts whatsoever, who shall, at any Time after the first Day of Easter Term aforesaid, be admitted into, or enter upon any of the before-mentioned Preferments, Benefices, Offices or Places, or shall come into any such Capacity, or shall take upon him or them any such Practice, Employment or Business as aforesaid, shall, within three Months after he or they shall be admitted into, or enter upon any such Preferment, Benefice, Office, or Place, or come into such Capacity, or take upon him or them such Practice, Employment or Business as aforesaid, take and subscribe the said Oath in one of the said Courts at Westminster, or at the General Quarter-Sessions of the County, City or Place, where he or they shall reside.

IV. Provided, That nothing in this Act contained shall extend to any Person now beyond the Seas, who by virtue of this Act ought to take the said Oath, so as such Person do, within three Months after his Return into England, take the said Oath, and subscribe thereunto, according to the Appointment of this Act.

V. And be it further enacted by the Authority aforesaid, That all and every the Person and Persons aforesaid, that do or shall neglect or refuse to take the said Oath, and subscribe thereto as aforesaid, in the said Courts and Places, and at the respective Times aforesaid, shall be *ipso facto* adjudged incapable and disabled in Law, to all Intents and Purposes whatsoever, to have, occupy or enjoy the said Office or Offices, Employment or Employments, or any Part of them, or any Matter or Thing aforesaid, or any Profit or Advantage appertaining to them or any of them; and every such Office or Place, Employment and Employments shall be void, and is hereby adjudged void.

VI. And be it further enacted, That all and every such Person and Persons who shall neglect and refuse to take the said Oath within the Times, and at the Places aforesaid, and yet after such Neglect or Refusal shall by himself or themselves, his or their Deputy or Trustee, execute any of the said Offices or Employments, after the said Time is expired, wherein he or they ought to have taken the said Oath, and being thereof lawfully convicted in or upon any Information, Presentment, or Indictment in any of the King's Courts at Westminster, or at the Assizes, every such Person or Persons shall be disabled from thenceforth to sue or use any Action, Bill, Plaint, or Information in Course of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Administrator of any Person, or capable of any Legacy or Deed of Gift, or to be in any Office within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, and shall forfeit the Sum of five hundred Pounds, to be recovered by him or them that shall sue for the same, to be prosecuted by any Action of Debt, Suit, Bill, Plaint or Information, in any of his Majesty's Courts at Westminster, wherein no Essoin, Protection, or Wager of Law shall lie.

VII. And be it further enacted, That it shall and may be lawful to and for the respective Courts aforesaid to give and administer the Oath aforesaid to the Person and Persons aforesaid; and upon due Tender of any Person or Persons to take the said Oath, the said Courts are hereby required and enjoined to administer the same; of the taking and subscribing whereof the like Register shall be kept, as by the said Act made in the five and twentieth Year of the Reign of King CHARLES the Second was directed to be kept, of the subscribing the Declaration therein mentioned.

VIII. Provided always, That any Person who by any Neglect or Refusal, according to this Act, shall lose or forfeit any Office, may be capable of a new Grant of the said Office, or of any other, and have and hold the same again, such Person taking the said Oath in such Manner as aforesaid, so as such Office be not granted to, or actually enjoyed by, some other Person at the Time of the regranting thereof.

IX. Provided also, That nothing herein contained shall be construed to extend to any Person in his Majesty's Service on board the Fleet, or beyond the Seas, or who shall go beyond the Seas in his Majesty's Service before the twentieth Day of *May* in the Year of our Lord one thousand seven hundred and two, so as such Person take the said Oath, and subscribe thereunto as aforesaid, according to the Appointment of this Act, within three Months after his Return into *England*.

Persons on board the Fleet, &c. to take the Oath in three Months after Return,

X. And be it further enacted by the Authority aforesaid, That from and after the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and two, no Person that now is, or hereafter shall be a Peer of this Realm, or Member of the House of Peers, shall vote or make his Proxy in the House of Peers, or sit there during any Debate in the said House of Peers; nor any Person that now is, or hereafter shall be a Member of the House of Commons, shall vote in the House of Commons, or sit there during any Debate in the said House of Commons, after their Speaker is chosen, until such Peer or Member shall from Time to Time respectively take the Oath aforesaid, and subscribe the same in Manner following (that is to say) the said Oath shall be in this and every succeeding Parliament solemnly and publickly made and subscribed, between the Hours of Nine in the Morning and Four in the Afternoon, by every such Peer and Member of the House of Peers, at the Table in the Middle of the said House, before he take his Place in the said House of Peers, and whilst a full House of Peers is there, with their Speaker in his Place; and by every such Member of the House of Commons, at the Table in the Middle of the said House, and whilst a full House of Commons is there duly sitting, with their Speaker in his Chair.

No Peer or Member of the House of Commons shall vote or sit in either House, unless he take the Oath, &c.

XI. And be it further enacted, That if any Person that now is, or hereafter shall be a Peer of this Realm, or Member of the House of Peers, or Member of the House of Commons, in this or any succeeding Parliament, shall after the said five and twentieth Day of *March* presume to vote, or make his Proxy, not having taken the said Oath, and subscribed the same as aforesaid, every such Peer or Member so offending shall from thenceforth be deemed and adjudged a Popish Recusant Convict, to all Intents and Purposes whatsoever, and shall forfeit and suffer as a Popish Recusant Convict, and shall be disabled to hold or execute any Office or Place of Profit or Trust, Civil or Military, in any of his Majesty's Realms of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, or in any of his Majesty's Islands or Foreign Plantations to the said Realms belonging, and shall be disabled from thenceforth to sit or vote in either House of Parliament, or make a Proxy in the House of Peers, or to sue or use any Action, Bill, Plaintiff or Information, in Course of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Administrator of any Person, or capable of any Legacy or Deed of Gift, and shall forfeit for every wilful Offence against this Act the Sum of five hundred Pounds, to be recovered and received by him or them that shall sue for the same, and to be prosecuted by any Action of Debt, Suit, Bill, Plaintiff or Information, in any of his Majesty's Courts at *Westminster*, wherein no Effoin, Protection or Wager of Law shall lie.

Penalty on Peer or Member, &c.

XII. Provided always, That neither this Act, nor any thing therein contained, shall extend, be judged, or interpreted to take away or make void, any Office of Inheritance, so as such Person or Persons having an Office of Inheritance do or shall substitute and appoint his or their Deputy or Deputies, according to a Proviso in the Act made in the five and twentieth Year of the Reign of King CHARLES the Second (intituled, *An Act for preventing Dangers which may happen from Popish Recusants*) and so as such Deputy or Deputies do take and subscribe the Oath in and by this present Act required and expressed, and so as such Deputy or Deputies be from Time to Time approved of by the King's Majesty, under his Privy Signet.

Act not to vacate any Office of Inheritance, &c.

25 Car. 2. c. 2.

XIII. And be it further enacted, That it shall and may be lawful to and for any Person or Persons lawfully authorized to administer or tender the Oaths, mentioned and appointed to be taken by an Act of Parliament made in the first Year of the Reign of his present Majesty and of the late Queen, intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*, to administer and tender the Oath herein before appointed to be taken, to any Person or Persons whatsoever; and if any Person or Persons, to whom the said Oath shall be so tendred, shall neglect or refuse to take the same, the Person and Persons tendring the said Oath shall certify the Refusal thereof to the next Quarter-Sessions of the County, Riding, Liberty, Borough, Town Corporate or Place, in which such Refusal shall be made; and the said Refusal shall be recorded amongst the Rolls of that Sessions, and shall be from thence certified by the Clerk of the Peace of such County, Riding, Liberty, Borough, Town Corporate or Place, into his Majesty's Court of *Chancery* or *King's Bench*, there to be recorded amongst the Rolls of the said Courts, in a Roll or Rolls there to be provided and kept for that Purpose only.

Persons authorized to administer the Oath, 1 W. & M. II. c. 8.

Refusals to be recorded.

XIV. Provided always, That this Act, or any thing therein contained, shall not extend to the Office of any High Constable, Petty Constable, Tithingman, Headborough, Overseer of the Poor, Churchwardens, Surveyors of the Highways, or any like inferior Civil Office, or to any Office of Forester, or Keeper of any Park, Chase, Warren, or Game, or Bailiff of any Manor or Lands, nor to any like private Offices, nor to any Person or Persons having only any the before-mentioned or the like Offices.

Not to extend to High or Petty Constables, &c.

XV. And be it further enacted by the Authority aforesaid, That if any Person or Persons, at any Time after the five and twentieth Day of *March* one thousand seven hundred and two, shall compass or imagine the Death of her Royal Highness the Princess ANNE of *Denmark*, or endeavour to deprive or hinder her from succeeding to the Imperial Crown of this Realm, and the Dominions and Territories thereunto belonging, after the Demise of his Majesty (whom God long preserve) and the same maliciously, advisedly, and directly shall attempt, by any Overt Act or Deed, every such Offence shall be adjudged High Treason, and the Offender and Offenders therein, their Abettors, Procurers, and Counsellors, and all and every their Aiders and Comforters, knowing the said Offence to be done, being thereof convicted

High Treason to compass or imagine the Death of the Princess Anne of Denmark, &c.

convicted or attainted according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High Treason.

7 W. 3. c. 27.

‘ XVI. And whereas by an Act made in the seventh Year of the Reign of his present Majesty, intituled, *An Act for the better Security of his Majesty's Royal Person and Government*, the Persons therein mentioned were obliged to subscribe the Association therein contained whereby the Persons subscribing the same do, amongst other Things, mutually promise and engage to stand by and assist each other to the utmost of their Power, in the Support and Defence of his Majesty's most Sacred Person and Government, against the late King JAMES and all his Adherents: And whereas by the Death of the said late King JAMES the said Clause is become useles; Be it therefore enacted by the Authority aforesaid, That from and after the said five and twentieth Day of *March* there shall be omitted and left out of the said Association these Words [against the late King JAMES and all his Adherents] and in the Room and Place thereof there shall be inserted these Words [against all his Majesty's Enemies whatsoever.]

Words to be omitted in the Association; others inserted.

‘ See Cap. 8. §. 7.’

Anno primo ANNÆ Reginae.

C A P. VII.

An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown.

Most Gracious Sovereign.

‘ For the Continuance and Increase of the Duties granted by this Act, see

2 & 3 Annæ, c. 9.

4 Annæ, c. 6.

5 Annæ, c. 19.

1 Geo. 1. stat.

1. c. 1.

1 Geo. 1. stat.

2. c. 12. §. 8.

2 W. & M. II. 1.

c. 3.’

12 Car. 2. c. 23.

9 W. 3. c. 23.

10 W. 3. c. 27.

12 W. 3. c. 12.

12 Car. 2. c. 24.

‘ W H E R E A S by an Act of Parliament made in the second Year of the Reign of your Majesty's Royal Brother and Sister, our late Sovereign Lord and Lady King WILLIAM and QUEEN MARY (of blessed Memory) intituled, *An Act for granting to their Majesties for their Lives, and the Life of the Survivor of them, certain Impositions upon Beer, Ale, and other Liquors*, it was amongst other Things enacted, That the several Rates, Duties, and Impositions upon Beer, Ale, Cyder, and other Liquors, mentioned in an Act of Parliament made in the twelfth Year of the Reign of your Majesty's Royal Uncle King CHARLES the second, intituled, *A Grant of certain Impositions upon Beer, Ale, and other Liquors, for the Increase of his Majesty's Revenues, during his Life*, and thereby granted to the said late King CHARLES the second for his Life, should be levied, collected, and paid to their said late Majesties King WILLIAM and QUEEN MARY, during their Lives, and the Life of the Survivor of them, in such Manner and Form as by the said first mentioned Act is expressed: And whereas by an Act made in the ninth Year of the Reign of his said late Majesty King WILLIAM, intituled, *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage, towards raising the yearly Sum of seven hundred thousand Pounds, for the Service of his Majesty's Household, and other Uses therein mentioned, during his Majesty's Life*, several Subsidies of Tunnage and Poundage, and other Duties upon the several and respective Wines, Goods, and Merchandizes, in the same Act particularly mentioned, were granted to his said late Majesty King WILLIAM, from the last Day of *January*, which was in the Year of our Lord one thousand six hundred ninety and nine, during his Majesty's Life, for the Uses and Purposes therein mentioned: And whereas by an Act of Parliament made in the tenth Year of the Reign of his said late Majesty King WILLIAM, for laying further Duties upon Sweets, and for lessening the Duties upon Vinegar, and other Things therein mentioned, all former Duties charged upon Vinegar, Vinegar Beer, and Liquors preparing for Vinegar, were determined; and it was thereby (amongst other Things) enacted, That from and after the said tenth Day of *May* one thousand six hundred ninety-nine, there should be paid for and upon every Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar, which should be brewed or made of any *English* or Foreign Materials, by any Person or Persons whatsoever, for Sale, and so in Proportion for a greater or lesser Quantity, the Sum of eight Shillings; and that six Pence, Part of the said Duty of eight Shillings for every Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar, should be raised and paid to his said late Majesty King WILLIAM, during his Life (in lieu of a Duty of six Pence charged on every Barrel of Vinegar Beer by the said first mentioned Act) and should be paid, applied, and disposed of, to and for the same Uses and Purposes, as the Duties granted by the same Act were directed to be applied and disposed of: And whereas by an Act made in the twelfth Year of the Reign of his said late Majesty King WILLIAM, intituled, *An Act for appropriating three thousand seven hundred Pounds weekly out of certain Branches of Excise, for publick Uses, and for making a Provision for the Service of his Majesty's Household and Family, and other his necessary Occasions*, it was amongst other Things enacted, That from and after the five and twentieth Day of *December* one thousand seven hundred, for and during the whole Term of five Years from thence next and immediately ensuing, the full, clear, and intire weekly Sum of three thousand seven hundred Pounds of lawful *English* Money, out of all the Monies arising by the Hereditary Rates and Duties of Excise, which were granted to the Crown in the twelfth Year of the Reign of King CHARLES the second, and are mentioned in the Act last recited, and by the said Duties of Excise payable during his Majesty's Life, and by every or any of them, if all those Duties of Excise should so long continue; and if the said Duties of Excise, payable during his Majesty's Life, should happen to determine before the End of the said Term of five Years, then out of the Monies arising intirely by the said Hereditary Duties of Excise, for and during all the Residue which should be then to come and unexpired of the said Term of five Years, should be brought and paid into the Receipt

cept of the Exchequer, by such several and respective weekly Payments, and in such Manner and Form, as in the said Act are particularly mentioned, for the Purposes by the said Act directed: And it is thereby further enacted, That all the Rest and Residue of the said particular Branches of Excise upon Beer, Ale, and other Liquors, which should from Time to Time remain after the said weekly Payments should be made out of the same, and the Revenue arising in the General Letter Office or Post Office, or the Office of Post Master General, and by the said further Subsidy of Tunnage and Poundage, and by the small Branches of his Majesty's Revenues herein after particularly expressed, that is to say, The first Fruits and Tenths of the Clergy, the Fines for Writs of Covenant and Writs of Entry, payable in the Alienation Office, the Post Fines, the Revenue of Wine Licences, the Monies arising by Sheriffs Profers and Compositions in the Exchequer, and by Seizures of uncustomed and prohibited Goods, the Revenue of the Duchy of Cornwall, and any other Revenue arising by the Rents of Land in England and Wales, and for Fines of Leases of the same, or any of them, and the Duty of four and an half per Centum in Specie arising in Barbadoes and the Leeward Islands in America, and all other the Branches and Revenues therein mentioned, which were before chargeable with the yearly Sum of seven hundred thousand Pounds therein expressed, should from Time to Time, during the Life of his said late Majesty King WILLIAM, be for the Use and Service of his said late Majesty's Household and Family, and for other his necessary Expences and Occasions: And it is thereby further enacted, That in Lieu and Discharge of certain perpetual annual Payments, and of all Arrears thereof, granted by his late Majesty King CHARLES the second, by Letters Patent, out of the said Hereditary Revenue of Excise, in Satisfaction of certain Principal Sums mentioned in the said Letters Patent, to be then due from his said late Majesty King CHARLES the second, to the respective Patentees therein named, the said Hereditary Revenue of Excise should, from and after the twenty-sixth Day of December one thousand seven hundred and five, be and stand charged and chargeable for ever with the Payment of the annual Sums, after the Rate of three Pounds per Centum per Annum, for the Principal Sums mentioned in the said respective Letters Patent, to be issued and paid out of the said Revenue by quarterly Payments out of the Receipt of his Majesty's Exchequer, by the Officers of the same, unto the respective Owners and Proprietors of such annual Sums, and to their Heirs and Assigns for ever, in the Manner in the same Act mentioned; the said annual Payments, after the Rate of three Pounds per Centum, to be subject nevertheless to be deemed upon Payment of the Moiety of the Principal Monies mentioned in the said respective Letters Patent; as by the several Acts aforesaid recited (Relation being thereunto respectively had) may more fully appear: Now we your Majesty's most dutiful and loyal Subjects, the Commons of England in Parliament assembled, well knowing that the Security, Peace, and Prosperity of your Majesty's Realms and Dominions are concerned in supporting the Honour of the Crown of England, by settling a Revenue suitable to the necessary Expences of the same; and with due Gratitude to Almighty God (by whose Goodness your Majesty happily succeeds to the Royal Dignity of these Realms after a King that constantly maintained the true Religion, Laws and Liberties therein established) reflecting upon your Majesty's most Excellent Disposition to preserve and continue your People in the full and free Enjoyment of the same Religion, Laws and Liberties, and of all other Blessings which good Subjects can hope for in the most auspicious Reign, whereby our Hearts are inflamed with a dutiful Affection to your Majesty; and being desirous of settling upon your Majesty, for the Expences of our Civil Government, a Revenue equal at least to the Revenue enjoyed for that Purpose by any of your Royal Predecessors, to make a special Acknowledgment to your Majesty for your great Grace and Favour to us your Commons, have therefore freely and unanimously resolved to give and grant, and do hereby give and grant to you our most Gracious Sovereign Lady Queen ANNE (whom God long preserve) the several Rates, Duties, Impositions and Charges herein after mentioned, during your Majesty's Life; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 from and after the ninth Day of March in the Year of our Lord one thousand seven hundred and one, for and during the Term of the natural Life of her Majesty Queen ANNE (whom God long preserve) the said Rates and Duties of Excise upon Beer, Ale and other Liquors, granted to his said late Majesty King CHARLES the second, by the said Act made in the twelfth Year of the Reign of his said late Majesty King CHARLES the second, intituled, *A Grant of certain Impositions upon Beer, Ale and other Liquors, for the Increase of his Majesty's Revenue during his Life*, and which were granted to their late Majesties King WILLIAM and Queen MARY, by the said Act made in the second Year of their Reign, for their Lives, and the Life of the Survivor of them (other than and except the said Duty of six Pence for every Barrel of Vinegar Beer granted by the same Acts) and also the said Duty of six Pence, Part of the said Duty of eight Shillings, granted to his late Majesty King WILLIAM, for and upon every Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar, which shall be brewed or made of any English Materials by any Person or Persons whatsoever for Sale, and so in Proportion for a greater or lesser Quantity, by the said Act made in the tenth Year of his Reign, shall be levied, collected and paid to her Majesty, in the same Manner and Form, and by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, as are mentioned and expressed in the before mentioned Acts, or any of them, relating to the said Duties of Excise, or any of them, or by any other Law now in Force relating to the Revenue of Excise; and that all and every the said Laws relating to the Revenue of Excise shall be of full Force and Effect to all Intents and Purposes, for the levying, receiving, ascertaining and recovering the said Duties of Excise upon Beer, Ale and other Liquors hereby granted, in the same Manner as if the same were repeated and enacted in the Body of this present Act.

Duties granted for the Queen's Life, viz.

Excise on Beer, Ale, &c. granted to King William and Queen Mary for Life, &c.

12 Car. 2. c. 23.

2 W. & M. 1.

1. c. 3.

(Except 6d. a

Barrel on Vinegar Beer) and

6d. Part of the

Duty of 8s. per

Barrel for Vinegar, &c. granted

by 10 W. 3. c. 21.

In what Manner

Duties shall be

levied.

All Laws of Excise to be in

Force.

Tunnage and
Poundage con-
tinued.

9 W. 3. c. 23.

Duties of Excise,
Post Office, &c.
shall be for the
Support of the
Queen's Houf-
hold, &c.

Duties of Excise
subject to the
weekly Payment
of 3,700l for
five Years from
1700.

12 W. 3. c. 12.

2 W. & M.

st. 1. c. 3.

After Expiration
of the said five
Years, how to
be applied.

For the farther

Application of

the Duty arising

by this Act, see

12 Annæ, stat. 1.

c. 21. §. 27.

For preserving,

&c. the Land

Revenue of the

Crown,

no Grant shall

be made of any

Manors, Lands,

&c. belonging to

the Crown, un-

less for 31 Years

of three Lives, &c.

II. And be it further enacted by the Authority aforesaid, That the said further Subsidies of Tunnage and Poundage, and other Duties upon Wines, Goods and Merchandizes, granted by the said Act made in the ninth Year of the Reign of his said late Majesty King WILLIAM, shall, from and after the said ninth Day of *March* during her Majesty's Life, be raised, levied, collected, paid and satisfied unto her Majesty, by the same Ways, Means and Methods, and by the same Rules and Directions, and with the same Allowances, as are mentioned in the same Act made in the ninth Year of the Reign of his said late Majesty King WILLIAM; and the same Act, and every Article, Rule and Clause therein contained, or thereby referred to, so far as the same relates to the raising, levying, collecting and making Allowances out of the said Subsidies and other Duties, shall be of full Force and Effect to all Intents and Purposes, during her Majesty's Life, as if the same were particularly and at large repeated and set down in the Body of this Act.

III. And it is hereby enacted and declared, That the said Hereditary Rates and Duties of Excise upon Beer, Ale and other Liquors, and the said Duties of Excise upon Beer, Ale and other Liquors, hereby granted to her Majesty for the Term of her Life (subject nevertheless to the Incumbrances herein after mentioned) and the said Revenue of the General Letter Office or Post Office, or the Office of Post Master General, and the said small Branches of her Majesty's Revenue (that is to say) The First Fruits and Tenths of the Clergy, the Fines for Writs of Covenant and Writs of Entry, payable in the Alienation Office, the Post Fines, the Revenue of the Wine Licences, the Monies arising by Sheriffs Profers and Compositions in the Exchequer, and by the Seizures of uncustomed and prohibited Goods, the Revenue of the Duchy of *Cornwall*, and any other Revenue arising by the Rents of Lands in *England* and *Wales*, or for Fines for Leases of the same, or any of them, and the Monies arising by the said further Subsidies of Tunnage and Poundage, and other Duties hereby granted, and all other the Branches and Revenues which were chargeable with the said yearly Sum of seven hundred thousand Pounds (the said Duty of Four and an Half *per Centum* in Specie arising in *Barbadoes* and the *Leeward Islands* in *America*, always excepted and foreprized) shall be for the Support of her Majesty's Household, and of the Honour and Dignity of the Crown; yet nevertheless the said Hereditary Rates and Duties of Excise upon Beer, Ale and other Liquors, and the said Rates and Duties of Excise upon Beer, Ale and other Liquors, hereby granted to her Majesty, during her Life, and every of them, shall be liable and subject to the said weekly Payment of three thousand seven hundred Pounds, according to the Tenure and Effect of the said Act of Parliament, made in the twelfth Year of the Reign of his said late Majesty King WILLIAM, in the same Manner as the said Hereditary Rates and Duties of Excise, and the said Rates and Duties of Excise which were granted in the second Year of the Reign of their said late Majesties, and every of them, jointly or severally, would have been liable to the same weekly Payment, if his said Majesty had continued in this Life, during the said Term of five Years; any thing herein contained to the contrary thereof in any wise notwithstanding.

IV. Provided also, and it is hereby enacted and declared, That from and after the Expiration of the said Term of five Years, so much Money as together with the said Payments, after the Rate of three Pounds *per Centum per Annum*, then to commence and to be applied for Satisfaction of the said Patentees, and those claiming under them as aforesaid, shall make up the Sum of three thousand seven hundred Pounds for every Week, during her Majesty's Life, shall and may be taken out of the said Hereditary Rates and Duties of Excise, and out of the Rates and Duties of Excise hereby granted to her Majesty for her Life, and either or any of them; and the said Payments after the Rate of three Pounds *per Centum per Annum*, being deducted out of the Hereditary Part thereof, the Residue of the said three thousand seven hundred Pounds *per Week*, be applied and disposed of to and for the Publick Use and Service; any thing herein contained to the contrary notwithstanding.

V. And whereas the necessary Expences of supporting the Crown, or the greatest Part of them, were formerly defrayed by a Land Revenue, which hath from Time to Time been impaired and diminished by the Grants of former Kings and Queens of this Realm, so that her Majesty's Land Revenues at present can afford very little towards the Support of her Government; nevertheless from Time to Time, upon the Determination of the particular Estates, whereupon many Reversions and Remainders in the Crown do now depend or expect, and by such Lands, Tenements and Hereditaments as may hereafter descend, escheat, or otherwise accrue or come to her Majesty, her Heirs or Successors, the Land Revenues of the Crown, in Fines, Rents, and other Profits thereof, may hereafter be increased, and consequently the Burthen upon the Estates of the Subjects of this Realm may be eased and lessened in all future Provisions to be made for the Expences of the Civil Government: To the End therefore that the Land Revenues of the Crown may be preserved, improved and increased for the best Advantage thereof, be it enacted and declared by the Authority aforesaid, That all and every Grant, Lease, or other Assurance, which from and after the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and two, shall be made or granted by her Majesty, her Heirs or Successors, Kings or Queens of this Realm, under the Great Seal of *England*, Exchequer Seal, Seals of the Duchy and County Palatine of *Lancaster*, or any of them, or by Copy of Court Roll or otherwise howsoever, of any Manors, Messuages, Lands, Tenements, Rents, Tithes, Woods, or other Hereditaments (Advowsons of Churches and Vicarages only excepted) within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or any of them, or any Part thereof, now belonging or hereafter to belong to her Majesty, her Heirs or Successors, or to any other Person or Persons in Trust for her Majesty, her Heirs or Successors, in Possession, Reversion, Remainder, Use or Expectancy, whether the same be or shall be in Right of the Crown of *England*, or as Part of the Principality of *Wales*, or of the Duchy or County Palatine of *Lancaster*, or otherwise howsoever, to any Person or Persons, Body Politick or Corporate what-

soever,

soever, whereby any Estate or Interest whatsoever, in Law or Equity, shall or may pass from her Majesty, her Heirs or Successors, shall be utterly void and of none Effect, unless such Grant, Lease, or Assurance be made for some Term or Estate not exceeding one and thirty Years, or three Lives, or for some Term of Years determinable upon one, two, or three Lives; and unless such Grant, Lease or Assurance respectively, be made to commence from the Date or making thereof; and if such Grant, Lease or Assurance, be made to take Effect in Reversion or Expectancy, that then the same, together with the Estate or Estates in Possession of and in the Premises therein contained, do not exceed three Lives, or the Term of one and thirty Years in the whole; and unless such Grant, Lease or Assurance respectively be so made, that the Tenant be liable to Punishment for Waste; and unless there be reserved upon every such Grant, Lease or Assurance respectively, the ancient or most usual Rent, or more, or such Rent as hath been reserved, yielded, and paid for such of the said Manors, Messuages, Lands, Tenements, Rents, Tithes, or other Hereditaments, as shall be therein contained, for the greater Part of twenty Years before the making thereof; and where no such Rent shall have been reserved or payable, that then upon every such Grant, Lease, or Assurance, there be reserved a reasonable Rent, not being under the third Part of the clear yearly Value of such of the said Manors, Messuages, Lands, Tenements, Tithes, or other Hereditaments, as shall be contained in such Lease or Grant; and unless such respective Rents be made payable to her Majesty, her Heirs or Successors, who shall make such Lease or Grant, and to her or their Heirs or Successors, during the whole Term or Time of the Continuance thereof respectively.

Tenant punishable for Waste. Ancient Rent reserved, &c.

and payable to the Queen, &c.

VI. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That from Time to Time, where the greatest Part of the yearly Value of any Tenements or Hereditaments belonging, or hereafter to belong, to her Majesty, her Heirs or Successors, doth or shall, at the Time of making any Lease or Grant thereof, consist of the Building or Buildings thereupon, which may want to be repaired or re-edified, in all and every such Case and Cases, to encourage the Rebuilding or Reparation thereof, it shall and may be lawful to and for her Majesty, her Heirs and Successors, at any Time after the said five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and two, to demise or grant such Tenements or Hereditaments to any Person or Persons for any Term or Estate, so as such Term or Estate do not exceed fifty Years, or three Lives, and so as such Lease or Grant be made to commence from the Date or making thereof; or if such Grant or Lease be made to take Effect in Reversion or Expectancy, that then the same, together with the Estate or Estates in Possession, of and in the same Tenements or Hereditaments, do not exceed fifty Years, or three Lives, from the Date or making as aforesaid, and so as the same be not made dispensable of Waste, and so as there be reserved and payable upon every such Lease or Grant, during such Term, not exceeding fifty Years, or three Lives, as much Rent as is by this Act required to be reserved for the same Tenements or Hereditaments respectively, in case of a Lease, not exceeding one and thirty Years, or three Lives as aforesaid, and not otherwise; any thing herein contained to the contrary notwithstanding.

Tenements, &c. belonging to the Crown, and wanting Reparation, or to be re-edified, &c.

Queen may grant such Tenements for 50 Years or three Lives, &c.

not dispensable of Waste;

and Rent reserved to be paid.

VII. And to the Intent the Inheritance, which her Majesty hath of and in the said Hereditary Duties of Excise upon Beer, Ale, and other Liquors, and of and in the said Revenue arising in the said general Letter Office or Post Office, and in the small Branches of her Majesty's Revenue herein after mentioned (that is to say) The First Fruits and Tenths of the Clergy, the Fines for Writs of Covenant and Writs of Entry, payable in the Alienation Office, the Post Fines, the Revenue of the Wine Licences, and the Revenue arising by Sheriffs Profers, and Compositions in the Exchequer, and by Seizures of uncustomed and prohibited Goods, may be preserved in the Crown, for the future Benefit thereof; Be it further enacted and declared by the Authority aforesaid, That the said Hereditary Duties of Excise, and the said Revenue arising in the said general Letter Office or Post Office, and the said small Branches of her Majesty's Revenue last mentioned, or any of them, or any Part thereof, shall not hereafter be alienable or grantable by her Majesty, her Heirs or Successors, for any Estate or Term whatsoever, to endure longer than the Life of her Majesty, or of such King or Queen as shall make such Alienation or Grant respectively; and that all Gifts, Grants, Alienations, Leases, and Assurances whatsoever, to be had or made of any the said Manors, Messuages, Lands, Tenements, Rents, Tithes, or other Hereditaments, or of any the said Revenues or Branches, or any Part thereof, contrary to the Provisions of this Act, or any of them, shall be null and void, without any Inquisition, *Scire facias*, or other Proceeding, to determine or make void the same.

Duties, &c. hereby granted not alienable by the Crown, &c.

Grants, &c. made contrary to this Act void.

VIII. Provided always, That this Act, or any thing therein contained, shall not extend to disable her Majesty, her Heirs or Successors, to make such Leases, Copies, or Grants, as she or they may make by virtue of an Act of Parliament made and passed in the twelfth Year of the Reign of his said late Majesty King WILLIAM, for making Leases or Copies of Offices, Lands, or Hereditaments, Parcel of the Duchy of *Cornwall*, or annexed to the same, or to alter or prejudice any the Powers, Matters, or Things therein contained, or to be done in pursuance thereof, or to disable her Majesty, her Heirs or Successors, to make any Grant or Restitution of any Estate or Estates hereafter to be forfeited for any Treason or Felony whatsoever, or to disable her Majesty, her Heirs or Successors, to grant, demise, or assign any Lands, Tenements or Hereditaments, which shall be seized or taken into her or their Hands upon any Outlawry, at the Suit of her or their Subjects, as hath been usual, or any Estate whatsoever, which is or shall be seized, extended, or taken in Execution for any Debt owing or to be due to the Crown, as she or they shall think fit, or to make any Grants or Admittances, which of Right or Custom ought to be made, of any Copyhold Lands, Tenements or Hereditaments, Parcel of any Manor or Manors of her Majesty, her Heirs or Successors, or to disable the Trustees for Sale of Fee Farm and other Rents, to execute any the Trusts, Powers, or other Matters or Things by them to be executed, done, or performed, in pursuance

Queen may make Leases, &c. in her Duchy of Cornwall by virtue of an Act 12 W. 3. c. 13; and grant away or restore Estates forfeited for Treason, &c. or seized on Outlawry, or taken in Execution, and customary Grants of Copyhold Estates. Trustees for Fee Farm Rents may execute their Trust, &c.

of the several Acts of Parliament concerning the Sale of the said Rents, or the making of such Reprizes as ought to be made by them; any thing herein contained to the contrary notwithstanding.

Saving of Right,
&c.

IX. Saving always to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators and Assigns, other than to our said Sovereign Lady, her Heirs and Successors, all such Rights, Titles, Estates, Customs, Interests, Claims and Demands whatsoever, of, in, or to, or out of the Revenues, Hereditaments, and other the Premises aforesaid, or any of them, as they or any of them had or ought to have had before the making of this Act, as fully, to all Intents and Purposes, as if this Act had never been made; any thing herein contained to the contrary notwithstanding.

C A P. VIII.

An Act for explaining a Clause in an Act made at the Parliament begun and holden at *Westminster*, the two and twentieth of *November* in the seventh Year of the Reign of our Sovereign Lord King WILLIAM the Third, intituled, *An Act for the better Security of his Majesty's Royal Person and Government*.

7 W. 3. c. 27.

WHEREAS by an Act of Parliament made at the Parliament begun and holden at *Westminster*, the two and twentieth Day of *November* in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the better Security of his Majesty's Royal Person and Government*, it was among other Things enacted, That no Commission, either Civil or Military, should cease, determine, or be void by reason of the Death or Demise of his said Majesty, or of any of his Heirs or Successors, Kings or Queens of this Realm, but that every such Commission should be, continue, and remain in full Force and Virtue, for the Space of six Months next after any such Death or Demise, unless in the mean Time superseded, determined, or made void by the next and immediate Successor, to whom the Imperial Crown of this Realm, according to the Act of Settlement, in the same recited Act mentioned, is limited and appointed to go, remain, or descend: And for as much as some Doubt may be conceived concerning the Extent of that Clause; therefore for the avoiding of any Dispute or Question that may arise concerning the Construction thereof; Be it declared and enacted by the Queen'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 no Patent or Grant of any Office or Employment, either Civil or Military, shall be taken, construed or adjudged, to cease, determine, or be void, by Reason of the Death or Demise of his said late Majesty, but that every such Patent or Grant shall be, continue and remain in full Force and Virtue, from and after the seventh Day of *March* in the Year of our Lord one thousand seven hundred and one, for the Space of six Months then next ensuing, unless in the mean Time superseded, determined, or made void by her present Majesty.

No Patent, &c.
to cease by the
late King's
Death, but con-
tinued for six
Months, &c.

No Patent, &c.
to cease after the
Queen's Death,
but to continue
for six Months,
&c.

Justices may pro-
ceed, &c. as if
the King had
been living, but
in the Queen's
Name.

No Writ, &c. to
be discontinued,
&c.

Archiep. Ar-
magh. v. Regem,
in domo Proce-
rum. 1728.

The like on the
Queen's Death,
&c.

II. And be it further enacted, That no Patent or Grant of any Office or Employment, either Civil or Military, hereafter to be made, shall cease, determine, or be void, by reason of the Death or Demise of her present Majesty (whom God Almighty long preserve to reign over this Realm) or any of her Heirs or Successors, Kings or Queens of this Realm, but that every such Patent or Grant shall be, continue, and remain, in full Force and Virtue, for the Space of six Months next after any such Death or Demise, unless in the mean Time superseded, determined, or made void by the next and immediate Successor, to whom the imperial Crown of this Realm is limited and appointed to go, remain, or descend.

III. And be it enacted and declared, That the Justices of Assize, *Oyer and Terminer*, Gaol Delivery, and *Nisi prius*, and Justices of the Peace, may proceed at their several Assizes and Sessions, as they might have done if his said late Majesty King WILLIAM the Third were living, but as her Majesty's Justices, and in her Name; and that no Writ, Plea, Process, or any other Proceeding upon any Indictment or Information for any Offence or Misdemeanor, nor any Writ, Process or Proceeding whatsoever, for any Debt or Account that was due or to be made to his late Majesty, or concerning any Lands, Tenements, or other Revenue that did belong to his late Majesty, depending at the Time of the Demise of his said late Majesty, shall be discontinued or put without Day, by reason of his Death or Demise, but shall continue and remain in full Force and Virtue, to be proceeded upon in like Manner as if his said Majesty were living.

IV. And be it further enacted, That no Writ, Plea, or Process, or any other Proceeding upon any Indictment or Information, for any Offence or Misdemeanor, or any Writ, Process or Proceeding, for any Debt or Account that shall be due or to be made to her Majesty, her Heirs or Successors, for or concerning any Lands, Tenements, or other Revenue that shall belong to her or them, that shall be depending at the Time of her Majesty's Demise (whom God long preserve) or of any of her Heirs or Successors, shall be discontinued or put without Day, by reason of her or any of their Deaths or Demises, but shall continue and remain in full Force and Virtue, to be proceeded upon notwithstanding any such Death or Demise.

No Proceedings
in any Court of
equity, &c. to
cease;

V. And be it further enacted by the Authority aforesaid, That no Commission of Association, Writ of Admittance, or *Si non omnes*, Original Writ, Writ of *Nisi prius*, Writ of Assistance, nor any Commission, Process, or Proceedings whatsoever, in or issuing out of any Court of Equity, nor any Process or Proceeding upon any Office or Inquisition, nor any Writ of *Certiorari* or *Habeas Corpus*, in any Matter or Cause, either Criminal or Civil, nor any Writ of Attachment or Process for Contempt, nor any Commis-

tion of Delegacy or Review, for any Matters Ecclesiastical, Testamentary, or Maritime, or any Process thereupon, shall be determined, abated, or discontinued by the Demise of the said late King, but all and every such Writ, Commission, Process, and Proceedings, shall be and are hereby revived and continued, and shall be in full Force and Virtue, and shall and may be proceeded upon as if his late Majesty were living; nor hereafter by the Demise of her present Majesty, or any King or Queen of this Realm, shall any Commission of Assize, Oyer and Terminer, general Gaol Delivery, or of Association, Writ of Admittance, Writ of *Si non omnes*, Writ of Assistance, or Commission of the Peace, be determined; but every such Commission and Writ shall be and continue in full Force and Virtue, for the Space of six Months next ensuing, notwithstanding any such Demise, unless superfeded and determined by her Majesty, her Heirs or Successors: And also no Original Writ, Writ of *Nisi prius*, Commission, Process, or Proceedings whatsoever, in or issuing out of any Court of Equity, nor any Process or Proceeding upon any Office or Inquisition, nor any Writ of *Certiorari* or *Habeas Corpus* in any Matter or Cause, either Criminal or Civil, nor any Writ of Attachment, or Process for Contempt, nor any Commission of Deligacy or Review, for any Matters Ecclesiastical, Testamentary, or Maritime, or any Process thereupon, shall be determined, abated, or discontinued, by the Demise of her Majesty, or any King or Queen of this Realm; but every such Writ, Commission, Process, and Proceeding, shall remain in full Force and Virtue, to be proceeded upon, as if her Majesty, or such other King or Queen had lived, notwithstanding any such Death or Demise.

but be continued;
nor hereafter by her Majesty's Death,
but be in Force for six Months.

VI. And be it further enacted, That all and singular the Provisions, Clauses, Matters and Things whatsoever contained in this Act, and in that Part of the Act made in the seventh Year of the Reign of the late King, which is recited in this present Act, shall extend, and be construed to extend to the Kingdom of *Ireland*, to the Islands of *Jersey* and *Guernsey*, and to all her Majesty's Dominions in *America* and elsewhere.

Act to extend to Ireland, Jersey, and Guernsey, &c.

VII. And be it further enacted and declared by the Authority aforesaid, That this present Act, and all other Acts to which the Royal Assent shall be given after the eighth Day of *March* one thousand seven hundred and one, and before the End of this present Session of Parliament, shall commence and begin, and be taken, construed and adjudged in Law, to commence and begin upon the said eighth Day of *March* one thousand seven hundred and one, unless in such Acts some other Time for Commencement thereof be specially limited and appointed.

and to commence from 8 March 1701.

C A P. IX.

An Act for continuing the Act made in the eighth Year of his late Majesty's Reign, for better preventing the counterfeiting the Current Coin of this Kingdom.

WHEREAS an Act of Parliament made in the eighth Year of his late Majesty's Reign, intitled, *An Act for the better preventing the counterfeiting the current Coin of this Kingdom*, was, by a Clause in another Act made in the ninth Year of his said Majesty's Reign, continued in Force unto the five and twentieth Day of *March* one thousand seven hundred and one, and from thence to the End of the next Session of Parliament: And whereas the said Act hath been found of good Use, for suppressing the counterfeiting the Current Coin of this Kingdom by such Tools and Instruments as are therein prohibited: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by the Authority of the same, That the said Act made in the eighth Year of his late Majesty's Reign, and every Article and Clause therein contained, shall from henceforth continue and be in Force until the five and twentieth Day of *March*, which shall be in the Year of our Lord one thousand seven hundred and nine, and from thenceforth unto the End of the first Session of Parliament then next ensuing, and no longer.

8 W. 3. c. 26.
9 W. 3. c. 21.
continued till 1709.

II. And whereas in the aforesaid Act it is ordained, That no Prosecution shall be made for any Offence against the said Act, unless such Prosecution be commenced within three Months after such Offence committed; Be it further enacted by the Authority aforesaid, That the Prosecution of such Person or Persons as offend against the said Act, by making or mending, or beginning, or proceeding to make or mend any coining Tool or Instrument therein prohibited, or by marking of Money round the Edges with Letters or Grainings, may be commenced at any Time within six Months after such Offence committed; any Thing in the said Act to the contrary in any wise notwithstanding.

Offenders may be prosecuted in six Months after Offence.
7 Ann. c. 25. §. 2.

III. And whereas by an Act of the last Parliament, in the twelfth Year of his late Majesty's Reign, intitled, *An Act for appointing Wardens and Assay Masters, for assaying wrought Plate in the Cities of York, Exeter, Bristol, Chester, and Norwich*, the said Cities of *York, Exeter, Bristol, Chester, and Norwich*, were appointed for the assaying and marking of wrought Plate, and for executing the Powers, Authorities, and Directions given by the said Act: And whereas in and by the said Act of Parliament it was further enacted, That all and every Goldsmith, Silversmith, and Plate-worker inhabiting in any Town or Place where an Assayer is not, or shall not be appointed, shall bring all his or their wrought Plate to some of the said Cities or Places to be assayed and marked, upon Penalty of Forfeiture of all such Plate or Manufacture of Silver, or the Value thereof, as shall be sold or exchanged before the same be marked and assayed: And whereas in the Town of *Newcastle upon Tyne* there is, and Time out of Mind hath been, an ancient Company of Goldsmiths, which, with their Families, by the said Penalty are like to be ruined, and the said Trade utterly lost in the said Town: And whereas by the Statute of the second of

12 W. 3. c. 4.

2 Hen. 6. c. 14.
Newcastle upon
Tyne appointed
one of the Places
for marking
wrought Plate,
&c.

Goldsmiths, &c.
of Newcastle in-
corporated a
Company, &c.

and may choose
Wardens.

Silver Plate how
to be made and
marked, &c.

Company may
elect an Assay-
master, &c.

See farther 15
Geo. 2. c. 28.

‘ HENRY the sixth, the Town of *Newcastle upon Tyne* is one of the Places appointed to have Touches for Wrought Silver Plate;’ Be it therefore enacted by the Authority afore said, That the Town of *Newcastle upon Tyne* be and is hereby appointed for the assaying and marking of Wrought Plate, and for executing the several Powers, Authorities, and Directions mentioned and contained in and by the said Act of the twelfth Year of our said late Sovereign Lord King WILLIAM, as fully and amply, to all Intents, Constructions and Purposes, as if the said Town had been expressly named in the said Act.

IV. And be it further enacted by the Authority afore said, That the Goldsmiths, Silversmiths, and Plate-workers, who are or shall be Freemen of, and inhabiting in the said Town of *Newcastle*, and having served an Apprenticeship to the said Trade of a Goldsmith, Silversmith, or Plate-worker, shall be and are hereby incorporated a Company of and belonging to the said Town, and shall be called or known by the Name of *The Company of Goldsmiths* of the said Town of *Newcastle upon Tyne*; which said Company shall be enabled, and are hereby authorized annually to choose two Persons to be Wardens of the said Company; which said Wardens shall continue for the Space of one Year, and no longer, unless re-elected by the said Company; and if either of the said Wardens shall happen to die, or remove out of the said Town, then the said Company shall within one Month after such Death or Removal choose another Person of the said Company to be Warden in his Room; and such Person so chosen shall and is hereby authorized and required to act accordingly.

V. And be it further enacted by the Authority afore said, That all Silver Plate or Manufacture of Silver (except such Things as by Reason of their Smallness are not capable of receiving the Touch) shall be made and wrought of the same Fineness, and made, assayed, and marked with the Arms of the said Town, and other the Marks mentioned in the said Act, in such Manner and Form as in the said Act of the twelfth Year of his late Majesty’s Reign is mentioned; and that an Assay-master shall from Time to Time be elected by the said Company of Goldsmiths in the said Town, who shall take such Oath as is therein prescribed, before the Mayor of *Newcastle upon Tyne* for the Time being, who is hereby appointed to administer the same; and that the said Assay-master, and all and every the Goldsmiths, Silversmiths, and Plate-workers, inhabiting in the said Town, shall from Time to Time, and at all Times hereafter, observe and perform all such Matters and Things, and be subject to all such Orders, Rules, Pains, Penalties and Forfeitures, as in the same Act is mentioned, for and concerning the several Matters, Things and Offences therein contained, as fully, effectually and amply, to all Intents, Constructions and Purposes, as if the said Town had been therein expressly mentioned; and the said Pains and Penalties shall be levied, recovered, disposed of and taken, in such Manner and Form as in and by the same Act is directed.

C A P. X.

EXP.

An Act for taking, examining, and stating the publick Accounts of the Kingdom.

C A P. XI.

An Act for reviving the Act, intituled, *An Act for exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving upon Juries.*

6 & 7 W. 3.
c. 4.

continued for 11
Years,
‘ Made perpetual
9 Geo. 1. c. 8.’

‘ WHEREAS an Act made in the sixth and seventh Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving upon Juries*, has been by Experience found very useful and necessary: And whereas the said Act was to continue but for seven Years, and to the End of the next Session of Parliament, and is now near expiring;’ Be it therefore enacted by the Queen’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, with all the Clauses and Powers therein contained, shall continue and be in Force for the Space of eleven Years, from and after the Expiration thereof, and from thence to the End of the next Sessions of Parliament.

C A P. XII.

11 W. 3. c. 2.
12 W. 3. c. 10.
4s. in the Pound.

An Act for granting an Aid to her Majesty by divers Subsidies and a Land Tax. The *Irish* Trustees may before 24 June 1703. sell the forfeited Estates, &c. vested in them. Barracks erected on the said forfeited Estates, &c. shall be conveyed to the Trustees for the Barracks, &c. for ever. Clothing, &c. may be exported out of *Ireland* for the three Regiments in the *West Indies*, &c.

Hungary Wines
may be imported
from *Hamburg*
paying Duties as
for *Rhenish*
Wines.

Farther Provisi-
ons concerning
Wines 5 Ann. c. 27.
2. c. 19 and 32 Geo. 2. c. 19.

‘ CXII. And whereas there have lately been imported into your Majesty’s Dominions, Wines of the Growth of *Hungary*, and some Doubts have arisen touching the Rates and Duties payable for the same upon such Importation;’ Be it declared and enacted, That it shall and may be lawful to import from *Hamburg* into the Port of *London*, and the Members thereof, or into any other Ports of this Kingdom, or the Dominion of *Wales*, or Town of *Berwick upon Tweed*, Wines of the Growth of *Hungary*, and upon the Importation of any such Wines, there shall be paid such Rates and Duties only as by any Law now in Force are due and payable for any *Rhenish* Wines, or Wines of the Growth of *Germany*, imported into this your Realm, or the Dominions thereof, by all your Majesty’s natural-born Subjects, and by all Strangers and Aliens respectively.

‘ CXIII.

6 Geo. 1. c. 12. 12 Geo. 1. c. 23. 1 Geo. 2. St. 2. c. 17. 10 Geo. 2. c. 19. 17 Geo. 2. c. 40. 18 Geo. 2. c. 9. 26 Geo. 2. c. 12. 30 Geo. 2. c. 19 and 32 Geo. 2. c. 19.

‘CXIII. And whereas the General Society intituled to the Advantages given by an Act of Parliament for advancing a Sum not exceeding two Millions, for the Service of the Crown of *England*, by a Covenant in the Charter to them granted by his late Majesty King WILLIAM the Third, bearing Date the third Day of *September* in the tenth Year of his Reign, is obliged to furnish into her Majesty’s Stores (if demanded) five hundred Tuns of Salt Petre yearly for the first Cost, Freight, Duties, and other Charges thereupon, to be ascertained in the Manner therein mentioned; and the *English* Company trading to the *East Indies*, as a Member of the said General Society, is by a Covenant in the Charter granted to the said Company, bearing Date the fifth Day of *September* in the tenth Year of the Reign of his said late Majesty King WILLIAM, obliged to furnish yearly, a proportionable Part of the said five hundred Tuns (if demanded) and the Governor and Company of Merchants of *London* trading into the *East Indies*, also as a Member of the said General Society, are obliged to furnish yearly another Proportion of the said five hundred Tons (if demanded) and the particular Members of the said General Society (other than the said Companies) are obliged to furnish yearly the Remainder of the said five hundred Tons (if demanded) for the Cost, Freight, Duties, and other Charges aforesaid: And whereas the said Governor and Company of Merchants of *London* trading into the *East Indies*, and the said *English* Company, have agreed to unite their Capital Stock in the said two Millions, and trade to the *East Indies*, and other Parts within the Limits of their Charters whereunto they severally are intitled, under the Act of Parliament of the ninth Year of his said late Majesty’s Reign, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*, whereupon a new Charter is intended to be passed: Now it is hereby provided and enacted by the Authority aforesaid, That from the twenty-ninth Day of *September* one thousand seven hundred and one, until the said Union shall be perfected, under the Great Seal of *England*, four hundred ninety-four Tuns and one Quarter of good, clean and merchantable Salt Petre, shall yearly (if it be demanded) be delivered into the Stores of her Majesty, her Heirs and Successors, at the certain Price herein after limited (that is to say) by the said Governor and Company of Merchants of *London* trading into the *East Indies*, for their Proportion, seventy-eight Tuns and three Quarters; and by the said *English* Company, four hundred and fifteen Tuns and a half; and that after the perfecting of the said Union, and during the Continuance thereof in a Joint Management, the like Quantity of four hundred ninety-four Tuns and one Quarter of such Salt Petre, shall yearly (if demanded) be delivered into the said Stores by the said *English* Company, and its Successors, out of the said United Trade: And after the Determination of such joint Management, then by the said *English* Company singly, during so long Time as the said *English* Company shall have Right and Power to trade to the *East Indies*, under the said Act of Parliament in that Behalf; and that in like Manner from the twenty-ninth Day of *September* one thousand seven hundred and one, the Quantity of five Tuns and three Quarters of good, clean and merchantable Salt Petre, shall yearly (if demanded) be delivered into the said Stores at the same certain Price, by the other Members of the said General Society for the Time being.

9 W. 3. c. 44.

After 29 Sept. 1701. until the Union of the two East India Companies be perfected, 494 Tuns and a Quarter of Salt Petre shall be delivered into her Majesty’s Stores, and after the said Union 494 Tuns and a Quarter yearly, &c. 5 Tuns and 3 Quarters of Salt Petre to be delivered by the other Members of the said General Society.

Price of Salt Petre.

‘CXIV. And it is hereby enacted and declared, That the Price of all the said Salt Petre, to be served in Time of Peace, shall be five and forty Pounds *per* Tun, and in Time of War shall fifty-three Pounds *per* Tun; and that upon the refining the said Salt Petre, whether it be brown or white, if the Refraction be above fifteen Pounds in every one hundred and twelve Pounds Weight, then the Overplus of such Refraction, at the Rate aforesaid, shall be repaid to her Majesty, by the said Companies and Members respectively, out of the said Price; and if the Refraction be under fifteen Pounds in every one hundred and twelve Pounds Weight, then the said Companies, and other Members of the said general Society, shall be allowed and paid, at the Price aforesaid, so much more as the Difference between the real Refraction of their Petre, and the said stated Refraction of fifteen Pounds *per* Centum, shall amount to.

‘CXV. And it is hereby further declared, That in any Charter to be granted to the said Companies, or either of them, they shall be obliged by Covenant to deliver their Proportions of the said Salt Petre, being paid for the same at the certain Prices aforesaid, according to this Act, instead of the Quantities which the said two Companies, or either of them, or the said particular Members, by the said former Charters are obliged to furnish, for the first Cost, Freight, Duties, and other Charges as aforesaid; any thing in the said former Charters, or any of them, contained to the contrary notwithstanding.

Companies obliged to deliver their Proportions at the Prices aforesaid.

C A P. XIII.

An Act for making good Deficiencies, and for preserving the Publick Credit.

‘WHEREAS several Bills of Credit, commonly called *Exchequer Bills*, were made forth and issued by divers Acts of Parliament, which were made and passed in the Reign of his late Majesty King WILLIAM the Third (of blessed Memory) and many of the said Bills have been already discharged out of several Aids or Supplies, which were provided by several Acts of Parliament, for or towards the discharging and cancelling the same; but over and above the Monies already applied towards the discharging and cancelling of the said Bills, and over and above the Monies which are yet to arise from the said Aids or Supplies formerly provided for that Purpose, it is computed, that there is and will be wanting the Sum of five hundred and fifteen thousand one hundred sixty-five Pounds four Shillings and seven Pence Farthing, to discharge all the principal Monies contained in such of the said Bills as are now standing out and unsatisfied, and so much more as will be sufficient to discharge all the Interest due, and to grow due thereupon: And whereas it appears that the Pound Rate or Land Tax of three Shillings in the Pound, granted to his said late Majesty, by an Act of Parliament in the eighth Year of his Reign,

8 W. 3. c. 6.

hath

hath not been sufficient to satisfy all the Loans which were made upon the Credit of the same Pound Rate or Land Tax; and that over and above all Arrears of the said Pound Rate, not yet recovered, there is and will be deficient, and wanting, to discharge all the principal Money so lent, the Sum of four hundred and fifteen thousand ninety-nine Pounds, and so much more as will be sufficient to discharge the Interest after the Rate of eight Pounds *per Centum per Annum*, due and to grow due thereupon: And whereas the Duties upon Paper, Pastboard, Vellum, and Parchment, which were granted to his late Majesty for two Years, from the first Day of *March* one thousand six hundred ninety-six, by an Act passed in the eighth Year of his Reign, did prove insufficient to satisfy all the Monies which were borrowed upon Credit of that Act, so that there is deficient and wanting the Sum of fifteen thousand four hundred Pounds to discharge all the principal Monies so borrowed, and so much more as will satisfy the Interest, due and to grow due for the same, after the Rate of eight Pounds *per Centum per Annum*: And whereas several Tickets were made forth and issued by virtue of an Act made and passed in the eighth Year of the Reign of his said late Majesty, whereby certain Duties were laid upon Malt and other Things therein mentioned, and many of the said Tickets have already been discharged out of the same Duties, or otherwise; but it is computed, that there is deficient and wanting to discharge all the principal Monies contained in such of the said Tickets as are now standing-out and unsatisfied, the Sum of five hundred seventy-nine thousand and sixty Pounds, besides what will be necessary to discharge the Interest due, and to grow due, upon the said unsatisfied Tickets, or such of them as do bear Interest after the Rate of an Halfpeny *per Diem*, for each ten Pounds thereof: And whereas it is evident, that the Duties upon Leather, which were granted to his said late Majesty by an Act passed in the eighth Year of his Reign, for three Years, from the twentieth Day of *April* one thousand six hundred and ninety-seven, and which were thereby appropriated to and for the Payment of so much as then remained unpaid of the Sum of five hundred sixty-four thousand seven hundred Pounds, formerly lent upon certain Duties upon Coals and other Things therein mentioned, and the Interest thereof, have not been sufficient for that Purpose, so that there is wanting, to discharge the principal Money still remaining unpaid of the Sum last mentioned, the Sum of five hundred and four thousand four hundred thirty-eight Pounds, besides the Interest thereof, due and to grow due, after the Rate of seven Pounds *per Centum per Annum*: And that the Monies granted to his said late Majesty, by the Act passed in the ninth Year of his Reign, for an Aid by a quarterly Poll for one Year, including therein such Arrears of the said Poll as are still recoverable, do not extend to satisfy all the principal Monies which were borrowed upon the same Act, by the Sum of two hundred and twelve thousand seven hundred and seventy Pounds, seventeen Shillings, which with the Interest thereof, due and to grow due, after the Rate of eight Pounds *per Centum per Annum*, are and will be likewise deficient: And that the Monies granted to his said late Majesty by the Act passed in the tenth Year of his Reign, for granting the Sum of one Million four hundred eighty-four thousand and fifteen Pounds one Shilling and eleven Pence three Farthings, for disbanding the Army, providing for the Navy, and for other necessary Occasions, whereupon a Credit was given for any Sum not exceeding one Million four hundred thousand Pounds, to be repaid with Interest after the Rate of seven Pounds *per Centum per Annum*, have not extended to pay off all the Monies borrowed upon the same Act, and the Interest thereof; but that there is a deficiency of twenty-five thousand eight hundred twenty-three Pounds two Shillings and nine Pence, which, together with all Arrears of the Aid last mentioned, not yet recovered, are wanting to clear off the Remainder of the principal Monies so borrowed, besides what shall be necessary to discharge the Interest of the same: And whereas at *Michaelmas*, one thousand seven hundred and one, the Sum of seventy thousand eight hundred seventy-two Pounds eleven Shillings and one Penny Halfpeny, was wanting to compleat the Payments then due and incurred, for and upon the yearly Sum of one hundred and sixty thousand Pounds, which by an Act passed in the ninth Year of his said late Majesty's Reign, was intended to be paid out of certain Duties upon Salt, and upon stamp Vellum, Parchment, and Paper, for the Purposes therein mentioned, and ought to have been made good in pursuance of the same Act; all which said Sums of Money so reckoned to be deficient or wanting, to pay off the principal Money borrowed as aforesaid, or contained in the said Exchequer Bills and Malt Tickets, do amount in the whole to the Sum of two Millions three hundred thirty-eight thousand six hundred twenty-eight Pounds, fifteen Shillings, and five Pence three Farthings, besides the Interest due and to grow due as aforesaid. We, &c.

12 Car. 2. c. 19. " Tunnage and Poundage continued until 1 Aug. 1710. [These Duties are farther continued by 5 Ann. c. 27.]
 14 Car. 2. c. 11. " Act 12 Car. 2. c. 4. to be in Force until 1710. But not to determine Clauses intended to be perpetual.
 22 Car. 2. c. 13. " Duties on Wines, &c. granted by 1 Jac. 2. c. 3. continued till 1710. Duties on Tobacco granted
 25 Car. 2. c. 6. " by 1 Jac. 2. c. 4. continued till 1710. Duty to be levied according to 7 & 8 W. 3. c. 10. Additional
 25 Car. 2. c. 7. " Impositions on Goods, &c. granted by 2 W. & M. ff. 2. c. 4. continued to 1710. Act 7 & 8 W. 3.
 1 Jac. 2. c. 19. " c. 10. continued to 1710. Additional Impositions on Goods, &c. granted by 4 W. & M. c. 5. conti-
 8 W. 3. c. 34. " nued to 1710. *Lapis Calimmaris*. Bar Iron, &c. may be imported from *Ireland*. Duties on Vellum, &c.
 9 W. 3. c. 30. " granted by 5 & 6 W. & M. c. 21. and continued by 8 W. 3. c. 20. continued to 1710. Duties on
 11 W. 3. c. 20. " Houses granted by 7 W. 3. c. 18. continued till 1710. Duties on Whale Fins, &c. granted by
 12 Car. 2. c. 4. " 7 & 8 W. 3. c. 10. continued till 1710. 9 & 10 W. 3. c. 45. continued till 1710."
 7 & 8 W. 3. c. 10. "

8 W. 3. c. 20. " XV. And whereas by the said Act of the eighth Year of the Reign of his late Majesty King WILLIAM, intituled, *An Act for making good the Deficiencies of several Funds, therein mentioned, and for enlarging the Capital Stock of the Bank of England, and for raising the publick Credit*, it was enacted, That all the Monies which

which should arise and be brought into the Exchequer of or for the Subsidy of Tunnage and Poundage, and other Duties upon Merchandizes, therewith continued by that Act, from the five and twentieth Day of *December* one thousand six hundred ninety-nine, till the first Day of *August* one thousand seven hundred and six, and of and for Impositions upon Wines, Vinegar, Tobacco, *East India* Goods, Wrought Silks, and other Duties therewith continued by the same Act, from the eight and twentieth Day of *September* one thousand seven hundred and one, until the said first Day of *August* one thousand seven hundred and six; and of or for the said additional and other Rates, Duties, Impositions, and Charges upon several Sorts of Goods and Merchandizes, thereby continued from the last Day of *February* one thousand six hundred ninety-six, to the said first Day of *August* one thousand seven hundred and six; and of or for the Duties upon Vellum, Parchment, and Paper, by the same Act continued from the eight and twentieth Day of *June* one thousand six hundred ninety-eight, until the said first Day of *August* one thousand seven hundred and six; and of or for the Rates and Duties upon Marriages, Births, Burials, Batchelors, and Widowers, thereby continued, from the first Day of *May* one thousand seven hundred, until the said first Day of *August* one thousand seven hundred and six; and of or for the several Rates or Duties upon Houses thereby continued, from the five and twentieth Day of *March* one thousand seven hundred and three, until the said first Day of *August* one thousand seven hundred and six, and all the Monies (if any such should be) which after Satisfaction of such Principal and Interest Monies as are therein mentioned, should arise by the Impositions upon Wines, Vinegar, Tobacco, *East India* Goods, Wrought Silks, and other Goods, by an Act of the seventh Year of the Reign of the said late King WILLIAM, whereby the same were granted and continued until the said nine and twentieth Day of *September* one thousand seven hundred and one; and all the Monies which after Satisfaction of such Monies and Bills as are therein mentioned, should arise by the Duties upon Houses formerly granted for seven Years, from the five and twentieth Day of *March* one thousand six hundred ninety-six; and all the Monies which after Satisfaction of the Sums therein mentioned, and the Interest thereof, should arise or be brought into the Exchequer, of and for the Duties upon Salt, which were granted to his said late Majesty King WILLIAM the Third, his Heirs and Successors, by an Act of Parliament which passed in the seventh Year of his Reign (together with the Duties upon Glass Wares, Stone and Earthen Wares, and Tobacco Pipes, which are since taken away by Acts of Parliament) should be the General Fund for making good the particular Funds in the said Act of the eighth Year of his said late Majesty's Reign, expressed and computed to be deficient, and should be appropriated, issued and applied, for and towards the making good of the same deficient Funds, by the Payment and Satisfaction of the Principal and Interest, due and to grow due thereupon, in such Manner and Form as in the said Act of the eighth Year of his said late Majesty's Reign, is more fully expressed: And whereas by the above-said Act of the ninth Year of his said late Majesty's Reign, for laying the said Duties upon Whale Fins, and *Scotch* Linens for eight Years, from the tenth Day of *July* one thousand six hundred ninety-eight, the same are directed to be applied to and for the Payment and Satisfaction of such Principal and Interest Monies, whereunto the said Duties upon Glass Wares, Stone and Earthen Wares, and Tobacco Pipes (since wholly taken away) ought to have been applied, as by the said several Acts of Parliament, Relation being thereunto respectively had, may more fully appear: Now to the End the above-mentioned Deficiencies, for which no Provision hath hitherto been made, and which in this Act are computed to amount to two millions three hundred thirty-eight thousand six hundred twenty-eight Pounds, fifteen Shillings, and five Pence three Farthings as aforesaid, for principal Monies (besides Interest) may be made good, and that all such principal Monies, and the Interest thereof, may be well and sufficiently secured, and duly paid and satisfied. Be it, &c.

7 W. 3. c. 10.

7 W. 3. c. 31.

8 W. 3. c. 20.

9 W. 3. c. 45.

Overplus of the several Duties granted by the Act 8 W. 3. c. 20. and by the Duties on Salt, and on Whale Fins, &c. to be Part of the General Fund, &c. Monies arising by Tunnage and Poundage, and by Wines, Vinegar, &c. and by the additional Impositions on Goods, &c. and on Vellum, &c. and by the Duties on Houses, and on Whale Fins, &c. shall with the Overplus Monies, &c. be the General Fund for making good the deficient Funds herein expressed, &c. How the Monies of the said General Fund shall be issued and applied. Exchequer Bills. Malt Tickets. Other deficient Funds. Monies not divertible, nor misapplied. Arrears of any Duty appropriated, &c. how applied. Impositions on Sope, &c. granted by 2 W. & M. ff. 2. c. 4. to continue only to 1706. Treasury may proceed in finishing the Accounts of the Treasurers of the Navy and Ordnance, &c. Monies in the Hands of the Paymaster of the Army how to be applied. Treasury may compound with Persons owing Money for Customs, Excise, &c. and on Payment of Composition, discharge the Remainder; and particularly with *Nathaniel Molyneux*. Commissioners for the Army Accounts to certify the Paymaster-General, such Sums as are due to any Troops, &c. in the late Army. Paymaster on Certificate to issue out Debentures, &c. Persons receiving such Debentures to give Security, &c. A Clause in 12 & 13 W. 3. c. 1. concerning Allowance for clothing the Troops, explained. Allowance of 5 l. per Cent. Interest on Arrears due to Officers and Clothiers, and for Transport Service, &c. Debts remaining unsatisfied shall be made good, &c. with Interest, &c. E X P.

8 W. 3. c. 6.

8 W. 3. c. 7.

8 W. 3. c. 21.

8 W. 3. c. 22.

9 & 10 W. 3.

c. 38.

10 & 11 W. 3.

c. 9.

Farther Provi-

sions relating

hereto, 2 & 3

Annæ, c. 9.

§. 21. by which

several of these

Duties are

made perpetual.

C A P. XIV.

An Act for enabling her Majesty to appoint Commissioners to treat for an Union between the Kingdoms of *England* and *Scotland*. Commissioners appointed by the Queen may treat with Commissioners of *Scotland* concerning an Union of both Realms. Nothing treated of to be of force till confirmed by Parliament. E X P.

12 & 13 W. 3.

c. 1.

11 & 12 W. 3.

c. 2.

C A P. XV.

An Act to ascertain the Water Measure of Fruit.

WHEREAS Apples and Pears are frequently sold by Measure, commonly called *Water Measure*, the Contents whereof are very uncertain, and not ascertained by Law: And whereas the Uncertainty thereof occasions many frivolous and vexatious Suits between the Buyer and the Seller: Be it therefore enacted by the Queen'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 Measure, commonly called *Water Measure*, shall be round, and in Diameter eighteen Inches and an Half within the Hoop, and eight Inches deep, and no more, and so in Proportion for any greater or lesser Measure; and that every Measure, commonly called *Water Measure*, by which Apples and Pears are sold, shall be heaped as usually; and that whosoever shall sell or buy any Apples or Pears by or with any other Measure, shall forfeit for every such Offence ten Shillings, one Half to the Informer, and the other Half to the Poor of the Parish where such Offence shall be committed, being thereof lawfully convicted by the Oath of one sufficient Witness before any Justice of the Peace, Mayor, or other Head Officer of the County, City, or Town Corporate, where the said Offence shall be committed, who by virtue of this Act shall have Power to administer an Oath in that Behalf, which said Sum of ten Shillings shall be levied by Warrant from the said Justice of the Peace, Mayor, or other Head Officer, by the Petty Constable of the same Parish, of the Goods and Chattels of such Offenders, by way of Distress and Sale of the Offender's Goods, rendering to the Offender or Offenders the Overplus.

Water Measure described.

Fruit sold by Water Measure shall be heaped. Penalty.

Not to extend to sealed Measures allowed by the Fruiterers Company of London.

II. Provided, That this Act, or any thing therein contained, shall not extend to any Measures sealed and allowed by the Masters, Wardens, Assistants and Commonalty of the Freemen of the Art or Mystery of the Fruiterers of the City of *London*, to be used in the measuring of Fruit sold by them in the said City, and Liberties thereof, or within three Miles Distance from the same City.

C A P. XVI.

An Act for the enlarging and encouraging the *Greenland Trade*.

4 & 5 W. & M. c. 17.
5 Geo. 2. c. 28.
6 Geo. 2. c. 33.
13 Geo. 2. c. 28.
22 Geo. 2. c. 45.

WHEREAS by an Act made in the fourth and fifth Years of the Reign of their late Majesties King WILLIAM and Queen MARY, for encouraging the *Greenland Fishery*, a Company was thereby incorporated, giving Liberty to the said Company, exclusive to the rest of their Majesties Subjects, it is thereby enacted, That it shall and may be lawful for the said Company thereby established, and for all and every the Ships and Vessels belonging to or employed by the said Company, and truly belonging to *England, Wales*, or the Town of *Berwick upon Tweed*, and whereof the Masters shall be *English Men*, and inhabiting within the Places aforesaid, and for no other Ship or Vessel whatsoever, from and after the first Day of *May* in the Year of our Lord one thousand six hundred ninety-three, and until the first Day of *October* which shall be in the Year of our Lord one thousand seven hundred and seven, employed for the catching of Whales in the *Greenland Seas*, and other the Seas and Places aforesaid, during such their Voyages, to be navigated with one Third of the Mariners *English* at the least, and yet to pay no further or other Custom for the Oil, Blubber, or Fins caught and imported in such Ships or Vessels, than if such Ships or Vessels had been navigated with three Fourths of the Mariners *English*; any Law, Statute or Usage to the contrary notwithstanding: Provided always, and it is thereby further enacted by the Authority aforesaid, That no *English Ship* or other Vessel belonging to *England, Wales*, or the Town of *Berwick upon Tweed*, and which shall belong to, and be employed by the said Company in the catching of Whales in the *Greenland Seas*, and other the Seas and Places aforesaid, shall enjoy any Benefit or Privilege by this Act, unless such Ship or Vessel did proceed on her Voyage for *Greenland*, and those Seas, or for other the Seas and Places aforesaid, from *England* or *Wales*, or the Town of *Berwick upon Tweed*, and was victualled for the said Voyage in some of those Places, to be attested by the Collector of the Port where the same Ship or Vessel was victualled: Notwithstanding which, the said Company have of late wholly neglected and lost that Trade to this Nation: And therefore, for the enlarging and encouraging the *Greenland Trade*, and for the better Improvement of the same for the Good of *England*, may it please your Majesty that it may be enacted; and be it enacted by the Queen'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 from and after the first Day of *May* which shall be in the Year of our Lord one thousand seven hundred and two, it shall and may be lawful for any of her Majesty's Subjects whatsoever, that will adventure to *Greenland* for fishing of Whales, to have and enjoy all the Privileges that were granted to the said Company by the aforesaid Act, and shall not pay any further or other Duty, than if they had been of the said *Greenland Company*; any Law or Statute to the contrary notwithstanding.

25 Car. 2. c. 7.
British Subjects may trade to *Greenland*, &c.
' By 10 Geo. 1. c. 16. & 12 Geo. 1. c. 26. §. 7.
British Subjects fishing in *Greenland* or in *Davis's Streights*, may import Whale Fins, Oil, and Blubber, Custom free.
No Harpooner, &c. to be impressed.
See farther

28 Geo. 2. c. 20.

II. And be it further enacted by the Authority aforesaid, That no Harpooner, or other Foreigners that are permitted by the said Act for carrying on the said Fishery, shall be impressed for her Majesty's Service,

C A P. XVII.

9 & 10 W. 3. c. 39.
15 Geo. 2. c. 20.

An Act for continuing and amending the Act made in the ninth Year of his late Majesty's Reign, intitled, *An Act for the settling and adjusting the Proportions of fine Silver and Silk, and for the better making*

of Gold and Silver Thread, and to prevent the Abuses of Wire-drawers. In Silver gilt used by the Wire-drawers, Quantity of fine Gold to a Pound of Silver. No gilt Wire to be coloured with Verdigreese, &c. Six Ounces of Plate to cover four Ounces of Silk, &c. How Gold and Silver Plate shall be spun. All Metals inferior to Silver shall be spun on Thread, &c. No Gold or Silver Thread, &c. to be imported. Act to continue seven Years. Penalty on selling Gold or Silver Orice Lace mixt, &c. or selling by any other Weight than Troy Weight; or making Goods contrary to this Act, &c. EXP.

C A P. XVIII.

An Act to explain and alter the Act made in the two and twentieth Year of King HENRY the Eighth, concerning repairing and amending of Bridges in the Highways: And for repealing an Act made in the twenty-third Year of Queen ELIZABETH, for the re-edifying of Cardiffe Bridge in the County of Glamorgan: And also for changing the Day of Election of the Wardens and Assistants of Rochester Bridge.

WHEREAS by an Act of Parliament in the two and twentieth Year of the Reign of King HENRY the Eighth, intituled, *An Act concerning repairing and amending of Bridges in the Highways*, it is amongst other Things therein enacted, That in every Case where it cannot be known and proved what Persons, Lands, Tenements, and Bodies Politick ought to make and repair such Bridges, that for speedy Reformation and Amending of such Bridges, the Justices of the Peace within their several Counties, Shires, Ridings and Divisions, Cities and Towns Corporate, or any four of them, whereof one to be of the *Quorum*, shall within the Limits of their several Commissions call before them the Constables of every Town and Parish, or else two of the most honest Inhabitants of every Town and Parish, and with the Assent of the said Constables or Inhabitants, shall tax and set every Inhabitant in such City, Town, and Parish, to such reasonable Aid, and Sums of Money, as they shall think by their Discretions convenient for the repairing of such Bridges, and after such Taxation made, shall cause the Names and Sums of every particular Person so by them taxed, to be written in a Roll indented, one Part whereof is to be delivered under the Hands and Seals of the said Justices, to two Collectors appointed by the said Justices for every Hundred, who are thereby impowered to collect the same; which Method and Manner of taxing and collecting the said Money for Repair of decayed Bridges, and the Highways thereunto adjoining, having by long Experience been found very troublesome, burthensome, and chargeable to the several Counties, Cities, Towns Corporate, Ridings and Divisions: And whereas in many Places within this Kingdom, more Money than is necessary for the Repair of such Bridges hath been taxed and collected, or the Money which hath been so taxed and collected hath been misemployed, and not laid out in the Repair of such Bridges as was intended: For Remedy of all which Michiefs and Inconveniences for the future, may it please your most Excellent Majesty that it may be enacted; and be it enacted by the Queen'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 and every the Clauses, Matters and Things in the said Act of the two and twentieth Year of the Reign of the said King HENRY the Eighth, not hereby altered, shall be and continue in full Force and Virtue, to all Intents, Constructions and Purposes whatsoever, relating to the repairing of decayed Bridges, and the Highways thereunto adjoining.

II. And be it further enacted by the Authority aforesaid, That for the more easy taxing and collecting the Money for the Repair of decayed Bridges, and that the same may be duly applied to the Purposes for which it is intended, the Justices of the Peace, within the several Limits of their Commissions, shall, at their General or Quarter-Sessions of the Peace, from and after the first Day of *May*, which shall be in the Year of our Lord one thousand seven hundred and two, have full Power and Authority, upon due Presentment to them made, that any Bridge within their respective Commissions or Authorities is out of Repair, and which by them hath usually, or ought to have been repaired and maintained, to assess upon every Town, Parish or Place within their respective Commissions, in Proportions upon each respective Town and Parish, as they usually have been assessed towards the Repair of Bridges; which Money so assessed as aforesaid, shall be levied and collected by the respective Constables of each Parish, Township, Hamlet or Vill, or by such other Person and Persons, and in such Manner, as the said Justices by their Order at such Sessions, shall in that Behalf direct and appoint, and the Money thereby raised shall (by such Constables or other Persons, so as aforesaid by them collected) be paid over by them to the High Constables of every Hundred, in any such County, City, Riding, or Division, in six Days after they shall have received the same, and the High Constables shall and are hereby required, in ten Days after their Receipt, to pay the same into the Hands of such Person and Persons as the said Justices, by their Order, at such Sessions shall direct and appoint to be Treasurers and Receivers of the same, and the Money thereby raised shall be employed and accounted for according to the Orders and Directions of the said Justices, for and towards the Amending of such decayed Bridges, and the Highways at the End of the said Bridges, from Time to Time, as Need shall require; and the said Assessments shall be levied by Distress and Sale of the Goods of every Person so assessed, not paying the same within ten Days after Demand, rendring the Overplus of the Value of the Goods so distrained to the Owner and Owners thereof, the necessary Charges of making and selling such Distress being first deducted.

22 H. 8. c. 5.
concerning the
amending of
Bridges,

further conti-
nued.

For collecting
Money for Re-
pair of decayed
Bridges, Justices
of Peace may
assess every
Town, &c. in
Proportion.

Assessments how
to be levied, &c.

Treasurers to be
appointed, and
Monies how im-
ployed.

On Nonpayment
to be levied by
Distress.

III. And to the End that the Money which is hereby intended to be assessed and levied, may be duly collected, paid and applied to the several Purposes for which it is intended, be it further enacted by the Authority aforesaid, That every High Constable, Churchwarden, Overseer of the Poor, or Petty Constable, or other Person that shall neglect to assess, collect or pay the Money hereby intended to be raised, as is herein before directed, shall for every such Offence forfeit the Sum of forty Shillings; and every Treasurer that shall pay any Money but by Order of such Justices of the Peace, at such Sessions (which Order the said Justices are hereby required and commanded to make only for the building, repairing, or amending such Bridges, and the Highways at the End of such Bridges as aforesaid) shall for every such Offence forfeit the Sum of five Pounds.

IV. And whereas upon Presentments, and Indictments for not repairing such Bridges, and the Highways at the End of such Bridges, the Fines imposed and set upon such Presentments and Indictments, and other Fines and Issues for not repairing, building and amending such Bridges, and the Highways at the End of such Bridges, are returned into the Court of *Exchequer*, or other Courts; Be it therefore further enacted by the Authority aforesaid, That no Fine, Issue, Penalty or Forfeiture, shall hereafter be returned into the Court of *Exchequer*, or other Court, but shall be levied and paid into the Hands of the Treasurer or Treasurers, so as aforesaid appointed by the said Justices, to be accounted for by the said Treasurer, and to be applied by the said Justices towards the building, repairing or amending such Bridges, and the Highways at the End of such Bridges, and to no other End or Purpose whatsoever.

V. And be it enacted by the Authority aforesaid, That all Matters concerning the repairing and amending of the Bridges and Highways herein before mentioned, shall be determined in the County where they lie, and not elsewhere; and that no Presentment or Indictment for not repairing such Bridges, or the Highways at the End of such Bridges, shall be removed by *Certiorari* out of the said County into any other Court.

VI. And be it further enacted by the Authority aforesaid, That the said Justices of the Peace at such General Quarter-Sessions as aforesaid, shall have full Power and Authority to allow such Persons concerned in the Execution of this present Act, any Sum not exceeding three Pence in the Pound.

VII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be hereafter commenced or prosecuted against any Person or Persons by this Act authorized to put the same in Execution, every Person or Persons so sued may plead the General Issue, and give this Act, or the said recited Act made in the two and twentieth Year of the Reign of King HENRY the Eighth, and the special Matter, in Evidence; and if the Plaintiff shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him or her, the said Defendant and Defendants shall recover his and their double Costs, for which he and they shall have the like Remedy, as in Cases where Costs by Law are given to Defendants.

VIII. Provided always, That this Act nor any Thing therein contained shall excuse or discharge any particular Persons, Estates, or Places from repairing any Bridge, which they have heretofore usually repaired.

IX. And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures incurred by this Act shall be applied towards the repairing the said Bridges, and Highways at the Ends of the same.

X. And whereas great Inconveniencies have been occasioned by the uncertain Meaning of an Act made in the twenty third of Queen ELIZABETH, intituled, *An Act for the re-edifying of Cardiffe Bridge in the County of Glamorgan*; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, That the Act aforesaid be from henceforth repealed, and the same is hereby declared to be repealed, to all Intents and Purposes whatsoever.

XI. And whereas the Town of *Cardiffe* in the said County was, before the said Act of Queen ELIZABETH, obliged to pay and discharge the whole Expence for the Repair of the said Bridge, but in regard of the Poverty of the said Town, five Parts of the said Expence was by the said Act directed to be raised on the County, and the sixth Part only on the said Town of *Cardiffe*: And whereas the Poverty of the said Town is since much increased, by reason of the great Decay of Trade in the said Town; Be it therefore further enacted by the Authority aforesaid, for a more effectual Provision for the Time to come, That the Bridge aforesaid, commonly called *Cardiffe Bridge*, shall from henceforth be reputed and adjudged to be a common and a publick Bridge, to be repaired from Time to Time by the County of *Glamorgan*; and that the Justices of the Peace for the Time being for the County of *Glamorgan* shall have full Power and Authority, from Time to Time, as Occasion shall require, at their General Quarter-Sessions, to make Orders, and execute the same, as well within the Town of *Cardiffe*, as elsewhere within the County of *Glamorgan*, touching the rebuilding and repairing of the Bridge aforesaid, and Wears thereto adjoining or belonging, in the same Manner as any the Justices of any other County have, or may have, concerning other common and publick Bridges, by this or any other Law whatsoever.

XII. Provided nevertheless, That nothing herein contained shall be construed or extend to make void or annul any Order heretofore made touching the Repair of the Bridge and Wears aforesaid.

XIII. And whereas many private Persons, or Bodies Politick or Corporate, are of Right obliged to repair such decayed Bridges, and the Highways thereunto adjoining, but because the Inhabitants of the County, Riding, or Division, in which such decayed Bridge or Highways lie, have not been allowed, upon Informations or Indictments brought against such Person or Persons, Bodies Politick or Corporate, for

Penalty on Constable, &c.

Fines, &c. to be paid to the Treasurer.

Matters concerning Repair of Bridges, &c. where to be determined.

Justices to allow 3d. in the Pound, &c.

General Issue.

Double Costs.

Persons and Things exempted.

Penalties how to be levied.

23 Eliz. c. 11. repealed.

Cardiffe Bridge deemed a common Bridge: How it shall be repaired.

Orders heretofore made not to be annulled.

‘ for not repairing such decayed Bridges, and the Highways thereunto adjoining, by the Judges before whom such Information or Indictment is to be tried, to be legal Witnesses;’ Be it enacted and declared, That in all Informations or Indictments to be brought and tried in any of her Majesty’s Courts of Record at *Westminster*, or at the Assizes or Quarter-Sessions of the Peace, the Evidence of the Inhabitants, being credible Persons, or any of them, of the Town, Corporation, County, Riding, or Division, in which such decayed Bridge or Highway lies, shall be taken and admitted in all such Cases, in the Courts aforesaid; any Custom, Rule, Order, or Usage to the contrary notwithstanding.

Evidence of Inhabitants to be taken in Informations.

XIV. And whereas by an Act of Parliament made in the eighteenth Year of the Reign of Queen ELIZABETH, of blessed Memory, intituled, *An Act for the perpetual Maintenance of Rochester Bridge*, it is amongst other Things enacted and appointed, That the Election of the Wardens and Assistants of the said Bridge should be made on the Morrow after the General Quarter-Sessions of the Peace holden for the County of *Kent*, next after the Feast of *Easter*: And whereas the said Time of the Election, appointed by the said Act, hath been found to be very inconvenient, in respect of the Uncertainty of the ending of the said Sessions, whereby the Inhabitants of the Parishes, and others that are to attend the said Election, have been put to great Expence and Trouble;’ Be it therefore enacted, That all and every the future and succeeding Wardens and Assistants of the said Bridge shall be yearly chosen, at the usual Place of such Election, at or upon one certain Day yearly (that is to say) *Friday* in the Week next following the Week of *Easter* yearly: And that all and every the Wardens and Assistants respectively, so to be elected upon *Friday* in the Week next following the Week of *Easter*, shall successively have, use, exercise, and enjoy the same Power, Authority, Capacity, and Privileges respectively, as any former or other Wardens or Assistants of the said Bridge respectively have had, used, exercised and enjoyed; and that all other due Requisites, Matters, Circumstances, and Things hereafter used and observed, in and about the Election of the said Wardens and Assistants respectively, shall be used, performed and observed; and that all and every the Inhabitants and Householders of any Parish or Parishes, and all and every other Person and Persons, who by reason of any Law, Statute, Usage or Custom, have used, or ought to be present, and give their Attendance at the Elections of the Wardens and Assistants of the said Bridge, shall be present, and give the like Attendance, and do and perform all other Things in and about the Election of all and every future Wardens and Assistants of the said Bridge, upon every *Friday* in the Week next following the Week of *Easter* yearly, as they have heretofore used, done and performed, upon the Morrow after the General Quarter-Sessions of the Peace next after the Feast of *Easter*.

18 Eliz. c. 17.

Wardens, &c. of Rochester Bridge to be chosen annually on Friday after Easter Week, and enjoy the same Power. Further Provisions concerning Highways and Bridges, 14 Geo. 2. c. 33. 15 Geo. 2. c. 2. 16 Geo. 2. c. 29. 21 Geo. 2. c. 28. 24 Geo. 2. c. 43. 26 Geo. 2. c. 28 & 30. 28 Geo. 2. c. 17. 29 Geo. 2. c. 40. 30 Geo. 2. c. 28. 31 Geo. 2. c. 20 & 24.

C A P. XIX.

An Act for the rebuilding and repairing the Piers of the Town and Port of *Whitby* in the County of *York*. Duties to be paid. For Coals shipped at *Newcastle*, &c. 1 *q.* per Chaldron, and landed in *Whitby* Haven, 6 *d.* per Chaldron. Salt 2 *s.* per Weigh. Malt, &c. 4 *d.* per Quarter. Foreign Goods imported. Butter 1 *d.* per Firkin. Dried Fish, &c. 1 *d.* per Score. Barrelled Fish, 3 *d.* per Barrel. *English* Ship entering Port, 12 *d.* Top 4 *d.* Foreign Ship 2 *s.* Top 4 *d.* Collector to have 6 *d.* in the Pound. Trustees once a Year to make up an Account, &c. Lord of the Manor, &c. may examine the same. Trustees may contract for repairing the Piers, &c. And engage the Profits of the Duties for Monies borrowed, &c. After 6,000 *l.* is raised, &c. the 1 *q.* per Chaldron to cease. Trustees Account to be laid before the Justices, &c. On Death of Trustees, Survivors to elect a new one. Penalty on throwing Ballast, &c. into the Harbour. Coal Ships belonging to *Great Yarmouth* exempted from Duty, on Certificate and Oath, &c.

E X P.
7 Geo. 1. stat.
1. c. 16.
‘ Revived by
8 Geo. 2. c. 10.’

C A P. XX.

An Act for making the River *Derwent*, in the County of *York*, navigable. Undertakers for making the River *Derwent* navigable, from *Scarborough* Mills to *New Malton*, &c. may make new Cuts, &c. and set out Towing-paths, satisfying Owners of Lands for Damages, &c. Persons declining Commissioners Mediation, Sheriff of *York* to impanel a Jury, who may view the Place in Question, and on Oath may inquire and assess Damages. Commissioners to give Judgment thereupon, which shall be binding, &c. On Payment, &c. Undertakers may act, &c. Commissioners not to act where concerned. In case of Death, &c. of Commissioners, Survivors may appoint others, having 150 *l.* per Annum, or 3,000 *l.* Rates on Goods, &c. to be paid. On Non-payment, Goods, &c. may be stopt. Watermen may set up Winches. Master of Boat or Vessel, answerable for Damages, &c. Commissioners to survey the River, &c. Undertakers to bear the whole Charge of cleansing, &c. Undertakers to satisfy Owners of Mills, &c. for Damages. In case the Course or Stream of the River be raised, Undertakers to raise the Banks proportionably, &c. Marsh Lands most in danger of being drowned, &c. Undertakers to give Security for maintaining the Rents thereof.

P R.

C A P. XXI.

An Act for preventing Frauds in the Duties upon Salt, and for the better Payment of Debentures at the Custom-house.

FOR Prevention of evil Practices frequently made use of in defrauding her Majesty of her Duties upon Salt, be it enacted by the Queen’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 and every Person and Persons, being a Maker of Salt, or a Refiner of Rock Salt, or being a Proprietor of any Salt Works or Salt Pits, shall, on or before the four and

5th & 6th M. c. 7. Makers, &c. of Salt shall enter the Number, &c. of their Salt Pits and Pans, &c.

twentieth Day of *June* one thousand seven hundred and two, make a true and particular Entry in Writing under his and their respective Hands, at the next Salt Office to their respective Pits, Works, or Places of Habitation, of the Number and Situation of his and their respective Salt Pits and Salt Works, and of the Number of Pans in each Salt Work, and of the Number and Situation of every Storehouse, Warehouse, and other Place, by him or them made use of, for the making, refining, or keeping of Salt or Rock Salt, on Pain of forfeiting the Sum of forty Pounds; and all and every Maker of Salt, Refiner of Rock Salt, and Proprietor of any Salt Works or Salt Pits, who, after the said four and twentieth Day of *June* one thousand seven hundred and two, shall erect, set up, or make use of any Salt Work, Salt Pit, Salt Pan, Storehouse, Warehouse, or other Place, for the making, laying, refining, or keeping of Salt or Rock Salt, without giving Notice thereof at the next Salt Office, shall forfeit and lose for every such Offence, without such Notice as aforesaid, the Sum of forty Pounds.

Penalty:

Penalty on erecting Salt Works, &c. without Notice given.

Officer may enter into Salt Work, &c.

Penalty on Refusal.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the several Officers for the said Duties, to enter into all and every the Works, Warehouses, Storehouses, and other Places made use of by any Maker, Refiner, or Importer of Salt, or Proprietor of Rock Salt, for the better looking after the said Duties, and preventing Frauds therein; and if any Salt Maker, Importer of Salt, or any Refiner or Proprietor of Rock Salt, after the said four and twentieth Day of *June*, shall, upon due Request or Demand made by the Officers for the said Duties, in the Day-time, or in the Night in the Presence of a Constable or other lawful Officer of the Peace, refuse to permit such Officer to enter and come into his or their Works, Warehouses, Storehouses, or other Place by him or them made use of for making, laying, refining, or keeping of Salt, such Maker and Importer of Salt, and the Refiner or Proprietor of Rock Salt, respectively, shall forfeit and lose for every such Offence the Sum of forty Pounds.

Penalty on Salt found, and not entred, or Duty paid.

III. And whereas great Quantities of Salt are frequently found in the Custody or Possession of several Persons who live near the Salt Works or Sea Coasts, which Salt is not duly entred, nor any Duties paid for the same, and if discovered by the Officers for the said Duties, the Persons in whose Custody or Possession the same is found, pretend that the same doth not belong to them, so that the Penalties by Law imposed on the Persons that landed such Salt, or removed the same from the Salt Work, without Entry or Payment of Duties, cannot be inflicted on such Offenders: For Remedy whereof be it enacted by the Authority aforesaid, That every Person in whose Custody or Possession any Salt shall be so found, which hath not been duly entred, and the Duties thereof paid, or secured to be paid, shall, in case the same be foreign Salt, be liable to the same Penalties and Forfeitures, as if such Person had landed the same without Entry or Payment of Duties, or giving Security for the same; or in case the same shall be *English* Salt, then to be liable to such Penalties and Forfeitures, as if such Person had removed such Salt from the Salt Works, without Entry, or paying or securing the Duties thereof, and without any Ticket or Licence obtained for removing the same, unless the Person or Persons, in whose Custody or Possession such Salt shall be found, shall make it appear, upon the Trial or Hearing of the Information for such Offence, that he bought such foreign or *English* Salt of a Maker, Retailer, or Importer of Salt, and of whom he so bought the same.

Salt Carriers removing Salt before Entry, &c. Officer may seize the same, &c.

on Nonpayment of the Penalties, &c. to be imprisoned.

Penalty on Person hindring or abusing Officer.

IV. And whereas several Persons, especially Salt Carriers, do frequently carry Salt from the Salt Works and Storehouses of the Makers of Salt, without Entry or Payment of Duties, or giving Security for the same; and when they find themselves pursued by the Officers for the said Duties, with Force obstruct and hinder the Officers from making Seizures thereof, and frequently beat and abuse them, whereby they are very much discouraged in Performance of their Duties; and sometimes the said Persons scatter the said Salt on the Ground, or cast the same into Water, to prevent the Seizure thereof; and the said Offenders being for the most part very poor, are not able to pay the Penalties by Law imposed on them for such Offences, and sometimes before such Penalties can be adjudged against them, make their Escapes to remote Parts, and cannot be found: For Remedy thereof be it enacted by the Authority aforesaid, That if any Salt Carrier, or other Person or Persons whatsoever, shall, from and after the said four and twentieth Day of *June*, remove or convey any Salt from any Salt Works, or Place thereunto belonging, without due Entry of the same, and Payment of the Duties thereof, or giving Security for such Duties, or without Warrant, Ticket, or Licence for carrying or removing the same, that then and in every such Case, it shall be lawful for the Officers for the said Duties, not only to seize the Salt so removed, but also to apprehend the said Offender or Offenders, and carry him, her and them before one of her Majesty's Justices of the Peace of the County or Place where the Offence shall be committed: And in case the said Offence shall be proved before the said Justice of the Peace, and the Offender or Offenders shall not forthwith pay down the Penalties by the Laws relating to the said Duties imposed on such Offender or Offenders, for the Offence so proved on such Offender or Offenders, and no sufficient Distress can be found whereupon to levy the same, it shall be lawful for the said Justice of the Peace to commit such Offender or Offenders to the House of Correction, there to be whipt and kept to hard Labour, for any Time not exceeding one Month: And if any Person or Persons shall obstruct or hinder any Officer or Officers for the said Duties in the Execution of his or their Offices, or the Powers given them by this Act, or any other Law relating to the said Duties, or shall beat or abuse the said Officers, or any of them, in the Execution of his or their Offices, such Person and Persons shall for every such Offence forfeit and lose the Sum of twenty Pounds; and for Nonpayment thereof, and in Default of Distress whereby to levy the same, it shall and may be lawful for any of her Majesty's Justices of the Peace, upon due Proof of such Offence, to commit such Offender or Offenders to the House of Correction, there to be whipt and kept to hard Labour, for any Time not exceeding one Month.

V. And

V. And whereas several Persons do make use of Brine taken out of Brine Pits or Brine Pans, for curing or pickling of Flesh and Fish, or for preserving of other Provisions, without boiling the same into Salt, and also of Rock Salt or Salt Rock, without refining the same into White Salt, whereby her Majesty's Duties on Salt are much prejudiced: For Prevention thereof be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* one thousand seven hundred and two, no Person or Persons whatsoever shall make use of any such Brine before the same is boiled into Salt, or of any Rock Salt or Salt Rock, before the same is refined into White Salt, for the pickling or curing of Flesh or Fish, or for the preserving of any Provisions; upon Pain of forfeiting the Sum of forty Shillings for every Gallon of such Brine or Pound of Rock Salt or Salt Rock so made use of, contrary to the true Intent and Meaning of this Act, and so in Proportion for a greater or lesser Quantity.

VI. And whereas her Majesty is very much defrauded of her Duties upon foreign Salt, by the difference and uncertain measuring of the same, upon the Importation and Exportation thereof: For Remedy thereof be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* eighty-four Pounds Weight of foreign Salt shall be deemed and taken to be a Bushel of foreign Salt, both upon the Importation and Exportation thereof; any thing herein, or in any former Law to the contrary in any wise notwithstanding.

VII. And whereas the Importers of foreign Salt do bring the same in Vessels on the several Coasts of this Kingdom, and Dominion of *Wales*, and lie hovering off the said Coasts, and will not bring the same in Port, or land the said Salt, until they can get an Opportunity of running such Salt without Entry or Payment of Duties; and in many Cases where they do bring the same into Port, yet continue such Salt in Port on board their Vessels, and refuse to enter or land the same, and in the Night-time, or Absence of the Officers from on board such Vessels, privately run the said Salt on Shore, without Entry or Payment of Duties, or giving Security for the same: For Prevention thereof, be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June*, where any Ship or Vessel laden with Salt shall be found hovering on the Coasts of *England* or *Wales*, not directly proceeding on her Voyage to some Port, it shall and may be lawful to and for the Officers of the Customs, or the Officers for the said Duty on Salt, to go on board such Vessels, and compel the same to come into Port, and to continue on board such Ships or Vessels until the Salt shall be unladen, or the said Ship or Vessel shall depart from the said Port, on her intended Voyage, to some other Place; and if the Persons on board such Ship or Vessel, or any other Ship or Vessel importing Salt, shall neglect or refuse to enter or unlade such Salt, for the Space of twenty Days after the same is come into Port, or within that Time to depart and proceed regularly on their Voyage to some other Place, unless permitted by the Chief Officer of the Customs for that Port to make a longer Stay, then and in such Case, all the Salt on board such Ship or Vessel shall be forfeited, and double the Value thereof, to be recovered of the Master of such Ship or Vessel, or the Person commanding the same in that Voyage.

VIII. Provided always, and be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* no foreign Salt shall be imported from Parts beyond the Seas, in any Ship or Vessel of less Burthen than twenty Tuns, and in Bulk only (except for the necessary Provisions of the Ships) upon Pain of forfeiting the said Salt, and double the Value thereof, to be recovered of the Person importing the same.

IX. And be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June*, sixty-five Pounds Weight of Rock Salt shall be deemed and taken to be a Bushel of Rock Salt; any Thing in the said former Acts contained to the contrary thereof in any wise notwithstanding.

X. And it is hereby also enacted, That from and after the said four and twentieth Day of *June*, no Rock Salt whatsoever shall be refined or made into White Salt in any Place or Places whatsoever, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed* (except such Places as are or shall be within ten Miles Distance of the respective Pit or Pits from whence such Rock Salt shall be taken, or at such Places as upon or before the tenth Day of *May* one thousand seven hundred and two shall have been used for the refining of Rock Salt) under the Pain of forty Shillings for every Bushel of Rock Salt that shall be melted or refined in any House, Place or Places, not by this Act allowed for that Purpose, and so in Proportion for a greater or lesser Quantity.

XI. And whereas by the several Acts for laying Duties upon Salt, any Person exporting Salt to Parts beyond the Seas, is intitled to a Drawback of the whole Duty of the Salt so exported; and it is found by Experience, that many Exporters of Salt and Rock Salt, after they have obtained the said Drawback, or a Debenture for the same, do privately reland such Salt or Rock Salt in *England* or *Wales*, without paying the Duties thereof upon such Relanding: For Prevention thereof, be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* no Debenture shall be made or granted, or Drawback allowed to be paid, for or upon Account of the Exportation of any Salt or Rock Salt for *Ireland*, until the Exporter of the said Salt or Rock Salt shall produce, to the Officer appointed to make such Debenture, a Certificate under the Hand of the Collector of the Customs of the Port in *Ireland*, where such Salt or Rock Salt shall be landed, or the Person executing his Office, of the particular Quantity of Salt or Rock Salt actually landed, to be computed after the Rate of fifty-six Pounds Weight to the Bushel, in case the same shall be *English* White Salt, and after the Rate of sixty-five Pounds to the Bushel, in case the same shall be *English* Rock Salt, and after the Rate of eighty-four Pounds to the Bushel, in case the same shall be foreign Salt; which Salt and Rock Salt is hereby directed

Penalty on Person using Brine for curing and pickling of Flesh or Fish, &c.

The like Penalty on Persons carrying Brine from the Pits, except Proprietors of Pans, &c. 5 Geo. 1. c. 13. §. 17.

84 Pounds Weight deemed a Bushel of foreign Salt.

Officer may compel Ship laden with Salt, and hovering on the Coast, to come into Port, &c. and on Refusal may enter, &c. Salt forfeited, &c.

No foreign Salt to be imported in any Vessel less than 20 Tuns. Exception. Penalty.

65 Pounds Weight of Rock Salt deemed a Bushel.

No Rock Salt to be refined but within 10 Miles of the Pit.

Lawn March provided for by 2 & 3 Annæ, c. 14 §. 20. and by 6 Annæ, c. 12. §. 2.

Farther Provisions 5 Annæ, c. 29. §. 16. 8 Geo. 2. c. 12. §. 2.

No Drawback allowed on Exportation of Salt, without Certificate of the Quantity landed, &c. By 4 Annæ, c. 12. §. 11. a Drawback is to be allowed for Salt lost, &c.

Collectors to weigh such Salt, and make Certificate gratis, &c.

If Salt Ship be drove into Port by Strefs of Weather, &c.

Officer may come on board, &c.

Penalty on refusing to admit him.

If Salt be put on Shore before Entry, &c. Cargo forfeited.

Salt shipped to be transported, &c.

Officers to express in the Cocquet the Quantity thereof, &c.

Further Provisions relating hereto, 5 Geo. 1. c. 13. §. 25.

Penalty.

No Fish, &c. shall be imported, but what was cured with Salt for which Duty is paid, and no Drawback allowed, &c.

Penalty.

Officers for the Salt Duties may go on board all Ships exporting Salt, &c. Penalty on Persons obstructing

and required to be weighed by the said Collectors or Persons executing their respective Offices, and the said Certificate to be made *gratis* and without Delay. And it is hereby enacted, That no Drawback shall be allowed or paid for more Salt or Rock Salt, of the Quantity exported in such Vessel, than what shall appear by such Certificate to have been actually landed in *Ireland*.

XII. And be it further enacted by the Authority aforesaid, That if any Ship or Vessel laden with Salt exported, to be carried to Parts beyond the Seas, shall, from and after the said four and twentieth Day of *June*, by Strefs of Weather or otherwise, be drove or come into any Port, Creek, Harbour or other Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, it shall and may be lawful to and for the Officer of Excise on Salt for such Place, appointed or to be appointed for that Purpose by the Commissioners of Excise, to enter or come on board such Ship or Vessel, and there to continue and be, till the said Ship or Vessel shall unlade her Cargo, or return to Sea to go her intended Voyage, under the Penalty of twenty Pounds, to be recovered of the Master of such Ship or Vessel, who shall refuse such Officer so to come and continue on board as aforesaid. And if the said Master, or any other Person, shall unlade or put on Shore any Part of the said Salt, before due Entry or Repayment of the Duty, as by the Statutes in that Behalf made is provided, that then, and in every such Case, not only the said Salt so unladen, but also the whole Cargo of Salt in such Ship or Vessel remaining, shall be forfeited and lost.

XIII. And be it further enacted by the Authority aforesaid, That where any Salt, as well foreign as *English*, shall be laid on board any Ship or Vessel, either to be transported to Parts beyond the Seas, or carried Coastwise, to be relanded in *England*, *Wales*, or *Berwick*, the Officer of the Customs of the Port where the said Salt shall be laden on board any such Ship or Vessel, shall in the Cocquets made out and delivered for such Ship or Vessel (which Cocquet shall be also signed by the Officer in the said Port appointed by the Commissioners of Excise for the Duty on Salt, and given without Fee or Delay) express the particular Quantity of Salt so laden on board: And in case such Ship or Vessel shall come into any Port, Creek, Harbour or Place in *England*, *Wales*, or *Berwick*, it shall be lawful for the Officers of the Customs, or other Officers for the said Duties, to go on board any such Ship or Vessel, and demand a Sight of such Cocquet, and in case he or they shall have just Cause to suspect that there is not so much Salt on board as the Quantity expressed in such Cocquet, and shall make Affidavit thereof before the Collector or Customer of the said Port, or Person executing their or either of their Offices, to weigh all the Salt remaining on board; and in case, upon such weighing, there shall appear not to be so much Salt on board as the Quantity expressed in such Cocquet, making reasonable Allowance for the Waste of the said Salt since its Exportation, and making also Allowance (for Salt going Coastwise) of Salt delivered at another Port, and indorsed in the Salt Permit, going with the said Vessel, as delivered at such Port, then and in such Case the said Salt so remaining on board shall be forfeited and lost.

XIV. And for Prevention of Frauds frequently practised in curing Fish at Sea with Salt, which hath not, or shall not have been entred, nor the Duties thereof paid, or secured to be paid, according to the Directions of the former Laws, or with Salt exported from *England* or *Wales*, the Duties whereof shall have been repaid upon such Exportation, or Debentures obtained, in order to the drawing back of the same; Be it further enacted by the Authority aforesaid, That from and after the nine and twentieth Day of *September* one thousand seven hundred and two, no Fish, for which Allowances are by Law given upon Exportation, shall be imported, brought in, or landed within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, unless the Owner or Proprietor of such Fish, or the Master of the Vessel, shall make Oath before the Officer for the said Duties, in the Port or Place where such Fish shall be imported, brought in, or landed, (who shall administer the same without Fee or Charge) That all the Salt wherewith the said Fish was cured, was laden or put on board from some Port of *England*, *Wales*, or *Berwick*, and that no Drawback or Allowance, or Debenture for the same, hath to his Knowledge or Belief been had or obtained, or is intended to be had or obtained, upon the Exportation or carrying out of the said Salt, or any Part thereof; upon Pain of forfeiting such Fish that shall be imported, brought in or landed, contrary to the Intent or Meaning hereof, and double the Value thereof, to be recovered of the Importer or Proprietor thereof.

XV. And whereas the Officers appointed by the Commissioners of Excise to take Care of the Duties on imported Salt, and to prevent Frauds in the undue obtaining Debentures for Drawbacks, and Allowances out of the said Duties, are not, by any of the Laws relating to the said Duties, sufficiently empowered to go on board Ships and Vessels for that Purpose, although the Duties on Salt are under the Management of the said Commissioners and their Officers; Be it therefore enacted by the Authority aforesaid, That from henceforth it shall and may be lawful to and for the Officers appointed by the Commissioners of Excise for the said Duties on Salt, from Time to Time, to go on board all Ships importing or exporting any Salt or Fish, and to continue on board such Ships, to take an Account of such Salt and Fish, and see the same weighed, landed or exported; and if any Person or Persons shall obstruct or hinder any of the said Officers in Performance of their Duties aforesaid, then, and in every such Case, the Person offending therein shall forfeit the Sum of twenty Pounds.

XVI. And whereas her Majesty's Duties on Salt are much lessened by the Exportation of great Quantities of Fish, in Regard the Exporters thereof, after the same are carried out of Port, and Allowances, or Debentures for Allowances out of the Duties on Salt, had or obtained on such Exportation, do frequently bring back such Fish into Port, and re-export the same, and obtain a second or more Allowances for the very same Fish: For Remedy thereof be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* one thousand seven hundred and two, it shall and may be lawful for the Officers for the said Duties on Salt, in the several and respective Ports of the Kingdom

of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, upon the Exportation of any Codfish, Ling, or Hake, and before the same shall be laid on board for Exportation, to cut off Part of the Tail of every such Codfish, Ling, or Hake, before the same shall be so exported, to the Intent it may be known that such Codfish, Ling, or Hake hath been so exported, and Allowances obtained on Exportation thereof, in case the same shall be reloaded or re-imported; and also, that it shall be lawful upon the Exportation of any Pilchards, Scads, White Herrings, Red Herrings, Salmon, or dried Red Sprats, and before the same shall be laid on board for Exportation, to mark any Cask, Barrel, or other Vessel, wherein any such Pilchards, Scads, White Herrings, Red Herrings, Salmon, or dried Red Sprats, shall be exported, to the Intent it may be known that such Pilchards, Scads, White Herrings, Red Herrings, Salmon, or dried Red Sprats, have been exported, and Allowances obtained on Exportation of the same, in case the same, or any of them, shall be reloaded or re-imported.

On Exportation of Codfish, Ling &c. Officer may cut off Part of the Tail, &c.

and mark Casks of Pilchards, Scads, &c.

XVII. And be it further enacted by the Authority aforesaid, That in case any Codfish, Ling, or Hake, or any Pilchards, Scads, White Herrings, Red Herrings, Salmon, or dried Red Sprats, shall after the same shall be exported, be fraudulently reloaded in *England*, or *Wales*, the Town of *Berwick upon Tweed*, or re-imported, all the said Fish, so reloaded or re-imported, shall be forfeited and lost, and double the Value thereof, to be recovered of the Importer or Proprietor thereof.

Codfish &c. exported and fraudulently reloaded, forfeited, &c.

XVIII. And be it further enacted by the Authority aforesaid, That no Salt-maker, or Dealer in Salt, shall act as a Justice of the Peace in any Matter or Thing relating to the Duties on Salt, or any Offence committed against the Laws relating to the same; and in case there shall not be a sufficient Number of Justices of the Peace in any Corporation (that are not Makers or Dealers in Salt) sufficient to hear and determine the Offences relating to the said Duties, then and in such Case, the Justices of the Peace of the County next adjoining to such Corporation shall have hereby Power and Authority, from Time to Time, to hear and determine all Offences, Matters, and Things, relating to the said Duties on Salt, in the same Manner as if they were Justices of the Peace for such Corporation respectively; any Law, Statute, or Provision to the contrary thereof in any wise notwithstanding.

Salt Maker not to act as Justice of Peace in Cases relating to the Duties on Salt, &c.

XIX. And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures, hereby given and imposed, shall be recovered and levied by the same Ways, Means, and Methods, as any Penalties and Forfeitures can or may be recovered and levied by any of the Laws of the Excise, or by Act of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Effoin, Protection, or Wager of Law shall be allowed, nor any more than one Imparlane: And that the said Penalties and Forfeitures shall be distributed in Manner following (*viz.*) One Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue or inform for the same.

Penalties and Forfeitures how to be recovered,

and distributed.

XX. And whereas the Allowances given by the several Acts relating to the Duties on Salt, upon the Exportation of Codfish, Ling, and Hake, therein mentioned, do much exceed the Duty of the Salt usually employed in the curing the same, so that many Persons for the Sake of the said Allowances only, do export such Fish not duly cured, and Fish of very small Size, not having a due Quantity of Salt made use of in curing the same, which is not only a Prejudice to her Majesty in her said Duties on Salt, but also a great Disparagement to the Trade of *English* Fish in foreign Markets; Be it therefore enacted by the Authority aforesaid, That in lieu of the several Allowances given out of the said Duties on Salt, by the Acts relating to the same, upon the Exportation of any Codfish, Ling, or Hake, there shall be allowed and paid the several and respective Sums herein after mentioned, for the several and respective Sorts of Codfish, Ling, or Hake, herein after mentioned, which shall be exported from any Port or Place in *England*, *Wales*, or Town of *Berwick upon Tweed*, from and after the said four and twentieth Day of *June*; that is to say,

Allowances on Exportation of Codfish, Ling, &c.

XXI. For every hundred of Codfish, Ling, and Hake (other than and except dried Cod, Ling, or Hake, commonly called *Haberdines*) which shall contain in Length four and twenty Inches and upwards, from the Bone in the Fin to the third Joint in the Tail of such Fish, the Sum of fifty Shillings, and so in Proportion for a greater or lesser Quantity.

For Codfish, &c. 24 Inches long, 50s. per hundred;

XXII. For every hundred of Codfish, Ling, or Hake (other than and except dried Cod, Ling, or Hake, commonly called *Haberdines*) which shall be of the Length of eighteen Inches, or more, and under the Size of four and twenty Inches, from the Bone of the Fin to the third Joint in the Tail of such Fish, the Sum of five and twenty Shillings, and so in Proportion for a greater or lesser Quantity.

of 18 Inches, 25s. per hundred.

XXIII. For every hundred of dried Codfish, Ling, or Hake, commonly called *Haberdines*, one Moiety of the Allowance given by this Act for other Codfish, Ling, and Hake, of the same Dimensions; upon Debentures, to be prepared according to the Directions of the several Acts relating to the said Duties, and doing and performing such other Matters and Things, as by the said former Acts, and this present Act, are required and prescribed, in order to the obtaining such Allowances.

For Haberdines, one Moiety, &c.

XXIV. Provided always, and it is hereby further enacted by the Authority aforesaid, That in case any of the said Duties upon Salt shall cease, determine, or be redeemed by Parliament, then, and in any of the said Cases, the said Allowances upon Exportation of Codfish, Ling, or Hake, hereby settled, shall be lessened in Proportion to the Duties on Salt that shall so cease determine, or be redeemed.

In case Salt Duties cease, Allowances to be lessened, &c.

XXV. And it is hereby declared and enacted, That no allowance shall be paid out of the said Duties on Salt, for or on Account of the Exportation of any Fish, that are or shall not be well cured, or shall be unmerchantable, nor for any Conger.

No Allowance to be made for Fish not well cured, &c. nor for Conger.

XXVI. And

Queen may appoint particular Commissioners for Salt.

XXVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for her Majesty (if she pleases) from Time to Time to constitute and appoint particular Commissioners, separate and apart from the Commissioners and Governors of the Receipt of Excise, for the Receipt, Management and Government of the said Duties on Salt, during her Majesty's Pleasure; and upon her Majesty's constituting and appointing such particular Commissioners for the said Duties on Salt, and during such Time only as her Majesty shall from Time to Time think fit to continue the same under the Receipt and Management of such particular Commissioners, all and every the Powers and Authorities given by this Act, and by the several Acts relating to the said Duties on Salt, or any of them, to the Commissioners and Governors of the Receipt of Excise, and the Collectors and other Officers for the said Duties under them, shall be and are hereby vested and transferred to such particular Commissioners as her Majesty shall so from Time to Time constitute and appoint, for the Receipt, Government and Management of the said Duties on Salt; and the Collectors and Officers to be, from Time to Time, appointed by such particular Commissioners, or the major Part of them respectively, and all and every the Powers, Authorities, Rules, Directions, Methods, Clauses, Matters and Things, which in and by the said Acts, relating to the said Duties upon Salt, are directed to be exercised, practised, applied, used, and put in Execution by the said Commissioners and Governors of the Receipt of Excise, and their Officers under them respectively, with relation to the said Duties on Salt, or any Penalties, Forfeitures, Frauds or Offences against the said Acts, or any of them, relating to the same, shall, during such Time as her Majesty shall please to continue the said Duties on Salt under the Receipt and Management of such particular Commissioners, be exercised, practised, applied, used, and put in Execution by such particular Commissioners, and the Officers under them respectively for the time being.

Officers to take Security for Salt entered to be exported.

XXVII. Provided always, and be it enacted by the Authority aforesaid, That where any Salt or Rock Salt shall be entered according to the former Laws relating to the said Duties on Salt, and the same shall be intended to be exported to Parts beyond the Seas, then and in such Case the Officers for the said Duties on Salt shall be and are hereby authorized and empowered to take sufficient Security from the Merchant or Merchants that intend to export such Salt or Rock Salt, for the due Payment of the Duties thereof, without insisting, that the original Proprietor of such Salt or Rock Salt be bound in such Security.

9 & 10 W. 3. c. 6.

XXVIII. And whereas notwithstanding the Act of Parliament for obliging all Persons to sell Salt by Weight, the same is not observed, by reason the Persons that buy the same refuse to buy the same of the Proprietors otherwise than by Measure, to the great Prejudice of the said Proprietors: For Remedy whereof be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of June no Person shall buy any Salt otherwise than by Weight, and not by Measure, under the Penalty of ten Shillings for every Bushel of Salt which shall be bought contrary to the true Meaning hereof, and so in Proportion for a greater or lesser Quantity, to be paid by the Person or Persons so buying the same, to be recovered and distributed, as any the Penalties by this Act inflicted are hereby directed to be recovered and distributed.

No Person to buy Salt but by Weight. Penalty.

XXIX. And whereas the Salt Proprietors having a Liberty to pay the Duty in ready Money, or give Security to pay the same, in nine Months for the Rock, and in six Months for other Salt, tends only to the Benefit of the richer Sort of Proprietors, but is destructive to the Salt Trade in general, through the Difficulties attending such as have not ready Money, thereby causing several Bonds to be sued, when by a due Encouragement to such, as well as other Proprietors, it might in a great measure be prevented, and the Duty sooner paid; Be it therefore enacted by the Authority aforesaid, That all and every Person and Persons who shall give such Security as aforesaid, shall have Liberty, at any Time within twenty-eight Days after giving the same, to pay the Duty thereby secured, and on Payment thereof shall have and receive a Discount after the Rate of ten Pounds *per Centum per Annum*, for the Remainder of the Time for which such Security shall be given.

Persons paying Duty in 28 Days after Security given, to have a Discount, &c.

XXX. And whereas several Fishermen who used the North Sea Fishery, did in the Year one thousand seven hundred ship several Quantities of Salt at *North* and *South Shields* near *Newcastle upon Tyne*, giving Bonds for the Duties thereof, and then exported the said Salt to the North Seas, where they spent it in curing and salting of Fish caught in those Seas, believing that upon Affidavit of shipping off the said Salt, and its not being reloaded in *England* or *Wales*, they might be intitled to a Drawback of the Duties which some other Fishermen in the like Case had obtained, as if such Salt had been actually exported to Parts beyond the Seas; and upon bringing home their said Fish, sold the same to several Retailers at Home Markets, at a low Price accordingly: Now, forasmuch as such Fishermen might be ignorant that they were liable to pay the said Duties, notwithstanding such Salt was spent in curing of Fish, and they not being enabled by the Price thereof to pay the same, a Prosecution upon such their Bonds would ruin them and their Families: For Prevention whereof, upon due Proof to be made before the Commissioners for the Excise or Salt Duties, that such Salt so shipped off was by them spent in curing and salting of Fish caught in the North Seas, that the said Fish was afterwards sold to Retailers at Home Markets, at a low Price, and that no Drawback or Allowance has been already made or paid by the said Commissioners for the Excise or Salt Duties; Be it enacted by the Authority aforesaid, That all such Bonds as were so given at *North* and *South Shields* near *Newcastle*, for the Duties of such Salt so expended as aforesaid, and for which no Drawback or Allowance has already been made upon Exportation thereof, shall be, and the same are hereby made and declared void, and of none Effect: And the Commissioners

Bonds given by Fishermen who used the North Sea Fishery, Anno 1700, &c. made void. Commissioners

to cancel the same, and Prosecutions to cease. *Farther Provisions concerning Salt*, 2 & 3 Ann. c. 14. 4 Ann. c. 12. 5 Ann. c. 29. 6 Ann. c. 12. 9 Ann. c. 23. 12 Ann. s. 2. c. 2. 5 Geo. 1. c. 18. 8 Geo. 1. c. 4. & 16. 11 Geo. 1. c. 30. 3 Geo. 2. c. 20. 5 Geo. 2. c. 6. 8 Geo. 2. c. 12. 14 Geo. 2. c. 22. 26 Geo. 2. c. 3 & 32.

for the Excise or Salt Duties for the time being are hereby impowered and directed to cancel or deliver up the same to the respective Persons therein concerned, who shall desire such Bonds, or any of them; and that all Prosecutions at Law upon the said Bonds do cease and determine.

XXXI. And whereas divers Frauds have been committed in curing and packing of Pilchards, by which Means a great Disrepute is brought on the said Commodity beyond the Seas, which tends as well to the great Dishonour of the *English* Nation, as to the Destruction of their Trade: For Remedy whereof be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June*, no Person or Persons do presume to cure or pack Pilchards for Sale, unless he or they be Owner or Owners, or Part Owners of some *Seyn* or *Seyns*, or of *Drift-net* or *Drift-nets*, or have the Consent of such Owners in Writing, and that on each Cask or Hoghead of Pilchards, the Word *Seyn* or *Drift* (according to the Manner of their being taken) shall be bunt with an Iron in some visible Part thereof, together with the Name and Surname of the Owner or Owners of the same, as also the Number of Pilchards contained in each Cask or Hoghead, under the Penalty of the Forfeiture of double the Value of the said Fish for every such Offence, to be recovered and disposed as other Penalties by this Act are to be recovered and disposed.

XXXII. And whereas by an Act made in the sixth Year of the Reign of his late Majesty King WILLIAM the Third, several additional Duties upon Coffee, Tea, Chocolate and Spices were granted to his said late Majesty, from the first Day of *May* one thousand six hundred ninety-five to the second Day of *May* one thousand six hundred ninety-eight; and it was thereby enacted, That two Thirds of the said Duties of such of the said Goods as should be exported within the Times by the said Act limited, should be repaid to the Exporter thereof; which said Duties were afterwards continued to the first of *May* one thousand seven hundred and one, and afterwards further continued to the first of *May* one thousand seven hundred and six: And whereas by another Act made in the eleventh Year of his said late Majesty's Reign, an additional Duty of Fifteen *per Centum* was granted to his said late Majesty, upon all Wrought Silks, Bengals and Stuffs, made or mixed with Silk or Herba, of the Manufacture of *Persia*, *China*, or the *East Indies*, and upon all Callicoos painted, dyed, printed or stained there, as also upon all Muslins, from the five and twentieth of *March* one thousand seven hundred to the thirtieth of *September* one thousand seven hundred and one; and it was thereby further enacted, That the said Duty upon such of the said Goods, as should be exported within twelve Months after the Importation thereof, should be repaid, or that the Security given for the same should be vacated; which said Duty of Fifteen *per Centum* on Muslins is by another Act continued to the thirtieth Day of *September* one thousand seven hundred and six: And whereas also by another Act made in the eighth Year of his said late Majesty's Reign, there was granted to his said late Majesty an additional Subsidy of Tunnage and Poundage, and other Duties therein mentioned, upon certain Goods and Merchandizes, from the first of *May* one thousand six hundred ninety-seven to the first Day of *February* one thousand six hundred ninety-nine; and by the said Act it is further enacted, That the said Subsidy, and other Duties upon such of the said Goods, as should be again exported within the Time limited by the said Act, shall be repaid to the Exporter thereof; which said Subsidy and other Duties were afterwards continued, during his said late Majesty's Life, and are by an Act of this present Parliament granted to her present Majesty, during her Majesty's Life (which God long preserve). And whereas several of the said Commodities were imported, and the Duties thereof paid upon such of the said Acts as are expired, and the same Commodities have been since exported, and the Exporters thereof are become intitled to a Drawback of the said Duties, or some Part thereof, according to the Provisions made in the said respective Acts for that Purpose: But in regard the said Duties have been paid into the Exchequer, and from thence issued to the Purposes for which they were by the said respective Acts appropriated, there doth not remain sufficient of the said Duties for the Payment of the said Drawbacks; and there being no express Provision made in the several Acts, whereby the said Duties are respectively continued, some Doubt hath arisen, whether the Duties which have or shall accrue since the Continuation of the same, shall be liable to the Payment of the said Drawbacks of the said Duties upon the said expired Acts; and thereby the said Exporters are kept out of their Money, and the Trade in the said Commodities very much discouraged: For Remedy whereof be it enacted and declared by the Authority aforesaid, That the Debentures for the said Drawbacks of the Duties which were paid upon the said Acts expired as aforesaid, shall be satisfied out of the Monies arising by the said respective Acts now in Force for the Duties continued as aforesaid; that is to say, The Debentures which should have been paid out of the said additional Duties upon Coffee, Tea, Chocolate and Spices, determined as aforesaid, shall be paid out of the said present Duties continued as aforesaid upon the same Commodities: And the said Debentures which ought to have been satisfied out of the said expired Duties of Fifteen *per Centum*, shall be paid out of the said present Duty of Fifteen *per Centum* upon Muslins; and such of the said Debentures as ought to have been satisfied out of the said additional Subsidy of Tunnage and Poundage expired as aforesaid, shall be paid out of the said present Duty of Tunnage and Poundage now payable to her present Majesty.

Debentures for the Drawbacks due on the aforesaid expired Acts, shall be satisfied out of the Monies arising by the aforesaid Acts continued.

C A P. XXII.

An Act to declare the Alterations in the Oath appointed to be taken by the Act, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors, and for declaring the Association to be determined.*

WHEREAS by the Demise of his late Majesty King WILLIAM the Third, and the Accession of her present Majesty Queen ANNE, to the Imperial Crown and Dignity of these Realms, the Form of an Oath contained in an Act made in the thirteenth Year of the Reign of his said late Majesty, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line, and for the extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors,* is now become necessary to be altered; Be it therefore declared and enacted by the Queen'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 from and after the twentieth Day of April one thousand seven hundred and two, the Oath in the said recited Act mentioned, be administered in such Manner and Form as is herein after set down and prescribed (that is to say)

I A. B. do truly and sincerely acknowledge, profess, testify and declare, in my Conscience before God and the World, That our Sovereign Lady Queen ANNE, is lawful and rightful Queen of this Realm, and of all other her Majesty's Dominions and Countries thereunto belonging. And I do solemnly and sincerely declare, That I do believe in my Conscience, that the Person pretended to be Prince of Wales, during the Life of the late King JAMES, and since his Decease pretending to be and taking upon himself the Stile and Title of King of England, by the Name of JAMES the Third, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereto belonging: And I do renounce, refuse, and abjure any Allegiance or Obedience to him. And I do swear, That I will bear Faith and true Allegiance to her Majesty Queen ANNE, and her will defend to the utmost of my Power, against all traiterous Conspiracies and Attempts whatsoever, which shall be made against her Person, Crown, or Dignity. And I will do my best Endeavour to disclose and make known to her Majesty and her Successors all Treasons and traiterous Conspiracies, which I shall know to be against her or any of them. And I do faithfully promise, to the utmost of my Power, to support, maintain and defend the Limitation and Succession of the Crown, against him the said JAMES, and all other Persons whatsoever, as the same is and stands limited (by an Act intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*) to her present Majesty and the Heirs of her Body, being Protestants: And as the same by one other Act intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,* is and stands limited after the Decease of her Majesty, and for Default of Issue of her Majesty, to the Princess SOPHIA, Electress and Duchess Dowager of Hannover, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely acknowledge and swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation and Promise, heartily, willingly and truly, upon the true Faith of a Christian.

So help me God.

II. And that all and every Person and Persons, who are enjoined or required to administer, take or subscribe the Oath in the said recited Act mentioned, shall administer, take and subscribe the same, according to the Form herein set down and prescribed; any Thing in the said recited Act to the contrary thereof in any wise notwithstanding.

III. And whereas by an Act made in the seventh Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for the better Security of his Majesty's Royal Person and Government,* it is recited, That for the better Preservation of his said Majesty's Royal Person and Government, great Numbers of his Majesty's good Subjects had entred into and subscribed an Association in the Words contained in the said Act, which Association is by the same Act required to be subscribed in such Manner, and by such Officers and Persons, and under such Forfeitures, Penalties, Incapacities, and Disabilities, for the Neglect or Refusal to subscribe the same, as in the said Act is mentioned and contained: And whereas since the Death of the late King JAMES, and by the Demise of his said late Majesty King WILLIAM the Third, the subscribing the said Association is not necessary to be any longer continued, such Part thereof as relates to the Support and Defence of the Succession to the Crown therein mentioned, being more fully provided for by the said recited Oath; Be it enacted and declared by the Authority aforesaid, That so much of the said recited Act of the seventh Year of his said late Majesty King WILLIAM the Third, as relates to the said Association therein contained, or the requiring any Officers or other Persons in the said Act mentioned, to subscribe the same, or for the enacting any Forfeitures, Penalties, Incapacities, or Disabilities, upon any Person for the Neglect or Refusal to subscribe the same, or that requires any Court or Courts to tender the said Association, or to register the

Subscription

13 W. 3. c. 6.

Oath in the Act
13 W. 3. to be
administred as
here fet down,
viz.

Altered by 5
Annæ, c. 8.
Article 22. and
by 6 Ann. c. 7.
§. 20. and c. 21.

1 W. & M. ff. 2.
c. 2.

12 & 13 W. 3.
c. 2.

Oath to be taken
in the Form pre-
scribed.

7 W. 3. c. 27.

Association made
void.

Subscription thereof, and all and every the Clause or Clauses in the said Act, or any other subsequent Act or Acts contained, relating to the said Association, be and are hereby declared to be void and of no Effect, to all Intents and Purposes whatsoever.

IV. Provided always, and be it enacted and declared, That such Members of the House of Peers, and also such Members of the House of Commons, who have taken and subscribed the Oath in the said first recited Act contained, according to the Form agreed upon in each House respectively, shall not be obliged again to take or subscribe the Oath according to the Form declared by this Act, during the Continuance of this present Parliament, for or in respect of their being Members of either House respectively, nor in respect of any Commission, Office or Place of Trust, Fee, Salary or Wages, which such Member did hold and enjoy at the Time of the taking and subscribing the said Oath.

Peers and Members who have taken the Oath not obliged to take the same again, during this Parliament.

V. And be it further enacted by the Authority aforesaid, That all and every Person or Persons, who in her Majesty's High Court of *Chancery*, or in her Court commonly called the *King's Bench*, or the Quarter-Sessions, may or are, or shall be obliged to take the Oaths mentioned in an Act of Parliament, made in the first Year of the Reign of the late King WILLIAM and Queen MARY, intituled, *An Act for abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, and to make and subscribe the Declaration mentioned in an Act of Parliament made in the five and twentieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from Popish Recusants*, may for ever hereafter, at their Elections, take the said Oaths, and make and subscribe the said Declaration, and deliver the Certificates of receiving the Sacrament of the Lord's Supper, and make Proof of the Truth thereof, which shall be enquired of and put upon Record, according to the said last mentioned Act, in her Majesty's Court of *Common Pleas*, or in her Court of *Exchequer* at *Westminster*, in such Manner, and at such Times, as by the said Acts, or either of them, they are obliged; or may take the said Oaths, and make and subscribe the said Declaration, and deliver and prove such Certificates, to be enquired of, and put upon Record in the said Court of *Chancery*, or Court of *King's Bench*; and such taking the Oaths, making and subscribing the said Declaration, and delivering of such Certificates, proving the Truth thereof, inquiring of, and putting upon Record, in the said Court of *Common Pleas*, and Court of *Exchequer*, shall be as effectual to all Intents and Purposes, as if the same had been taken, made and delivered, inquired of, proved, and put upon Record in the said Court of *Chancery*, or in the said Court of *King's Bench*; and the Justices of the said Court of *Common Pleas*, and Barons of the said Court of *Exchequer*, are hereby authorized and required respectively to administer the said Oaths, and do all other Things, as the Courts of *Chancery* and *King's Bench* were by the said Statutes, or either of them, authorized and required to do, or may do by virtue thereof.

1 W. & M. ff. 1. c. 8.

25 Car. 2. c. 2.

Persons may take the Oaths in the Common Pleas or Exchequer Courts, &c. which shall be as effectual as if taken in the Courts of Chancery or King's Bench, &c.

VI. And it is hereby further enacted by the Authority aforesaid, That the Names of all Persons and Officers aforesaid, that do or shall take the Oaths aforesaid, in the Court of *Common Pleas* or Court of *Exchequer*, shall be enrolled in the said Courts where the same shall be taken respectively, with the Day and Time of their taking the same, in Rolls made and kept only for that Intent and Purpose, and for no other; the which Rolls, as for the Court of *Common Pleas*, shall be publicly hung up in the Office of the chief Prothonotary of the said Court; and the Roll for the *Exchequer*, in the Office of the Queen's Remembrancer of the said Court, and there remain during the whole Term, every Term, for every one to resort to, and to look upon, without Fee or Reward; and likewise none of the Persons aforesaid shall give or pay any Fee or Reward to any Officer or Officers belonging to either of the said Courts of *Common Pleas* or *Exchequer*, above the Sum of twelve Pence, for his or their Entry of his or their taking of the said Oaths.

Names of Persons taking the Oaths to be inrolled, &c.

and not to pay above 12 d. for taking the same.

VII. And be it further enacted by the Authority aforesaid, That all and every the Person and Persons, who by this Act, or the said former Act made this present Parliament, are to take and subscribe the Oath therein or herein appointed to be taken, within three Months after he or they shall be admitted into or enter upon any Preferments, Benefices, Offices, or Places, or come into any Capacity, or take upon him or them any such Practice, Employment, or Business, in the said former Act mentioned, may in the next Term, or at the next Quarter-Sessions of the County, City, or Place where he or they shall reside, after he or they shall be admitted into, or enter upon any such Preferment, Benefice, Office, or Place, or come into any such Capacity, or take upon him or them such Practice, Employment, or Business as aforesaid (though it be after the Expiration of the said three Months) take and subscribe the said Oath, in any of the said four Courts of *Westminster*, or Quarter-Sessions, which shall be as good and effectual to all Intents and Purposes, as if taken and subscribed within the said three Months: But nevertheless, every such Person that shall neglect to take and subscribe the said Oath in the next Term, or next Quarter-Sessions as aforesaid, shall incur and be liable unto all the Penalties, Forfeitures and Disabilities, for refusing and neglecting to take and subscribe the said Oath, at such Time as in the said former Act is mentioned, and likewise unto all the other Penalties for executing such Office or Employment, if he shall execute the same after such Neglect or Refusal to take and subscribe the said Oath, as is therein mentioned.

In what Time and where Persons are to take the Oath.

Penalties on Neglect or Refusal.

C A P. XXIII.

An Act for raising the Militia for the Year one thousand seven hundred and two, notwithstanding the Month's Pay formerly advanced be not repaid.

C A P. XXIV.

An Act for the continuing the present Sheriffs in *England* and *Wales*, until the first Day of *Hillary* Term next, unless her Majesty shall think fit to determine them sooner.

C A P. XXV.

EXP.

An Act for the Relief of poor Prisoners for Debt.

C A P. XXVI.

An Act for the Relief of the Masters of Hoys and other Vessels carrying Corn and other Inland Provisions within the Port of London.

WHEREAS great Quantities of *English* Corn, Grain, Meal, and other Goods, which may lawfully be exported, and for which no Duties are payable to her Majesty upon Exportation thereof, are daily brought in Hoys and other Vessels to the City of London, from the Counties of *Kent* and *Essex*: And whereas the Masters of such Hoys and Vessels, employed in the Carriage of such Goods, have of late been put to unreasonable and unnecessary Charges and Trouble, by certain Officers of her Majesty's Customs, who for their own Profit and Lucre have required and exacted great Fees for Transires and Cocquets, to the great Discouragement of the Country Farmers, and Oppression of the said Hoymen: For Remedy whereof be it therefore enacted by the Queen'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 from and after the tenth Day of *May* in the Year of our Lord one thousand seven hundred and two, no Cocquet or Cocquets, or Bonds thereon, shall be required by any Officer of the Customs, or others, of or from any such Master or Owner of such Hoys or Vessels, carrying or conveying such Goods as aforesaid, to or from any Place within the Port of London; that is to say, from *London Bridge* unto the supposed Right Line from the Promontory or Point called the *North Foreland* in the County of *Kent*, unto the Promontory or Point called the *Næs*, including so much of the Ports of *Sandwich* and *Ipswich*, and the Members thereof, as are within the said Limits, for or in respect of any such Corn, Grain, Meal, and such other Goods as are before described, the same shall or may be conveyed as aforesaid, by Transires or Let-pas only, for which Transire there shall be paid to the respective Officers, who by Law are intitled to Fees of Bonds, and Cocquets, and Certificates; and Entries thereupon, the Sum of three Shillings and five Pence, and no more; which Sum shall be respectively distributed amongst them, in such Manner and Proportion, as where Bonds and Cocquets are taken for Goods carried Coastwise, ought and used to be paid; any Custom, Law or Usage to the contrary notwithstanding.

No Cocquet, &c. to be required of Masters of Hoys, &c.

but may be conveyed by Transires, &c. Fee for Transires.

Fee for Corn, &c. brought to London.

II. And whereas it often happens, that small Quantities and Parcels of Corn and Hops are brought as aforesaid to the City of London, and the Fees exacted by the Officers aforesaid have exceeded the Charge of the Freight thereof; Be it therefore enacted by the Authority aforesaid, That from and after the said tenth Day of *May* the Sum of one Shilling and eight Pence Halfpenny, and no more, shall be respectively distributed to and amongst the Officers aforesaid, when the Quantity of such Corn or Grain as aforesaid exceeds not fifty Quarters, or when the Quantity of Hops exceeds not fifty Bags in any one such Hoy or Vessel as aforesaid.

Certificates on Bonds transmitted into the Exchequer, to be indorsed on the Back of the Bond, &c. Penalty.

III. And whereas upon the carrying of Goods from Port to Port, Bonds are given for returning Certificates of the landing or discharging of the Goods in the Ports to which they are carried, and when such Bonds are transmitted into the Exchequer, the Certificates relating thereunto have been usually annexed to such Bonds, but by Fraud or Carelessness the Certificates are sometimes disjoined from the respective Bonds, whereby Persons who have duly complied with the Conditions thereof, have been put to unjust Vexation and Charge: For prevention whereof for the future it is hereby enacted, That the proper Officers for transmitting the said Bonds into the Exchequer shall truly and faithfully indorse, on the Backside of every such Bond, the Substance of the Certificate, if there be any relating thereto, and sign such Indorsment, to serve as an Intimation to the Court of *Exchequer*, concerning the Performance or Non-performance of the Conditions of such Bonds respectively, under the Penalty of forfeiting Treble Damages, besides Costs of Suit, to be recovered by the Party grieved against the Officer who shall offend therein, by Action of Debt or the Case, or by Bill, Suit or Information, in any Court of Record, wherein no Escoin, Protection, Wager of Law, or more than one Imparance shall be granted or allowed.

Act not to take away any Tolls, &c. payable to the City of London.

IV. Provided, and it is hereby enacted, That this Act, or any Thing therein contained, shall not extend to the lessening or taking away the Tolls or Duties due and payable to the Mayor, and Commonalty, and Citizens of the City of London, or to the Mayor of the said City for the Time being; any Thing herein to the contrary in any wise notwithstanding.

Right of the Ports of Sandwich and Ipswich saved.

V. Saving always, The usual and known Right, Liberty, and Privilege to the Ports of *Sandwich* and *Ipswich*, and either of them, and the known Members thereof, and of the Customers, Comptrollers, Searchers, and their Deputies, of and within the said Ports of *Sandwich* and *Ipswich*, and the several Creeks, Harbours, and Havens to them, or either of them, respectively belonging within the Counties of *Kent* and *Essex*, in all Matters and Things whatsoever, other than in such Matters and Things as are specially provided for or directed by this present Act.

C A P. XXVII.

EXP.

2 W. & M. ff. 1. c. 9. 12 Car. 2. c. 18.

An Act for the Importation of fine *Italian* thrown Silk. Persons may import, &c. fine thrown *Italian* Silk, during the War. No Silk to be imported coarser than third *Bologna*, &c. All Silk imported shall be brought to the Custom House, &c. Importers on Entry to make Oath, the said Silk was bought in *Italy*, &c. [By 7 Annæ, c. 8. §. 10. this Oath is to be made before the Collector, &c.]

CAP.

C A P. XXVIII.

An Act for importing into *England* thrown Silk of the Growth of *Sicily*, from the Port of *Leghorn* in *Italy*. EXP. 2 W. & M. II. 2. Thrown Silk of the Growth of *Sicily* may be imported from *Leghorn* for two Years. c. 9.

C A P. XXIX.

An Act for the continuing the Imprisonment of *Counter*, and others, for the horrid Conspiracy EXP. 20 W. 3. c. 13. to assassinate the Person of his late sacred Majesty King *William* the Third.

C A P. XXX.

An Act to oblige the Jews to maintain and provide for their Protestant Children.

TO the End that sufficient Maintenance be provided and allowed for the Children of Jewish Parents, who shall turn Protestants; Be it enacted by the Queen'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 from and after the twenty-fourth Day of *June* one thousand seven hundred and two, if any Jewish Parent, in order to the compelling of his or her Protestant Child to change his or her Religion, shall refuse to allow such Child a fitting Maintenance, suitable to the Degree and Ability of such Parent, and to the Age and Education of such Child, then (upon Complaint thereof made to the Lord High Chancellor of *England*, or Lord Keeper of the Great Seal, or Commissioners for the Great Seal for the Time being) it shall and may be lawful for the said Lord Chancellor, Lord Keeper, or Commissioners, to make such Order therein, for the Maintenance of such Protestant Child, as he or they shall think fit.

Jewish Parents to allow their Protestant Children fitting Maintenance.

C A P. XXXI.

An Act for making more effectual the Provision out of the forfeited Estates in *Ireland*, for the building of Churches, and augmenting small Vicarages in *Ireland*.

WHEREAS by an Act lately made, intituled, *An Act for granting an Aid to his Majesty by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land Tax in England, for the several Purposes therein mentioned*, it is enacted, That the Trustees therein named, or any seven or more of them, should and might, and they are thereby required, after such a Time, and in such a Manner as is therein mentioned, to convey all and every the Rectories Improprate, with the Tithes, Oblations, Obventions, Glebes, Advowsons of Vicarages, and other Things thereunto severally and respectively belonging or appertaining, forfeited by reason of the Rebellion therein mentioned, and therein before vested in the said Trustees, to such Person or Persons, and their Heirs, as the Bishop of each respective Diocese, wherein such Rectories Improprate respectively are, shall nominate, in Trust for the rebuilding or repairing Parish Churches, and for the perpetual Augmentation of small Rectories or Vicarages in the Kingdom of *Ireland*, in such Manner as is therein mentioned: And whereas several such Rectories Improprate, Tithes, Oblations, Obventions, Glebes, Advowsons of Vicarages, and other Things thereunto severally and respectively belonging or appertaining, have been jointly charged or incumbered, or liable to the Payment of some Debts, Charges, or Incumbrances, together with other Lands, Tenements, or Hereditaments, by the said Act vested in the said Trustees: Wherefore for the making the before mentioned Trust more effectual and beneficial for the pious Ends and Purposes aforesaid, may it please your most Excellent Majesty that it may be enacted; and be it enacted by the Queen'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 where any such Rectories Improprate, Tithes, Advowsons, or other Things, so vested in the said Trustees, and directed to be conveyed in Trust as aforesaid, are charged with, or liable unto any Debts, Charges, or Incumbrances jointly with any other Lands, Tenements, or Hereditaments, by the said Act vested in the said Trustees, such other Lands, Tenements, or Hereditaments, in the first Place be liable to, and shall answer and satisfy such Debts, Charges, and Incumbrances; and the said Trustees, or any seven of them, are hereby authorized and required, to make Sale of such other Lands, Tenements, or Hereditaments, or of a competent Part thereof, for or towards the paying off, clearing, and discharging such Debts, Charges, and Incumbrances: And as soon as conveniently may be, from and after such Sale, and the clearing and discharging such Debts and Incumbrances, such Rectories Improprate, Tithes, Advowsons, and other Things, so vested in the said Trustees, and directed to be conveyed in Trust as aforesaid, as are, together with such other Lands, Tenements, or Hereditaments, jointly charged or incumbered, shall be conveyed; and the said Trustees, or any seven of them, are hereby authorized and required to convey the same, to such Person and Persons, and in such Manner, and to such Uses, Intents, and Purposes, as in the said recited Act is directed and appointed, freed and discharged of and from all such Debts, Charges, and Incumbrances, be the same by Matter of Record, Mortgage, or otherwise.

Where any Rectories Improprate, forfeited by the late Rebellion, are charged with Incumbrances jointly with other Lands, &c. such Lands first liable to answer the Debts, &c. See farther c. Ann. c. 25.

C A P. XXXII.

An Act for the Relief of the Protestant Purchasers of the forfeited Estates in Ireland.

11 W. 3. c. 2.

WHEREAS by one Act made in a Parliament holden at *Westminster*, in the eleventh Year of the Reign of our late Sovereign Lord King WILLIAM the Third, intituled, *An Act for granting unto his Majesty an Aid for Sale of the forfeited and other Estates and Interests in Ireland, and by a Land Tax in England, for the several Purposes therein mentioned*, it is provided, That the Sum of one and twenty thousand Pounds, therein mentioned, should be paid to and amongst the several Persons, who were Purchasers of any Estate of Inheritance, of any of the forfeited Lands or Estates in *Ireland*, under the Grantees thereof, who should prove the actual Payment of their Purchase-money, before the Trustees mentioned in the said Act for Sale of the forfeited Estates in *Ireland*, on or before the tenth Day of *August* one thousand seven hundred, to be divided amongst such Purchasers, in Proportion to the Sums by them respectively paid for their several Purchases: And whereas in pursuance of the said Act, several Persons did, before the said Trustees, prove the actual Payment of the Sum of fifty-nine thousand five hundred and two Pounds, for the Purchases of the several Estates of Inheritances to the several Grantees thereof (which said Sum of one and twenty thousand Pounds, Part of the said Purchase-money, was by the said Act charged on the Lands so purchased respectively) according to the Directions of the said Act: And whereas no considerable Part, if any, of the said Sum of one and twenty thousand Pounds, hath been as yet paid to the said Purchasers: And whereas it may very much conduce to the Strengthening and Preservation of the Protestant Interest in *Ireland*, to continue the said Purchasers in the Possession of the respective Lands by them respectively purchased, and that some further Relief may be given the said Purchasers; May it please your Majesty (at the most humble Suit of the said Purchasers) that it may be enacted, &c.

Persons who purchased Estates under the Grantees, &c. shall enjoy the same, paying 13 Years Purchase for an Estate of Inheritance, and 6 Years and a half for an Estate for Life, &c. according to the Rents, Anno 1701. Quit Rents, &c. deducted. Purchasers of Estates of Inheritance, to have a Discount, &c. on Payment of the Surplus, &c. In Default of paying Remainder of Purchase-money, Trustees may sell the Lands, &c."

Person educated in the Popish Religion, and not taking the Oaths, &c.

30 Car. 2. stat. 2.

and continuing Protestant afterwards, incapable of inheriting any Lands, &c.

but they shall go to the next of Kin, who is a Protestant, &c.

Papist, &c. made incapable to purchase any the Lands aforesaid.

Leases, &c. to be made only to Protestants, &c.

VII. And to the End that none of the said purchased Premises may ever descend or come to any Papist or Papists, or Persons professing the Popish Religion, but that the same shall descend and come, and remain to be held and enjoyed by Protestants, for the strengthening and supporting of the *English* Interest, and the Protestant Religion in *Ireland*; Be it enacted by the Authority aforesaid, That if any Person educated in the Popish Religion, or professing the same, and being under the Age of eighteen Years, shall not, within six Months after he or she shall attain the Age aforesaid, take the Oaths of Allegiance and Supremacy, and also subscribe the Declaration set down and express in an Act of Parliament made in the thirtieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*, to be by him or her made, repeated, and subscribed in the Courts of *Chancery*, or *King's Bench*, in *England* or *Ireland*, -or Quarter-Sessions in any County in *England* or *Ireland*, where such Person shall reside (which said Oaths and Declaration the said Courts and Quarter-Sessions are severally hereby empowered to administer) and continue to be a Protestant after the taking the said Oaths and Declaration aforesaid, every such Person shall, in respect of him or herself only, and not to or in respect of his or her Heirs or Posterity, be disabled, and is hereby made incapable to inherit or take by Descent, Devise, or Limitation, in Possession, Reversion, or Remainder, any of the Lands, Tenements, Hereditaments, or Premises aforesaid, or any Rent or Profit issuing out of the same, or any Part thereof; and that during the Life of such Person, or until he or she shall take the said Oaths, and make, repeat, and subscribe the said Declaration in Manner aforesaid, the next of his or her Kindred, who shall be a Protestant, shall have and enjoy the said Premises, without being accountable for the Profits by him or her received, during such Enjoyment as aforesaid.

VIII. And it is further enacted, That every such Papist, or Person making Profession of the Popish Religion, shall be disabled, and is hereby made incapable to purchase, either in his or her own Name, or in the Name of any other Person or Persons, to his or her own Use, or in Trust for him or her, any of the Lands, Tenements, or Hereditaments, or Premises aforesaid, or any Rents, Profits, Terms, or Interests in or out of the same; and that all and singular Estates, Terms, and any other Interests and Profits whatsoever, in or out of the Premises, and all Conveyances and Declarations of Trust concerning the same, which shall be made, suffered, or done, to or for the Use, Benefit, and Behoof of any such Person, shall be utterly void and of none Effect, to all Intents, Purposes, and Constructions whatsoever.

IX. And it is hereby further enacted, That all Leases for Life or Lives, or for any Term of Years, or otherwise, which shall at any Time hereafter be made of any the Lands, Tenements or Hereditaments hereby directed to be conveyed by the said Trustees as is aforesaid, shall be made to such Persons only as are of the Protestant Religion, and to none other. And if any Lease for Life or Lives, or for Years, or otherwise, shall at any Time hereafter be made of any the Lands, Tenements or Hereditaments aforesaid; to or in Trust for any Papist; or if any Lease of any such Lands, Tenements or Hereditaments shall be made to a Protestant, and the same shall afterwards be assigned to or in Trust for any

Papist; every such Lease so made to or in Trust for any Papist, and likewise every such Assignment, shall be void, and the same is and are hereby adjudged and declared to be *ipso facto* null and void to all Intents and Purposes whatsoever: And in such Case, as well the Person making any such Lease or Assignment, as the Person to whom, or for whose Use or Benefit the same shall be made (in case such Person shall accept such Lease or Assignment) or shall occupy any the Lands or Tenements therein contained, shall forfeit treble the full yearly Value of all the Lands so let, assigned, or occupied; one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety to such Person (being a Protestant) who shall sue for the same in any of her Majesty's Courts of Record at *Dublin*, by any Bill, Plaint or Information, wherein no Effoin, Protection, Wager of Law, or Imparance shall be allowed.

Pen ty on Per-
son accept-
ing Lease in Trust
for Papist, &c.

X. Provided always, That nothing in this Act contained shall extend to make void any Lease, that is or shall be made of any Cottage or Cabin, under the yearly Value of thirty Shillings *per Annum*, to any Day Labourer whatsoever.

Act not to make
void any Cottage
Lease, &c.

XI. Provided also, That nothing in this Act contained shall be construed to extend to any Rectories Improprate, or Vicarages, Tithes, Oblations, Obventions, Glebes, or other Things, to the same Rectories or Vicarages severally and respectively belonging or appertaining, which were by a Clause in the aforesaid Act, vested in the Trustees in the said Act named, to the Uses, Intents and Purposes therein mentioned; but that all such Rectories and Vicarages, Tithes, Oblations, Obventions, Glebes, and other Things thereunto belonging, with their Appurtenances, shall still continue to be vested in the said Trustees, to such Uses as are in and by the said Act directed and appointed; any thing in this Act to the contrary in any wise notwithstanding. But in such Case, the said Trustees are to make a Deduction and Allowance, after the Rate of thirteen Years Purchase; out of the Purchase-money to be paid unto them for such Rectories or Vicarages, or other Matters aforesaid; to all and every Person or Persons who had purchased the same, their Heirs or Assigns.

nor to extend to
Rectories Impro-
prate, &c.

Trustees to de-
duct for such
Rectories, &c.

XII. Provided also, and be it further enacted, That the Trustees in the said Act named for Sale of the forfeited Estates in *Ireland*, shall be and are hereby acquitted and discharged of and from all Rents or Profits, or other Sums of Money, by them, or any for or under them, received or to be received, for or out of any the Lands, Tenements and Premises aforesaid, at any Time before the Payment of the Remainder of the said thirteen Years Purchase, by the said Purchasers respectively, and of and from all Actions, Suits and Demands for or in respect thereof.

and discharged
from Rents, re-
ceived, &c.
before Payment
of the Remain-
der of the 13
Years, Pur-
chase, &c.

XIII. Saving nevertheless to her Majesty, her Heirs and Successors, all Rents issuing and payable out of or for the said Premises, and also saving to all Bodies Politick and Corporate, their Heirs and Successors, and to all and every other Person and Persons, their Heirs, Executors and Administrators (other than the said Trustees in the said Act named) all such Estate, Right, Title, Interest, Claim and Demand whatsoever, of, into, and out of the said Premises, as they or any of them might have had in case this Act had not been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

Saving to the
Queen all
Rents, &c.

XIV. And for the better Preservation and Encouragement of the Protestant Interest in the said Kingdom of *Ireland*, and to the End that none of the Honours, Manors, Baronies, Castles, Messuages, Lands, Tenements, Rents, Reversions, Services, Remainders, Possessions, Royalties, Franchises, Jurisdctions, Privileges or Appurtenances thereunto belonging, or in any wise appertaining, Rights of Entry, Rights of Action, Titles, Conditions, Uses, Trusts, Powers or Authorities, Leases for Life, Lives, or Years, Pensions, Annuities, Rent Charges, or Hereditaments, whether Freehold, Copyhold, or of what Nature or Kind soever they be, within the said Realm of *Ireland*, nor any of the Estates or Interests whatsoever in the said Kingdom of *Ireland*, which by an Act made in the eleventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for granting an Aid to his Majesty by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land Tax in England, for the several Purposes therein mentioned*, were vested and settled in the Persons in that Act named (Trustees nominated and appointed for putting in Execution the Powers and Authorities in the said Act enacted, relating to the said forfeited and other Estates and Interests in *Ireland*) and their Heirs, Executors, Administrators and Assigns respectively, or which by the said Act, or by any subsequent Act or Acts, are ordered or directed to be disposed of or sold by them, or any of them, for the Purposes in the said Act or Acts mentioned, may ever hereafter descend or come by Limitation, Purchase, or otherwise, to any Papist or Papists, or Person or Persons professing the Popish Religion; but that the same forthwith, from and after the Disposition and Sale thereof, may be possessed and enjoyed, and from thenceforth for ever hereafter descend, come and remain, to be held and enjoyed by Protestants, for the strengthening and supporting of the *English* Interest, and the Protestant Religion in *Ireland*; Be it enacted by the Authority aforesaid, That all Dispositions and Sales of all and every the said Estates and Interests, which shall be made by the said Trustees, or any of them, shall be made unto Protestants only; and that every Person being a Papist, or professing the Popish Religion, shall be disabled, and is hereby made incapable to purchase, either in his or her own Name, or in the Name of any other Person or Persons, to his or her Use, or in Trust for him or her, any of the Honours, Manors, Lands, Tenements, Royalties, Franchises, and other Hereditaments, of what Nature or Kind soever, vested in the said Trustees, in order to the selling the same, or any Rents, Profits, Terms for Years, or other Interests whatsoever, in or out of the same; and that all and singular Estates, Terms for Years, Interests, or Profits whatsoever, in or out of the said Premises, and all Conveyances and Declarations of Trust concerning the same, which shall be made, suffered, or done to or for the Use, Benefit or Behoof of any Papist, or Person making Profession of the Popish Religion, shall be utterly void and of no Effect, to all Intents, Purposes and Constructions whatsoever.

11 W. 3. c. 2.

All Sales of
Estates, &c.
made by Trust-
tees shall be to
Protestants only.
Papists made in-
capable to pur-
chase, &c.

XV. And for preventing the said Premises, and every Part thereof, at all Times hereafter, from coming into the Hands of Papists, or Persons professing the Popish Religion; Be it enacted by the Authority aforesaid,

No Papist capable to inherit or make Title by Descent, to any the said Manors, Lands, &c. Papist not taking the Oaths, &c.

3c Car. 2. stat. 2.

disabled from inheriting;

and the next of Kin, being a Protestant shall inherit, &c.

Leases, &c. to be made only to Protestants.

Such Lease made to Papists, or in Trust for them, void.

Penalty.

Act not to void Cottage Lease, &c.

nor Trustees Lease for one Year.

Trustees to pay William Palmer 1,000 and in Default, &c. he to hold Dirpatrick, &c.

aforsaid, That no Papist or Person professing the Popish Religion, during the Time of his continuing a Papist, or professing the Popish Religion, shall be a Person capable to inherit, take, or make Title unto, by Descent, Purchase, Limitation, Devise, or other Conveyance whatsoever, in Possession, Reversion or Remainder, or to have, hold, or enjoy any of the said Honours, Manors, Hereditaments and Premises, or any Trust or interest therein, or any Rent or Profit issuing out of the same, or out of any Part thereof; and that if any Person professing the Popish Religion, or educated in the same, and not having solemnly and publickly renounced it, being of full Age, shall not, within the Space of six Months after the accruing of his or her Title, or being under the Age of eighteen Years, shall not, within six Months after he or she shall attain the Age aforesaid, take the Oaths of Allegiance and Supremacy, and also subscribe the Declaration set down and expressed in an Act of Parliament made in the thirtieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*, to be by him or her made, repeated, and subscribed in the Courts of Chancery or King's Bench in England or Ireland, or Quarter-Sessions in any County of England or Ireland, where such Person shall reside (which said Oath and Declaration the said Courts and Quarter-Sessions are hereby severally impowered to administer) and continue to be a Protestant after the taking the said Oath and Declaration aforesaid, every such Person shall, in respect of him or herself only, and not to or in respect of his or her Heirs or Posterity, be disabled, and is hereby made incapable to inherit or take by Descent, Devise or Limitation, or Purchase, in Possession, Reversion or Remainder, any of the said Honours, Manors, Lands, Tenements, Hereditaments or Premises aforesaid, or any Trust or Interest in Rent or Profit issuing out of the same, or out of any Part thereof; and that during the Life of such Person, or until he or she shall take the said Oaths, and make, repeat and subscribe the said Declaration in Manner aforesaid, the next of his or her kindred, who shall be a Protestant, shall have and enjoy the said Premises, without being accountable for the Profits by him or her received during such Enjoyment as aforesaid.

XVI. And it is hereby further enacted, That all Leases for Life or Lives, or for any Term of Years or otherwise, which shall at any Time hereafter be made of any the Honours, Manors, Lands, Tenements, Hereditaments, and Premises above mentioned, shall be made to such Persons only as are of the Protestant Religion, and to none other; and if any Lease for Life or Lives, or for Years, or otherwise, shall at any Time after such Sale be made of any the Honours, Manors, Lands Tenements, Hereditaments, or Premises aforesaid, unto or in Trust for any Papist, or Person professing the Popish Religion; or if any Lease of any such Honours, Manors, Lands, Tenements, Hereditaments or Premises, shall be made to a Protestant, and the same shall afterwards be assigned unto, or in Trust for any Papist, or Person professing the Popish Religion; every such Lease so made unto, or in Trust for any such Papist or Person, and likewise every such Assignment shall be void, and the same is and are hereby adjudged and declared to be *ipso facto* null and void to all Intents and Purposes whatsoever; and in such Case, as well the Person making any such Lease or Assignment, as the Person to whom or for whose Use or Benefit the same shall be made (in case such Person shall accept such Lease or Assignment, or shall occupy any the Lands or Tenements therein contained) shall forfeit treble the full yearly Value of all the Lands so let assigned or occupied, one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety to such Person (being a Protestant) who shall sue for the same in any of her Majesty's Courts of Record at Dublin by any Bill, Plaint, or Information, wherein no Essoin, Protection, Wager of Law, or Imparlance shall be allowed.

XVII. Provided always, That nothing in the last foregoing Clause contained shall extend to make void any Lease, that is or shall be made, of any Cottage or Cabin under the yearly Value of thirty Shillings *per Annum*, to any Day Labourer whatsoever.

XVIII. Provided, That nothing herein contained shall extend, or be construed to extend, to make void, impeach or prejudice any Lease of any of the said forfeited Estates, or other Interests, made or to be made by the said Trustees, for any Term not exceeding one Year.

XIX. And whereas his said late Majesty King WILLIAM, in Consideration of a Fine of six hundred and eighty-five Pounds sixteen Shillings and four Pence, stated by the Commissioners of Accounts in Ireland, to be due from his said Majesty to Major *Walter Delamar* for Arrears of Pay for his Services in the Kingdom of Ireland, did in the Month of *October* one thousand six hundred ninety-six, make a Lease to the said Major *Walter Delamar*, of some forfeited Estates in the said Kingdom, for the Term of twenty-one Years the said Estates being subject to great Incumbrances, and a Jointure for the Life of *Plunkett*, the Relict of *Ignatius Plunkett*: And whereas *William Palmer* Esquire did purchase from the said Major *Delamar* Part of the said Estates called *Dirpatrick*, in the Barony of *Dece*, and County of *Meath*, for the Sum of five hundred Pounds, the said Sum being by him paid to the said *Walter Delamar*, for the Remainder of the said Term of twenty-one Years, subject to the said Jointure, and hath since also laid out six hundred Pounds, and upwards, in buying in the said Jointure Estate in the said Lands, in draining a Bogg, and building and planting upon the said Estate, to the great Improvement thereof: And whereas notwithstanding there are but about fourteen Years to come in the said Lease, the same is made void by the late Act of Parliament for re-assuming the Forfeitures in that Kingdom, and the said *William Palmer* hath (unless relieved by Parliament) lost the Money so paid and laid out by him, and of which the Publick hath had and will have the Benefit; Be it therefore enacted by the Authority aforesaid, That the said Trustees shall, within twelve Months, pay to the said *William Palmer*, his Executors, Administrators and Assigns, the Sum of one thousand one hundred Pounds; and in Default of such Payment as aforesaid, it shall and may be lawful to and for the said *William Palmer*, his Executors, Administrators and Assigns, to have, hold and enjoy the said Premises called *Dirpatrick*

trick aforesaid, with the Appurtenances, for and during the Residue of the said Term of twenty-one Years, according to the said Lease and Assignment thereof to him made; and in Case of such Default, the said Lease (as to the Premises called *Dirpatrick*) and the said Assignment thereof, shall be and is hereby confirmed and made effectual; the said Act, or any Thing therein contained to the contrary in any wise notwithstanding; subject nevertheless to all and every the Clauses, Matters, and Things in this Act contained, directed to be done and performed by the said other Protestant Purchasers.

XX. And be it further enacted by the Authority aforesaid, That in all Acts which have passed this Session of Parliament, relating to the forfeited Estates or Interests in *Ireland*, which do enjoin the taking the Oath or Oaths of Allegiance by any Person or Persons whatsoever, and wherein the obliging the taking the Oath of Supremacy is omitted; all and every the Person and Persons, who are thereby enjoined to take the Oath of Allegiance, shall be and are hereby obliged and enjoined at the same Time, to take the Oath of Supremacy also, under the like Penalties, Forfeitures and Disabilities, as are in the said respective Acts mentioned and contained, for and in Default of taking the Oath or Oaths of Allegiance, and subscribing the Declaration therein mentioned. Persons enjoined to take the Oath of Supremacy, &c.

XXI. And it is hereby further enacted and declared, That there shall not be let with any Cabin or Cottage to any Day Labourer (as by any Acts of this Session of Parliament relating to the forfeited Estates in *Ireland* is permitted) above the Quantity of two Acres of Land, and not above one Cottage or Cabin with such Land to any one Day Labourer; and that in case any other Lease or Leases shall be so made, or more Land be let than as aforesaid, the Lease of such Cottage or Cabin, as well as of the said Land, shall be and is hereby declared to be *ipso facto* null and void, to all Intents and Purposes whatsoever; and as well the Person making, as the Person taking such Lease, or occupying such Cottage or Cabin, or Lands, shall forfeit treble the full yearly Value of the said Cottage, Cabin or Land, to be sued for, recovered and distributed, as any other Penalties by the said Acts are to be recovered and distributed. Not above two Acres of Land to be let with any Cottage to a Day Labourer, &c.

XXII. And be it further enacted, That this Act shall be taken and allowed in all Courts as a publick Act, and all Judges and Justices are hereby required to take Notice thereof, without special pleading the same. Publick Act.

Anno primo ANNÆ Reginae.

AT the Parliament begun at *Westminster* the twentieth Day of *August*, Anno Dom. 1702. in the first Year of the Reign of our Sovereign Lady *ANNE*, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, Queen, Defender of the Faith, &c. And from thence continued by several Prorogations to the twentieth Day of *October* 1702. and then and there held, and by divers Adjournments continued till the twenty-seventh Day of *February* following, being the first Session of this present Parliament.

C A P. I.

An Act for granting to her Majesty a Land Tax for carrying on the War against *France* and *Spain*. §. 76. Clause for making good Deficiencies of several Acts. Arrears upon 9 W. 3. and on 10 W. 3. and 11 W. 3. how to be charged. Commissioners to determine the Proportions to be paid by each Hundred, &c. and cause the same to be re-assessed, and paid. Then *Supers* to be discharged. Like Allowances to Receivers, &c. Clause not to alter the Charge made upon any Parts, Hundreds, &c. Certificate of the Arrears to be transmitted to the Remembrancer's Office. If Arrears be not paid, Process to go against Inhabitants, &c. Clause of Loan at 5 l. per Cent. Money lent not to be taxed. Tallies of Loan and Orders for Repayment, to be registred and paid in Course. No Fees for registring, &c. No undue Preference where Tallies, &c. bear Date the same Day, nor if subsequent Orders be paid, &c. Orders for Payment assignable. EXP. 12 & 13 W. 3. c. 10. '4s. in the Pound.'

C A P. II.

An Act for enabling her Majesty to settle a Revenue for supporting the Dignity of his Royal Highness Prince *George*, Hereditary of *Denmark*, in case he shall survive her Majesty. EXP. 1 Annæ, stat. 1. c. 7.

C A P. III.

An Act for granting a Supply to her Majesty, by several Duties imposed upon Malt, Mum, Cyder, and Perry. EXP.

C A P. IV.

An Act for continuing the Duties upon Coals, Culm, and Cynders. Duties on Coals, Culm, &c. continued till 1708. Acts 9 & 10 W. 3. c. 13. and 10 & 11 W. 3. c. 21. continued. Persons may lend 500,000 l. on Credit of this Act, with Interest. Monies lent not to be taxed, &c. Orders assignable. Assignee may assign again, &c. EXP. 9 & 10 W. 3. c. 13. 10 & 11 W. 3. c. 21. 'By 9 Annæ, c. 21. §. 30.'

Persons having Tallies, &c. on this Act shall be admitted into the South Sea Company.

Q

C A P.

C A P. V.

An Act for granting an Aid to her Majesty, by Sale of several Annuities at the Exchequer, for carrying on the War against *France* and *Spain*.

Most Gracious Sovereign,

4 W. & M. c. 3. **W**HEREAS by an Act of Parliament made and passed at *Westminster*, in the fourth Year of the Reign of King WILLIAM and Queen MARY (of blessed Memory) intituled, *An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France*, certain Rates or Duties of Excise upon Beer, Ale, and other Liquors, were imposed, during the Term of ninety-nine Years, which commenced from the five and twentieth Day of *January* in the Year of our Lord one thousand six hundred ninety and two, and made liable to the Payment of several Annuities, which were to be purchased in the Form thereby prescribed: And by another Act of Parliament made in the fifth Year of the Reign of their said late Majesties, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tunnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of fifteen hundred thousand Pounds, towards carrying on the War against France*, two seventh Parts of other Duties of Excise upon Beer, Ale, and other Liquors thereby granted to their said late Majesties, their Heirs, and Successors, are made liable to the Payment of other Annuities, which were to be purchased in the Manner and Form thereby prescribed; and whereas by Virtue or in Pursuance of the said several Acts, and of another Act made in the fifth Year of their said late Majesties Reign, for supplying the Deficiency of the Money raised by the Act first above mentioned, several Annuities were purchased at divers Rates for one, two, or three Lives: And whereas several of the said Annuities which were so purchased (and whereupon no Reversion or further Estate or Interest hath been purchased, and which have not been changed into a certain Term of Years, in Pursuance of any subsequent Act or Acts of Parliament in that Behalf) are determined by the Deaths of such Contributors or their Nominees respectively, for whose Life or Lives the same were to continue respectively, which Annuities, so determined, did amount at least to the Sum of five thousand two hundred seventy-seven Pounds *per Annum*, which was payable out of the Duties of Excise imposed by the said first mentioned Act of Parliament, and to the Sum of five hundred sixty-five Pounds *per Annum*, which was payable out of the said two seventh Parts of the other Duties of Excise before mentioned: Now for the more effectual raising the Money which is necessary for carrying on the present War against *France* and *Spain*, and supplying your Majesty's other Occasions, we your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, do cheerfully and unanimously grant unto your Majesty a further Aid to arise by Contributions for Annuities to be purchased in such Manner as is herein after expressed; and do humbly pray your Majesty that it may be enacted; and be it enacted by the Queen'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 and may be lawful to and for any Person or Persons, (being her Majesty's natural born Subjects) at any Time or Times before the first Day of *March* one thousand seven hundred and two, to contribute advance, and pay into the Receipt of her Majesty's Exchequer any Sum or Sums of Money, not exceeding in the whole the Sum of seventy-nine thousand one hundred and fifty-five Pounds, for purchasing such Annuities as are herein after mentioned, out of the said Duties of Excise imposed by the Act of Parliament first above mentioned, and any other Sum and Sums of Money, not exceeding in the whole the Sum of eight thousand four hundred and seventy-five Pounds for purchasing such Annuities as are herein after mentioned, out of the said two seventh Parts of the other Duties of Excise before expressed, upon the Terms following (that is to say) That all and every such Contributor and Contributors respectively, his, her, and their Executors, Administrators and Assigns (being her Majesty's natural-born Subjects, as aforesaid) out of such of the said Branches or Duties of Excise, whereupon he, she, or they shall pay the Consideration Money, to purchase such Annuities, as aforesaid, shall have and receive an Annuity, yearly Lent, or Payment, after the Rate of fourteen Pounds of lawful *English* Money for every Sum of two hundred and ten Pounds so paid, as aforesaid, and so proportionably for any greater Sum which shall be so paid or contributed, for and during the full Term of fourscore and nine Years, to be reckoned from the five and twentieth Day of *January* in the Year of our Lord one thousand seven hundred and two; the same to be paid at the four most usual Feasts of the Year; that is to say, The Feast of the Annunciation of the Blessed Virgin *Mary*, the Nativity of Saint *John* the Baptist, Saint *Michael* the Archangel, and the Birth of our Lord Christ, by even and equal Portions; to be made at the Feast of the Annunciation of the Blessed Virgin *Mary* one thousand seven hundred and three.

Contributors, &c. intituled to the said Annuities.

Free from Taxes, &c.

II. And be it further enacted, That all and every such Contributor and Contributors, so paying the said Consideration Money, as aforesaid, or such as he, she, or they shall nominate, his, her, and their Executors, Administrators, an Assigns (being natural-born Subjects, as aforesaid) shall have, receive and enjoy, and be intituled, by virtue of this Act, to have, receive and enjoy the respective Annuity and Annuities, so to be purchased, for and during the whole Term aforesaid, out of such of the said Rates or Duties of Excise, upon which such Purchase shall be made, as aforesaid, freed from all Taxes, Rates, and Impositions whatsoever, and as fully and beneficially as other Purchasers of Annuities for any Life or Lives,

Lives, or of any Reversionary Annuities upon the said Acts, or any of them, do or ought to have, receive, or enjoy the respective Annuities so by them purchased: And that all and every the Directions, Powers, and Clauses in the said former Acts contained, for and concerning the levying of Tallies, the making forth of Orders, or for making of Transferences or Assignments, or for the apportioning or applying the Monies arising by the said Funds or Revenues, or any of them, or for appointing, settling, or establishing any other Matter or Thing, for or in relation to the respective Annuities thereby purchased or obtained (other than the making Proof of Nominees being alive) shall be and are by Force and Virtue of this Act revived, and shall be duly observed, practised, and put in Execution, for and in respect of such Annuities as shall be purchased and obtained upon this Act, as fully and effectually as if the same Powers, Directions, and Clauses were here again expressed, and particularly repeated.

Powers, &c. in the aforesaid Act revived.

III. And be it further enacted and declared by the Authority aforesaid, That in case the said Rates and Duties of Excise which were granted for ninety-nine Years as aforesaid, or the said two seventh Parts of the other Rates and Duties of Excise above mentioned, or any or either of them, shall at any Time or Times appear to be so deficient in the Produce of the same, as that at the End of any one Year to be reckoned from and after the five and twentieth Day of *December* in the Year of our Lord one thousand seven hundred and two, the same, or any of them respectively, shall not be sufficient to discharge and satisfy all the Payments upon the respective Annuities by this and any former Act or Acts of Parliament charged thereupon, whereby the said Annuities, or any of them, shall be in Arrear, then, and so often, and in every such Case, all and every such Deficiency and Deficiencies shall be provided for, answered, and made good by or out of the next Aids to be raised and granted by Parliament; and the Monies so to be supplied, together with the Monies of the Rates and Duties before mentioned, shall be applied to and for the Payment of all Arrears which shall then appear to be due and unpaid upon the said Annuities, or any of them; so that the same shall be fully discharged and paid off, according to the true Meaning of this Act.

In case Duties, of Excise prove deficient, &c.

how they shall be provided for, &c.

C A P. VI.

An Act for the better preventing Escapes out of the *Queen's Bench* and *Fleet* Prisons.

WHEREAS divers Persons heretofore legally committed by her Majesty's several Courts of Record at *Westminster*, to the Custody of the Marshal of the *Queen's Bench*, and to the Prison of the *Fleet*, upon Actions for the Recovery of Debt, or Damages, or for Contempts in not performing Orders or Decrees made in Courts of Equity, and in Execution, have by Bribes and illegal Practices, to and with such Marshal of the *Queen's Bench*, or to and with the Warden of the said Prison of the *Fleet*, or some of their Officers or Servants, or other Persons in Trust for them, and for their respective Uses and Benefit, frequently procured from such Marshal or Warden Liberty to escape, and go at large, without Satisfaction made to the respective Plaintiffs or Creditors, and without discharging such Debts, or satisfying such Damages, or performing such Orders or Decrees, as well to the great Damage of honest Creditors, the Decrease of personal Credit, and Discouragement of Trade, as in open Defiance to all good and wholesome Laws heretofore made to restrain such Abuses: For Remedy whereof, and for preventing the like evil Practices for the future, Be it enacted by the Queen'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 if any Person or Persons already committed, rendered, or charged, or who shall hereafter be committed, or rendered to, or charged in the Custody of the Marshal of the *Queen's Bench* for the Time being, or to or in the Prison of the *Fleet*, either in Execution, or upon Mesne Process, or upon any Contempt in not performing such Order or Decree by any of her Majesty's Courts at *Westminster*, and such Person or Persons shall, at any Time after such Commitment, Render, Charge, or being in Execution, and before he, she, or they shall have made Payment or Satisfaction to the respective Plaintiff or Plaintiffs, Creditor or Creditors, or shall have cleared him, her, or themselves of such Contempts, as he, she, or they were, or shall be charged with at the Time of such their Commitment, Render, Charge, or being in Execution as aforesaid, make any Escape from the Custody of the Marshal of the *Queen's Bench* for the Time being, or from the Prison of the said *Queen's Bench*, or from the Prison of the *Fleet*, or either of them, or shall go at large, at any Time after the three and twentieth Day of *January*, which shall be in the Year of our Lord one thousand seven hundred and two, it shall and may be lawful upon Oath thereof in Writing, to be made by one or more credible Person or Persons, before any one of the Judges of that Court where such Action was entred, or Judgment and Execution were obtained, or where the Party was so committed or charged as aforesaid, to and for such Judge, before whom such Oath shall be made as aforesaid, and such Judge is hereby authorized and required, from Time to Time, to grant unto any Person whatsoever, who shall demand the same, one or more Warrant or Warrants under his Hand and Seal, therein reciting the Action or Actions, Execution or Executions, Contempt or Contempts, with which such Person or Persons so escaping, or going at large, stood charged, or were committed at the Suit of any Person or Persons, on whose Behalf such Warrant or Warrants shall be demanded at the Time of such Escape, or going at large (which said Warrant or Warrants shall be in Force in all Places whatsoever, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*) directed to all Sheriffs, Mayors, Bailiffs, Constables, Headboroughs, and Tythingmen, therein and thereby commanding them, and every of them, in their respective Counties, Cities, Towns, and Precincts, to seize and re-take such Person

43 *El. c. 2.*

Prisoner in the Queen's Bench or Fleet Prison,

making escape, &c.

on Oath thereof,

Judge may grant Warrant for re-taking such Prisoner.

who shall be committed to the County Gaol where taken, there to remain &c.

By 5 Annæ, c. 9. §. 1. such Persons shall be committed to the Prison, which the Sheriff useth for Debtors.

Exception.

Mayor, &c. after Delivery of Prisoner, shall take a Receipt from Sheriff. Sheriff to make Return of Warrant, &c.

and answer for Prisoner escaping, after re-taken.

Prisoners Bail may have a Writ to Sheriff to detain Prisoner, &c.

Writ to be returned into Court, &c.

Sheriff, &c. afterward suffering Prisoner to escape, liable to such Action, &c. as Marshal or Warden, &c.

Penalty on Sheriff, &c. neglecting to make Return of Writ.

Redditi se.

This Act to be a General Law.

General Issue.

Treble Costs.

Farther Provisions concerning Prisoners, &c.

or Persons so escaped, or going at large; and such Person or Persons so re-taken upon such Warrant forthwith to convey and commit to the common Gaol of such County where such Person or Persons so escaped, or going at large, shall be re-taken, there to remain without Bail or Mainprize, or being thence upon any Account whatsoever delivered or removed, until he, she, or they shall have made full Payment or Satisfaction to the respective Plaintiff or Plaintiffs, Creditor or Creditors, in such Action or Actions, Execution or Executions named, or until the Judgment or Judgments, on which such Execution or Executions was or were sued out against such Person or Persons, shall be reversed or discharged by due Course of Law, or until Judgment in such Action or Actions be given for such Person or Persons so committed as aforesaid, or until the said Contempt or Contempts, for which such Person or Persons were or shall be committed, be cleared, and discharged; except such Person or Persons be charged with Treason or Felony, or any other Crime, Matter, or Cause, for and on the Behalf of the Queen's Majesty, her Heirs and Successors; and if he or she, for any such Cause, on the Behalf of the Queen, her Heirs and Successors, be removed to any other Gaol or Prison, he or she shall be, in the Custody of such Gaol, charged with all the Causes with which he or she is or shall be charged in the Gaol from whence he or she shall be removed: And every Mayor, and other Officer as aforesaid, after Delivery of such Prisoner so re-taken together with such Warrant to the Sheriff, shall take a Note in Writing from such Sheriff, testifying the Receipt of such Prisoner, which said Sheriff is hereby required to receive such Prisoner, and give such Note: And every such Sheriff as aforesaid, after the Execution of such Warrant, shall forthwith make a Return thereof to the Court where the Action shall be depending, or Judgment, Order, or Decree had or obtained; which shall be entred and filed upon Record.

II. And be it further enacted, That if any such Person or Persons so re-taken by Warrant as aforesaid, shall at any Time make any Escape out of the Gaol to which he, she, or they shall be so conveyed and committed as aforesaid, the Sheriff, in whose Custody he, she, or they was or were, shall be liable to answer for such Escape, as in the Case of any other Escape; any Law, Usage, or Custom to the contrary in any wise notwithstanding.

III. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, that are or shall be Bail in any Suit or Action in any of her Majesty's Courts of Record at *Westminster*, for any such Person or Persons that shall be re-taken and conveyed to such Gaol as aforesaid, by Virtue of such Warrant as aforesaid, to have and prosecute, out of such of her Majesty's Courts, where he or they are or shall be Bail, a Writ directed to the Sheriff of the County, to the Gaol whereof such Prisoner so re-taken shall be committed and detained, commanding such Sheriff to detain and keep such Prisoner in Custody in discharge of his Bail; which Writ, with an Account whether he hath the said Prisoner in his Custody, shall be returned by the said Sheriff into Court, at a Day therein to be mentioned, and the Delivery of every such Writ to the Sheriff, or his Deputy, shall be deemed and taken to be an effectual Render of such Prisoner, to all Intents and Purposes whatsoever, in discharge of the said Bail; and that in case such Sheriff, his Deputy, or other his inferior Officer, shall thereafter suffer the Person or Persons so rendred, in discharge of his, her, or their Bail, to escape, they and every of them so offending shall be liable to such Action and Actions, as the Marshal of the *Queen's Bench*, or Warden of the *Fleet* Prison, is or are liable to, for permitting any Person to escape out of his or their Custody or Prison, who was committed to such Custody or Prison upon render, in discharge of his, her, or their Bail.

IV. And be it further enacted, That all and every such Sheriffs, upon Request of such Person or Persons, being Bail as aforesaid, who shall deliver such Writ for keeping and detaining such Prisoner as aforesaid, and for the usual Fees of Returns of Actions, shall make, return and certify, under his Hand, the Receipt of such Writ, and the Time thereof, and whether the said Person so re-taken was then in his Custody, and in Default thereof, shall for every such Default, Neglect, or Refusal, forfeit the Sum of fifty Pounds, to be recovered in any of her Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Protection, Wager of Law, or any more than one Imparlance shall be allowed; and that upon producing such Return or Certificate to the Court where such Bail shall be taken, such Court shall direct and cause a *Redditi se* to be entred upon the Bail-piece, which shall be as effectual to all Intents and Purposes, as if the said Bail had then actually rendred the Person of the said Defendant to such Court, or before any Judge or Judges of the same.

V. And for the Prevention of Disputes touching this Act, Be it enacted by the Authority aforesaid, That the same, and every Clause and Thing therein contained, shall be adjudged and taken to be a general Law, and that it shall not be needful to set forth the same in Pleading, or any Part thereof; and that the same, and every Clause therein, shall be construed most beneficially for the preventing of all the Mischiefes, Abuses, Escapes, and other Inconveniences herein provided against: And further, That if any Person or Persons shall at any Time be sued for putting in Execution any Power or Authority given by this Act, such Person or Persons shall and may plead the General Issue, and give in Evidence the special Matter; and if the Plaintiff or Plaintiffs in such Action or Actions shall be nonsuit, or discontinue his, her, or their Action or Actions, or a Verdict shall be given for the Defendant or Defendants, or that Judgment upon Demurrer shall be given for the Defendant or Defendants, every such Defendant or Defendants shall have his or their treble Costs of Suit.

Farther Provisions concerning Prisoners, &c. 9 Geo. 1. c. 28. 11 Geo. 1. c. 22. 11 Geo. 2. c. 20. 16 Geo. 2. c. 31. 27 Geo. 2. c. 3 & 17. and 32 Geo. 2. c. 28.

C A P. VII.

An Act for explaining and making effectual a late Statute concerning the Haven and Piers of the Burgh ^{10 W. 3. c. 5;} of *Great Yarmouth*, and for confirming the Rights and Privileges of the said Burgh. ^{PR.} When the Name and Stile of the Corporation of *Great Yarmouth* shall be altered, &c. the Mayor, &c. shall have and enjoy the same Rights, &c. as Bailiffs, &c. Mayor, &c. liable to account for Monies collected, and pay the like Fee-farm Rents, &c. as the Bailiffs, &c. twelve Commissioners to inspect the Accounts, who may call before them the Collectors, and order Monies resting due to be laid out, &c.

C A P. VIII.

An Act for Explanation of a Clause in one Act made in the seventh Year of his late Majesty's Reign relating to *Borelaps*, and to take off the additional Subsidy upon *Irish* Linen.

WHEREAS in and by an Act of Parliament made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, of blessed Memory, intituled, *An Act for continuing several* ^{A Clause in} *Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco, and East India Goods, and other* ^{7 W. 3. c. 10.} *Merchandizes imported, for carrying on the War against France*, it is therein recited, That whereas several Merchants trading with the *United Provinces* in several Sorts of coarse Linen, commonly called *Borelaps*, had then of late been compelled to pay Custom for the same as *Hollands*, which came to above thirty-five Pounds *per Centum*; whereby the said Trade, so useful to the poorer Sort of People, was not only likely to be lost, but the Customs thereby much abated: It was therefore enacted, That all such Linen Cloth, known or commonly called by the Name of *Borelaps*, not exceeding twenty-eight Inches and a Half in Breadth, nor twelve Pence an *English* Ell in Value, should be entered *ad valorem* during the Continuance of that Act, and pay all other Duties accordingly: And whereas some Doubt hath been made, whether the said Clause concerning *Borelaps* be yet in Force, and is to continue for such Time and Term of Years, as other Clauses in the said recited Act are by subsequent Acts now in Force continued; Be it therefore declared and enacted by the Queen'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 Clause concerning *Borelaps*, and the Duties and Customs payable for the same *ad Valorem*, is and shall be in full Force and Effect to all Intents, Constructions and Purposes whatsoever, until the first Day of *August* one thousand seven hundred and ten. ^{concerning Borelaps, and the Duties, &c. to be in Force till 1710.} E X P.

II. And whereas by one other Act made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for encouraging the Linen Manufacture of Ireland, and bringing Flux* ^{7 W. 3. c. 39.} *and Hemp into, and the making of Sailcloth in his Kingdom*, it is enacted, That it shall and may be lawful to and for any Native or Natives of *England*, or *Ireland*, to import into *England*, directly from *Ireland*, any Sorts of Hemp or Flax, and all the Production thereof, as Thread, Yard, and Linen, of the Growth and Manufacture of *Ireland*, free from all Manner of Customs, Duties, and Impositions whatsoever, upon producing such Certificate, and making such Oath, as in the said Act is mentioned: And whereas by one other Act made in the eighth Year of the Reign of his said late Majesty, intituled, *An* ^{8 W. 3. c. 24.} *Act for granting to this Majesty a further Subsidy of Tunnage and Poundage upon Merchandizes imported, for the Term of two Years and three Quarters, and an additional Land Tax for one Year, for carrying on the War against France*, a further Subsidy of Poundage was granted to his Majesty after the Rate of twelve Pence for the Value of every twenty Shillings, upon all Manner of Goods and Merchandizes imported or brought into this Realm, or any the Dominions to the same belonging, at any Time after the first Day of *May* one thousand six hundred ninety-seven, and before the first Day of *February* one thousand six hundred ninety-nine, according to the several and particular Rates and Values of the same Goods and Merchandizes, as the same are particularly and respectively rated and valued in the aforesaid Book of Rates; which said additional Subsidy of Poundage hath been since continued by divers Acts, and is yet in Force, and to continue for and during the Term of her Majesty's Life; by reason of which said last mentioned Act, and the several Acts for continuing the said additional Subsidies, all Linens imported from *Ireland* do now stand charged with the said additional Subsidy of twelve Pence for the Value of every twenty Shillings of the same Goods imported, notwithstanding the said recited Act of the seventh Year of his late Majesty's Reign, for encouraging the Linen Manufacture of *Ireland*; Be it therefore enacted by the Authority aforesaid, That from and after the first Day of *March* in the Year of our Lord one thousand seven hundred and two, all Sorts of Hemp or Flax, and all the Production thereof, as Thread, Yarn and Linen, imported into *England* directly from *Ireland*, by any Native or Natives of *England* or *Ireland*, being of the Growth and Manufacture of *Ireland*, upon producing such Certificates, and making such Oath as in and by the said Act of the seventh Year of his said late Majesty was and is required, shall be free from the said additional Subsidy of Poundage, and all Manner of Customs, Duties and Impositions whatsoever; any Act, Custom, or Usage heretofore to the contrary thereof in any wise notwithstanding. ^{Hemp or Flax, &c. may be imported from Ireland, free.} ^{Further Provisions concerning Linen, 3 & 4 Ann. c. 8. 7 Ann. c. 7. 10 Ann. c. 19. 24 Geo. 2. c. 46.}

12 Ann. st. 2. c. 9, 19 & 21. 1 Geo. 1. c. 36. 3 Geo. 1. c. 7 & 21. 17 Geo. 2. c. 30. 18 Geo. 2. c. 24, 27 & 36. 21 Geo. 2. c. 26. 24 Geo. 2. c. 15. and 32 Geo. 2. c. 32.

C A P. IX.

An Act for punishing of Accessories to Felonies, and Receivers of stolen Goods, and to prevent the wilful burning and destroying of Ships.

FORASMUCH as the Counsellors and Contrivers of Theft and other Felonies, and the Receivers of Goods that have been stolen, are the principal Cause of the Commission of such Felonies; and as the Law now is, no Accessory can be convicted or suffer any Punishment where the Principal is not attainted, or hath the Benefit of his Clergy; Be it therefore enacted by the Queen'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 from and after the twelfth Day of February which shall be in the Year of our Lord one thousand seven hundred and two, if any principal Offender shall be convicted of any Felony, or shall stand mute, or peremptorily challenge above the Number of twenty Persons returned to serve of the Jury, it shall and may be lawful to proceed against any Accessory, either before or after the Fact, in the same Manner, as if such principal Felon had been attainted thereof, notwithstanding any such principal Felon shall be admitted to the Benefit of his Clergy, pardoned, or otherwise delivered before Attainder; and every such Accessory shall suffer the same Punishment, if he or she be convicted, or shall stand mute, or peremptorily challenge above the Number of twenty Persons returned to serve of the Jury, as he or she should have suffered if the Principal had been attainted.

If principal Offender be convicted of Felony, &c. it shall be lawful to proceed against Accessory; who on Conviction shall suffer the same Punishment, &c. 3 & 4 W. & M. c. 9. § 4. Further Provisions concerning Accessories, 5 Ann. c. 31.

II. And forasmuch as Buyers and Receivers of stolen Goods do oftentimes convey away and conceal the principal Felons, so that they cannot be convicted of such principal Felony, and thereby such Buyers and Receivers have escaped all Manner of Punishment, which hath greatly encouraged the buying and receiving of such stolen Goods: For Remedy whereof, be it enacted by the Authority aforesaid, That from and after the said twelfth Day of February one thousand seven hundred and two, it shall and may be lawful to prosecute and punish every such Person and Persons buying or receiving any stolen Goods, knowing the same to be stolen, as for a Misdemeanor, to be punished by Fine and Imprisonment, although the principal Felon be not before convicted of the said Felony, which shall exempt the Offender from being punished as Accessory, if the Principal shall be afterwards convicted.

Receivers of stolen Goods may be punished, where the principal Felon is not convicted. See farther 4 Geo. 1. c. 11.

III. And be it further enacted by the Authority aforesaid, That from and after the said twelfth Day of February one thousand seven hundred and two, all and every Person and Persons, who shall be produced or appear as a Witness or Witnesses on the Behalf of the Prisoner, upon any Trial for Treason or Felony, before he or she be admitted to depose, or give any Manner of Evidence, shall first take an Oath to depose the Truth, the whole Truth, and nothing but the Truth, in such Manner, as the Witnesses for the Queen are by Law obliged to do; and if convicted of any wilful Perjury in such Evidence, shall suffer all the Punishments, Penalties, Forfeitures and Disabilities, which by any of the Laws and Statutes of this Realm are and may be inflicted upon Persons convicted of wilful Perjury.

Witnesses for Prisoner on trial for Treason or Felony, shall depose on Oath, in such Manner as the Queen's Witnesses.

IV. And for the effectual preventing the wilful casting away, burning, or otherwise destroying, by Masters and Mariners, of Ships under their Charge; Be it enacted by the Authority aforesaid, That if any Captain, Master, Mariner, or other Officer belonging to any Ship, shall, after the said twelfth Day of February one thousand seven hundred and two, wilfully cast away, burn, or otherwise destroy the Ship unto which he belongeth, or procure the same to be done, to the Prejudice of the Owner or Owners thereof, or of any Merchant or Merchants that shall load Goods thereon, he shall suffer Death as a Felon.

Penalties if convicted of Perjury. Captain, Master, &c. wilfully casting away or burning, &c. any Ship, shall suffer Death.

V. And be it further enacted by the Authority aforesaid, That all and every the said Offence and Offences committed on the High Seas, or where the Admiralty hath Jurisdiction, shall be inquired, tried, heard, determined, and judged, in such Shires and Places in the Realm, as shall be limited by the Queen's Commission under the Great Seal of England, in such Manner and Form, as in and by an Act made in the twenty-eighth Year of the Reign of the late King HENRY the Eighth is directed and appointed for the trial of Pirates; and that all and every Person and Persons, who, from and after the said twelfth Day of February one thousand seven hundred and two, shall be convicted of any of the said Offence or Offences last mentioned, or shall stand mute, or peremptorily challenge above the Number of twenty Persons returned to serve of the Jury, shall suffer Death without Benefit of Clergy.

Such Offence committed on the High Seas may be tried in any Shire in England, as by 23 H. 8. c. 15. Person convicted thereof to suffer Death without Benefit of Clergy.

C A P. X.

An Act for the better repairing and amending the Highways, from the North End of Thornwood Common, to Woodford in the County of Essex.

EXP.

C A P. XI.

An Act for making the River Cham, alias Grant, in the County of Cambridge, more navigable, from Clayhithe Ferry to the Queen's Mill, in the University and Town of Cambridge. Eleven Conservators of the River Cham to be chosen, for making the River navigable, from Clayhithe Ferry to the Queen's Mill, &c. who may open Weirs, Locks, &c. dig the Banks, and erect Wharfs, &c. Conservators to agree with Owners of Land, &c. for Damages. Justices, &c. to determine Differences between the Conservators and Owners. Such Determination to bind all Parties, and be recorded. On Payment of Monies

FR.

nies

nie agreed on, Conservators may dig, &c. Conservators, &c. to make orders for the orderly Usage of the said River, &c. Justices of Assize may relieve Persons aggrieved. University may chuse one or more Conservators, in Case of Death, &c. and so may Justices, &c. and the Mayor and Aldermen of Cambridge, &c. Conservators so chosen to have like Power, &c. and never to exceed eleven. After Works are finished, Conservators may survey the River, &c. and make Orders, &c. River, &c. to be under the sole Rule, &c. of Conservators, and not subject to any Commission of Sewers. Tolls and Duties to be paid for carrying Goods or Passengers up or down the said River, viz. For every Chalder of Coals, 9d. Hundred of Deal Boards, 2s. Load or Tun of Timber, 1s. Last of Wheat, Rye, or Mealedine, 1s. 6d. Last of Oats, Barley, or Malt, 1s. Thousand of Bricks, 1s. Thousand of Tiles, 6d. Hundred of Sedge, 2d. Tun of Stones or Pebbles, 1s. Thousand of Turf, 2d. Load or twenty hundred of Hay, 6d. Last of Seeds, 1s. 6d. Tun of Clay, or Sand, 6d. Hundred of Salt Fish, 1s. Tun of Iron, or Lead, 2s. Tun of Salt, 1s. Tun of Wine, 4s. Tun of Oil, Vinegar, Pitch, Tar, or Sope, 1s. Tun of Butter or Cheese, 1s. Hundred of Faggots, 2d. Hundred of Billets, 2d. Hundred of Hops, 6d. Tun of Cyder, 2s. Hundred Pales, Barrel, or Hoghead Staves, 1d. Passage Boats, for each Passenger, 1d. Goods not here mentioned, 1s. per Tun. Right of the University, &c. saved. Conservators, &c. may appoint a Collector, who shall pay the Monies received once in fourteen Days to the Treasurer, Collector, Treasurer, &c. to give Security, and may be removed, &c. Conservators may convey the Duties for Monies borrowed. How Monies borrowed shall be employed. Duties shall not be conveyed for more than 2,000*l.* After Principal and Interest shall be discharged, Conservators to lay their Accounts before the Auditors, &c. Collector, &c. may enter into any Boat, &c. and in case Duty be not paid, Boat, &c. may be stopped, and Distress sold. Once a Year Inspection to be made of all Receipts and Disbursements, &c. in St. Mary's Church in Cambridge. Auditors to pass the Accounts, and the same to be entered in three Books, which may be inspected gratis. Watermen, &c. may use Winches, &c. Masters of Lighters, Boats, &c. responsible for Damages, &c. Height of the Tops of Wears, Saffes, &c. In the Absence of Chancellor, Vice-Chancellor to act, &c. Conservators to choose Collector, Receiver, Treasurer, &c. and make Orders, &c. University, &c. may alter or vacate such Orders, and remove Collectors, &c.

C A P. XII.

An Act for the finishing and adorning the Cathedral Church of Saint Paul's London.

WHEREAS the Revenue already granted for rebuilding and adorning the Cathedral Church of Saint Paul's, London, is not sufficient to compleat the same; and it being also requisite to remove the Houses between the North Side of the said Cathedral Church, and the Alleys called *New Jewry* and *Pissing Alley*, which by their nearness thereto expose it to apparent Danger in case of Fire, the Purchase and Removal whereof will be an additional Expence; and the said Building being now so far advanced, that it may in few Years be perfected, if vigorously carried on; Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That for all Sorts of Coals and Culm, which from and after the fifteenth Day of *May* one thousand seven hundred and eight, and before the fifteenth Day of *May* one thousand seven hundred and sixteen, shall be imported or brought into the Port of the said City of London, or the River of *Thames*, within the Liberty of the said City upon the same River, there shall be paid, by way of Imposition thereupon, over and besides all other Impositions and Duties, according to the Rates hereafter mentioned (that is to say) For all such Sorts of Coals and Culm as are usually sold by the Chalder, for every Chalder thereof, containing thirty-six Bushels *Winchester* Measure, the Sum of two Shillings; and for such Sort of Coals as are sold by the Tun, for every Tun thereof, containing twenty hundred Weight, the Sum of two Shillings; which said Imposition of two Shillings for every Chalder of Coals or Culm, or Tun of Coals, shall, from Time to Time, during the Term aforesaid, be levied, answered, collected, and paid, in the same Manner, Methods, and Form, and at such Places, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, as are mentioned, expressed, or directed in and by an Act of Parliament passed at *Westminster*, in the first Year of the Reign of King *JAMES* the Second, intituled, *An Act for rebuilding, finishing, and adorning of the Cathedral Church of Saint Paul's, London*, for levying, answering, collecting, and paying, the Imposition of eighteen Pence for every Chalder or Tun of Coals granted by the said recited Act; and that all and every the Powers, Authorities, Articles, Rules, and Clauses in the said recited Act mentioned or contained, shall be of such Force and Effect to all Intents and Purposes, for the levying, collecting, paying, ordering, and disposing of the Imposition hereby granted, for and during the said Term herein before limited, as if the same were particularly and at large set down and enacted by this Act.

For all Coals and Culm from 1708, to 1716, brought to the Port of London or the Thames, shall be paid the Rates, following, viz. For every Chalder of Coals or Culm, 2s. Coals sold by the Tun, 2s. per Tun. In what Manner Duties shall be levied, &c. The Powers in 1 Jac. 2. c. 15. revived.

II. And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, which shall be raised, collected, or levied, by virtue of this Act, shall be appropriated, applied, and disposed to the compleating, adorning, securing and preserving the said Cathedral Church of Saint Paul's, and to no other Use or Purchase whatsoever: And that the Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and Lord Mayor of *London*, for the Time being, or any two of them, shall have the like Powers and Authorities for the ordering, directing, and disposing of the Monies arising by virtue of this Act, for the Purpose before mentioned, as they had by the said former Act, for the ordering, directing, and disposing of the Monies arising thereby.

Money how appropriated.

Commissioners may appropriate so much Money as will purchase in the Buildings to be demolished, &c.

' New Jewry, ' Pissing Alley,

Houses, Sheds, &c. to be pulled down,

and Ground laid to the Church Yard.

Commissioners may agree with the Vestries of St. Gregory and St. Faith for exchanging their Burial Places, &c.

Church Yard to be inclosed, and no Building erected thereon, except a Chapter House, &c. or Storehouse.

Sale of Houses, &c. made by the Bishop of London, &c. shall be good in Law. How Purchase Monies shall be applied.

Commissioners may engage the Profits, &c.

How Interest shall be paid.

§ W. 3. c. 14.

How Monies borrowed shall be employed.

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and Lord Mayor of *London*, for the Time being, or any two of them, to contract for and purchase, and to appropriate, by Warrant under their Hands and Seals, so much Monies arising by the Duties granted by this Act, as shall be sufficient for the contracting for, purchasing and demolishing all the said Houses and Buildings, with their Appurtenances, which are now erected, and standing between the North Side of the said Cathedral Church and the said Alleys called *New Jewry* and *Pissing Alley*; and that the Ground of the said Houses and Yards thereunto belonging (when purchased) shall be and remain for ever after free from any future Building whatsoever, except as herein after is excepted: And also all Houses, Buildings, and Sheds, made use of for Watch-houses, or any Offices of the said Fabrick, for the Building thereof, shall at such Time as the said Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and Lord Mayor of *London*, for the Time being, or any two of them shall appoint, be pulled and taken down, and that the Ground or Soil thereof shall be laid to, and remain as Part of the Church Yard of the said Cathedral Church: And that for the making the more regular the said Church Yard, the Lord Archbishop of *Canterbury*, Lord Bishop of *London* and Lord Mayor of *London*, for the Time being, or any two of them, shall have Power to treat and agree with the respective Vestries of the Parishioners of *Saint Gregory* and *Saint Faith*, for exchanging their Places of Burial in the Church Yard, and Vaults under the Cathedral Church of *Saint Paul's*, for other equivalent Ground and Vaults belonging to the said Cathedral, or elsewhere in the said Parishes: And all the said Ground and Vaults, as well that to be received in exchange, as of the Houses, Buildings, and Sheds aforesaid, shall be deemed and reputed the Church-yard and burying Ground of the Cathedral Church of *Saint Paul's*.

IV. And be it further enacted by the Authority aforesaid, That at such Time as the said Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and Lord Mayor of *London*, for the Time being, or any two of them, shall think fit, the said Church Yard shall be inclosed or separated from the High Street, and that no House or Building whatsoever shall hereafter be erected in or upon any Part of the said Church Yard, except a Place for the meeting of the Chapter of the said Cathedral Church, and for keeping the Stores for the necessary Repairs of the said Church, which may be built by and with Part of the Money to be raised by virtue of this Act. And if any House or Building shall hereafter be erected in or upon any Part thereof, except as before excepted, the same shall be taken and esteemed a common Nuisance, and be prosecuted and punished as such.

V. And whereas some of the Houses and Grounds, which may be purchased and made use of for securing the said Cathedral from Accidents of Fire, and for regulating the Church Yard, as aforesaid, do or may belong to the See of *London*, Dean and Chapter, or Petty Canons, of the said Cathedral, in Right of the said See, Chapter, and Church; Be it enacted by the Authority aforesaid, That any Sale made by the Lord Bishop of *London*, Dean and Chapter, or Petty Canons, of any such Houses and Grounds for the Purposes aforesaid, shall be good and valid in the Law, and shall bind them and their Successors, any Statute of Restraint to the contrary notwithstanding: And that the Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and Lord Mayor of *London*, for the Time being, or any two of them, shall apply and lay out the Monies which shall be paid for the Purchase of the Estate and Interest of the said Lord Bishop of *London*, Dean and Chapter, or Petty Canons, in the said Houses and Grounds belonging to the said See of *London*, the said Dean and Chapter and Petty Canons, or any of them, for the purchasing of Lands and Tenements in Fee Simple, to be settled upon them respectively, and upon their respective Successors, in Right of the said Church; which said Purchase and Settlements shall be valid in Law to all Intents and Purposes, the Statute of Mortmain, or any other Statute, Law, or Custom notwithstanding.

VI. And forasmuch as it is the Intention of this Act, that the Rebuilding of the said Cathedral Church of *Saint Paul's* be speedily compleated, which will save much Charge and Expence, that would be unavoidable, in case of a slow and dilatory Progress; Be it enacted by the Authority aforesaid, That the said Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and Lord Mayor of *London*, for the Time being, or any two of them, shall and are hereby impowered, by Indenture under their Hands and Seals, to engage the Profits arising out of the respective Impositions by this Act, or any Part or Parts thereof, as a Security for the Repayment of any Sum or Sums of Money by them to be borrowed for the Ends and Purposes of this Act, with Interest for Forbearance of the same (the Interest whereof to grow due before the Commencement of the Duty hereby imposed, shall and may be paid out of the Monies arising by the Duties given by an Act made in the eighth Year of the Reign of the late King WILLIAM the Third, intituled, *An Act for compleating the Building and adorning the Cathedral Church of Saint Paul's, London, and for repairing the Collegiate Church of Saint Peter, Westminster*; so as such Payments do not prejudice any Persons who have already advanced any Sums on the Credit of the said last mentioned Duties) to any Person or Persons that shall or will advance or lend any Sum or Sums of Money upon such Security: All which Money so to be borrowed, shall be employed for and towards rebuilding, finishing, adorning, and securing the said Cathedral Church, and for contracting for, purchasing, and demolishing the adjacent Houses and Buildings aforesaid; as also for inclosing and regulating the Church Yard of the said Cathedral Church, according to the true Intent and Meaning of this Act.

C A P. XIII.

An Act for continuing former Acts for exporting Leather, and for Ease of Jurors, and for reviving and making more effectual an Act relating to Vagrants.

WHEREAS divers temporary Laws, which by Experience are found to be useful, and beneficial, are near expiring; Therefore for continuing the same, be it enacted by the Queen'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 an Act made in the twentieth Year of the Reign of King CHARLES the Second, intituled, *An Act for giving Liberty to buy and export Leather, and Skins tanned and dressed*; which Act was revived by an Act in the first Year of the Reign of the late King JAMES; which Acts were revived and continued by an Act made in the first Year of the late King WILLIAM and Queen MARY; which Acts were revived and continued by another Act in the seventh and eighth Years of the Reign of King WILLIAM the Third, intituled, *An Act for continuing several Acts therein mentioned*; which Act will expire the End of the first Session of Parliament next after the twenty-fifth Day of March one thousand seven hundred and three, shall be continued, and be in Force for the Space of seven Years, from the End of that Session of Parliament, and from thence to the End of the first Session of Parliament thence next ensuing.

20 Car. 2. c. 5.

1 Jac. 2. c. 13.
1 W. & M. 11. 1.
c. 23.7 & 8 W. 3. c.
36. for exporting
Leather, continued
for 7 Years.
E X P.

See farther

12 Geo. 2. c. 25.

9 Ann. c. 6. 12 Ann. St. 2. c. 9. 3 Geo. 1. c. 4. 5 Geo. 1. c. 2. and

II. And be it enacted by the Authority aforesaid, That an Act made in the seventh and eighth Years of the Reign of King WILLIAM the Third, intituled, *An Act for the Ease of Jurors, and better regulating of Juries*; which Act will expire at the End of the next Session of Parliament after the first Day of May one thousand seven hundred and three, shall be, and is hereby continued for the Space of seven Years, from the Expiration thereof, and from thence to the End of the next Session of Parliament.

7 & 8 W. 3. c. 32.
concerning Ju-
ries, continued
for 7 Years.

Perpetual 6

Geo. 2. c. 37.

See farther 24

Geo. 2. c. 18.

and 29 Geo. 2.

c. 19.

III. And whereas divers Persons within the County of York, liable to serve on Juries at Assizes and Sessions of the Peace (having very considerable Estates in Freehold and Copyhold) do for their own Ease prevail with Sheriffs to be returned and summoned to the Service of the Sessions, being nigh their Habitations, and the Attendance there short, which often necessitates Men of meaner Estates to be on Juries at the Assizes, than otherwise might and ought to be, where the considerablest Men of Estates, liable to the said Service, ought in their legal Course to be returned, summoned, and to serve: For Remedy whereof be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in Parliament assembled, That no Person interested in such Estate as will qualify him to serve on Juries, of the clear yearly Value of one hundred and fifty Pounds, or of any greater yearly Value, shall be returned and summoned to serve upon any Jury, at any Sessions of the Peace holden for any Part of the County of York, upon the Penalty of twenty Pounds, to be forfeited by any Sheriff, under Sheriff, or other Officer whatsoever, making such Return and Summons as aforesaid, to be recovered to and for the Use of any Person that will sue for the same, in any of the Courts of Record at Westminster, by Action of Debt, Bill, Complaint, Information, or otherwise, wherein no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlance shall be allowed.

Persons in the
County of York
having an Estate
of 150 l. per
Ann. &c. shall
not be returned
on Juries at the
Sessions, &c.
Penalty.

IV. And be it further enacted by the Authority aforesaid, That an Act made in the eleventh and twelfth Years of the late King WILLIAM the Third, intituled, *An Act for the more effectual Punishment of Vagrants, and sending them whither by Law they ought to be sent*; which Act will expire at the End of the next Session of Parliament after the twenty-fourth Day of June one thousand seven hundred and three, be continued for the Space of three Years from the Expiration thereof, and from thence to the End of the next Session of Parliament.

11 & 12 W. 3. c.
18. concern-
ing Vagrants,
continued for

3 Years,

E X P.

and to extend to

all Vagrants

whatsoever.

For these

Clauses concern-

ing Vagrants, see

5 Annæ, c. 32.

§. 1.

V. And whereas the said Act has Respect only to such Vagrants as are found to have Passes, Testimonials, Letters of Request, or other Writings, pretending thereby either to be relieved or conveyed; be it enacted by the Authority aforesaid, That the said Act shall be, and be construed to extend to all Vagrants whatsoever, whether with Passes or without.

VI. And whereas several great Sums of Money, since the making the said Act, have been levied and expended for the conveying of Vagrants, and that some Justices of the Peace give greater Allowances to Constables for conveying Vagrants than may seem to be necessary, and that the Owners of Horses, Waggons, Carts, or other necessary Carriages for conveying such Vagrants, are often extravagant in their Rates and Demands: For Remedy whereof; and for better regulating and ascertaining such Allowances, be it enacted by the Authority aforesaid, That the Justices of the Peace at the first Quarter Sessions that shall be held for the several Counties, Ridings, Divisions, and Liberties, after the Commencement of this Act, wherein they are commissioned to act, and so yearly, at every Easter Sessions, during the continuance of this Act, are hereby impowered and required to ascertain and set down the several Rates that shall for the Year ensuing be allowed for maintaining and conveying, and carrying of such Vagrants as shall be passed or carried through their respective Counties, Ridings, Divisions, and Liberties; of which said Rates the Clerks of the Peace are hereby required to give Copies to each Justice gratis, that they may accordingly regulate the Allowances which they shall have Occasion to tax, upon the Back of the Certificates by them to be given to the several Petty Constables.

Justices at every
Easter Sessions to
set down the
Rates for con-
veying of Va-
grants, &c.

Enforced by

5 Annæ, c. 31.

§. 5. *

* Read, c. 32.

§. 2.

No High Constable to pay the Rates till Constable produce a Receipt, &c.

VII. And it is hereby further enacted, That no Chief or High Constable shall pay the Rates taxed upon the Certificates brought to them by their Petty Constables, unless they shall, at the same Time, produce to them a Receipt from the Constables of the adjacent Counties, to whom they are ordered to deliver the said Vagrants, of their having received such Vagrant or Vagrants directed to be conveyed to them by the said Order; which said Constables of the said adjacent Counties, are hereby required to receive the said Vagrant or Vagrants, and at the same Time to give such Receipt as hereby is required.

Penalty on Constable, &c. refusing to do his Duty.

VIII. And it is hereby further enacted, That if any Chief Constable, Petty Constable, or other such Officer, shall refuse or neglect to do their several Duties by this Act enjoined, they shall for every Offence forfeit the Sum of twenty Shillings; which said several Forfeitures and Penalties shall be recovered and recoverable as other Forfeitures and Penalties by this or the former Act are appointed to be recovered.

C A P. XIV.

An Act for encouraging the Consumption of malted Corn, and for the better preventing the running of *French* and Foreign Brandy

Clause in 12 & 13 W. 3. c. 11. §. 18. repealed.

WHEREAS the making of *English* Brandy and strong Waters from malted Corn, hath been encouraged by several Acts of Parliament, whereby great Quantities of the worst Sort of malted Corn, not useful to the Brewers, hath been yearly consumed by those who set up Works for that Purpose: And whereas the Consumption of *English* Brandy and strong Waters, made from malted Corn, hath of late Years been greatly hindered, as well by the running of *French* and other Foreign Brandies, as also by a Clause in an Act made in the twelfth and thirteenth Years of his late Majesty's Reign, intituled, *An Act for granting unto his Majesty several Duties upon Low Wines or Spirits of the first Extraction, and for continuing other Duties*, whereby all Distillers and Tradesmen, who sell Brandy or strong Water by Retail, are compelled to take Licences as common Alehouse Keepers: For Remedy whereof, be it enacted by the Queen'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 as for and concerning all Distillers who keep Houses or Places of distilling the Liquors aforesaid, and also all other Shop-Keepers whose principal Dealings shall be more in other Goods and Merchandizes than in Brandy or strong Waters, and who do not permit or suffer Tippling in his or their Houses, the said Clause in the said recited Act, for compelling all Distillers and others to take Licences as common Alehouse Keepers, shall be repealed, and the same Clause is hereby repealed.

French Brandy imported or landed before Duty paid, &c. forfeited.

Penalty on Persons aiding therein, &c.

and on Officer concealing the same.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time hereafter, import, land, or deliver out of any Ship, Vessel or Boats, any *French* Brandy, before the Duty due or payable to her Majesty for the same shall be paid, or secured to be paid, or by Licence from the proper Officer so to do, every Person or Persons that shall so do, or be aiding or assisting therein, or shall conceal the same when landed, shall not only forfeit the Goods so imported, but also forfeit and pay double the Value of such Goods so clandestinely imported; one Moiety whereof, after Charges of Suit deducted, shall be paid to her Majesty, and the other Moiety thereof to the Informer, who shall sue for the same in any of her Majesty's Courts of Record, by Bill, Complaint, or Information, wherein no Effoin, Protection, or Wager of Law shall be allowed, nor any more than one Imparance: And if any Officer or Officers belonging to her Majesty's Customs or Excise, or other her Majesty's Duties or Revenues, shall connive at, or be concerned in any such clandestine Importation, or after he shall be informed thereof shall conceal the same, or not give Notice thereof to her Majesty's Commissioners of the Customs or Excise, or some of them, or shall compound, without Licence, with any Person or Persons concerned in any such clandestine Importation of *French* Brandy, such Person and Persons shall be incapable of executing any Office in her Majesty's Revenue, and shall also forfeit and pay the Sum of five hundred Pounds, to be recovered and divided as aforesaid.

C A P. XV.

XXI.

An Act for granting to her Majesty several Subsidies for carrying on the War against *France* and *Spain*. Stock in Trade to pay 50 s. per Cent. for one Year. Except Malt and Corn, &c. Stock in Husbandry, Householdstuff, and capital Stock of Corporations. Mortgages, Judgments, Statutes, Bonds, &c. to pay 25 s. per Cent. for one Year. Except Debts owing from her Majesty, and Arrears of Rent. A Deduction for Debts owing at Interest. Annuity, Pension, &c. out of the Exchequer, to pay 4 s. in the Pound for one Year. Except out of Lands, &c. specially exempted. Persons having Fee or Salary, &c. arising by Offices Ecclesiastical, Civil, or Military, to pay 1 s. in the Pound for one Year. And Officers under Queen Dowager, and under Lords of Manors, &c. and their Clerks, Deputies, &c. Except Officers in Muster. Practicers in the Law. Preachers in separate Congregations. Brokers, Factors, &c. Practicers in Physick, and other Professions, to pay 4 s. in the Pound for one Year. Commissioners for this Year's Land Tax to execute this Act, and to meet on six April 1703. and may subdivide. Receiver General to have a List of the Commissioners to act in each Division. Subsidies to be duly assessed. Commissioners to summon Assessors, and give them a Charge. Penalty on absenting, or refusing to serve. Commissioners to appoint Assessors, and prefix a Day for to bring in their Assessments, distinguishing in Columns the Rates upon Stock in Trade, Debts at Interest, Pensions and Annuities,

1 Annæ, stat. 2. c. 1.

Annuities, Offices, &c. Professions. Assessors to assess the same, and be Collectors. Parish, &c. answerable for Collector. Penalty on Assessor neglecting or refusing to serve, &c. Assessors to take the Oath 1 W. & M. c. 8. Commissioners may examine the Presenters, and summon suspected Persons to be examined, &c. and inform themselves on Oath of any Omission or Under Assessments, and set Rates. Assessors to give Copies of their Assessments to Commissioners, who are to deliver back Duplicates thereof to the Assessors, and to the Receivers General. Extracts of all the Assessments to be transmitted into the Exchequer. Collectors to demand the Money of the Parties themselves, and pay the same to the Receivers General. Receivers General to appoint Deputies, and notify the same to the Commissioners, &c. and hasten the Collectors, and in case of Neglect, &c. to distrain. Receiver General's Receipt a Discharge to Collectors. Collectors not obliged to travel above ten Miles; and may retain 4*d.* in the Pound for what they collect. Receivers General to pay the Monies into the Exchequer, and to have 2*d.* in the Pound. Commissioners Clerks three Halfpence in the Pound. Commissioners, &c. to apply themselves to the Execution of this Act. On Nonpayment Collectors to distrain. Distress to be kept four Days, and then sold. Lawful to break open Houses, and any Chest, &c. Commissioners to determine Disputes about Distresses. Persons refusing to pay, to be committed to Gaol, except a Peer or Peeres. Parents, &c. to pay for Minors, and be allowed the same in their Accounts. Persons, &c. having Stock of others, to pay, and be allowed, &c. Persons, &c. to be taxed where they reside, &c. Offices, &c. to be assessed where exercised. Persons not Householders, where they reside. Persons out of the Realm, where they last resided. Persons doubly charged, on Certificate and Oath to be discharged. Persons who by Fraud shall escape being taxed to be doubly charged. Commissioners to nominate Assessors and Collectors for privileged and extraparochial Places, and assess the Assessors. The *East India* Companies, the Bank, and Companies of Merchants in *London*, to be assessed by the Commissioners of *London*. Treasurers of the Companies to pay the Tax. Members of Parliament where to be assessed. Traders, &c. to give the Assessors a Particular of their Stock, &c. Assessors may enter into any Shop, &c. Persons refusing Entrance, forfeit 5*l.* If Assessors suspect the Particulars, to assess according to the best of their Judgments. Commissioners to examine the Assessments, &c. Persons intitled to Debts at Interest, to deliver a Specification of the Debts; and of the Persons liable to the same, &c. Commissioners to sign attested Copies of the Specifications. Upon Oath that Debts are desperate, Commissioners to discharge, &c. Lands, &c. in Possession of any Person for Debts, &c. such Debts not to be charged. Persons beyond Sea, and Minors, having Money at Interest, Trustees or Guardians to pay the Duties. Persons over-rated may appeal. Commissioners to examine the Assessments. Appeals once heard to be final. Master, Fellow, &c. of Colleges exempted from Tax. None compelled to be an Assessor, &c. out of the Limits of the Place where he lives: Nor liable to the Penalties of 25 Car. 2. c. 2. or to the Penalties 13 W. 3. c. 6. No Commissioner to act before he has taken the Oaths 1 W. & M. ff. 1. c. 8. Act not to tax the Inhabitants of *Scotland*, *Ireland*, *Jersey*, or *Guernsey*. Papiests, &c. not taking the Oaths, to pay double, 1 W. & M. ff. 1. c. 8. Persons refusing to take the Oaths appointed by 1 W. & M. ff. 1. c. 8. to pay double. Commissioners to summon suspected Persons to take the Oaths. *Quakers* to subscribe the Declaration of Fidelity, 1 W. & M. ff. 1. c. 18. Annuities to Prince *George* not chargeable. No superannuated Sea Officers, &c. to pay. Residentiaries not chargeable as enjoying Offices, &c. Clause of Loan at 5 per Cent. Money lent not to be taxed. Tallies of Loan, and Orders for Repayment, to be registred and paid in Course. Orders for Payment assignable.

1 Annæ, stat. 1.
c. 12.
2 Annæ, stat. 2.
c. 1.

C A P. XVI.

An Act for punishing Officers or Soldiers who shall mutiny or desert her Majesty's Service in *England* or *Ireland*, and for punishing false Musters, and for better Payment of Quarters in *England*. Officers or Soldiers causing any Mutiny, or who shall desert, or be twice listed, to suffer Death, &c. The Queen, &c. may grant Commissions to hold Courts Martial, not to consist of fewer than thirteen, &c. Officers, &c. not exempt from Process of Law. This Act not to extend to the Militia. An Oath to be taken by Officers of the Court Martial. Penalty on making false Musters, &c. and on Commissary allowing the same. Commissary to give Notice before Muster to the Mayor, &c. Penalty on Person falsely mustered, &c. and on Person lending a Horse to be mustered. Penalty on Paymaster, &c. detaining Officer's or Soldier's Pay. Penalty on Officer mustering Servants, or by a wrong Name. During this Act, Constables, &c. may quarter Soldiers in Inns, &c. Penalty on Military Officer presuming to quarter Soldiers otherwise than allowed. Officer, &c. to pay for Provisions, &c. No Deductions to be made out of Soldiers Pay except for Clothing, and 12*d.* in the Pound, and one Day's Pay, &c. Act to be read at every Muster. Officer on Receipt of Subsistence-money for Regiment, &c. to give Notice thereof to Inn-keepers, &c. who shall give an Account of Debts owing, &c. Officer to pay the same. All Clothes, Arms, &c. shall be bought in *England*, and not elsewhere. Muster Rolls to be closed on the Place of Muster; and one of them returned to the Paymaster of the Army. Justices to issue out Warrants for providing Carriages for the Forces in their Marches, &c. Rates to be paid for Carriages, &c. Penalty on Military Officer, &c. forcing Waggon to travel more than one Day's Journey, &c. No Officer's or Soldier's Wife, Children, &c. to be quartered without Consent. Penalties on Officer or Soldier destroying the Game, &c. Penalty on Persons concealing Deserters, or buying any Arms, Clothes, &c. Inhabitants of *Epsom*, &c. not liable to quarter Soldiers, &c. Officer or Soldier corresponding with any Rebel or the Queen's Enemy, &c. guilty of High Treason, Or shall cause any Mutiny in the Army, or disobey superior Officer, &c. or strike or draw upon him, &c. guilty of Felony, &c. Treasons and Felonies, &c. committed, may be tried in the *King's Bench*, &c. This Act not to abridge the Queen of making Articles of War, &c. Queen may grant a Commission

E X P.

31 Car. 2. c. 1.

for holding a Court-martial in *England*, &c. for trying Offences committed out of the Realm, &c. Officer or Soldier deserting beyond Sea, and escaping into *England*, &c. may be sent back to his Regiment, &c. and there tried. No Person to be tried twice for the same Offence. No Attainder for Felony to corrupt the Blood of Heir, &c. Persons indicted of Treason, &c. to have the Benefit of the Act 7 W. 3. c. 3. Marine Regiments and Trains of Artillery subject to the Penalties of this Act, &c. Debts owing for Quarters by the Invalids of *Chelsea*, shall be paid. Felons, &c. convicted, may be delivered out of Prison, on view of a Warrant under the Queen's Sign Manual for a Pardon, &c. Pardon to be inrolled. So much as relates to Mutineers, &c. to extend to the Forces in *Ireland*.

C A P. XVII.

An Act for enlarging the Time for taking the Oath of Abjuration; and also for recapacitating and indemnifying such Persons as have not taken the same by the Time limited, and shall take the same by a Time to be appointed; and for the further Security of her Majesty's Person, and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors.

13 W. 3. c. 6.

1 Annæ, stat. 3. c. 22.

Persons who ought to have taken the Oath, &c. may take the same by 1 Aug. 1703. and be indemnified, and recapacitated, &c.

Except to Office, &c. to which another hath been preferred.

Any Person endeavouring to hinder the next Successor to the Crown from succeeding, according to the Act 1 W. & M. II. c. 2. 12 & 13 W. 3. c. 2.

shall be deemed guilty of High Treason,

and suffer Death, &c.

WHEREAS by an Act made in the thirteenth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors; and by one other Act made in the first Year of the Reign of her present Majesty, declaring the Alterations of the Oath in the said recited Act contained, several of her said Majesty's Subjects are obliged to take and subscribe the Oath therein mentioned, by certain Times limited and appointed in the said first recited Act, who have, through Ignorance or Mistake, or by the not duly holding the Courts where the same ought to have been taken, or for some other such like Reasons, omitted or neglected to take and subscribe the said Oath, and are thereby subject and liable to the Disabilities, Incapacities, and Penalties in the said Acts contained; Be it therefore enacted by the Queen'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 Authority of the same, That if any Person or Persons who ought to have taken and subscribed the said Oath, with the Alterations in the said last mentioned Act contained, in the Manner, at the Places, and by the Times in the said first recited Act limited, shall, on or before the first Day of August which shall be in the Year of our Lord one thousand seven hundred and three, take and subscribe the said Oath, so altered as aforesaid, in such Manner, and at such Places, as in and by the said several Acts is prescribed, such Person and Persons is, are, and shall be (for such Neglect or Omission only) by this Act indemnified from and against all the Penalties, Forfeitures, Incapacities, and Disabilities incurred by such Mistake, Neglect, or Omission, and is, are, and shall be fully and actually recapacitated and restored to the same State and Condition, to all Intents and Purposes, as if such Person or Persons had taken and subscribed the said Oath, in such Manner, at such Places, and within such Times as by the said several Acts is prescribed, and no such Mistake, Neglect, or Omission had been made; any thing in the said several Acts to the contrary thereof in any wise notwithstanding.*

II. Provided always, That no Person or Persons, who by reason of any such Mistake, Neglect, or Omission, hath or have lost or forfeited any Office, Benefice, Place, Dignity, or Employment whatsoever, to which any other Person or Persons hath or have been preferred or promoted, shall be restored to such Office, Benefice, Place, Dignity, or Employment; any thing herein contained to the contrary notwithstanding.

III. And for the further Security of her Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors; Be it further enacted by the Authority aforesaid, That if any Person or Persons, at any Time after the first Day of March one thousand seven hundred and two, shall endeavour to deprive or hinder any Person who shall be the next in Succession to the Crown for the Time being, according to the Limitations in an Act, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*; and according to one other Act, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, from succeeding after the Decease of her Majesty (whom God long preserve) to the Imperial Crown of this Realm, and the Dominions and Territories thereunto belonging, according to the Limitations in the before mentioned Acts; that is to say, Such Issue of her Majesty's Body as shall, from Time to Time, be next in Succession to the Crown, if it shall please God Almighty to bless her Majesty with Issue; and during the Time her Majesty shall have no Issue, the Princess SOPHIA, Electress and Duchess Dowager of *Hanover*; and after the Decease of the said Princess SOPHIA, the next in Succession to the Crown for the Time being, according to the Limitation of the said Acts; and the same maliciously, advisedly, and directly shall attempt by any Overt-Act or Deed; every such Offence shall be adjudged High Treason, and the Offender or Offenders therein, their Abettors, Procurers, and Comforters, knowing the said Offence to be done, being thereof convicted or attainted, according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High Treason.

IV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons that shall bear any Office or Offices, Military or Civil, or shall receive any Pay, Salary, Fee, or Wages, by reason of any Patent or Grant, from her Majesty, or any of her Majesty's Predecessors, or shall have Command or Place of Trust from or under her Majesty, or from any of her Majesty's Predecessors, or by her or their Authority, or by Authority derived from her or them, within the Realm of *Ireland*, and all Ecclesiastical Persons, and Master, Governor, Head or Fellow of the College or University of *Dublin*, and all Persons teaching Pupils in the said University or elsewhere, and all School-masters and Ushers, and all Preachers and Teachers of separate Congregations, and every Person that shall act as a Serjeant at Law, Counsellor at Law, Barrister, Advocate, Attorney, Solicitor, Proctor, Clerk, or Notary, practising in any Manner as such in any Court or Courts whatsoever, who shall inhabit, be, or reside within the City of *Dublin*, or within thirty Miles of the same, on the first Day of *Easter* Term, which shall be in the Year of our Lord one thousand seven hundred and three, or at any Time during the said Term, shall personally appear before the End of the said Term, or in *Trinity* Term then next following, in her Majesty's High Court of *Chancery* in that Kingdom, or in her Majesty's Court of *Queen's Bench*, *Common Pleas*, or *Exchequer* there; and shall then in publick and open Court, between the Hours of nine of the Clock and twelve in the Forenoon, take the Oath according to the Alterations thereof in the said two first mentioned Acts contained, unto which Oath so taken, every such Person so taking the same, shall subscribe his Name, or make his Mark, and during the Time of taking such Oath, all Pleas and Proceedings in the said respective Courts shall cease; and all and every the said respective Persons not having taken the said Oath, and subscribed the same as aforesaid, shall on or before the first Day of *August* in the Year of our Lord one thousand seven hundred and three, at the General Quarter-Sessions for the County, Barony, or Place in the said Kingdom of *Ireland*, where he or they shall be, inhabit or reside, on the twentieth Day of *May* in the Year of our Lord one thousand seven hundred and three, take the said Oath in open Court, between the said Hours of nine and twelve in the Forenoon, and subscribe his Name or make his Mark under the same.

All Persons in Office, &c. in *Ireland*, to take the Oath,

in any of the Courts there,

and subscribe his Name,

or at the Quarter-Sessions.

V. And be it further enacted by the Authority aforesaid, That all and every Person and Persons that shall be admitted, entred, placed, or taken into any Office or Offices, Civil or Military, or shall receive any Pay, Salary, Fee, or Wages, by reason of any Patent or Grant from her Majesty, or shall have Command or Place of Trust from or under her Majesty, or by her Authority, or by Authority derived from her, within the said Realm of *Ireland*, after the first Day of *Easter* Term aforesaid, shall take and subscribe the said Oath, at the same Time that he or they shall take the Oaths, and make and subscribe the Declaration required and appointed to be taken, made, and subscribed, by an Act made in the third Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for the abrogating the Oath of Supremacy in Ireland, and appointing other Oaths*; and all Ecclesiastical Persons, every Master, Governor, Head, or Fellow of the College or University of *Dublin*, and all Persons teaching Pupils in the said University or elsewhere, and all Schoolmasters or Ushers, and all Preachers and Teachers of separate Congregations, and every Person who shall act as Serjeant at Law, Counsellor at Law, Barrister, Advocate, Attorney, Solicitor, Proctor, Clerk, or Notary, by practising in any Manner as such, in any Court or Courts whatsoever, who shall, at any Time after the first Day of *Easter* Term aforesaid, be admitted unto or enter upon any of the before mentioned Preferments, Benefices, Offices, or Places, or shall come into any such Capacity, or shall take upon him or them any such Practice, Employment, or Business as aforesaid, shall, after he or they shall be admitted into or enter upon any such Preferment, Benefice, Office, or Place, or come into such Capacity, or take upon him or them such Practice, Employment or Business as aforesaid, take and subscribe the said Oath in the next Term, in one of the said Courts, or at the next General Quarter-Sessions for the County, Barony, or Place in the said Kingdom where he or they shall reside, after he or they shall be admitted into or enter upon any such Preferment, Benefice, Office, or Place, or come into such Capacity, or take upon him or them such Practice, Employment, or Business as aforesaid.

All Persons that shall be admitted into Office, &c. in *Ireland*, to take the said Oath, &c.

3 W. & M. c. 25 and all Ecclesiastical Persons, &c. Practisers of the Law, &c.

VI. And be it further enacted, That all and every the Person and Persons aforesaid, that do or shall neglect or refuse to take the said Oath, and subscribe thereunto in the said Courts and Places, and at the respective Times aforesaid, shall incur, be subject and liable unto the Forfeitures, Penalties, and Disabilities in the said first mentioned Act expressed, for the Neglect or Refusal of the same, by any such Person or Persons in the Kingdom of *England*.

Penalties on Persons neglecting, &c.

VII. Provided, That nothing in this Act contained shall extend to any Person that now is, or at any Time hereafter shall be, in *England*, who by Virtue of this Act ought to take the said Oath, and subscribe thereunto in *England*, according to the said two first mentioned Acts, nor to any Person now beyond the Seas, out of *England* and *Ireland*, or in her Majesty's Service on board the Fleet, so as such Person do the next Term, or the next General Quarter-Sessions for the County, Barony, or Place where he shall reside, after his Return into *Ireland*, take the said Oath, and subscribe thereunto according to the Appointment of this Act.

Persons in *England*, or beyond Sea, may take the Oath after Return.

VIII. And be it further enacted, That it shall and may be lawful to and for the respective Courts aforesaid, to give and administer the Oath aforesaid, to the said Person and Persons, and, upon due Tender of any Person or Persons to take the said Oath, the said Courts are hereby required and enjoined to administer the same; of the taking and subscribing whereof the like Register shall be kept, as by an Act made in the five and twentieth Year of King CHARLES the second, was directed to be kept of the subscribing the Declaration therein mentioned.

Courts to administer the Oath.

How Register shall be kept.

Person by Neglect, &c. forfeiting Office, may be capable of a new Grant, &c.

IX. Provided always, That any Person, who by any Neglect or Refusal, according to this Act, shall lose or forfeit any Office, may be capable of a new Grant of the said Office, or of any other, and shall have and hold the same again, such Person taking the said Oath, and subscribing thereunto, in such Manner as aforesaid, so as such Office be not granted to, or actually enjoyed by, some other Person at the Time of the re-granting thereof.

No Peer of Ireland to sit in the House of Peers;

X. And be it further enacted by the Authority aforesaid, That from and after the five and twentieth Day of *March* one thousand seven hundred and three, no Person that now is, or shall be hereafter, a Peer of the Realm of *Ireland*, or Member of the House of Peers there, shall vote or make his Proxy in the said House of Peers, or sit there during any Debate in the said House; nor any Person after the said five and twentieth Day of *March*, who shall be elected a Member of the House of Commons in that Kingdom, shall be capable to vote in the said House, or sit there during any Debate in the same, after their Speaker is chosen; until such Peer or Member shall from Time to Time respectively take the said Oath, and subscribe the same, at the same Time, and in such Manner as is directed for their making, subscribing, and repeating the Declaration mentioned and expressed in the said Act, intituled, *An Act for abrogating the Oath of Supremacy in Ireland, and appointing other Oaths.*

nor Member of the House of Commons capable to vote, until they take the Oath, &c. 3 W. & M. c. 2.

Penalty.

XI. And be it further enacted, That if any Person that now is, or hereafter shall be, a Peer of the said Realm of *Ireland*, or Member of the House of Commons there, shall, after the said five and twentieth Day of *March* presume to vote or make his Proxy, not having taken the said Oath, and subscribed the same as aforesaid, every such Peer and Member shall from thenceforth incur, be subject, and liable unto the Forfeitures, Penalties, and Disabilities in the said first mentioned Act expressed, touching Peers in Parliament, and Members in the House of Commons in *England*.

Act not to extend to the Office of any Constable, &c.

XII. Provided always, That this Act or any Thing therein contained shall not extend to the Office of any High Constable, Petty Constable, Tythingman, Headborough, Overseer of the Poor, Churchwardens, Surveyors of the Highways, or any like inferior Civil Officer in the said Kingdom of *Ireland*; or to any Office of Forester, or Keeper of any Park, Chase, Warren, or Game, or Bailiff of any Manor or Lands, nor to any like private Offices, nor to any Person or Persons having only any the before mentioned or the like Offices in the said Kingdom.

C A P. XVIII.

An Act for the more effectual preventing the Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom.

Explained and amended by 13 Geo. 2, c. 8.

WHEREAS many Frauds are daily committed by Persons employed in the working up of the Woollen, Linen, Fustian, Cotton, and Iron Manufactures within this Kingdom, by imbeziling and purloining of the Materials with which they are intrusted, to the great Prejudice of Trade and Commerce; Be it therefore enacted by the Queen'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 from and after the twenty-fourth Day of *June* one thousand seven hundred and three, if any Person or Persons employed in the working up the Woollen, Linen, Fustian, Cotton, or Iron Manufactures within this Kingdom, shall imbezil or purloin any Wests, Thrums, or Ends of Yarn, or any other Materials of Wool, Hemp, Flax, Cotton, or Iron, with which he, she, or they is or shall be intrusted to work upon, or shall reel short or false Yarn, being thereof lawfully convicted by the Oath of one or more credible Witnesses or Witnesses, or by the Confession of the Party or Parties accused of the same, before one Justice of the Peace of the said County where such Offence shall be committed, shall forfeit double the Value of the Damages done, for the Use of the Poor of the said Parish: And in case the Offender or Offenders so convicted as aforesaid, shall neglect or refuse to pay their Forfeiture or Forfeitures as aforesaid, that then it shall and may be lawful for the said Justice to cause the said Offender to be committed to the House of Correction, until Satisfaction shall be made: And in case it shall appear to the said Justice, that the said Offender is not able to make Satisfaction, then the said Offender shall be there publicly whipped, and kept to hard Labour, for any Time not exceeding fourteen Days.

Penalty on Persons employed in the Woollen or Linen Manufactures, &c. and imbeziling the same.

The like on Persons buying, &c. such Goods imbeziled.

II. And be it further enacted by the Authority aforesaid, That every Person or Persons buying or receiving any Wests, Thrums, or Ends of Yarn, or any other Materials of Wool, Hemp, Flax, Cotton, or Iron, and being thereof lawfully convicted, in Manner as aforesaid, shall suffer the like Penalties and Forfeitures, as one convicted, pursuant to this Act, for purloining and imbeziling of the said Materials.

Labourers and Workmen to be paid in Money.

III. And to prevent the Oppression of the Labourers and Workmen employed in the Woollen, Linen, Fustian, Cotton, and Iron Manufacture, be it enacted by the Authority aforesaid, That all Payments and Satisfactions hereafter to be made to any of the same Labourers and Workmen, for any Work by them done in the same Manufacture, shall be by the lawful Coin of this Realm, and not by any Cloth, Victuals, or Commodities, in lieu thereof: And all Wooll delivered out to be wrought up, shall be so delivered, with Declaration of the true Weight thereof, on Pain that every Offender, in either of the said Cases, shall forfeit and pay to such Labourer or Worker, double the Value of what shall be due for such Work by him, her, or them done; and if any such Labourer or Worker shall be guilty of any such Fraud or Default in the Work by him, her, or them done, then such Labourer or Worker shall allow and answer to the Owner of such Work double the Damages thereby sustained,

All Wooll to be wrought shall be delivered out by Weight, Penalty.

IV. And be it further enacted by the Authority aforesaid, That all Wages, Demands, Frauds, and Defaults of Labourers in the Woollen, Linen, Fustian, Cotton, and Iron Manufactures, for or concerning any Work done in the same Manufactures, shall and may be heard and determined by any two Justices of the Peace of the County, Riding, Division, City, or Town Corporate, where the Matter in Controversy ariseth, who are hereby impowered to summon and examine Witnesses on Oath concerning the same: But in case any Person shall think himself aggrieved by any Judgment or Order of the said Justices, it shall and may be lawful for such Person to appeal against the Judgment and Order of the said two Justices, to the Justices of the Peace in the General Quarter-Sessions of the Peace, which shall be held for the same County, Riding, Division, City, or Town Corporate, next after Notice of such Order of the said two Justices; and the Justices of the Peace in the said General Quarter-Sessions, are hereby impowered to summon and examine Witnesses on Oath, and to hear and finally determine the Matter of the said Appeal; and in case the same Justices, in the said General Quarter-Sessions, shall give Judgment against such Appellant, then the same Justices shall award and order to the Party, on whose Behalf the same Appeal is determined, such reasonable Costs and Charges to be paid by such Appellant, in regard of such Appeal, as to the same Justices shall seem meet.

How Wages, Frauds, &c. of Labourers may be heard and determined.
Party aggrieved may appeal.

V. Provided also, and be it further enacted, That this Act shall continue for the Space of three Years, to be commenced from the said twenty-fourth Day of June one thousand seven hundred and three, and from thence to the End of the next Session of Parliament, and no longer. [Made perpetual by 9 Annæ, cap. 30.]

Act to continue for 3 Years.
13 Geo. 2. c. 8.
2 W. & M. ff. 2. c. 11.
4 & 5 W. & M. c. 11.
5 & 6 W. & M. c. 23.
6 & 7 W. 3. c. 9.
7 & 8 W. 3. c. 8.
1 Annæ, stat. 1. c. 10.
3 W. & M. c. 6.
11 W. 3. c. 8.
13 W. 3. c. 2.

C A P. XIX.

An Act for taking, examining, and stating the publick Accounts of the Kingdom. Commissioners Names for taking the Accounts of the publick Revenue. Commissioners to take Account of all Monies granted to the Crown from 5 Nov. 1688. No Money to be paid to the Colonels, &c. of the Dutch Forces, till *Jacob Vanderefsche* pays his Accounts. E X P.

C A P. XX.

An Act for reviving and continuing the late Acts for appointing Commissioners to take, examine, and determine the Debts due to the Army, and for Transport Service, and also an Account of the Prizes taken during the late War. Whatever Commissioners determine to be due to each Commission Officer, &c. they shall certify the same to the Paymaster of the Forces, &c. And transmit a List of Debentures to the *Irish* Trustees. Colonels, Agents, &c. to exhibit the Accounts of Regiments, Garrisons, &c. not made up. Debentures to be made out for the Debt due to Owners of Foreign Transport Ships, &c. Pay due to Regiments who served in *Ireland*, &c. to be settled. Commissioners of Prizes to make up their Accounts. Debentures to be delivered to the Earl of *Ranelagh*, late Paymaster of the Forces. Debts due to *John Bingham* and *Katharine Dunbar*, &c. to be stated. E X P.

C A P. XXI.

An Act for advancing the Sale of the forfeited Estates in *Ireland*, and for vesting such as remain unsold by the present Trustees, in her Majesty, her Heirs and Successors, for such Uses, as the same were before vested in the said Trustees; and for the more effectual selling and setting the said Estates to Protestants; and for explaining several Acts relating to the Lord *Bopbin*, and Sir *Redmond Everard*. Trustees to apportion Quit-rents, &c. Apportionments to be inrolled in the Exchequer in *Ireland*, &c. Manors, Lands, &c. vested in the Trustees, and not sold by 24 June 1703. and all Judgments, Statutes, &c. shall be vested in the Queen, &c. After 24 June 1703. all Powers, &c. given to the Trustees to cease, and all Deeds, Writings, &c. concerning the forfeited Estates, to be delivered up. After 24 June, Rents of the forfeited Estates to be levied in the Queen's Name, &c. and paid into the Exchequer in *Ireland*, &c. All Sales, Mortgages, &c. of Estates forfeited or restored, to be only to Protestants. The Persons disabled by 1 Annæ, stat. 1. c. 32. incapable of holding the said Lands, &c. Purchase-money shall be paid into the Exchequer in *Ireland*. Time allowed Trustees for conveying Estates sold, &c. Leases, Releases of such Lands, &c. made in Trust for any Papist, &c. void. Person claiming Benefit of such Bargain, &c. subject to Penalties, &c. and Money given in Consideration thereof recoverable. On Payment of 2,000*l.* to the Trustees, &c. all the Manors, Castles, Lands, &c. of Sir *John Everard*, deceased, shall be vested in the Duchesse of *Devonshire*, &c. Subject to the Trusts, &c. in the Act. Trustees to raise 25,000*l.* by Sale of the Lord *Bopbin's* Estate, and pay the same into the Exchequer in *Ireland*.

P. R.
11 W. 3. c. 2.
1 Annæ, stat. 1. c. 32.
1 Annæ, stat. 1. c. 41. 'a private Act.'

C A P. XXII.

An Act for preventing Frauds in her Majesty's Duties upon stamped Vellum, Parchment, and Paper.

FOR Prevention of several Frauds, whereby her Majesty's Duties, by the several Acts of Parliament in that Behalf made, imposed on stamped Vellum, Parchment, and Paper, have been very much lessened; Be it enacted by the Queen'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 from and after the five and twentieth Day of *March* in the Year of

Penalty on Clerks, &c. neglecting to enter or file any Action, &c. *Fin. V.* 19. 490. *Burn, V.* 2. 454.

or enter any subsequent Proceeding, &c.
 Explained by 5 Annæ, c. 19. §. 29.

Such Record to be no Evidence of the Time.

Proviso.

Penalty on ingrossing on any Vellum, &c. whereon Writ, &c. was before written, &c.

or erasing or scraping the same, or tearing off any Mark, &c.
 Enforced by 6 Geo. 1. c. 21. §. 56.

What other Penalties Offender shall incur.

No Penalty, &c. for Things written in a Book or Roll, &c.

our Lord one thousand seven hundred and three, if any Clerk, Officer, Attorney, Solicitor, or other Person (to whom it shall appertain, or who shall be employed or intrusted to enter or file any Action, Complaint, Bail, Appearance, Admission, or other Matter or Thing, in respect whereof any Duty shall be payable by Virtue of the said Acts, or any of them) shall neglect to enter, file, or record the same, as by Law the same ought to be entred, filed, or recorded, within the Space of four Months after such Clerk, Officer, Attorney, Solicitor, or other Person, shall have received any Money, for or in respect of the Entry, Filing, or Recording any such Action, Complaint, Bail, Appearance, Admission, or other Matter or Thing, or shall have promised or undertaken to enter, file, or record the same, or shall neglect to enter, file, or record any such Action, Complaint, Bail, Appearance, or other Matter or Thing, before any subsequent, further, or other Proceeding, Matter or Thing, in, upon, or relating to the same, shall be had, entred, filed, or recorded, or if any Clerk, Officer, Attorney, Solicitor, or other Person or Persons, shall, after the said five and twentieth Day of *March* one thousand seven hundred and three, traſact, enter, record, or file any such further or other Proceeding, Matter, or Thing, subsequent, and relating to such Action, Complaint, Bail, or Appearance, before the same shall have been duly entred, filed, or recorded, that then every such Clerk, Officer, Attorney, Solicitor, or other Person so neglecting or offending, shall, for every such Offence or Neglect, forfeit the Sum of twenty Pounds, with full Costs of Suit; and further, That no such Record or Entry, as aforesaid, shall (in or upon any Suit or Prosecution) be commenced or brought against any such Clerk, Officer, Attorney, Solicitor, or other Person, for any Offence against this Act) be of itself any concluding Evidence of the Time that the same was made, written, entred, or filed, or supposed to be, but in such Suit, or upon such Prosecution, Proof shall be admitted to be made of the Time that the same was actually made, written, entred, or filed: Provided, That nothing in this Act contained, shall extend, or be construed to extend, to oblige or compel any Clerk, Officer, or other Person, to enter or file any Appearance where any Judgment is entred by Confession; any thing in this Act contained to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons, at any Time after the said five and twentieth Day of *March* one thousand seven hundred and three, shall write or ingross, or cause to be written or ingrossed, either the whole or any part of any Writ, Mandate, Bond, Affidavit, or other Writing, Matter, or Thing whatsoever, in respect whereof any Duty is payable by the said Acts, or any of them, on the whole or any part of any Piece of Vellum, Parchment, or Paper, whereon there shall have been before written any other Writ, Bond, Mandate, Affidavit, or other Matter or Thing, in respect whereof any Duty was payable by the said Acts, or any of them, before such Vellum, Parchment, or Paper shall have been again marked or stamped according to the said Acts, or shall fraudulently erase or scrape out, or cause to be erased or scraped out, the Name or Names of any Person or Persons, or any Sum, Date, or other Thing written in such Writ, Mandate, Affidavit, Bond, or other Writing, Matter, or Thing, as aforesaid, or fraudulently cut, tear, or get off any Mark or Stamp from any Piece of Vellum, Parchment or Paper, or any Part thereof, with Intent to use such Stamp or Mark for any other Writing, Matter, or Thing, in respect whereof any Duty shall be payable by virtue of the said Acts, or any of them, that then so often, and in every such Case, every Person so offending in any of the Particulars before mentioned, shall for every such Offence forfeit the Sum of twenty Pounds, with full Costs of Suit.

III. And it is further enacted by the Authority aforesaid, That every Person who shall (in or upon any Suit or Information which shall be commenced or brought upon or in pursuance of this Act) be convicted of any the Neglects or Offences herein before mentioned, shall likewise incur all other Forfeitures and Disabilities which such Offender should or would have incurred, if he had been convicted of writing contrary to the said Acts, or any of them, the Entry of any Complaint or Action, or any Writ, Bond, or other Writing, Matter, or Thing on Vellum, Parchment, or Paper, not marked or stamped according to the said Acts, nor having any Stamp or Mark thereon resembling any of the Marks or Stamps in the said Acts or any of them mentioned.

IV. Provided always, and be it further enacted by the Authority aforesaid, That no Officer shall be subject to any the Penalties, Forfeitures, Disabilities, or Incapacities in this or any of the said former Acts mentioned, for writing or causing to be written any of the Matters or Things aforesaid, in any Book or Roll without any Marks or Stamps thereon, which shall have been first shewn to and signed by the Commissioners for the Time being, appointed to put the said Acts in Execution, or any three or more of them, or some Officer or Officers by them, or the major Part of them, for that Purpose authorized and impowered, to signify his or their Leave of Approbation, that the Matters and Things to be written in such Book or Roll, may be therein written without any Marks or Stamps thereon, so as the Person or Persons, having the Custody of such Book or Roll, do from Time to Time (when and as often as he or they shall be thereto required) permit the said Commissioners, or any of them, or any Officer or Agent by them, or the major Part of them, for that Purpose appointed, to inspect and view such Book or Roll, and do also (from Time to Time, when and as often as he or they shall be thereto required by the said Commissioners, or the major Part of them, or any other by them or the major Part of them authorized) pay unto the Receiver General for the Time being of the said Duties, or such other Officer or Person as the said Commissioners, or the major Part of them, shall appoint to receive the same, all such Sum and Sums of Money which, according to the true Intent and Meaning of the said Acts, or any of them, ought to be paid, in respect of all and every such Matters and Things as shall be written in such Book or Roll; any thing herein or in any of the said former Acts contained to the contrary thereof notwithstanding.

V. And be it further enacted by the Authority aforesaid, That all Writings, Matters, and Things (in respect whereof any of the said Duties shall be payable, and which shall be ingrossed or written, after the said five and twentieth Day of *March* one thousand seven hundred and three) shall be written in such Manner, that some Part thereof shall be either upon, or as near as conveniently may be to the Stamps or Marks, which shall (in pursuance of the said Acts, or any of them) be placed on the Vellum, Parchment, or Paper, whereupon the same shall be written or ingrossed, upon Pain that the Person who shall write or ingross or cause to be written or ingrossed, any such Writing, Matter, or Thing, contrary to the Tenor and true Meaning hereof, shall for every such Offence forfeit the Sum of ten Pounds, with full Costs of Suit.

All Writings, &c. to be written either on or near the Stamps, &c.

Penalty.

VI. And it is hereby further enacted by the Authority aforesaid, That the one Moiety of all the pecuniary Forfeitures, Pains, and Penalties herein before mentioned, shall be to her Majesty, her Heirs and Successors, and the other Moiety, with full Costs of Suit, shall be to any Person or Persons who shall inform and sue for the same, or any of them, in any Court of Record, by Action of Debt, Bill, Plaint, or Information, wherein no *Essoin*, Protection, or Wager of Law shall be allowed.

Penalties how to be disposed of.

VII. And whereas some Doubts have arisen touching the Allowances, which, by Virtue of the said former Acts, ought to be made for present Payment of the said Duties; Be it therefore declared and enacted by the Authority aforesaid, That from and after the first Day of *March* one thousand seven hundred and two, there shall be allowed and paid to every Person, who shall at any one Time bring to be stamped, or buy of the said Commissioners Paper or Parchment, the Duties whereof shall amount to ten Pounds or upward, after the Rate of six Pounds in the hundred Pounds *per Annum*, for six Months, upon the present Payment of the said Duties, at the head Office in *London* or *Westminster*, and not otherwise, nor any other Allowance; any thing in the said former Acts contained to the contrary notwithstanding.

Allowance on present Payment of Duties.

VIII. And to the end the said Duties upon Vellum, Parchment and Paper, and all Matters incident thereunto, may be fully and duly answered and accounted for, be it further enacted by the Authority aforesaid, That the Comptroller and Accountant General of the said Duties, for the Time being, shall annually pass a general Account in the Court of *Exchequer*, of the gross Produce of all the said Duties: In which Account there shall be charged all the Monies becoming due to her Majesty, her Heirs or Successors, for all the Stamps or Marks, which shall be impressed or put upon any Vellum, Parchment, or Paper, distinguishing those for which ready Money is or shall be paid at the Head Office for the said Duties in *London*, from those which shall be delivered over to be otherwise sold or distributed, and all the Monies which shall arise to her Majesty, her Heirs or Successors, for Penalties relating to the said Duties, and all the Monies which shall be paid by the Registers of either of the two Universities, or by any Officers of the Law, or others, for Entries made in Books, where the Duty ought to be paid for every Entry therein, and all the Monies arising for Vellum, Parchment and Paper, which shall be delivered out by the Commissioners of the said Duties, or by their Order, for the better accommodating her Majesty's Subjects, so that the Profits arising thereby, and the Kinds and Quantities so delivered out, may plainly appear in every such Account; and all the Monies which shall be secured by any Bonds taken for the said Duties, or any Part thereof, and all other Monies, Matters, and Things whatsoever, which ought to be charged in a general or gross Account, for the said Duties, within the Time for which every such annual Account ought to be made; and in the Discharge of every such general Account, there shall be comprehended all the Monies which shall appear to have been duly paid or answered by the Receiver General of the said Duties, within the Time of every such Account, and all other Salaries and incident Charges which shall be duly allowed in or for the Management of the said Revenues, and all the Discounts for prompt Payments, which shall be duly made out of the said Duties, and all the Monies which shall be actually paid for Vellum, Parchment, and Paper, bought or provided by the said Commissioners or their Order, for accommodating her Majesty's Subjects, so that the Kinds and Quantities of all the Vellum, Parchment and Paper so provided, may also plainly appear in every such Account, and all other Matters and Things, which by the Course of the *Exchequer* ought to be discharged in an Account of this Nature.

Comptroller of the Duties to pass an annual Account of the gross Produce thereof, &c. Account how to be made.

What shall be comprehended in Discharge of such general Account.

IX. And it is hereby enacted, That all the Debts and Arrears of the said Duties, which at the End of every such Account ought to be charged upon any Receivers, Distributors or others, shall be duly set *insuper*, upon the several Persons chargeable therewith, to the End the same may be recovered by the ordinary Process of the said Court, unless the Lord Treasurer, or Commissioners of the Treasury for the Time being, shall see Cause to stay the said Process, against the said Persons, or any of them, for giving them Time to pay or answer such Debts or Arrears, or any of them, and to be discharged thereof in any subsequent Account of such Comptroller and Accountant General, according to the due Course of the said Court.

Debts and Arrears to be set insuper.

X. And it is hereby also enacted, That the Stocks of Vellum, Parchment and Paper, stamped or unstamped, which at the End of every such Account ought to remain in her Majesty's Warehouses, or elsewhere, shall also be set down and expressed at the Foot of every such Account; and that the first of the said general and annual Accounts shall be for the Year to end on the first Day of *August* one thousand seven hundred and three, and shall be delivered by the said Comptroller and Accountant General to the Auditors of her Majesty's Imprests and other Accounts, before the five and twentieth Day of *December* one thousand seven hundred and three, and shall be sworn to by him to the best of his Knowledge, and be followed and prosecuted by him in such Manner, that the same shall not, by his Negligence or Default, remain unfinished in the Court of *Exchequer*, beyond the first Day of *May* one thousand seven hundred and four; and that every subsequent annual Account shall in like Manner terminate.

Stocks of Vellum, &c. stamped or unstamped to be set down at the Foot of such Account. When annual Accounts shall terminate.

Penalty.

Penalty on returning Receiver, &c. inſuper for Monies paid.

Further Proviſions concerning Stamp Duties, 4 Ann. c. 12. §. 9. 5 Ann. c. 19. 9 Ann. c. 23.

10 Ann. c. 19. 26. 12 Ann. ſt. 1. c. 2. 12 Ann. ſt. 2. c. 9. 1 Geo. 1. ſt. 2. c. 12. 5 Geo. 1. c. 19. 6 Geo. 1. c. 4 & 21. 11 Geo. 1. c. 8. 12 Geo. 1. c. 33. 9 Geo. 2. c. 32. 16 Geo. 2. c. 26. 29 Geo. 2. c. 12 & 13. 30 Geo. 2. c. 19. and 32 Geo. 2. c. 35.

on the firſt Day of *Auguſt*, and be delivered to the ſaid Auditors, or one of them, before the five and twentieth Day of *December*, and proſecuted, ſo that the ſame may be finiſhed before the firſt Day of *May* yearly, during the Continuance of the ſaid Duties, under the Penalty of forfeiting his Office, and the Sum of one hundred Pounds, one Moiety thereof to the Queen, and the other Moiety to ſuch Perſon or Perſons who will inform or ſue for the ſame, to be recovered in Manner aforeſaid.

XI. Provided always, That if any ſuch Comptroller and Accountant General ſhall wilfully and knowingly return any Receiver, Diſtributor, or other Perſon, *inſuper*, for any Monies or Stamps duly answered, paid, or accounted for by ſuch Receiver, Diſtributor, or other Perſon reſpectively, whereby he or they ſhall ſuſtain any Damage or Prejudice; then and in every ſuch Caſe, ſuch Comptroller and Accountant General ſhall be liable to answer and pay treble Damages to the Party grieved, to be recovered by Action of the Caſe, in any her Majeſty's Courts of Record at *Weſtmiſter*, with full Coſts of Suit, in which Action no Eſſoin, Protection, Wager of Law, or more than one Impar lance ſhall be granted or allowed.

CAP. XXIII.

17 & 14 Car. 2. An Act for raiſing the Militia of this Kingdom for the Year one thouſand ſeven hundred and three, notwithstanding the Month's Pay formerly advanced be not repaid. If it be neceſſary, Queen may draw out the Militia any Time before 24 *June* 1704. notwithstanding the Month's Pay be not repaid. EXP.

Clauses in 10 & 21 W. 3. c. 12.

II. AND whereas ſome Doubts have ariſen concerning one Clause in one other Act made in the tenth and eleventh Years of King WILLIAM the Third, intituled, *An Act for raiſing the Militia for the Year one thouſand ſix hundred ninety-nine, altho' the Month's Pay formerly advanced be not repaid*, relating to ſuch Perſons as are Contributors to the finding of Horſes, Horſemen, and Arms, and Foot Soldiers and Arms; Be it enacted and declared by the Authority aforeſaid, That the ſaid Clause was intended to be, and ſhall be deemed and taken to be perpetual.

20 & 11 W. 3. c. 12.

III. And whereas by Virtue of a Clause contained in the ſaid Act made in the tenth and eleventh Years of the Reign of King WILLIAM the Third, intituled, *An Act for raiſing the Militia for the Year one thouſand ſix hundred ninety-nine, altho' the Month's Pay formerly advanced be not repaid*, the Lieutenant or Lieutenants, or in their Abſence three or more of the Deputy Lieutenants for ſuch County, Riding, Division, or Place where the Eſtates of Papiſts and reputed Papiſts, or other Perſons reſuſing to take the Oaths mentioned in an Act of Parliament made in the firſt Year of King WILLIAM and Queen

1 W. & M. ſt. 2. c. 8.

MARY, intituled, *An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths*, when lawfully tendred to them, ſhall or do lie, are impowered to nominate and appoint ſuch Perſon or Perſons as they ſhall think moſt meet and proper to furniſh or ſet forth one or more Horſes, Horſemen, and Arms, or Foot Soldiers and Arms, for the ſame Eſtates, and are impowered to charge the ſaid Eſtates with the Payment of the yearly Sums therein mentioned, to ſuch Perſon and Perſons as ſhall furniſh and ſet forth the ſame, with ſuch Remedies for the Recovery thereof, as are in the ſaid Clause expreſſed: And whereas ſome Doubts have ariſen concerning the ſaid Clause; Be it therefore enacted and declared by the Authority aforeſaid, That the ſaid Clause in the ſaid Act made in the tenth and eleventh Years of the Reign of King WILLIAM the Third, was intended to be, and ſhall be deemed and taken to be perpetual.

made perpetual.

Trophy Money.

Further Proviſions relating hereto.

1 Geo. 1. ſt. 2. c. 14. 9 Geo. 1. c. 8. 7 Geo. 2. c. 23. 30 Geo. 2. c. 25. 31 Geo. 2. c. 26. 32 Geo. 2. c. 20. 33 Geo. 2. c. 22 & 24.

IV. And be it further enacted, That the ſaid Lieutenants, or their Deputies, ſhall not iſſue out Warrants for the raiſing any Trophy Money, till the Juſtices of the Peace, or the major Part of ſuch Juſtices, at their ſeveral and reſpective General Quarter-ſeſſions for their reſpective Counties, Ridings, Diviſions, and Places, ſhall have examined, ſtated, and allowed the Accounts of the ſaid Money ſo raiſed, levied, and collected for the Year then next and immediately preceding, and certified ſuch Examination of the ſaid Accounts, under the Hands and Seals of four or more ſuch Juſtices.

CAP. XXIV.

23 W. 3. c. 1. An Act to oblige *Edward Whitaker* to account for ſuch Sums of publick Money as hath been received by him. EXP.

Anno ſecundo & tertio ANNÆ Reginae.

AT the Parliament begun at *Weſtmiſter* the twentieth Day of *Auguſt*, Anno Dom. 1702. in the firſt Year of the Reign of our Sovereign Lady ANNE, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, Queen, Defender of the Faith, &c. And from thence continued by ſeveral Prorogations and Adjournments to the ninth Day of *November* 1703, * being the ſecond Seſſion of this preſent Parliament.

* In the Record it is 13 Apr. 3 Annæ.

EXP. 4 s. in the Pound.

CAP. I.

An Act for granting an Aid to her Majeſty by a Land Tax, to be raiſed in the Year one thouſand ſeven hundred and four.

CAP.

C A P. II.

An Act for granting an Aid to her Majesty, by continuing the Duties upon Malt, Mum, Cyder, and EXP. Perry, for one Year.

C A P. III.

An Act for granting an Aid to her Majesty, for carrying on the War, and other her Majesty's Occasions, by selling Annuities at several Rates, and for such respective Terms or Estates as are therein mentioned.

Most Gracious Sovereign,

WHEREAS by an Act of Parliament made in the twelfth Year of the Reign of our late Sovereign Lord King WILLIAM the Third, of blessed Memory, intituled, *An Act for appropriating three thousand seven hundred Pounds weekly, out of certain Branches of Excise, for publick Uses, and for making a Provision for the Service of his Majesty's Household and Family, and other his necessary Occasions*, it was (amongst other Things) enacted, That from and after the five and twentieth Day of December one thousand seven hundred, for and during the Term of five Years from thence next ensuing, the full, clear, and entire weekly Sum of three thousand seven hundred Pounds, of lawful English Money, out of all the Monies arising by the Hereditary Rates and Duties of Excise upon Beer, Ale, and other Liquors, which were granted to the Crown in the twelfth Year of the Reign of King CHARLES the Second, and by the Duties of Excise payable during the said late King WILLIAM's Life, and by every or any of them, if all those Duties of Excise should so long continue; and if the said Duties of Excise, payable during his said late Majesty's Life, should happen to determine before the End of the said Term of five Years, then out of the Monies arising entirely by the said Hereditary Duties of Excise, for and during all the Residue which should be then to come and unexpired of the said Term of five Years, should be brought and paid into the Receipt of the Exchequer by weekly Payments, and in such Manner and Form as in the said Act are particularly mentioned, for the Purposes in the said Act expressed: And it is thereby further enacted, That in Lieu and Discharge of certain perpetual annual Payments, and of all Arrears thereof granted by his late Majesty King CHARLES the Second to the respective Patentees therein named, the said Hereditary Revenue of Excise should, from and after the twenty-sixth Day of December one thousand seven hundred and five, be and stand charged for ever with the Payment of annual Sums after the Rate of three Pounds *per Centum per Annum*, to be paid as by the said Act is directed, and subject to such Power of Redemption as in the said Act is expressed:

II. And whereas by an Act of Parliament made in the first Year of your Majesty's Reign, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*, it is (amongst other Things) enacted, That the Duties of Excise which had been granted to his said late Majesty King CHARLES the Second, during his Life, and afterwards to King WILLIAM and Queen MARY, during their Lives, and the Life of the Survivor of them (except as therein is excepted) and a certain Duty upon Vinegar, shall be levied and paid to your Majesty, during your Life (which God preserve) and the same, together with the said Hereditary Duties of Excise, are thereby subjected to the said weekly Payment of three thousand seven hundred Pounds, in the Manner therein mentioned, during the said Term of five Years; and it was thereby further declared, That from and after the Expiration of the said Term of five Years, so much Money as, together with the said Payments after the Rate of three Pounds *per Centum per Annum*, should make up the Sum of three thousand seven hundred Pounds for every Week, during your Majesty's Life, should and might be taken out of the said Hereditary Duties of Excise, and out of the said Duties of Excise granted for your Majesty's Life, and either or any of them, and the said Payments, after the Rate of three Pounds *per Centum per Annum*, being deducted out of the Hereditary Part thereof, the Residue of the said three thousand seven hundred Pounds a Week should be applied and disposed of, to and for the publick Use and Service, as by the said several Acts (Relation being thereunto respectively had) may more fully appear:

III. Now we your Majesty's most dutiful and loyal Subjects the Commons of England in Parliament assembled, being desirous by the most easy Means that are possible to raise the Money which is necessary for carrying on the present War, and supplying your Majesty's important Occasions, do cheerfully and unanimously grant unto your Majesty a further Aid to arise by Contributions for Annuities to be purchased in the Manner and Form herein after mentioned; and do humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 from and after the five and twentieth Day of December in the Year of our Lord one thousand seven hundred and five, the said full, clear, and entire weekly Sum of three thousand seven hundred Pounds, out of all the Monies arising by the said Hereditary Duties of Excise, and by the said Duties of Excise payable during her Majesty's Life, and by every and any of them, according to the Tenor and Direction of the Act of Parliament above recited in that Behalf, and from and after her Majesty's Decease, then the like full, clear, and entire weekly Sum of three thousand seven hundred Pounds of lawful English Money, out of all the Monies to arise by the said Hereditary Duties of Excise, and every or any of them, from Time to Time for ever, shall be brought and paid by the Commissioners, Farmers, Receiver and Receivers General for the Time being of the said several Duties of Excise (who

Aid granted from
25 December
1705.

are hereby required and enjoined to bring and pay the same accordingly) into the Receipt of the Exchequer distinctly and separately from all other Monies whatsoever, that are or shall be payable by them into the said Receipt, the said weekly Sum or Payment of three thousand seven hundred Pounds, to be brought and paid into the said Receipt upon *Wednesday* in every Week, if it be not an Holiday, and if it be, then upon the next Day that is not an Holiday, for the Purposes in this Act expressed; and in case in any Week or Weeks the whole Receipt of the Monies of the said several Branches or Duties of Excise hereby charged as aforesaid, shall not be sufficient to answer the weekly Payment or Payments hereby directed for such particular Week or Weeks, that then and so often the Deficiency and Deficiencies thereof shall be supplied and made good out of the whole Receipt of the said particular Branches of Excise, and every or any of them, arising in the next Week or Weeks, when the Receipt or Receipts shall be sufficient to bear the same.

IV. And it is hereby further enacted by the Authority aforesaid, That the Commissioners of Excise for the Time being, at their Head Office in *London*, shall from Time to Time separate and keep apart all the Monies arising by the said particular Branches of Excise herein before mentioned, as the same shall from Time to Time arise or be paid into the said Office of Excise by the Receivers or Collectors of the same, or by any other Person or Persons whatsoever, and shall out of the Monies so arising make the said weekly Payments into the Exchequer, for the Uses in this Act mentioned.

V. And be it further enacted, That if the said Commissioners of Excise for the Time being shall refuse or neglect to pay or cause to be paid into the Exchequer the said weekly Sums hereby appointed, or shall divert or misapply any Part of the Monies which should make good the same, then they and every of them so offending shall forfeit their several Offices and Places, and be incapable to serve the Queen, her Heirs or Successors, in any Office or Place of Trust or Profit, and shall be liable for every such Offence to pay double the Value of the Money so diverted or misapplied, to any Person or Persons who will inform or sue for the same, by Action of Debt, or of the Case, Bill, Suit or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be granted or allowed.

VI. And be it enacted, That the Comptroller of the Excise for the Time being, shall keep a perfect and distinct Account, in a Book or Books fairly written, of all the Monies which shall arise by the said particular Branches of Excise, out of which the said weekly Payments are to be made as aforesaid, as the same shall from Time to Time arise or be raised (to which Books all Persons concerned shall at all reasonable Times have free Access, without Fee or Charge); and such Comptroller in Default thereof shall forfeit his Office or Place, and be rendered incapable as aforesaid, and shall also forfeit and lose the Sum of two hundred Pounds for every such Default, to any Person or Persons who will inform or sue for the same as is before mentioned.

VII. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the Receipt of the Exchequer one Book, in which all the Monies which ought to be paid in weekly as aforesaid, for or upon Account of the said weekly Sums out of the said particular Branches of Excise, and which shall be brought to the said Receipt, shall be entred apart and distinct from all other Monies paid into the said Receipt on any other Account whatsoever.

VIII. And it is hereby further enacted, That out of the Money of the said Hereditary Duties of Excise, arising in or by such weekly Payments at the Exchequer as aforesaid, the said annual Sums, after the Rate of three Pounds *per Centum per Annum*, prescribed by the said Act, made in the Parliament holden in the twelfth Year of the Reign of his said late Majesty King WILLIAM the Third, shall be satisfied and paid according to the Directions therein contained, and subject to the Power of Redemption therein mentioned; and also out of all the Monies of the said several Branches of Excise, arising in or by the said weekly Payments, the several Annuities to be purchased in pursuance of this Act, shall be paid and satisfied, from and after the said five and twentieth Day of *December* in the Year of our Lord one thousand seven hundred and five, for and during the then Residue and Remainder of the several and respective Terms and Estates, which by Virtue of this Act shall be purchased of and in such Annuities respectively; and that all the Rest and Residue of the Monies arising by the said weekly Payments, and which at the End of every Year, reckoning the first Year to begin from the said five and twentieth Day of *December* in the Year of our Lord one thousand seven hundred and five, shall remain, after satisfying or reserving sufficient to satisfy all the Payments which shall be then incurred or grown due, as well for and upon the said annual Sums after the Rate of three Pounds *per Centum per Annum*, as also for and upon all the said Annuities to be purchased upon this Act, shall be applied and disposed of to and for the publick Use and Service, and not otherwise.

IX. And for the raising any Sum or or Sums of Money, not exceeding one Million eighteen thousand eight hundred sixty and seven Pounds eighteen Shillings and Sixpence; that is to say, nine hundred thousand Pounds thereof for carrying on the present War, and other her Majesty's Occasions, and one hundred and eighteen thousand eight hundred sixty and seven Pounds eighteen Shillings and Sixpence, Residue thereof, for making good the quarterly Payments herein after mentioned, to incur and grow due on and before the said five and twentieth Day of *December* one thousand seven hundred and five; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners to contribute, advance and pay into the Receipt of her Majesty's Exchequer, for her Majesty's Use, at or before the respective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money for or towards the said Sum of one million eighteen thousand eight hundred sixty and seven Pounds eighteen Shillings and six Pence, for purchasing any Annuity or Annuities, to be satisfied as in this Act is mentioned, for and during the full Term of ninety-nine

Monies arising by the said Branches of Excise to be kept apart, and paid weekly into the Exchequer.

Penalty on Non-payment.

Comptroller of Excise to keep a distinct Account of the Monies.
Penalty.

Monies to be entred apart.

Annual Sums how to be paid.

Persons may advance
1,018,867l.
13s. 6d. for purchasing Annuities for 99 Years.

Years to be reckoned from the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and four, at the Rate of fifteen Years Purchase; which Rate doth amount to the Sum of one hundred and fifty Pounds for every such Annuity of ten Pounds *per Annum*, and proportionably for any greater Annuity: And the same Rate or Consideration-money is hereby appointed to be paid into the said Receipt, at or before the respective Days and Times herein after mentioned, that is to say, One third Part thereof on or before the first Day of *May* in the Year of our Lord one thousand seven hundred and four; one other third Part thereof on or before the four and twentieth Day of *June* in the said Year of our Lord one thousand seven hundred and four; and the remaining third Part thereof, on or before the nine and twentieth Day of *September* in the said Year of our Lord one thousand seven hundred and four. And the said Annuities so to be purchased, and every of them, shall be paid and payable, from Time to Time, at the four most usual Feasts of the Year, that is to say, The Feast of the Nativity of Saint *John Baptist*, Saint *Michael* the Archangel, the Birth of our Lord *Christ*, and the Annunciation of the Blessed Virgin *Mary*, by even and equal Portions, the first Payment thereof to be made at or for the Feast of the Nativity of Saint *John Baptist* in the Year of our Lord one thousand seven hundred and four; which said Annuities shall, for the first Year, and three Quarters of a Year, of the said Term of ninety-nine Years, be satisfied and paid out of the Monies to be advanced in pursuance of this Act, whereof sufficient shall be reserved for that Purpose; and for all the Rest and Residue of the said Term of ninety-nine Years, the said Annuities, and every of them, shall be paid and satisfied out of the Monies arising by the weekly Payments of Excise Money before mentioned.

X. And for the raising any further Sum and Sums of Money, not exceeding three hundred thousand Pounds, for carrying on the said War, and other her Majesty's Occasions, and also for raising such Monies as shall be necessary to discharge the quarterly Payments, which during one Year and three Quarters of a Year, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four, shall or may grow due upon the other Annuities to be purchased, as is herein after mentioned; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, to contribute, advance, and pay into the said Receipt of her Majesty's Exchequer, for her Majesty's Use, at or before the respective Days and Times, and by such Proportions, as are before in this Act appointed for Payment of the Purchase Monies for the Annuities first above mentioned, any Sum and Sums of Money for purchasing any Annuity or Annuities for one Life, at the Rate of nine Years Purchase, or for two Lives, at the Rate of eleven Years Purchase, or for three Lives, at the Rate of twelve Years Purchase, or for such a certain Term of ninety-nine Years, as aforesaid, at the Rate of fifteen Years Purchase, at the Election of such Purchasers respectively; which said Rates do amount to the Sum of ninety Pounds for an Annuity of ten Pounds *per Annum* for one Life, and to the Sum of one hundred and ten Pounds for an Annuity of ten Pounds *per Annum* for two Lives, and the Sum of one hundred and twenty Pounds for an Annuity of ten Pounds *per Annum* for three Lives, and to the Sum of one hundred and fifty Pounds for an Annuity of ten Pounds *per Annum*, for the certain Term of ninety-nine Years before mentioned, and proportionably for any greater Annuities so to be purchased for such Estates or Interests respectively.

XI. And it is hereby enacted, That all the said Annuities so to be purchased for Life, Lives, or Years, at the Election of the Purchaser as aforesaid, shall likewise commence from the said five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and four, and shall be paid and payable at the said Receipt of Exchequer, at the four usual Feasts before mentioned, by even and equal Portions, the first Payment thereof to be also made at or for the said Feast of the Nativity of Saint *John Baptist*, in the Year of our Lord one thousand seven hundred and four.

XII. And be it enacted by the Authority aforesaid, That all the quarterly Payments which shall or may incur or grow due for or upon the Annuities last mentioned, within the said Time of one Year, and three Quarters of a Year, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four, until and for the said five and twentieth Day of *December* one thousand seven hundred and five, shall be satisfied and paid out of the Monies to be advanced for purchasing the same Annuities upon this Act, whereof sufficient shall be reserved for that Purpose; and all quarterly Payments which shall incur and grow due for or upon the same Annuities last mentioned, and every of them, from and after the said five and twentieth Day of *December* one thousand seven hundred and five, during the Continuance of the respective Terms and Estates so to be purchased therein, shall be paid and satisfied out of the Monies arising by the weekly Payments of Excise Money before mentioned.

XIII. Provided always, That when the Contributions upon this Act shall amount in the whole to one million two hundred thousand Pounds, for carrying on the said War, and her Majesty's Occasions, and to so much more as shall or may be necessary to discharge all the said Annuities, until the five and twentieth Day of *December* one thousand seven hundred and five inclusively, then no further Contributions shall be received at the said Exchequer for purchasing Annuities upon this Act.

XIV. And it is hereby further enacted, That where any Contributor shall advance Money, at the respective Rate aforesaid, for an Estate for one Life, as aforesaid, every such Contributor, his Executors, Administrators, or Assigns, shall and may name to the Auditor of the Receipt, and Clerk of the Pells, for the Time being, or to either of them, the Life of the same Contributor, or any other Life (at his or her Election) during which, every such Contributor, or such as he or she shall appoint, his, her, or their Executors, Administrators, and Assigns respectively, shall be intitled to every such Annuity, according to the true Meaning of this Act; and that where any Contributor shall advance Money at the respective

at 15 Years Purchase, to be paid into the Exchequer, one third Part on 1 May 1704, one other third Part on 24 June 1704, and the other third Part on 29 Sept. 1704. Annuities to be purchased how and when to be paid. By 6 Geo. 1. c. 4. §. 1. the South Sea Company may take in these Annuities.

For raising a further Sum of 300,000l. Persons may purchase Annuities for one Life at 9 Years Purchase, for two Lives at 11 Years Purchase, three Lives at 12 Years Purchase, or for 99 Years at 15 Years Purchase.

Annuities to commence from 25 Mar. 1704. and to be paid quarterly.

How the quarterly Payments from 25 Mar. 1704 to 25 Dec. 1705. shall be paid; &c.

When the Contributions shall amount to 1,200,000l. &c. no more shall be received at the Exchequer.

Contributor for one Life may name the Life of the same Contributor, or any other, who shall be intitled to such Annuity.

Rate aforesaid, for an Estate for two Lives, every such Contributor, his Executors, Administrators, or Assigns shall and may name to the said Auditor of the Receipt and Clerk of the Pells for the Time being, or either of them, two Persons or Nominees (whereof himself or herself, if he or she thinks fit, may be one) during whose Lives, and the Life of the Survivor of them, every such Contributor, or such as he or she shall appoint, his, her or their Executors, Administrators, and Assigns respectively, shall be intitled to every such Annuity, according to the true Meaning of this Act; and that where any Contributor shall advance Money at the respective Rate aforesaid, for an Estate for three Lives, every such Contributor, his or her Executors, Administrators, or Assigns, shall and may name to the said Auditor of the Receipt, and Clerk of the Pells, for the Time being, or either of them, three Persons or Nominees: (whereof himself or herself, if he or she think fit, may be one) during the Lives of which Nominees, and of the Survivors and Survivor of them, every such Contributor, or such as he or she shall appoint, his, her, and their Executors, Administrators, and Assigns respectively, shall be intitled to every such Annuity, according to the Tenor and true Meaning of this Act.

Contributor advancing for two Lives, may name two Nominees, &c. and for three Lives three Nominees, &c.

Lives to be named by the Contributors, by 1 May 1704.

Contributors Names, &c. to be entered in the Offices of the Auditor and Clerk of the Pells. Books to be inspected without Fee.

XV. Provided always, That all the said Lives shall be named by the several Contributors, their Executors or Administrators, or such as shall be employed by them to pay in the said Purchase-monies, on or before the said first Day of *May* in the Year of our Lord one thousand seven hundred and four.

XVI. And it is hereby enacted, That in the Offices of the said Auditor of the Receipt, and Clerk of the Pells severally, there shall be provided and kept a Book or Books; in which shall be fairly entered the Names of all who shall be Contributors, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums, and also the several Sums so paid, and the Times when the same are respectively paid, and the several Nominees for whose Lives respectively the said Annuities for Life or Lives are to continue; to which Book it shall be lawful for the respective Contributors, their Executors, Administrators, and Assigns, from Time to Time, and at all seasonable Times, to have resort, and to inspect the same without Fee or Reward; and as well the said several Contributors for Life, Lives, or Years, as the said Nominees for Life or Lives, shall be described in the said Books by their Christian and Surnames, Additions, and Places of Abode, and other Descriptions which shall best ascertain the Persons.

Contributors paying their Purchase-money, to enjoy the Annuities so purchased,

XVII. And be it further enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money after the respective Rates aforesaid, at or before the respective Days and Times in this Act before limited in that Behalf, for any Annuity or Annuities for such Term of Years, or Estate for Life or Lives, as aforesaid, according to the true Meaning of this Act, or such as he, she, or they shall appoint, his, her, or their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, and be intitled, by Virtue of this Act, to have, receive, and enjoy the respective Annuity and Annuities so to be purchased, out of the Monies arising and to arise, as aforesaid, for and during all and every such Term of Years, for Life or Lives respectively, and that all the Annuities to be purchased on this Act for any Term, Estate, or Interest whatsoever, shall be free from all Taxes, Charges, and Impositions whatsoever.

free from Taxes; and shall have Tallies for the same,

XVIII. And be it further enacted by the Authority aforesaid, That every Contributor upon any Part of this Act for any of the Annuities aforesaid, his, her, or their Executors, Administrators, or Assigns, upon Payment of the Consideration or Purchase money for the same, at the respective Rates in this Act before appointed, or any Part or Proportion thereof, within the Time or Times by this Act limited in that Behalf, shall immediately have one or more Talley or Tallies levied, importing the Receipt of so much Consideration-money as shall be so paid for or in Part of the said respective Sums to be raised, as aforesaid, and upon Payment of all the Purchase-money for any such Annuity or Annuities, as aforesaid, at the Rate by this Act appointed, every such Contributor respectively, his or her respective Executors, Administrators, or Assigns, shall have an Order for Payment of such Annuity and Annuities, for and during such respective Term, Estate, or Interest, as he, she, or they shall or ought to have therein, as aforesaid; which Order shall be signed by the Treasurer and Under Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being; and after the signing thereof, the same shall be firm, good, valid, and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office or Offices of them or any of them; nor shall any Lord High Treasurer of *England*, Treasurer of the Exchequer, or any Commissioners of the Treasury, now or for the Time being, have Power to revoke, countermand, or make void such Orders so signed, as aforesaid, or any of them.

and Orders for Repayment.

No Lord Treasurer, &c. to revoke the same.

XIX. And for the Encouragement of the Contributors to advance and pay forthwith into the Receipt of the Exchequer, the Sums by them intended to be advanced upon any of the Terms aforesaid, it is provided and enacted by the Authority aforesaid, That every such Contributor, who shall advance and pay into the said Receipt of Exchequer, all or any Part of the Purchase-money payable for any such Annuity or Annuities, as aforesaid, before the said first Day of *May* in the Year of our Lord one thousand seven hundred and four, his, her, or their Executors Administrators, or Assigns, shall be allowed and paid, out of the Contribution-money arising by this Act, Interest after the Rate of five Pounds *per Centum per Annum*, for the prompt Payment of the Money so advanced, from the Time of the actual advancing and paying the same, until the said first Day of *May* one thousand seven hundred and four.

Contributors to be allowed 5 l. per Cent. Interest for prompt Payment,

until 1 May 1704.

XX. And be it further enacted, That it shall and may be lawful to and for any Contributor, his or her Executors, Administrators, or Assigns, at any Time or Times, during the Continuance of his or her Term, Estate, or Interest, of and in any Annuity to be purchased upon this Act, by any Writing under Hand and Seal, or by his or her last Will in Writing, to assign or devise such Annuity and Annuities, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*; and no such Assignment to be revokable, so as an Entry or Memorandum of such Assignment or Will be made in Books to be kept for that Purpose in the said Office of the Auditor of the Receipt, within the Space of two Months after such Assignment or Death of the Devisor, and that upon the producing such Assignment, or Will, or Probate thereof, in the said Office of Receipt, to be entered as aforesaid, the Party so producing the same, shall bring therewith an Affidavit, taken before some Person authorized to take Affidavits in Causes depending in any the Courts at *Westminster*, of the due Execution of the said Assignment or Will, which Affidavits shall be severally filed in the said Office; which said Entry or Memorandum the said Officers in the said Receipt of the Exchequer are hereby required to make accordingly, and to file the said Affidavits, and in Default of such Assignment or Devise, by Deed or Will, the Interest of such Contributor (not being such as is to determine by his or her Death) shall go to his or her Executors or Administrators.

Entry thereof to be made on Affidavit.

Affidavits to be filed.

In Default of Assignment, &c. Interest of Contributors to go to his Executors, &c.

XXI. And it is hereby enacted, That every Estate of and in any Annuity to be purchased upon this Act, shall be deemed a personal Estate, and (if the same be not such Annuity as is to depend upon the Contributor's own Life) shall go to his Executors and Administrators, and not be descendable to the Heir.

Annuities to be deemed a Personal Estate, &c.

XXII. And be it further enacted, That it shall and may be lawful for any Guardian or Trustee, having the Disposal of the Money of any Infant under the Age of one and twenty Years, for the Use or Benefit of such Infant, to advance and pay the Sum of one hundred and fifty Pounds of the Money of such Infant, to purchase any Annuity upon this Act for the Benefit of such Infant; and the said Guardian and Trustee, as to the said Sum of one hundred and fifty Pounds so advanced, is hereby discharged.

Guardians to Infants may advance 150l. &c. to purchase an Annuity, &c. and be discharged for so much.

XXIII. And to the Intent and Purpose that all Deceits in receiving any Payment upon any of the said Annuities to be purchased for Life or Lives as aforesaid, may be prevented; Be it enacted by the authority aforesaid, That every Contributor for any of the said Annuities for Life or Lives, his or her Executors, Administrators or Assigns, upon his or her demanding of any quarterly Payment, upon such his or her Annuity (unless the Nominee appear in Person at the said Receipt) shall produce a Certificate of the Life of his or her respective Nominee, signed by the Minister and Churchwardens of the Parish where such Nominee shall be then living, upon the Day when the said quarterly Payment shall become due (if such Nominee shall be then residing in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*) which Certificate the said Minister and Churchwardens, are hereby required to make without Fee or Reward; or otherwise it shall and may be lawful to and for every Contributor, his or her Executors, Administrators and Assigns, at his, her or their Election, to make Oath of the Truth of his, her or their respective Nominee's Life, upon the Day when the said Payment shall become due, before any one or more Justices of the Peace of the respective County, Riding, City, Town, or Place, wherein such Person, at the Time of making the said Oath, shall reside; which Oath he or they are hereby empowered to administer: And the said Justice or Justices shall make a Certificate thereof, for which Oath and Certificate no Fee or Reward shall be received; and the said Certificates shall be filed in the said Office of the Receipt of Exchequer: And if any Person shall be guilty of a false Oath, or forging any Certificate, touching the Premises, and be thereof lawfully convicted, he or she shall incur the Punishment to be inflicted upon Persons who commit wilful and corrupt Perjury.

Contributors to produce a Certificate of the Life of Nominee, &c. signed by the Minister and Churchwardens.

without Fee; otherwise to make Oath of Nominee's Life.

Justices to make a Certificate thereof, &c.

Penalty on Person guilty of a false Oath or forging Certificate, &c.

XXIV. And be it further enacted, That in case any Nominee for Life or Lives shall, at the Time of such demand of any quarterly Payment, be Resident in *Scotland*, or beyond the Seas, and any one or more of the Barons of the Exchequer for the Time being shall certify, that upon Proof to him or them made (which Proof he and they is and are hereby authorized and required to take in a summary Way) it doth seem probable to him or them that the said Nominee is living (which Certificate is to be given, and Examination made, without Fee or Reward) the said Certificate being filed as aforesaid, shall be a sufficient Warrant for the making of such quarterly Payment to the respective Contributor, his or her Executors, Administrators or Assigns.

Certificate that Nominee, Resident in *Scotland*, or beyond Sea, is living, to be sufficient for making Payment.

XXV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall receive any one or more quarterly Payments, upon any of the said Annuities purchased for one or more Lives as aforesaid, for any Time beyond the Death of his, her or their Nominee, when the same ought to cease, such Person shall be obliged to repay the Sum, so by him or her received, into the Receipt of the Exchequer; and if the same were obtained, either by forging any Certificate of the Life of such Nominee, or by bringing any one to the said Receipt of Exchequer, to personate his or her Appearance, every such Person so fraudulently getting the said Money, and every Person so produced as aforesaid, shall forfeit Treble the Sum so received, to be recovered by Action of Debt, in any of her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same; in which Action no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlane shall be allowed: And moreover, the said Persons so fraudulently getting the said Money, and the Persons produced as aforesaid, and all other Partakers in such Forgery or Fraud, shall be further punished for the same, according to the Laws of this Realm.

Persons receiving any quarterly Payment after the Death of Nominee, shall be obliged to repay the same.

Penalty on Persons obtaining the same fraudulently.

All Receipts and Issues in the Exchequer shall be made without Fee.

Penalty on Officer taking Fee, or misapplying the weekly Sums or not making Entries.

Treble Damages.

Plaintiff on Recovery to have full Costs. In case of faint Prosecution, Contributor may bring another Action.

Officer making Payment on Certificate, shall not incur any Penalty, &c.

Contributors to certify the Death of Nominees;

and deliver up their Tallies, &c. in 3 Months after Decease. Penalty.

Monies appropriated for Payment of the Annuities.

One third Part of the Purchase Money to be paid by 1 May 1704.

Contributors not paying the two other Parts within the Times limited,

such Monies, so paid in, to be forfeited, &c.

Allowance to Officers and Clerks, &c.

XXVI. And be it further enacted, for the better encouraging Persons to advance the said several Sums on this Act, That all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Gratuity or Reward for the same; and in case any of the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall divert or misapply any of the said weekly Sums to be paid into the Receipt of the Exchequer, or any Part of the Monies which should make good the Payment of the said Annuities, or shall pay or issue out of the same otherwise than according to the Intent of this Act, or shall not keep Books and Registers, and make Entries, and do and perform all other Things, which by this Act they are required to perform; every such Officer shall forfeit his Office, and be for the future incapable of any Office or Place of Trust whatsoever, and shall answer and pay treble Damages with Costs of Suit to every Contributor or Person who shall be prejudiced thereby, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law, Injunction, or Order of Restraint, or more than one Impar lance, shall be granted or allowed; and in the said Action the Plaintiff upon Recovery shall have his full Costs; one third Part of which Sum, so to be recovered for Damages, shall be to the Use of her Majesty, her Heirs and Successors; and the other two third Parts, with the Costs, shall be to the Use of the Prosecutor: And in case there shall be any Collusion or faint Prosecution between the Plaintiff and Defendant in such Action, it shall be lawful for any other Contributor, his or her Executors, Administrators, or Assigns, to bring another Action, wherein he shall recover as aforesaid, to the Uses aforesaid.

XXVII. Provided always, and be it enacted, That in case any Officer of the Exchequer shall make any quarterly Payment or Payments upon such Certificate as is before directed, such Officer shall not incur any Penalty, Forfeiture, or Disability for doing thereof, although the said Certificate be forged or false, or the said Nominee be dead, unless the said Officer did know, at the Time of such Payment, that the said Nominee was dead, or that the said Certificate was forged or false.

XXVIII. And be it further enacted, That every Contributor for Life or Lives as aforesaid, his or her Executors, Administrators, or Assigns, within one Month after Notice of the Death of any his or their respective Nominee or Nominees, shall certify such Death to the Auditor of the Receipt of Exchequer for the Time being, and within three Months after Notice of the Determination of his, her, or their Annuity or Annuities, by the Death or Deaths of his, her, or their Nominee or Nominees, shall deliver, or cause to be delivered up, to the said Auditor, his or their Talley and Order, by which he or they were or was intitled, during the Life of such Nominee or Nominees, to receive such Annuity or Annuities, in case such Talley and Order be in his or their Hands or Power; and in Default thereof, such Contributor, his or her Executors, Administrators, and Assigns, shall forfeit the Sum of ten Pounds, to be recovered by Action of Debt as aforesaid, and to be had and received to the Use of any Person who shall sue for the same.

XXIX. And it is hereby enacted and declared, That so much of the Monies arising by the said weekly Payments out of the said Branches of Excise, as shall be sufficient, from Time to Time, to discharge the said Annuities from and after the said five and twentieth Day of *December* one thousand seven hundred and five, during the Continuance of the said Annuities respectively, and so much of the said Contribution-money to be advanced on this Act, as shall be sufficient to discharge all the Payments which shall or may grow due on the said Annuities, from the said twenty-fifth Day of *March* one thousand seven hundred and four, until and for the said twenty-fifth Day of *December* one thousand seven hundred and five inclusively, shall be appropriated and applied, and are hereby appropriated to and for the Payment of the said Annuities, according to the true Meaning of this Act, and shall not be divertible or diverted to any other Use, Intent, or Purpose whatsoever, under such Penalties, Forfeitures, and Disabilities, as are before mentioned.

XXX. Provided always, That no Person or Persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any Annuity upon this Act, for any Term, Estate, or Interest whatsoever, unless the whole, or one third Part of the Consideration Money for the same, at such respective Rate as aforesaid, be advanced and paid into the said Receipt of Exchequer, on or before the said first Day of *May* in the Year of our Lord one thousand seven hundred and four.

XXXI. Provided also, That in case any such Contributor as aforesaid, who shall, on or before the said first Day of *May* one thousand seven hundred and four, have advanced one third Part only of his or her Purchase Money, his or her Executors, Administrators, or Assigns, do not advance and pay into the Receipt of Exchequer, one other third Part of his or her Consideration Money, so to be paid for such respective Annuity or Annuities as aforesaid, on or before the said twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and four; and the remaining third Part thereof on or before the said twenty-ninth Day of *September* in the same Year of our Lord one thousand seven hundred and four; then, and in every such case respectively, no Order shall be drawn or signed for such respective Annuity for which the Consideration Money shall not be fully paid as aforesaid, but so much of the Consideration Money as shall have been actually paid into the Exchequer for such respective Annuity, shall be forfeited and lost to her Majesty, her Heirs and Successors, and be applied, together with other the Monies to be raised by this Act, for the Purposes aforesaid; any Thing in this Act contained to the contrary notwithstanding.

XXXII. Provided always, and it is hereby enacted, That it shall and may be lawful to and for the Lord Treasurer, or Commissioners of the Treasury for the Time being, out of any the Monies of the said weekly Payments, to reward the Officers and Clerks in the Exchequer to be employed in the Payment of the said Annuities, or any of them, for their Labour, Pains, and Service therein respectively, in such Pro-

Proportions as to the Lord Treasurer, or Commissioners of the Treasury for the Time being, shall seem meet and reasonable in that Behalf; any Thing in this Act contained to the contrary notwithstanding.

XXXIII. Provided always, and be it enacted by the Authority aforesaid, That if so many Contributions upon this Act, for such Annuities as aforesaid, shall not be made on or before the said first Day of May one thousand seven hundred and four, as shall be sufficient (together with the several Parts or Proportions of the Purchase Money then remaining to be paid at or before such several Days or Times as aforesaid) to raise the said whole Sum of one Million and two hundred thousand Pounds, over and above the Money necessary to discharge such Annuities as shall be purchased, until the said five and twentieth Day of December one thousand seven hundred and five inclusively as aforesaid; then immediately from and after the said first Day of May one thousand seven hundred and four, it shall and may be lawful to and for her Majesty, her Heirs or Successors, or her or their Officers in the Receipt of Exchequer, by Command or Appointment of her Majesty, her Heirs or Successors, to borrow and take into the said Receipt of Exchequer, of or from any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate (who have hereby Power and Authority to lend and advance the same) for the Service of carrying on the said War, and other her necessary Occasions, any Sum or Sums of Money, which, together with the whole Amount of all the Consideration or Purchase Monies, paid or to be paid, in ready Money or by Proportions as aforesaid, for the said Annuities, shall not exceed in the whole the said Sum of one million and two hundred thousand Pounds, besides so much as shall be necessary to discharge the purchased Annuities, until and for the said five and twentieth Day of December one thousand seven hundred and five as aforesaid; which Loans shall be registred and repaid in Course, according to the Dates of the Tallies, and Interest shall be allowed for the said Loans after the Rate of six Pounds *per Centum per Annum*, and payable quarterly; and the Principal and Interest of the said Loans shall be charged upon, and payable out of, all the Monies, which shall arise by the said weekly Payments, over and above so much as will be sufficient to satisfy the said annual Payments, after the Rate of three Pounds *per Centum per Annum*, to the said Patentees, and those claiming under them, and over and above so much as shall be sufficient to satisfy so many Annuites as shall have been actually purchased upon this Act: And that Tallies of Loan shall be levied for the Monies so lent, and Orders shall be drawn and signed for Repayment of the same, with such Interest as aforesaid, according to the Course of the Exchequer; and that such Orders, or any Part thereof, shall be assignable, such Assignments being first entred in the Office of the Auditor of the said Receipt; and that no Monies so to be lent shall be chargeable with any Taxes, Rates, or Impositions; and all the Monies arising by the said weekly Payments out of the said Branches of Excise (over and above so much as will be sufficient to satisfy the said annual Payments, after the Rate of three Pounds *per Centum per Annum*, and so many Annuities as shall have been actually purchased upon this Act as aforesaid) shall be applied and appropriated, and the same are hereby appropriated to and for the Repayment of the said Loans in Course, with such Interest as aforesaid, unto such Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, who shall lend or advance the same as aforesaid, his, her, or their Executors, Administrators, Successors, or Assigns respectively, without any Fee or Charge whatsoever, and shall not be diverted or be divertible to any other Use or Purpose whatsoever, under the like Penalties and Forfeitures as are by this Act prescribed for diverting or misapplying any of the Money that ought to be applied to the Payment of the said Annuities: And in case all the Monies so to be borrowed, with the Interest thereof, shall not be repaid by or before the five and twentieth Day of December one thousand seven hundred and six, then the Remainder thereof shall be satisfied out of the next Aids to be granted by Parliament, after the same five and twentieth Day of December one thousand seven hundred and six.

If so many Contributions be not made by 1 May 1704, as will raise 1,200,000l. &c.

Queen, &c. may borrow so much as will make up the 1,200,000l. &c.

Interest allowed.

Tallies and Orders for Repayment, &c.

Monies so lent not to be taxed. Weekly Payments, &c. appropriated for Repayment,

without Fee.

Monies not repaid by 25 Dec. 1706 how satisfied.

C A P. IV.

An Act for the publick registering of all Deeds, Conveyances, and Wills, that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments, within the *West Riding* of the County of *York*, after the nine and twentieth Day of *September* one thousand seven hundred and four.

WHEREAS the *West Riding* of the County of *York* is the principal Place in the *North* for the Cloth Manufacture, and most of the Traders therein are Freeholders, and have frequent Occasions to borrow Money upon their Estates for managing their said Trade, but for want of a Register find it difficult to give Security to the Satisfaction of the Money Lenders (although the Security they offer be really good) by Means whereof the said Trade is very much obstructed, and many Families ruined: For the remedying whereof may it please your most Excellent Majesty, at the humble Request of the Justices of the Peace, Gentlemen, and Freeholders of the said *West Riding*, that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advise and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That a Memorial of all Deeds and Conveyances, which from and after the nine and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and four, shall be made and executed, and of all Wills and Devises in Writing made or to be made and published, where the Devisor or Testator shall die after the said nine and twentieth Day of *September*, of or concerning, and where by any Honors, Manors, Lands, Tenements, or Hereditaments in the said *West Riding*, may be any way affected

Farther Provisions relating hereto by 5 Annæ, c. 18. and 6 Annæ, c. 35. f. 34.

A Memorial of all Deeds and Conveyances made after 29 Sept. 1704. and of all Wills, &c. made in the *West Riding* of *Yorkshire*.

may be registred, affected in Law or Equity, may, at the Election of the Party or Parties concerned, be registred in such Manner as is herein after directed; and that every Deed or Conveyance that shall, at any Time after any Memorial is so registred, be made and executed of the Honors, Manors, Lands, Tenements, or Hereditaments, or any Part thereof, comprized or contained in any such Memorial, shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable Consideration, unless such Memorial thereof shall be registred as by this Act is directed, before the registring of the Memorial of the Deed or Conveyance under which such subsequent Purchaser or Mortgagee shall claim; and that every Devise by Will of the Honors, Manors, Lands, Tenements, or Hereditaments, or any Part thereof, mentioned or contained in any Memorial so registred as aforesaid, that shall be made and published after the registring of such Memorial, shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable Consideration, unless a Memorial of such Will be registred in such Manner as is herein after directed.

Register's Office
to be kept at
Wakefield.

II. And for settling and establishing a certain Method, with proper Rules and Directions for registring such Memorials as aforesaid, be it further enacted by the Authority aforesaid, That one publick Office for registring such Memorials of and concerning any Honors, Manors, Lands, Tenements, and Hereditaments, that are situate, lying, and being within the said *West Riding*, shall be established and kept at *Wakefield*, the nearest Market Town to the Center or Middle of the said *West Riding*, to be managed and executed by a fit and able Person, to be from Time to Time elected and appointed in Manner herein after directed, or his sufficient Deputy, and to continue in the said Office for so long Time as he shall well demean himself therein.

Register to be
elected by bal-
lotting.
Manner of Elec-
tion.

III. And be it enacted by the Authority aforesaid, That all Elections of a Register to be made or appointed by Virtue of this Act, shall be performed by balloting in Manner following (that is to say) All the Freeholders that at the Time of any such Election have an Estate of Freehold, of or in any Lands, Tenements, or Hereditaments within the said *West Riding*, of the yearly Value of one hundred Pounds (to be determined by the Oath of the Elector, before the Scrutators herein after-mentioned, if any Doubt arise touching the same, which Oath they are hereby impowered to administer) shall be Electors of the said Register; and that the Justices of the Peace for the said *West Riding*, in that Behalf assembled, or the major Part of them, or any five of such Justices to be appointed by such major Part, shall be Scrutators of the Ballot; who shall meet on the Day and Place of Election, and there, in the Presence of the Electors, shall place one or more Glass Vessels to be provided for that Purpose, into which each Elector present shall put one open Paper, containing the Name of such Person as he approves of to be Register: Which Papers shall be taken out again in the Presence of the said Scrutators, by a Person by them in that Behalf appointed; and the Name or Names of every Person therein shall be once transcribed in distinct Columns, and under each Name shall be set down the Number of their Electors, which shall be deliberately cast up by the said Scrutators, and the same shall be read over in the Hearing and fixt up in the View, of the Electors then present; and the Person upon whom the Majority shall fall, shall be declared Register.

Time of electing
the first Register.

IV And be it enacted by the Authority aforesaid, That the Election of a Person to be the first Register, shall be made at the next General Quarter-Sessions of the Peace to be holden for the said *West Riding*, after the Feast of *Easter* in the said Year of our Lord one thousand seven hundred and four, in open Court, on the second Day of the said Sessions, between the Hours of nine in the Morning, and three in the Afternoon.

Upon Death, &c.
of Register a new
one to be chosen.

V. And be it enacted by the Authority aforesaid, That when and as often as the said Office shall become vacant by the Death, Forfeiture, or Surrender of any such Register, the Justices of the Peace for the said *West Riding*, assembled at the General Quarter-Sessions of the Peace, next after such Vacancy shall happen, or the major Part of them, shall in open Court declare the said Vacancy, and by order of the same Sessions shall appoint and prefix a certain Day and Time, within the Space of one Calendar Month, and above three Weeks ensuing the End of such General Quarter-Sessions, for the Electors to assemble at *Wakefield* aforesaid, to choose a fit and able Person, in the Manner aforesaid, to supply the said Vacancy: And to the Intent that all Persons qualified to be Electors, may have due Notice of such Vacancy, and Time of Election of a succeeding Register, the Clerk of the Peace for the Time being for the said *West Riding* shall forthwith cause Copies of such Order, for the prefixing the Time of such Election, to be delivered to the respective Chief Constables of the several Wapentakes within the said *West Riding*, who shall and are hereby required to publish the same in full Market in every Market Town within their several Wapentakes, on the next Market Day after the Receipt thereof, and to affix the same in the most publick Place of Resort there.

During the Va-
cancy, Executors
of Register to
appoint a Person
to execute the
Office.

VI. And be it enacted by the Authority aforesaid, That upon the Death of any such Register, and until another Election of a Person to execute that Office shall be made in Manner aforesaid, the Executors and Administrators of the Register deceased, together with the Sureties for the said Register, or their Executors and Administrators, shall appoint a proper Person to execute the Office of Register, for whose Demeanor in the Execution of the said Office the Security given for such Register deceased shall be answerable.

How Memorials
shall be written,
and directed, &c.

VII. And be it further enacted by the Authority aforesaid, That all and every Memorials, so to be entered or registred, shall be put into Writing, in Vellum or Parchment, and directed to the Register of the said Office; and in case of Deeds and Conveyances, shall be under the Hand and Seal of some or one of the Grantors, or some or one of the Grantees, his or their Guardians or Trustees, attested by two Witnesses, one whereof to be one of the Witnesses to the Execution of such Deed or Conveyance; which Witness shall, upon his Oath before the said Register, or his Deputy, prove the signing and sealing of the said Memorial, and the Execution of the Deed or Conveyance mentioned in such Memorial; and in case of Wills, the Memorials shall be under the Hand and Seal of some or one of the Devisees, his or their

Deeds and Con-
veyances.

Wills.

their Guardians or Trustees, attested by two Witnesses, one whereof shall, upon his Oath before the said Register or his Deputy, prove the Signing and Sealing of such Memorial; which respective Oaths the said Register or his Deputy is hereby impowered to administer.

VIII. And be it further enacted by the Authority aforesaid, That every Memorial of any Deed, Conveyance, or Will, shall contain the Day of the Month, and the Year when such Deed, Conveyance, or Will bears Date, and the Names and Additions of all the Parties to such Deed or Conveyance, and of the Devisor, or Testatrix of such Will, and of all the Witnesses to such Deed, Conveyance, or Will, and the Places of their Abode, and shall express or mention the Honors, Manors, Lands, Tenements, and Hereditaments, contained in such Deed, Conveyance, or Will, and the Names of all the Parishes, Townships, Hamlets, Precincts, or Extraparochial Places, within the said *West Riding*, where any such Honors, Manors, Lands, Tenements, or Hereditaments are lying or being, that are given, granted, conveyed, devised, or any Way affected or charged by any such Deed, Conveyance, or Will, in such Manner as the same are expressed or mentioned, in such Deed, Conveyance, or Will, or to the same Effect; and that every such Deed, Conveyance, and Will, or Probate of the same, of which such Memorial is so to be registred, as aforesaid, shall be produced to the said Register or his Deputy, at the Time of entering such Memorial, who shall indorse a Certificate on every such Deed, Conveyance and Will, or Probate thereof, and therein mention the certain Day, Hour, and Time on which such Memorial is so entred and registred, expressing also in what Book, Page, and Number the same is entred, and that the said Register, or his Deputy, shall sign the said Certificate when so indorsed; which Certificates shall be taken and allowed as Evidence of such Respective Registries in all Courts of Record whatsoever; and that every Page of such Register Books, and every Memorial that shall be entred therein, shall be numbred, and the Day of the Month, and the Year, and Hour, or Time of the Day, when every Memorial is registred, shall be entred in the Margins of the said Register Books, and of the said Memorial; and that every such Register shall keep an Alphabetical Calendar of all Parishes, Extraparochial Places, and Townships within the said *West Riding*, with Reference to the Number of every Memorial that concerns the Honors, Manors, Lands, Tenements, or Hereditaments, in every such Parish, Extraparochial Place, or Township respectively, and of the Names of the Parties mentioned in such Memorial; and that such Register shall duly file every such Memorial in Order of Time, as the same shall be brought to the said Office, and enter or register the said Memorials in the same Order that they shall respectively come to his Hand.

What every Memorial of any Deed, Conveyance, or Will shall contain.

Register to indorse a Certificate on every such Deed, &c.

Memorials to be numbred.

Register to keep an alphabetical Calendar.

Memorials to be filed and entred in Order.

IX. And be it further enacted that every such Register, before he enter upon the Execution of the said Office, shall be sworn before the Justices of the Peace for the said *Riding*, or any three or more of them that shall be present at his Election (who are hereby impowered and required to administer such Oath) in these Words:

‘ YOU shall truly and faithfully perform and execute the Office and Duty that is directed and required by Act of Parliament, in Registring Memorials of Deeds, Conveyances, and Wills, within the *West Riding* of the County of *York*, so long as you shall continue in the said Office; and that you have not given or promised, directly nor indirectly, nor authorized any Person to give or Promise any Money, Gratuity, or Reward whatsoever, for procuring or obtaining the said Office for you:’

Register's Oath.

So help you God.

X. And that when and as often as the said Register shall appoint any Deputy to execute the said Office, such Deputy shall, before he enter upon the Execution thereof, take the said Oath appointed to be taken by the Register, before two or more Justices of the Peace for the said *Riding*, who are hereby impowered and required to administer such Oath; and that every Register, at the Time of his being sworn into the said Office, shall also enter into a Recognizance with two or more sufficient Sureties, to be approved of by five or more of the Justices of the Peace of the said *Riding* that where present at his said Election, by Writing under their Hands and Seals, to be registred at the next General Quarter-Sessions of the Peace for the said *Riding*, of the Penalty of two thousand Pounds unto her Majesty, her Heirs and Successors, to be taken by the same Justices of the Peace that approved of his Security, conditioned for his true and faithful Performance of his Duty in the Execution of his said Office: The same to be transmitted by the same Justices of the Peace, within one Month next after the Date thereof, into the Office of her Majesty's Remembrancer of the Exchequer, there to remain amongst the Records of the said Court.

Register's Deputy to take the said Oath.

Register to give 2,000l. Security.

XI. Provided nevertheless, and be it further enacted by the Authority aforesaid, That when any Register shall die, or surrender his Office, and that within the Space of three Years, from and after such Death or Surrender, no Misbehaviour appear to have been committed by such Register, in the Execution of his said Office, then and in such Case, at the End of the said three Years after his Death or Surrender, the said Recognizance, so entred into by him, shall become void and of no Effect, to all Intents and Purposes whatsoever.

If no Misbehaviour appear in 3 Years after Death, &c. of Register, such Recognizance to be void.

XII. And be it further enacted by the Authority aforesaid, That every such Register, or his sufficient Deputy, shall give due Attendance at his Office every Day in the Week (except *Sundays* and *Holidays*) between the Hours of nine and twelve in the Forenoon, and the Hours of two and five in the Afternoon, for the Dispatch of all Business belonging to the said Office; and that every such Register, or his Deputy, as often as required, shall make Searches concerning all Memorials that are registred, as aforesaid, and give Certificates concerning the same under his Hand, if required by any Person.

Times of Attendance in the Office.

Allowances for entering Memorials,

and for Certificates,

Penalty on Register, &c.

Treble Damages.

Person nominated on Death of Register to execute the Office (while vacant) to take the same Oath as Register. Treble Damages.

Act not to extend to Copyhold or Leasehold Estates.

Manors, Lands, &c. to be but once named in the Memorial, &c. where there are more Writings than one for making the Conveyance, &c.

A Memorial of Deeds, &c. made in London, &c. which concern any Lands in the West Riding may be registred on Affidavit.

Register to give Certificate thereupon.

Penalty on forging or counterfeiting Memorials or Certificates.

'5 Eliz. c. 14.'

Penalty on Person forswearing himself.

Memorials of Wills entred in 6 Months after Death of Devisor,

XIII. And be it further enacted by the Authority aforesaid, That every such Register shall be allowed for the Entry of every such Memorial, as is by this Act directed, the Sum of one Shilling, and no more, in case the same do not exceed two hundred Words; but if such Memorial shall exceed two hundred Words, then after the Rate and Proportion of six Pence an hundred, for all the Words contained in such Memorial, over and above the first two hundred Words: And the like Fees for the like Number of Words, contained in every Certificate or Copy given out of the said Office, and no more, and for every Search in the said Office one Shilling, and no more.

XIV. And be it further enacted by the Authority aforesaid, That if any such Register or his Deputy shall neglect to perform his or their Duty in the Execution of the said Office, according to the Rules and Directions in this Act mentioned, or commit, or suffer to be committed, any undue or fraudulent Practice in the Execution of the said Office, and be thereof lawfully convicted, that then such Register shall forfeit his said Office, and pay treble Damages with full Costs of Suit to every such Person or Persons as shall be injured thereby, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law shall be allowed, nor any more than one Imparlance.

XV. And be it further enacted, That the Person to be nominated, as aforesaid, upon the Death of any Register, to execute the said Office, during the Time the same shall be vacant, as aforesaid, shall, before he enter upon the Execution thereof, take the Oath herein before appointed to be taken by such Register, and his Deputy, before two or more Justices of the Peace for the said *Riding* (who are hereby impowered to administer the same Oath) and that if such Person, so nominated, shall be lawfully convicted of any Neglect, Misdemeanor, or fraudulent Practice in the Execution of the said Office, during such Vacancy, he shall be liable to pay treble Damages, with full Costs of Suit, to every Person that shall be injured thereby, to be recovered as aforesaid.

XVI. Provided also, and be it further enacted, That this Act shall not extend to any Copyhold Estates, or to any Leases at a Rack Rent, or to any Lease not exceeding one and twenty Years, where the actual Possession and Occupation goeth along with the Lease; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

XVII. Provided always, and be it further enacted, That where there are more writings than one, for making and perfecting any Conveyance or Security, which do name, mention, or any ways affect or concern the same Honours, Manors, Lands, Tenements, or Hereditaments, it shall be a sufficient Memorial and Register thereof, if all the said Honours, Manors, Lands, Tenements, and Hereditaments, and the Parishes, Townships, Hamlets, or extraparochial Places, where the same lie, be only once named or mentioned in the Memorial, Register and Certificate of any one of the Deeds or Writings, made for the perfecting of such Conveyance or Security; and that the Dates of the rest of the said Deeds or Writings, relating to the said Conveyance or Security, with the Names and Additions of the Parties and Witnesses, and the Places of their Abodes, be only set down in the Memorials, Registers, and Certificates of the same, with a Reference to the Deed or Writing whereof the Memorial is so registred, that contains or expresses the Parcels mentioned in all the said Deeds, and Directions how to find the registring the same.

XVIII. And be it further enacted by the Authority aforesaid, That a Memorial of such Deeds, Conveyances, and Wills, as shall be made and executed or published in *London*, or in any other Place not within forty Miles of the said *West Riding*, which do or may concern or affect any Honours, Manors, Lands, Tenements, or Hereditaments in the said *West Riding*, shall be entred or registred by the aforesaid Register or his Deputy, in Case an Affidavit sworn before any one of the Judges at *Westminster*, or a Master in *Chancery*, be brought with the said Memorial to the said Register or his Deputy, wherein one of the Witnesses to the Execution of such Deeds and Conveyances shall swear he or she saw the same executed, and the Memorial signed and sealed as above-said, or wherein one of the Witnesses to the Memorial of any Will shall swear he or she saw such Memorial signed and sealed as above-said; and the same shall be a sufficient Authority to the said Register, or his Deputy, to give the Party that brings such Memorial and Affidavit, a Certificate of the registring such Memorial; which Certificate, signed by the said Register or his Deputy, shall be taken and allowed as Evidence of the Registries of the same Memorials in all Courts of Record whatsoever; any thing in this Act to the contrary thereof contained in any wise notwithstanding.

XIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time forge or counterfeit any such Memorial or Certificate as are herein before-mentioned and directed, and be thereof lawfully convicted, such Person or Persons shall incur and be liable to such Pains and Penalties as in and by an Act of Parliament made in the fifth Year of the Reign of Queen ELIZABETH, intituled, *An Act against Forgers of false Deeds and Writings*, are imposed upon Persons for forging or publishing of false Deeds, Charters, or Writings sealed, Court Rolls, or Wills, whereby the Freehold or Inheritance of any Person or Persons of, in, or to any Lands, Tenements or Hereditaments, shall or may be molested, troubled, or charged; and that if any Person or Persons shall at any Time forswear himself before the said Register, or his Deputy, or before any Judge or Master in *Chancery*, in any of the Cases aforesaid, and be thereof lawfully convicted, such Person or Persons shall incur and be liable to the same Penalties, as if the same Oath had been made in any of the Courts of Record at *Westminster*.

XX. Provided always, and it is hereby enacted, That all Memorials of Wills that shall be registred in Manner as aforesaid, within the Space of six Months after the Death of every respective Devisor or Testator, dying in England, &c. or in 3 Years after Death of Devisor dying beyond Sea to be valid,

trix, dying within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, or within the Space of three Years after the Death of every respective Devisor or Testatrix, dying upon or in any Parts beyond the Seas, shall be as valid and effectual against subsequent Purchasers, as if the same had been registred immediately after the Death of such respective Devisor or Testatrix; any thing herein contained to the contrary thereof in any wise notwithstanding.

XXI. Provided always, That in case the Devisee, or Person or Persons interested in the Honours, Manors, Lands, Tenements, or Hereditaments, devised by any such Will, as aforesaid; by reason of the contesting such Will, or other inevitable Difficulty, without his, her, or their wilful Neglect or Default, shall be disabled to exhibit a Memorial for the Registry thereof, within the respective Times herein before limited, then and in such Case the Registry of the Memorial, within the Space of six Months next after his, her, or their Attainment of such Will, or a Probate thereof, or Removal of the Impediment, whereby he, she, or they are disabled or hindered to exhibit such Memorial, shall be a sufficient Registry within the Meaning of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Proviso in case of Wills contested.

XXII. And be it further enacted by the Authority aforesaid, That no Member of Parliament, for the Time being, shall be capable of being chosen Register, or of executing, by himself or any other Person, the said Office, or have, take, or receive any Fee or other Profit whatsoever, for or in Respect thereof; nor shall any Register, or his Deputy for the Time being, be capable of being chosen a Member to serve in Parliament.

No Member of Parliament to be chosen Register; or Register to be chosen a Member of Parliament. Publick Act.

XXIII. And be it further enacted, That this Act shall be taken and allowed in all Courts within this Kingdom as a publick Act; and all Judges and Justices are hereby required as such to take Notice thereof, without special pleading the same.

See 7 Ann. c. 25. appointing a Register for Middlesex; and 3 Geo. 2. c. 6. appointing Register for the North Riding of Yorkshire.

Register for Middlesex; and 3 Geo. 2. c. 6. appointing Register for the North Riding of Yorkshire.

C A P. V.

An Act to repeal a Proviso in an Act of the fourth Year of the Reign of King WILLIAM and Queen MARY, which prevents the Citizens of the City of *York* from disposing of their personal Estates by their Wills, as others inhabiting within the Province of *York* by that Act may do.

WHEREAS by an Act made and passed in the fourth Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act that the Inhabitants of the Province of York may dispose of their personal Estates by their Wills, notwithstanding the Custom of that Province*: In which Act there is a Proviso, that nothing in the said Act contained should extend or be construed to extend to the Citizens of the Cities of *York* and *Chester*, who were or should be Freemen of the said respective Cities, inhabiting therein, or within the Suburbs thereof, at the Time of their Death: But that every such Citizen's Widow and Children should and might have and enjoy such reasonable Part and Proportion of the Testator's personal Estate, as she or they might or ought to have had by the Custom of the Province of *York*, before the making of the said Act: And whereas notwithstanding the Mayor and Commonalty, on behalf of the Inhabitants of the said City of *York*, have humbly desired that the said Proviso may be repealed, so that the Freemen of the said City may have the Benefit of the said Act of Parliament, as well as all other Persons inhabiting within the said Province; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the six and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and four, the said Proviso, so far as the same concerns the Citizens of the City of *York*, shall be repealed, and is hereby repealed and made null and void, so that from thenceforth it shall and may be lawful for all and every the Citizens of the said City of *York*, who are or shall be Freemen of the said City, inhabiting therein, or within the Suburbs thereof, at the Time of their Death, by their last Wills and Testaments, to give, bequeath, and dispose of their Goods, Chattels, Debts, and other personal Estates, to their Executor or Executors, or to such other Person or Persons as the said Testator or Testators shall think fit, as any other Person or Persons inhabiting or residing within the said Province of *York* may lawfully do by virtue of the said Act: And that from and after the said six and twentieth Day of *March*, the Widows, Children, and other Kindred of such Testator or Testators, shall be barred to claim or demand any Part of the Goods, Chattels, or other personal Estate of the Testator or Testators, in any other Manner than as by the said last Wills and Testaments is limited and appointed; any thing in the said Act, or any other Law, Statute, or Usage to the contrary in any wise notwithstanding.

4 W. & M. c. 25.

Freemen of York may dispose of their personal Estates by Will.

Widows or Children barred from Claim, otherwise than by Testator's Will.

II. Provided, and be it enacted, That this Act shall be taken and allowed in all Courts within this Kingdom as a publick Act; and all Judges and Justices are required as such to take Notice thereof without special pleading the same.

Publick Act.

C A P. VI.

An Act for the Increase of Seamen, and better Encouragement of Navigation, and Security of the Coal Trade.

2 R. 2. c. 4.
5 El. c. 5.
7 & 8 W. 3. c.
21.
8 W. 3. c. 23.
9 W. 3. c. 41.

Parish Boys may be put out Apprentices to the Sea Service,

to Masters of Ships &c.

Boy's Age to be inserted in his Indenture, &c.

Churchwardens to pay down 50s. for Boys necessary Cloathing, &c. and be allowed the same in their Accounts.

Overseers of the Poor of any Township or Village may act as Churchwardens,

No such Apprentice to be impressed, &c. until 18 Years old.

Apprentices Indentures to be sent to the Collector at the Port whereunto his Master belongs. Collector to enter the same gratis, &c.

‘ WHEREAS the giving due Encouragement to such of the Youth of this Kingdom, as shall voluntarily betake themselves to the Sea Service, and Practice of Navigation, and obliging others, who by reason of their own or their Parents Poverty, are destitute of Employment, or any lawful Means whereby to maintain themselves, may greatly tend to the Increase of able and experienced Mariners and Seamen, for the Service of her Majesty’s Royal Navy, and for the carrying on the Trade and Commerce of this Kingdom;’ Be it therefore enacted by the Queen’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 from and after the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and four, it shall and may be lawful to and for two or more Justices of the Peace, in their several and respective Counties, Ridings, or Divisions, as also to and for all Mayors, Aldermen, Bailiffs, and other chief Officers and Magistrates of any City, Borough, or Town Corporate, within her Majesty’s Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, and likewise to and for the Churchwardens and Overseers of the Poor (for the Time being) of the several and respective Parishes within the Places aforesaid, by and with the Consent and Approbation of such Justices of the Peace, Mayors, Aldermen, Bailiffs, or other the chief Officers or Magistrates aforesaid, to bind and put out any Boy or Boys, who is, are, or shall be of the Age of ten Years, or upwards, or who is, are, or shall be chargeable, or whose Parents are or shall become chargeable to the respective Parish or Parishes wherein they inhabit, or who shall beg for Alms, to be Apprentice and Apprentices to the Sea Service, to any of her Majesty’s Subjects, being Masters or Owners of any Ship or Vessel used in Sea Service, and belonging to any Port or Ports within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed* aforesaid, for so long Time, and until such Boys shall respectively attain or come to the Age of one and twenty Years; and such binding out any such Apprentice shall be as effectual in the Law to all Intents and Purposes, as if such Boy were of full Age, and by Indenture had bound himself an Apprentice: And to the end that the Time of the Continuance of the Service of such Apprentice or Apprentices may the more plainly and certainly appear, the Age of every such Boy, so to be bound Apprentice, shall be mentioned and inserted in his Indentures, being taken truly from a Copy of the Entry in the Register Book, wherein the Time of his being baptized is or shall be entred (where the same can or may be had) which Copy shall be given and attested by the Minister, Vicar, or Curate of such Parish or Parishes, wherein such Boy’s Baptism shall be registred, without Fee or Reward, and may be writ upon Paper or Parchment without any Stamp or Mark; and where no such Entry of such Boy’s being baptized can be found, two or more of such Justices of the Peace, and such Mayors, Aldermen, Bailiffs, or other chief Officers shall, as fully as they can, inform themselves of such Boy’s Age, and from such Information shall insert the same in the said Indentures; and the Age of such Boy so inserted and mentioned in the said Indentures (in relation to the Continuance of his Service) shall be taken to be his true Age, without any further Proof thereof.

II. And be it further enacted by the Authority aforesaid, That the Churchwardens and Overseers of the Poor for the Time being, of the several and respective Parishes, from whence any such Boy shall be bound Apprentice to the said Service, as aforesaid, shall pay down to such Master, to whom the Boy is bound, at the Time of his binding, the Sum of fifty Shillings, to provide necessary Clothing and Bedding for Sea Service, for such Boy; and the Charges by this Act appointed shall be allowed to the said Churchwardens and Overseers on their Accounts.

‘ III. And whereas in many large Parishes within this Realm, there are several Townships or Villages, and Overseers of the Poor are chosen and appointed within and for each such Township or Village respectively;’ Be it therefore enacted, That the Overseers of the Poor of every such Township or Village shall and may, from Time to Time, within every such Township or Village, do, perform and execute all and every the Acts, Powers, and Authorities hereby enacted or directed to be done, performed, or executed by the Churchwardens or Overseers of the Poor of a Parish; any thing herein contained to the contrary in any wise notwithstanding.

IV. And be it further enacted by the Authority aforesaid, That no such Apprentice or Apprentices shall be compelled or impressed, or permitted or suffered to lift or enter him or themselves into her Majesty’s Service at Sea, or into the Sea Service of her Majesty’s Heirs or Successors, till such Apprentice or Apprentices respectively arrive to the Age of eighteen Years.

V. And be it further enacted, That the Churchwardens and Overseers of the Parish, out of which any such Boy shall be bound an Apprentice, shall send the said Indentures to the Collector of her Majesty’s Customs, residing at or belonging to any Port or Ports within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, whereunto such Masters or Owners of Ships or Vessels, to whom such Apprentice or Apprentices shall be bound, do or may belong; who shall in a fair Book or Books to be by him kept for that Purpose, fairly enter from Time to Time, all and every Indenture and Indentures, whereby such Apprentice and Apprentices shall be bound, and which shall be so sent unto him, and shall make an Indorsement upon the said Indentures of the Registry thereof, subscribed by the said Collector, without taking any Fee or other Reward for the same: And every such Collector neglecting or refusing to enter such Indentures, and indorse the same, or making false Entries, shall forfeit

the Sum of five Pounds for the Use of the Poor of the Parish, from whence such Boy was bound Apprentice: And all and every such Collector or Collectors, or his or their lawful Deputy or Deputies, of the said several and respective Ports, shall from Time to Time transmit Certificates in Writing, under his or their Hands, to the Lord High Admiral of *England*, or to the Commissioners of the Admiralty for the Time being, containing the Names and Ages of every such Apprentice respectively, and to what Ship he belongs; and upon Receipt of such Certificates, Protections shall, from Time to Time, be made and given for such Apprentices, till they attain their several and respective Ages of eighteen Years, without any Fee or Reward to be taken for the same; which Certificates, so as aforesaid to be given, are not required to be written upon stamp Paper or Parchment.

Penalty on Collector neglecting.

Lord Admiral to Protections for such Apprentices, gratis.

VI. And be it further enacted by the Authority aforesaid, That all and every the Person and Persons, to whom any poor Parish Boy hath been, or hereafter shall be, put Apprentice, according to the Statute made in the forty-third Year of the Reign of Queen ELIZABETH, may, with the Consent and Approbation of two or more Justices of the Peace of the same County, and dwelling in or near the same Parish where such poor Boy was bound Apprentice, or by and with the Consent and Approbation of any Mayor, Alderman, Bailiff, or other Chief Officer or Magistrate of any City, Borough, or Town Corporate, where such poor Boy was bound Apprentice, at the Request of the Master or Mistres, then living, of such Apprentices, or his or their Executors, Administrators, or Assigns, by Indenture, assign and turn over such poor Boy Apprentice to any Master or Owner of any such Ship or Vessel, using the Sea Service as aforesaid, for and during the then remaining Time of his Apprenticeship; which Assignment and Assignments of such Apprentices so as aforesaid, shall be, and are hereby declared to be good and effectual in the Law: All which Indentures of Assignment are hereby directed to be registred, and Certificates thereof given and transmitted by such Collector, at the said several Ports where such Parish Apprentices shall be so assigned over, and bound to the Sea Service, in Manner and Form aforesaid; and upon Receipt of such Certificates, Protections shall, from Time to Time, be made and given for such Apprentices (so to be assigned over as aforesaid) till they shall attain their several and respective Ages of eighteen Years, without Fee or Reward for the same, in like Manner as aforesaid.

43 El. c. 2.

Parish Boys bound Apprentices, may be turned over to the Sea Service. Indentures of Assignment to be registred. Altered by 4 Annæ, c. 19. f. 16.

VII. And be it further enacted by the Authority aforesaid, That all and singular such poor Boys as are herein before-mentioned, or intended by this present Act to be bound and put out, and such as shall be assigned over to the Sea Service as aforesaid, during their several and respective Apprenticeships, till such Time as they shall attain their several and respective Ages of eighteen Years, shall be, and are hereby declared to be exempted, freed, and discharged of and from Payment of six Pence per Month towards the better supporting of *Greenwich Hospital*; the Act of Parliament made in the seventh and eighth Years of the Reign of the late King WILLIAM the Third (of glorious Memory) intituled, *An Act for the Increase and Encouragement of Seamen*, or any Clause in the same contained to the contrary hereof in any wise notwithstanding.

All such Apprentices until 18 Years old exempted from the 6 d. per Month to Greenwich Hospital. See 2 Geo. 2. c. 7. f. 36. 7 & 8 W. 3. c. 21.

VIII. And for the better providing such Apprentices with Masters for the said Service; be it further enacted by the Authority aforesaid, That all and every of her Majesty's Subjects, being Masters or Owners of any Ship or Ships, Vessel or Vessels, used in the Sea Service as aforesaid, of the Burthen of thirty Tun to the Burthen of fifty Tun, be obliged to take one such Apprentice, and one more for the next fifty Tun, and one more for each and every hundred Tun, such Ship or Vessel shall exceed the Burthen of one hundred Tun: And such Master or Owner of any Ship or Vessel, refusing to take such Apprentice or Apprentices as aforesaid, shall forfeit the Sum of ten Pounds for the Use of the Poor of the Parish from whence such Boy was bound Apprentice.

Masters of Ships &c. obliged to take such Apprentices. By 4 Annæ, c. 19. f. 16. no Master shall be bound to take a Boy under 13 Years of Age, &c. and to give an Account of their Names, &c.

IX. And be it further enacted, That every Master or Owner of such Ship or Ships, Vessel or Vessels, so obliged to take such Apprentice or Apprentices, after his Arrival into any Port or Ports aforesaid, and before he clears out of such Port, shall give an Account in Writing, under his Hand, to the Collector of such Port to which he belongs, containing the Names and Numbers of such Apprentices as are then remaining in his Service.

X. And for the better conveying and conducting all and every such Apprentice and Apprentices, so to be bound as aforesaid, to his and their respective Master and Masters; be it further enacted by the Authority aforesaid, That all and every such Apprentice and Apprentices shall, from Time to Time, be severally and respectively sent, conducted, and conveyed to the several and respective Ports, to which his or their Master shall respectively belong, by the Churchwardens and Overseers of the Poor, or their Agents, of the Parish from whence such Apprentice is bound, and the Charges thereof to be in the same Manner, as is provided by an Act of Parliament made in the eleventh and twelfth Years of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for the more effectual Punishment of Vagrants, and sending them whither by Law they ought to be sent*.

How Apprentices shall be conveyed to the Ports to which their Masters belong. 11 & 12 W. 3. c. 18.

XI. And it is hereby directed, That the Counterpart of all and every such Indentures, to be executed by the several and respective Masters of all such Apprentices, shall be sealed and executed in the Presence of, and attested by, the Collector at the Port aforesaid (where such Apprentices shall be bound or assigned over) and the Constable or other Officer, who shall bring or convey such Apprentices to the said several and respective Masters; which Constables or Officers last mentioned shall transmit and convey the Counterparts of such Indentures to the Churchwardens and Overseers of the several Parishes from whence such Apprentices shall be bound, by the same Ways and Means as such Apprentice or Apprentices were conveyed to the said several and respective Ports.

The Counterparts of their Indentures to be transmitted to the Churchwardens, &c.

XII. And be it further enacted by the Authority aforesaid, That two or more Justices of the Peace of the respective Counties, and dwelling in or near any of the Ports aforesaid, and all Mayors, Aldermen, Bailiffs, and other Chief Officers and Magistrates of any City, Borough, or Town Corporate, in or near adjoining

Justices to determine Complaints between Masters and Apprentices.

adjoining to such Port or Ports, to which such Ship or Vessel shall at any time arrive, shall have full Power and Authority, and are hereby authorized and empowered to inquire into, and examine, hear, and determine all Complaints of hard or ill Usage from the several and respective Masters, to such their Apprentices and Apprentices, so to be bound or assigned over as aforesaid, and also of all such as already have or who shall at any Time hereafter voluntarily put themselves Apprentices to the Sea Service as aforesaid, and to make such Orders therein, as now they are enabled by Law to do in other Cases between Masters and Apprentices.

Collector to keep a Register, &c.

and transmit a Copy thereof to the Quarter-Sessions, &c. gratis.

Penalty.

Officer to insert on the Cocquet, the Number of Men and Boys on board, &c.

Persons voluntarily binding themselves Apprentices to Sea Service, not to be impressed for 3 Years.

Explained by 4 Annæ, c. 19. sect. 17.

Indentures to be registred, and Protections given for the said 3 Years.

All lewd and disorderly Men and Boys deemed Vagabonds or sturdy Beggars, by 39 Eliz. c. 4. to be taken up and conveyed into the Queen's Sea Service.

21 & 12 W. 3. c. 18.

When such Apprentices shall be impressed, Masters to have able Seamens Wages for them.

Penalties and Forfeitures, how to be levied.

7 & 8 W. 3. c. 21.

8 & 9 W. 3. c. 23.

XIII. And be it further enacted by the Authority aforesaid, That every such Collector in every Port or Ports aforesaid, shall, in their several and respective Stations, keep an exact Register, containing as well the Number and Burthen of all such Ships and Vessels, together with the Masters or Owners Names, as also the Names of such Apprentices in each Ship and Vessel belonging to their respective Ports, and from what Parishes and Places such Apprentices were respectively sent; and that such Collectors shall transmit true Copies of such Register, signed by them, to the Quarter-Sessions, or to such Cities, Boroughs, Towns Corporate, Parishes, or Places, when and so often as they shall be reasonably required so to do; for which Copy or Copies, so to be transmitted as aforesaid, no Fee or Reward shall be taken: And that every such Collector refusing or wilfully neglecting to transmit such Copies as aforesaid, shall for every such Refusal or Neglect forfeit five Pounds for the Use of the Poor of the Parish, from whence such Boy was bound Apprentice.

XIV. And be it further enacted, That every Custom-house Officer or Officers, at each and every of the Ports aforesaid, shall insert, and are hereby required, from Time to Time, to insert at the Bottom of their Cocquets, the Number of Men and Boys on board the respective Ships or Vessels, at their going out of every such Port, therein particularly describing the Apprentices by their respective Names, Ages, and the Dates of their several Indentures, for which no Fee or Reward shall be taken.

XV. And for the Encouragement of all such as have, or shall voluntarily bind themselves Apprentices to the Sea Service; be it further enacted by the Authority aforesaid, That all and every such Person and Persons, who have or shall so voluntarily, and of his or their own Accord, bind or put him or themselves Apprentice to any such Masters or Owners of any Ship or Vessel as aforesaid, shall not be compelled or impressed into her Majesty's Sea Service, or the Sea Service of her Majesty's Heirs or Successors, for and during the Term of three Years, to be accounted from the Dates of the respective Indentures of such voluntary Apprentice or Apprentices; all which Indentures are hereby directed to be registred, and Certificates thereof given and transmitted by such Collector at the said several Ports, where such Apprentices already have become so bound, or that hereafter shall so bind themselves, in Manner and Form as aforesaid; upon Receipt of which said several Certificates, Protections shall, from Time to Time, be made and given, for the said first three Years of their several respective Apprenticeships, without either Fee or Reward for the same.

XVI. And soasmuch as divers dissolute and idle Persons, Rogues, Vagabonds, and sturdy Beggars, notwithstanding the many good and wholesome Laws to the contrary, do continue to wander up and down, pilfering and begging through all Parts of this Kingdom, to the great Disturbance of the Peace and Tranquillity of the Realm; For the more effectually suppressing such disorderly Persons, and to the end that they may be made serviceable and beneficial to their Country; be it further enacted by the Authority aforesaid, That all lewd and disorderly Men Servants, and every such Person and Persons, both Men and Boys, that are deemed and adjudged Rogues, Vagabonds, and sturdy Beggars (not being Felons) by an Act of Parliament made in the nine and thirtieth Year of the Reign of the said late Queen ELIZABETH, for punishing of Rogues, Vagabonds, and sturdy Beggars, shall be and are hereby directed to be taken up, sent, conducted, and conveyed into her Majesty's Service at Sea, or the Service at Sea of her Majesty's Heirs or Successors, by such Ways, Methods, and Means, and in such Manner and Form, as is directed for Vagrants by the said before-mentioned Act of Parliament, made in the said eleventh and twelfth Years of the Reign of the said late King WILLIAM the Third, *For the more effectual Punishment of Vagrants, and sending them whither by Law they ought to be sent.*

XVII. And whereas Owners and Masters of Merchant Ships are at great Charge in educating and bringing up the Parish Children, till they come to the Age of eighteen Years, and other voluntary Apprentices three Years, at which Time they are capable to serve in her Majesty's Ships of War; Be it enacted by the Authority aforesaid, When such Apprentices shall be impressed, or voluntarily enter themselves into her Majesty's Service, the said Owners or Masters of such Apprentices, their Executors, Administrators, or Assigns, shall be intitled to able Seamens Wages for such of their Apprentices, as shall upon due Examination be found qualified for the same, notwithstanding their Indentures of Apprenticeship.

XVIII. And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures directed by this Act, shall, by Warrant under the Hands and Seals of any two or more Justices of the Peace, of the same County, City, Borough, or Town Corporate, be levied by Distress and Sale of the Goods and Chattels of the Offender, which Sale shall be good in the Law against such Offender.

XIX. And whereas upon the Act of Parliament before mentioned, made in the seventh and eighth Years of the Reign of the said late King WILLIAM the Third, intituled, *An Act for the Increase and Encouragement of Seamen*; as also upon the Act of Parliament made in the eighth and ninth Years of the Reign of the said late King WILLIAM the Third, intituled, *An Act to enforce the Act for Encouragement of Seamen*, several Doubts have arose whether any disabled Seamen, their Children, or the Widows and Children of Seamen slain, killed, or drowed in Sea Service, other than such as are expressly qualified by the said last mentioned Acts, may be admitted and provided for in Greenwich Hospital, when any Vacancies

'cancies hapen therein;' Be it therefore enacted, for the Encouragement of all Persons who do or shall serve at Sea, That at any Time hereafter, when any such Vacancy or Vacancies shall happen in the said Hospital, that the Lord High Admiral of England, or Commissioners executing the Office of Lord High Admiral of England for the Time being, shall have full Power and Authority, and is and are hereby im-
Lord Admiral to appoint any disabled Seamen, their Wives and Children, &c. to be maintained in Greenwich Hospital.
 powered and authorized, from Time to Time, to nominate and appoint any disabled Seamen, their Wives and Children, and the Widows and Children of Seamen slain, killed, or drowned in Sea Service, to be maintained and provided for in the said Hospital, as the said Lord High Admiral, or Commissioners executing the Office of Lord High Admiral, shall think fit or see Occasion; any Thing in the said two several Acts of Parliament last mentioned, or in the Letters Patents in the said Acts mentioned, contained to the contrary hereof in any wise notwithstanding.

'XX. And for the encouraging all such Ships or Vessels as shall be employed in bringing Coals for supplying the City of London, and other Ports of this Kingdom, at more reasonable Rates than during this War they have hitherto been;' Be it enacted by the Authority aforesaid, That from and after the five and twentieth Day of March one thousand seven hundred and four, there shall be allowed yearly, during the present War, free from impressing, to every Master of any Ship or Vessel employed in the Coal Trade, beside the said Master and Master's Mate, and Carpenter, one able Seaman for every hundred Tun in Burthen, not exceeding three hundred Tuns, that such Ship or Vessel contains, which shall be made appear by a Certificate from the Customhouse of what Number of Tuns such Ship or Vessel is really of, according to the Gages or Measures mentioned in an Act passed in the fifth and sixth Year of their late Majesty King WILLIAM and Queen MARY, For laying a Duty on Tunnage of Shipping; and if any Captain, Lieutenant, or other Officer, shall presume to impress or take any of the Men allowed by this Act as aforesaid, such Captain, Lieutenant, or other Officer, shall forfeit to the Master or Owner of such Ship or Vessel, ten Pounds for every Man he shall so impress or take, to be recovered, with Coats of Suit, by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record, wherein no Effoin, Protection, Privilege, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

Allowances of Men free from impressing employed in the Coal Trade.

5 & 6 W. & M. c. 20.

Penalty on Officer impressing Men so allowed. Further Provisions relating to

Scamen, 4 Ann. c. 19. 10 Ann. 17. 1 Geo. 1. c. 25. 2 Geo. 2. c. 7 & 36. 6 Geo. 2. c. 25. 8 Geo. 2. c. 29. 11 Geo. 2. c. 30. 13 Geo. 2. c. 3 & 17. 14 Geo. 2. c. 38. 18 Geo. 2. c. 31. 20 Geo. 2. c. 38. 22 Geo. 2. c. 52. 24 Geo. 2. c. 47. 31 Geo. 2. c. 10.

C A P. VII.

An Act for enlarging the Term of Years granted by an Act passed in the Session of Parliament, held in the eleventh and twelfth Years of King William the Third, for the Repair of Dover Harbour. 11 & 12 W. 3. c. 5, for the Repair of Dover Harbour, continued from 1709 to 1718. [Continued by 9 Geo. 1. c. 30. sect. 1. to May 1744.] Penalty on Ship sailing in or through the Gates of the Works without first taking down her Sails. No Sullage to be thrown into the Basin of the Harbour. [Continued by 11 Geo. 2. c. 7. for 21 Years.]

C A P. VIII.

An Act for the erecting a Work-house in the City of Worcester, and for setting the Poor on work there. A Corporation to be for ever in the City of Worcester, to consist of the Persons hereafter expressed. How the Elections shall be made. Ministers to give Notice in the Church of the Day and Time of Election. Benefactor may be elected a Member for one Year. In case of Death of any Person elected, a new Election to be made. In case of Deficiency in any Parish of fit Persons to be chose Guardians, the same may be elected out of any other Parish. The Guardians of the Poor of the City of Worcester made for ever a Body Politick, and may purchase Lands. Officers to be elected yearly. No Officer compelled to serve longer than two Years. Treasurer to continue but for one Year. Guardians may be displaced on just Cause. A Court to be held yearly the first Thursday in every Month. Eleven of the Guardians to constitute a Court. The Governor may at any Time hold a Court; and at the Desire of ten of the Guardians, an extraordinary Assembly may be held. The Court may summon the Inhabitants to appear before them. Guardians may appoint a Common Seal, make By-laws, constitute Committees, and settle one or more Hospital, Work-house, &c. Guardians to provide Materials for setting the Poor to work, and compel Beggars, &c. to work in such Workhouse; and all Persons sent into Houses of Correction; and Poor Children, &c. until fifteen Years old; and then bind them Apprentices for seven Years. Guardians may punish Persons in the Workhouse not conforming to the Rules thereof. A Committee of five Guardians to be appointed for punishing Offenders. Court to ascertain the Sums needful for settling such Hospital or Workhouse, &c. to be raised in two Years; and to ascertain the weekly Sums for the Maintenance and Employment of the Poor of the Hospital, &c. assess the said Sums in equal Proportion, and certify the same to the Mayor and Aldermen, &c. Persons unequally assessed may appeal. In case Mayor, &c. neglect to issue out Warrants for levying the Assessments, &c. Corporation may do the same. Corporation to provide for Maintenance of the Poor of the City, &c. except the Poor be otherwise provided for. Corporation may examine Churchwardens, &c. on Oath, grant Warrants to apprehend Rogues, Vagabonds, &c. and cause them to be set to Work for 6 Months. The Corporation not to have any Power over any Alms-house, &c. in the said City, &c. Court may choose a Clerk, and other Officers, and Servants needful; and on Death or Removal, choose others, and allow them out of the Stock. Treasurer to account yearly, and deliver over what shall be in his Hands to the succeeding Treasurer. No Person to be elected a Guardian, unless he pay 6 d. a Week to the Poor. Corporation may contract with any Parish in the County for employing their

'Explained and made more effectual by 3 Geo. 2. c. 23.'

P.R.

Poor, &c. Continuance of any poor Persons in the Work-houfe not to be deemed a Settlement. Election of all Officers, except Guardians, to be by Ballot. No Cloth or Stuff manufactured in the Work-houfe, to be sold by Retail in *Worcester* City. But may be employed for cloathing the Poor of the Corporation.

C A P. IX.

An Act for granting to her Majesty an additional Subsidy of Tunnage and Poundage for three Years; and for laying a further Duty upon *French* Wines condemned as lawful Prize, and for ascertaining the Values of unrated Goods imported from the *East Indies*.

Most Gracious Sovereign,

9 W. 3. c. 23.

1 Annæ, stat. 1. c. 7.

One other Subsidy of Tunnage upon Wines imported after 8 March 1703. for three Years.

Farther continued by 4 Annæ, c. 6. 5 Annæ, c. 19. and perpetuated by 1 Geo. 1. stat. 2. c. 12. s. 8.

Poundage on all Goods imported for three Years. Altered as to Tobacco by 9 Geo. 1. c. 21. s. 3. Exceptions.

Drawbacks and Abatements.

Duties how to be raised, &c.

9 & 10 W. 3. c. 23.

1 Annæ, stat. 1. c. 7.

WHEREAS by an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, intituled, *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage, towards raising the yearly Sum of seven hundred thousand Pounds, for the Service of his Majesty's Household, and other Uses therein mentioned, during his Majesty's Life*; it was enacted, That over and above all Subsidies of Tunnage and Poundage, and over and above all additional Duties, Impositions, and other Duties whatsoever, therein mentioned, there should be raised and paid to his Majesty one other Subsidy called *Tunnage*, for and upon all Wines, which from and after the last Day of *January* in the Year of our Lord one thousand six hundred ninety-nine, at any Time or Times during his Majesty's Life, should be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*; and one further Subsidy called *Poundage*, of all Manner of Goods and Merchandizes imported or brought into this Realm, or any his Majesty's Dominions to the same belonging, at any Time or Times after the said last Day of *January* one thousand six hundred ninety-nine, during his Majesty's Life, by way of Merchandize (except such Goods and Merchandizes as are therein excepted) and with such Abatements, Regulations, Directions for making Repayments or Allowances upon Exportation, and subject to such Rules and other Matters and Things touching the said several Subsidies, as in the said Act are expressed; which said further Subsidies of Tunnage and Poundage, and other Duties upon Wine, Goods, and Merchandizes, granted by the Act above recited, are to be raised and paid to your Majesty, during your Life, by virtue of another Act of Parliament made and passed in the first Year of your Majesty's Reign, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*, as by the said Acts (Relation being thereunto severally had) may more fully appear: Now we your Majesty's most dutiful and loyal Subjects the Commons of *England* in Parliament assembled, for the better enabling your Majesty to carry on the present War, and to defray your other necessary Expences, do cheerfully and unanimously give and grant unto your most Excellent Majesty, the additional Rates, Duties, and Sums of Money herein after-mentioned, and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 over and above the Subsidies of Tunnage and Poundage above-mentioned, and over and above all other Subsidies, additional Duties, Impositions, and Payments whatsoever, by any other Act or Acts of Parliament or otherwise howsoever already due or payable, or which ought to be paid to her Majesty for or upon any Wines, Goods, or Merchandizes whatsoever, imported or to be imported, there shall be raised, levied, collected, paid, and satisfied unto her Majesty one other Subsidy called *Tunnage*, for and upon all Wines which from and after the eighth Day of *March* in the Year of our Lord one thousand seven hundred and three, at any Time or Times within or during the Space of three Years from thence next and immediately ensuing, shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*; that is to say, One third Part of such or the like several and respective Duties, as by the said recited Acts, or either of them, are imposed or payable for or upon any Kind of Wine or Wines respectively; and one other Subsidy called *Poundage*, of all Manner of Goods and Merchandizes to be imported or brought into this Realm, or any her Majesty's Dominions to the same belonging, at any Time or Times after the said eighth Day of *March* one thousand seven hundred and three, during the said Term of three Years, by way of Merchandize; that is to say, One third Part of such or the like several and respective Duties, as by the said recited Acts, or either of them, are imposed or payable for or upon the same Goods and Merchandizes respectively, except such Goods and other Merchandizes as by the said Acts, or either of them, are exempted from Payment of the Subsidies thereby granted.

II. And it is hereby enacted, That in all Cases whereby the said former Acts, or either of them, any Drawbacks or Abatements are to be made of the whole or any Part of the Duties thereby imposed, there shall be in the like Cases proportionable Drawbacks and Abatements made of the whole or Part of the Duties by this Act granted respectively; and that the several Subsidies and Duties by this Act granted, during the Continuance thereof, shall be raised, collected, levied, secured, and paid, by the same Ways, Means, and Methods, and under such Penalties and Forfeitures, and subject to such Rules and Directions, as in and by the said Acts, or either of them, are prescribed or appointed, touching or concerning the said Subsidies of Tunnage and Poundage which were thereby granted, as aforesaid; and that every Article, Rule, and Clause contained in the said recited Acts, or either of them, concerning the said Subsidies of Tunnage and Poundage formerly granted, as aforesaid, and now in Force, so far forth as the same do or may relate to the Subsidies or Duties formerly granted, as aforesaid, shall be used, exercised,

exercised, and put in Practice for the raising, levying, collecting, and answering the Subsidies and Duties hereby before granted, as fully and effectually as if the same Articles, Rules, and Clauses, and every of them, were again particularly and at large recited and re-enacted in the Body of this present Act: Except only as to such of the said Articles, Rules, and Clauses, touching which other Provisions, Alterations, or Exemptions are made by any Act or Acts of Parliament now in being; which other Provisions Alterations, or Exemptions shall be observed with respect to the Duties hereby granted, during the Continuance of this Act, in the same Manner as they are to be observed with respect to the said Subsidies formerly granted, as aforesaid.

Exception:

III. And it is hereby further enacted and declared, That for every hundred Weight of Sugar refined in England (and so in Proportion for a greater or lesser Quantity) which shall be exported out of this Kingdom, within or during the said Term of three Years, there shall be by this Act repaid at the Custom-house to the Exporter, within one Month after the Demand thereof (over and above the Sum of three Shillings payable by the above recited Acts, or one of them) the further Sum of one Shilling, and no more: Oath being first made by the Refiner, that the said Sugar so exported was produced from brown and Muscovado Sugar, charged by this Act, and that, as he verily believes, the same was imported from her Majesty's Plantations in *America*; and that, as he verily believes, the Duty of the said brown and Muscovado Sugar, was duly paid at the Time of the Importation thereof, and that the same was duly exported, her Majesty's Searcher also certifying the shipping thereof, and all other Requisites duly performed, according to the Book of Rates.

Drawback on Sugar refined in England, exported, over and above the 3s.

IV. And be it further enacted by the Authority aforesaid, That the Officers of her Majesty's Customs, or any of them, or any of their Clerks or Substitutes, shall not directly or indirectly receive, take, or demand any Fee, Gratuity, or Reward whatsoever, from any of her Majesty's Subjects or Aliens, for any Entry, Warrant, Debenture, Certificate, Cocquet, or other Matter or Thing, to be done or performed by them, or any of them, in relation only to the said Subsidies of Tunnage and Poundage herein before granted; on pain of forfeiting for every such Offence the Sum of forty Pounds (to wit) one Third thereof to her Majesty, and the other two Thirds thereof (besides Costs of Suit) to the Party grieved, who may sue for the same by Action of Debt, or of the Case, Bill, Suit or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no *Essoin*, Protection, Wager of Law, or more than one Imparlance shall be allowed.

No Fee for Entry, &c.

Penalty 40l.

V. And whereas all Wines of the Growth or Product of *France*, or of any Dominions under the *French King*, are by several Laws and Statutes of this Realm liable to the Payment of several Duties upon the Importation thereof, and particularly by an Act of Parliament made in the seventh Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for granting to his Majesty an additional Duty upon all French Goods and Merchandizes*; it was enacted (amongst other Things) that for every Tun of *French Wine* imported within the Time therein mentioned, there should be paid five and twenty Pounds above the Duties before charged thereupon; but by another Act made in the eighth Year of the same King's Reign, intituled, *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage upon Merchandize imported, for the Term of two Years and three Quarters, and an additional Land Tax for one Year, for carrying on the War against France*, it was provided, That nothing in the said Act of the seventh Year of his said late Majesty's Reign should charge any Merchandizes of the Growth of *France*, which should be *bona fide* seized or taken, and condemned as Prize, with any further or other Duties than what they were or ought to have been charged withal, before the making of the Act last-mentioned; and her Majesty by her royal Proclamation, bearing Date the first Day of *June* in the first Year of her Reign, for the Encouragement of her Ships of War and Privateers, hath been pleased to subject all *French Wines* (amongst other Things) taken and condemned as lawful Prize, to the Payment of the Duties and Customs payable by Law, other than the said Duty of five and twenty Pounds *per Tun*: Now her Majesty's said dutiful and loyal Subjects the Commons of *England*, in Parliament assembled, being desirous to encourage the Trade to *Portugal*, and also to raise Monies for carrying on the present War, and other her Majesty's Occasions, do further grant to her Majesty the additional Duty, herein after-mentioned, upon all *French Wines* to be taken and condemned, or adjudged as lawful Prize; and do beseech your Majesty that it may be enacted; and be it enacted by the Authority aforesaid, That for every Tun of any Wines of the Growth or Product of *France*, or of any Dominions under the *French King*, seized or taken, or to be seized or taken by any her Majesty's Ships, or by any Privateers, or otherwise, and which at any Time or Times, during the Term of three Years above-mentioned, shall be, condemned or adjudged as lawful Prize, there shall be paid to her Majesty the Sum of fifteen Pounds of lawful *English Money*, over and above the Duties already charged thereupon, without Deduction, and so proportionably for a greater or lesser Quantity; the same to be raised, levied, collected, and paid to her Majesty's Use, by such Ways and Means, and under such Penalties and Forfeitures, and in such Manner and Form, as the Subsidy of Wines by this Act granted is to be raised, levied, collected, and paid, or by deducting the same out of the Proceed of the respective Prizes, as the other Duties of the same Wines are directed by the said Proclamation to be deducted.

7 W. 3. c. 20.

8 W. 3. c. 24.

French Wine taken as Prize to pay 15l. per Tun, beside the former Duties.

How to be raised, &c.

VI. And whereas several Goods, Wares, and Merchandizes of the Growth, Product, or Manufacture of the *East Indies* or *China*, or of other Parts within the Limits of the Charters granted to the Companies, and other Traders who are allowed to trade to the *East Indies*, are not particularly rated in the Book of Rates established by Law, but are by several Laws and Statutes, now in Force charged, upon the Importation thereof, with several Duties to be paid according to the Values of the said Goods, Wares, and Merchandizes respectively: Now for the better securing such Duties, and ascertaining the

Unrated Goods of East India and China, to be entered in the Custom-house.

' See 11 Geo. 1. c. 7.'

Importer to give Security for paying the Duties, &c.

(except Coffee) and for exposing them to Sale, &c.

How such Goods shall be valued,

and what Deductions and Allowances made.

Such unrated Goods landed before due Entry, &c.

to be forfeited, &c.

Duties how to be applied.

The like Drawbacks as by former Acts.

Nine Months given for paying the Duties on Tobacco. 6 per Cent. Discount on prompt Payment.

No Drawback on Wares made of foreign wrought Iron, &c.

the Values, according to which such Duties shall be paid for the future; it is hereby further enacted by the Authority aforesaid, That from and after the said eighth Day of *March* one thousand seven hundred and three, upon the Importation of any such unrated Goods, Wares, and Merchandizes, of the Growth, Product, or Manufacture of the *East Indies, China*, or other the Parts within the Limits aforesaid, now liable to pay Duties *ad valorem*, as aforesaid, by any Act or Acts of Parliament already made in that Behalf, during the Continuance of the same Act and Acts of Parliament, or any of them, an Entry or Entries thereof shall be made in the Custom-house, where such Goods, Wares, or Merchandizes shall be imported, and before the landing thereof, the Importer or Importers of the same shall give Security by Bond, with two or more sufficient Sureties (which the Commissioners or proper Officers of the Customs are hereby impowered to take) for Payment of the said Duties, according to the real Values of the said Goods, to be ascertained according to this Act (except Coffee, the Duties whereof are to be regulated according to the former Acts concerning the same) as soon as the said Goods shall be sold; and also for exposing the Goods, so imported to Sale, openly and fairly by way of Auction, or by Inch of Candle, within the City of *London*, within the Time of twelve Months after the Importation thereof.

VII. And it is hereby enacted and declared, that the Value of such Goods, according to which the said Duties are to be paid (except Coffee, as aforesaid) shall be reckoned according to the gross Price at which such Goods shall be so sold, making such Allowances only out of the same as are herein after-mentioned; that is to say, it is hereby enacted, That out of the Values of the said Goods so to be ascertained by the Price at the Candle, as aforesaid, there shall be a Deduction and Allowance made of so much as the Net Duties, payable to her Majesty for the same Goods respectively, do amount unto (except the Duty of five Pounds *per Centum*, payable to the Queen for the Use of the said Companies) and so much as the respective Companies, or Traders aforesaid, shall *bona fide* allow for prompt Payment to the Persons who at such Sales shall buy the said Goods at Time: And also upon the whole Values of the said Goods so to be ascertained by the Price at the Candle, there shall be deducted and allowed six Pounds for every hundred Pounds to the said Companies and Traders respectively, for their Charges in keeping the said Goods, from the Time such Goods are imported till the Sale by the Candle, and in that Proportion for a greater or lesser Value.

VIII. And be it further enacted by the Authority aforesaid, That in case any such unrated Goods of the Growth, Product, or Manufacture of the *East Indies, China*, or other the Parts within the limits aforesaid, shall be landed or put on shore out of any Ship or Vessel, before due Entry thereof be made at the Custom-house in the Port or Place where the same shall be imported, and the said Duties shall be secured, as aforesaid, or without a Warrant for the landing or delivering the same, first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively, that all such imported Goods as shall be so landed and put on shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited, and shall and may be seized or recovered of the Importer or Proprietor thereof (to wit) two Thirds of the same to the Use of her Majesty, her Heirs and Successors (she or they bearing the Charge of the Prosecution) and the other third Part to the Use of such Person or Persons as will seize, inform, or sue for the same, or the Value thereof, by Action, Bill, Suit, or Information, wherein no Effoin, Protection, or Wager of Law shall be allowed: nevertheless the said Duties so to be paid upon the Values so ascertained of the said unrated Goods, Wares, and Merchandizes (except the necessary Charges of raising, collecting, and answering the same) shall be applied and disposed to the same Uses and Purposes to which the respective Duties upon the same Goods, payable in any other Manner by any former Act or Acts, were appropriated or applicable.

IX. Provided always, and it is hereby enacted, That in all Cases where by the said former Acts concerning the said Duties of unrated Goods or any of them, any Drawbacks or Allowances were to be made of all or any Part of the Duties, upon the Exportation thereof within the respective Time or Times thereby limited, there shall be the like Drawbacks or Allowances made of or out of the Duties of the same Goods, to be ascertained by this Act.

X. Provided also, That nothing in this Act shall extend, or be construed to extend to charge any Goods, or Merchandize, chargeable by this Act, imported into any Port of this Kingdom before the first Day of *March* one thousand seven hundred and three.

XI. Provided also, and be it enacted, That all Persons importing any Tobacco, hereby charged with any the Duties aforesaid, shall have nine Months Time, from the Entry of the Tobacco inwards, for Payment of the Duty hereby imposed upon the same, giving Bond, with sufficient Sureties, to her Majesty for Payment thereof at the End of the said nine Months, as in like Cases is usual; and in case of prompt Payment the Importer shall have a Discount after the Rate of six Pounds *per Centum per Annum*.

XII. And for the Encouragement of the Iron Manufacture of this Kingdom; Be it further enacted by the Authority aforesaid; That from and after the eighth Day of *March* one thousand seven hundred and three, there shall not be allowed any Drawback, or Repayment of Customs, or Duties, charged in this or any former Act, upon any Wares made of wrought Iron or Steel in foreign Parts, which shall be imported into this Kingdom, and afterwards exported to any of her Majesty's Plantations in *America*; any Clause in this or any former Act to the contrary notwithstanding.

XIII. And whereas the Time for Exportation of Tobacco, Sugar, Ginger, Pepper, Bugles *alias* Beads, Cast and Bar Iron, Dying Wood, all Dying Wares, and all Drugs, by *English* Merchants, in order to draw back, is limited to twelve Months, which by Experience is found to be too short, and very

'very inconvenient to Trade;' Be it therefore enacted by the Authority aforesaid, That all *English* Merchants shall, from the said eighth Day of *March*, have eighteen Months Time from the Entry inwards of all Tobacco, Sugar, Ginger, Pepper, Bugles *alias* Beads, Cast and Bar Iron, all Dying Wood, Dying Wares, and all Drugs, to export the same: And shall have the like Benefit and Drawback by such Exportation, as if the same had been exported within twelve Months, according to the second Rule in the Book of Rates; the said Rule or any other Law or Custom now in Force relating thereunto notwithstanding: Provided Certificates be taken forth, and Oath made, and all other Requisites performed according to the Laws now in being.

18 Months allowed from Entry inwards to export Tobacco, &c.
These 18 Months enlarged to 3 Years by 7 Geo. 1. Stat. 1. c. 21. Proviso.

XIV. And be it further enacted, That in all Cases where the Oath of Merchants, importing and exporting, is by Law required to obtain any Drawback or Allowance upon the Exportation of any foreign Goods, the making of such Oath by the Agent or Husband of any Corporation, or Company trading by a joint Stock, affirming the Truth of the Officers Certificate of the Entry and due Payment of the Duties of such foreign Goods by any such Company or Corporation; and the making of such Oath by the known Servant of any Merchant usually employed in the making his Entries, and paying his Customs, for any Goods of a Merchant so to be exported, shall be of the like Effect as if the said Oaths were made by any particular Merchant or Merchants themselves.

See 8 Annæ, c. 13. f. 20.
Oath of the Agent or Husband of any Company, &c. or Servant of Merchant, &c. sufficient.

XV. And for ascertaining the Values of any unrated Goods imported before the said eighth Day of *March* one thousand seven hundred and three, from the *East Indies* and *China*, or any other Parts within the Limits aforesaid, by the two Companies impowered to trade thither, or either of them; it is hereby further enacted, That the Oath of two Directors or Members of the Committee of the said Companies shall be admitted to affirm the Value of such Goods so already imported, according to which the Duties *ad valorem* for the same are to be paid; any former Act or Acts of Parliament or Usage to the contrary notwithstanding.

Unrated Goods how to be ascertained.

XVI. And be it further enacted by the Authority aforesaid, That all the Monies arising by the additional Subsidy of Tunnage and Poundage hereby granted, and by the said additional Duty, after the Rate of fifteen Pounds *per Tun* upon all *French* Wines to be condemned as lawful Prize as aforesaid, (except the necessary Charges of raising and answering the said Subsidy and additional Duty respectively) shall from Time to Time be brought and paid into the Receipt of the Exchequer; and that it shall and may be lawful to and for any Person and Persons, Natives or Foreigners, Bodies Politick or Corporate, to lend to her Majesty at the said Receipt, upon Credit of the said Subsidy of Tunnage and Poundage, and the said additional Duty on *French* Wines condemned as Prize, any Sum or Sums of Money, not exceeding in the whole the Sum of three hundred thousand Pounds; and upon another Act of this present Session of Parliament, intituled, *An Act for granting an Aid to her Majesty by continuing the Duties upon Malt, Mum, Cyder, and Perry, for one Year*, any Sum or Sums of Money, not exceeding in the whole six hundred and fifty thousand Pounds, including all Loans made thereupon; and that all Persons who shall have lent upon the said Credits, or either of them, shall have Interest for the Forbearance of their respective Loans by them made, or to be made, after the Rate of five Pounds *per Centum per Annum*, to be paid every three Months from the making of such Loans, until Satisfaction of the principal Sums respectively; and that no Monies, so lent or to be lent, shall be rated or assessed to any Tax or Assessment whatsoever; and that every such Lender shall immediately have a Talley of Loan struck for the Money by him, her, or them lent, and an Order of the same Date for Re-payment thereof, with such Interest as aforesaid; and that all such Orders shall be registred in course, according to their Dates (to wit) the Orders for Loans on the said Duties on Malt, Mum, Cyder, and Perry, on a Register to be kept for that Act, and the Orders for Loans on the said Subsidy, and additional Duty, by this Act granted, on a distinct Register, for such Loans; and all Persons on the said respective Registers shall be paid in course, as their Orders shall stand registred; so as the Person, Native or Foreigner, his Executors, Administrators, or Assigns, whose Order shall be first registred, shall be accounted the Person to be first paid out of the Monies to come in by the said respective Duties whereupon the said Loans shall be made respectively; and he or they who shall have his or their Order or Orders next entred, shall be taken to be the second Person to be paid, and so successively and in course; and that the said Monies to come in by the said respective Duties, whereupon the said Loans shall be made respectively, shall be in the same Order liable to the Satisfaction of the said respective Persons, their Executors, Administrators, or Assigns successively, without undue Preference of one before another, and not otherwise, and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any her Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views, or Search, in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of her Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party aggrieved, by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, with Damages and Costs, to the Party grieved, and shall be forejudged of his Place or Office: And if such Preference be unduly made by any his Deputy or Clerk, without Directions or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever after incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Place and Order, as afore directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid: All which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by

Monies arising on the said Duties, to be paid into the Exchequer.
Loan of 300,000l. thereupon.

and 650,000l. upon the Malt Act 2 & 3 Annæ; c. 2.

5l. per Cent. Interest.
Such Loans not to be taxed.
Tallies of Loan to be struck, &c. and Orders to be entred.

Payment in course.

Monies liable to satisfy the Lenders.

No Fee for registring, &c.

Payments to be made according to each Person's due Place and Order.

Action

Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no *Essoin*, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

What shall not be accounted undue Preference.

XVII. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan or Orders for Payment as aforesaid, bear Date or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference, which of those be entred first, so as he enters them all the same Day.

XVIII. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders of Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders, in their Course, so as there be so much Money reserved, as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved, and kept in Bank for them.

Orders assignable.

XIX. And be it further enacted, That all and every Person and Persons, to whom any Money shall be due for Loans, by Virtue of this or the said former Act, after Order entered in the Book of Register, for either of the said Acts as aforesaid, his or their Executors, Administrators, or Assigns, by Indorsement of his Order, may assign or transfer his Right, Title, Interest, and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the proper Book of Registry aforesaid for Orders, which the Officers shall upon Request, without Fee or Charge, accordingly make, shall intitle such Assignee, his Executors, Administrators, Successors, and Assigns, to the Benefit thereof, and Payment thereon: And such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons, who have or hath made such Assignments, to make void, release, or discharge the same, or any the Monies thereby due, or any Part thereof.

Clause of Appropriation.

XX. And be it further enacted by the Authority aforesaid, That all the Monies which shall be lent to her Majesty, on the Credit of the said Subsidy and additional Duty by this Act granted, and all the Monies which are or shall be lent, contributed, or advanced to her Majesty, upon every or any other Act or Acts of this Session of Parliament, for granting any Aid or Supply to her Majesty, for carrying on the present War, and other her Majesty's necessary or important Occasions, and so much of the several Taxes and Duties by this and the said other Acts, or any of them granted, as shall remain (over and above such Charges as are to be allowed for the raising of the said Taxes and Duties respectively, and over and above the Monies thereof, which are in the first Place to go and be applied in Repayment and Satisfaction of all the Loans made or to be made thereupon, or upon any of them, and the Interest thereof respectively) shall be appropriated, issued and applied, and the same are hereby appropriated for or towards the several Uses and Purposes herein after expressed; that is to say, for or towards the defraying the Charge of the Ordinary of her Majesty's Navy, and other Services of the Navy, and the Victualling thereof, and the Sea Service in the Office of the Ordinance, performed and to be performed; and for or towards the Land Services, performed and to be performed by the said Office of the Ordinance; and to and for Subsistence, Off-reckonings, and Clearings for one Year, from the four and twentieth Day of *December* one thousand seven hundred and three, to her Majesty's Guards and Garrisons in *England*, and the Dominions thereunto belonging (*Ireland* excepted) and the contingent Charges of the same; and for or towards the defraying the Charge of her Majesty's Army, and such Forces as are or shall be added thereunto in the *Low Countries*, within or for one Year, to be reckoned from the said four and twentieth Day of *December* one thousand seven hundred and three, and the contingent Charges thereunto belonging; and for or towards the defraying her Majesty's Part of the Charge of the Forces acting or to act in Conjunction with the Forces of the King of *Portugal*, until the five and twentieth Day of *December* one thousand seven hundred and four; and for or towards the Payment of her Majesty's Proportion of the Subsidies due, or to be due, upon Treaties made, or to be made, with her Majesty's Allies, and other Charges for the Service of the War, until the said five and twentieth Day of *December* one thousand seven hundred and four; and for and towards the Payment of any Sum, not exceeding five thousand Pounds, for the Support of the Invalids; and for or towards the discharging of the *Premiums*, and other Charges for circulating the Bills, commonly called *Exchequer Bills*; and for or towards the Satisfaction of the Sum, not exceeding eight hundred seventy-five Pounds, to be paid without Account, and free of all Taxes, as well for the Salaries of the five Commissioners appointed by Act of Parliament for stating the Accounts of the Army, Transports, and Prizes, during the last War, as for incident Charges in the Execution of their Trust, for one Quarter, ending the nine and twentieth Day of *March* one thousand seven hundred and four; and for or towards the Satisfaction of the Sum of three thousand five hundred Pounds for Salaries, and any Sum not exceeding two thousand five hundred Pounds for incident Charges, to be allowed without Account, and free of all Taxes, to the seven Commissioners appointed by Act of Parliament for stating the Accounts of all publick Monies, and to none other Use, Intent or Purpose whatsoever: Provided always, That out of the Monies to be issued to the Guards and Garrisons as aforesaid, there shall and may be taken and applied, any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, towards the Charge of maintaining the Soldiers, raised and to be raised for Sea Service, with their Officers, and the contingent Charges thereunto belonging: And out of the Monies to be issued for the Service of the Navy and Sea Services as aforesaid, there shall be taken and applied such Sums, as, together with the said Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers,

Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

XXI. And whereas by an Act of the first Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and for preserving the publick Credit*, several Tallies therein mentioned do amount to five thousand and seventeen Pounds nine Shillings one Penny, and the Orders thereupon for Reversions of Annuities were directed to be issued to discharge such Off-reckonings for Clothing, as were become due before the last Day of *December* one thousand six hundred ninety-seven, which Off-reckonings being otherwise satisfied, the said Tallies and Orders do still remain in the Hands of the late Paymaster General of the Army; and by the Act last-mentioned it was provided, That such Person or Persons as should receive such Debentures payable out of the forfeited Estates in *Ireland*, as are thereby directed, for Monies due to any Troops or Companies (over and above what was due for the personal Pay of the Commission Officers) should give Security to the Paymaster General of double the Value thereof, and at the End of twelve Months should return unto the said Paymaster an Account upon Oath, of all the Debentures by him or them issued in pursuance of that Act, and returning back to the Hands of the said Paymaster such Debentures as should remain not issued out to the End of the said twelve Months; in pursuance whereof several of the said Debentures have been returned, and others of them ought to be returned to the Hands of the late Paymaster General of the Army, or to the Paymaster General thereof for the time being, for the Publick Use and Service: Now it is hereby further enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer of *England*, or any three or more of the Commissioners of the Treasury for the time being, to cause as well the said Orders and Tallies, for the said Reversionary Annuities remaining undisposed as aforesaid; as also all and every or any the said Debentures returned, or to be returned, to the said late Paymaster, or to the Paymaster General of her Majesty's Forces for the time being, pursuant to the said Securities, or any of them, given or to be given; upon the Act last mentioned, to be issued, paid over, or applied for towards Satisfaction of all or any Part of the Monies due in the Reign of his late Majesty King *WILLIAM* the Third, to the Out-Pensioners of *Chelsea* Hospital, and such other publick Debts as were incurred during the last War, as the said Lord High Treasurer or Commissioners of the Treasury shall direct, and in such Proportions, Manner and Form, as to him or them shall seem meet.

Treasury to apply the Tallies, &c. for the Reversionary Annuities undisposed of, as also the Debentures returnable to the Paymaster General, for satisfying the Out-Pensioners of *Chelsea* Hospital, &c.

C A P. X.

An Act to enlarge the Time for the Purchasers of the forfeited Estates in *Ireland*, to make the Payments of their Purchase Money. Times allowed to the Purchasers of the forfeited Estates in *Ireland*, who have paid one third Part of their Purchase Money, for Payment of the Residue. On Non-payment at those Times, Conveyance to be void. All unsatisfied Debentures to be registered. E X P.

1 Annæ, stat. 2. c. 21.
11 W. 3. c. 2.

C A P. XI.

An Act for the making more effectual her Majesty's gracious Intentions for the Augmentation of the Maintenance of the poor Clergy, by enabling her Majesty to grant in Perpetuity the Revenues of the First Fruits and Tenths; and also for enabling any other Persons to make Grants for the same Purpose.

WHEREAS at a Parliament holden in the six and twentieth Year of the Reign of King *HENRY* the Eighth, the First Fruits, Revenues and Profits for one Year, upon every Nomination or Appointment to any Dignity, Benefice, Office or Promotion Spiritual, within this Realm, or elsewhere within the said King's Dominions, and also a perpetual yearly Rent or Pension, amounting to the Value of the tenth Part of all the Revenues and Profits belonging to any Dignity, Benefice, or Promotion Spiritual whatsoever, within any Diocese of this Realm, or in *Wales*, were granted to the said King *HENRY* the Eighth, his Heirs and Successors; and divers other Statutes have since been made touching the First Fruits and annual Tenths of the Clergy, and the ordering thereof: And whereas a sufficient settled Provision for the Clergy, in many Parts of this Realm, hath never yet been made, by reason whereof divers mean and stipendiary Preachers are in many Places entertained to serve the Cures, and officiate there; who depending for their necessary Maintenance upon the Good-will and Likings of their Hearers, have been, and are thereby under Temptation of too much complying and suiting their Doctrines and Teaching to the Humours rather than the Good of their Hearers, which hath been a great Occasion of Faction and Schism, and Contempt of the Ministry: And forasmuch as your Majesty, taking into your princely and serious Consideration the mean and insufficient Maintenance belonging to the Clergy in divers Parts of this your Kingdom, has been most graciously pleased, out of your most religious and tender Concern for the Church of *England* (whereof your Majesty is the only supreme Head on Earth) and for the poor Clergy thereof; not only to remit the Arrears of your Tenths due from your poor Clergy, but also to declare unto your most dutiful and loyal Commons your royal Pleasure and pious Desire, that the whole Revenue arising from the First Fruits and Tenths of the Clergy might be settled for a perpetual Augmentation of the Maintenance of the said Clergy, in Places where the same is not already sufficiently provided for: We your Majesty's most dutiful and loyal subjects, the Commons of *England*, in Parliament assembled, to the End that your Majesty's most gracious Intentions may be made effectual, and that the Church may receive so great and lasting an Advantage from your Majesty's parting with so great a Branch of your Revenue, towards the better Provision

26 H. 8. c. 3.
26 H. 8. c. 17.
27 H. 8. c. 3.
32 H. 8. c. 22,
& c. 47.
34 & 35 H. 8. c. 17.
2 & 3 Ed. 6. c. 20.
7 Ed. 6. c. 4.
1 Eliz. c. 4.
5 Annæ, c. 24.
6 Ann. c. 27.
1 Geo. 1. c. 10.
3 Geo. 1. c. 10.

The Queen may erect a Corporation, and settle on them and their Successors, the First Fruits and Tenths, for Augmentation of the Maintenance of the meaner Clergy.
 By 3 Geo. 1. c. 10. a Collector is to be appointed.

1 Annæ, stat. 1. c. 7.

All Statutes, &c. relating to First Fruits and Tenths to continue in force.

Act not to avoid any Grant, &c. heretofore made of any the said Revenues.

27 H. 8. c. 16. Persons may give Lands, Tenements, or Goods, &c. to the said Corporation.

or sell or aliene any Manors, Lands, &c.

Persons excepted from making such Gifts, &c.

One Bond only to be taken for the four Payments of the First Fruits.

vision for the Clergy not sufficiently provided for; and to the Intent your Majesty's singular Zeal for the Support of the Clergy, and the Honour, Interest, and future Security of the Church, as by Law established, may be perpetuated to all Ages, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 and may be lawful for the Queen's most Excellent Majesty, by her Letters Patents under the Great Seal of *England*, to incorporate such Persons as her Majesty shall therein nominate or appoint, to be one Body Politick and Corporate, to have a common Seal, and perpetual Succession; and also at her Majesty's Will and Pleasure, by the same, or any other Letters Patents, to grant, limit, or settle, to or upon the said Corporation, and their Successors for ever, all the Revenue of First Fruits, and yearly perpetual Tenths of all Dignities, Offices, Benefices, and Promotions Spiritual whatsoever, to be applied and disposed of, to and for the Augmentation of the Maintenance of such Parsons, Vicars, Curates, and Ministers, officiating in any Church or Chapel within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, where the Liturgy and Rites of the Church of *England*, as now by Law established, are or shall be used and observed, with such lawful Powers, Authorities, Directions, Limitations and Appointments, and under such Rules and Restrictions, and in such Manner and Form, as shall be therein expressed; the Statute made in the first Year of her said Majesty's Reign, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*, or any other Law to the contrary in any wise notwithstanding.

II. Provided always, and it is hereby declared, That all and every the Statutes and Provisions, touching or concerning the ordering, levying, and true answering and Payment, or Qualification of the said First Fruits and Tenths, or touching the Charge, Discharge, or Alteration of them, or any of them, or any Matter or Thing relating thereunto, which were in Force at the Time of making this Act, shall be, remain and continue in their full Force and Effect, and be observed and put in due Execution according to the Tenors and Purports of the same, and every of them, for such Intents and Purposes nevertheless, as shall be contained or directed in or by the said Letters Patents.

III. Provided also, That this Act, or any thing therein contained, shall not extend to avoid, or any way to impeach or affect any Grant, Exchange, Alienation, or Incumbrance, at any Time heretofore made, of or upon the said Revenues of First Fruits and Tenths, or any Part thereof; but that the same shall, during the Continuance of such Grant, Exchange, Alienation, or Incumbrance respectively, be and remain of and in such Force and Virtue, and no other, to all Intents and Purposes, as if this Act had not been made.

IV. And for the Encouragement of such well-disposed Persons as shall, by her Majesty's Royal Example, be moved to contribute to so pious and charitable a Purpose, and that such their Charity may be rightly applied; Be it enacted by the Authority aforesaid, That all and every Person and Persons, having in his or their own Right any Estate or Interest in Possession, Reversion, or Contingency, of or in any Lands, Tenements or Hereditaments, or any Property of or in any Goods or Chattels, shall have full Power, Licence and Authority, at his, her and their Will and Pleasure, by Deed inrolled, in such Manner, and within such Time, as is directed by the Statute made in the twenty-seventh Year of the Reign of King HENRY the Eighth, for Inrolment of Bargains and Sales, or by his, her, or their last Will or Testament in writing, duly executed according to Law, to give and grant to, and vest in the said Corporation, and their Successors, all such his, her or their Estate, Interest or Property in such Lands, Tenements and Hereditaments, Goods and Chattels, or any Part or Parts thereof, for and towards the Augmentation of the Maintenance of such Ministers as aforesaid, officiating in such Church or Chapel, where the Liturgy and Rites of the said Church are or shall be so used or observed as aforesaid, and having no settled competent Provision belonging to the same, and to be for that Purpose applied according to the Will of the said Benefactor, in and by such Deed inrolled, or by such Will or Testament executed as aforesaid, expressed: And in Default of such Direction, Limitation or Appointment, in such Manner as by her Majesty's Letters Patents shall be directed or appointed as aforesaid. And such Corporation, and their Successors, shall have full Capacity and Ability to purchase, receive, take, hold and enjoy, for the Purposes aforesaid, as well from such Persons as shall be so charitably disposed to give the same, as from all other Persons as shall be willing to sell or aliene to the said Corporation any Manors, Lands, Tenements, Goods or Chattels, without any Licence or Writ of *Ad quod Damnum*; the Statute of *Mortmain*, or any other Statute or Law to the contrary notwithstanding.

V. Provided always, That this Act or any thing therein contained shall not extend to enable any Person or Persons, being within Age, or of *Non sane* Memory, or Women Covert, without their Husbands, to make any such Gift, Grant or Alienation; any thing in this Act contained to the contrary in any wise notwithstanding.

VI. And whereas four Bonds for four half yearly Payments of the First Fruits, as the same are rated, and also a fifth-Bond for a further Value or Payment, in respect of the same First Fruits, have been required and taken from the Clergy, to their great and unnecessary Burden and Grievance: For Remedy thereof be it enacted and declared by the Authority aforesaid, That from and after the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and four, one Bond only shall in such Case be given or required for the four Payments of the said First Fruits: Which said First Fruits, as well as the Tenths payable by the Clergy, shall hereafter be answered and paid by them according to such Rates and Proportions only as the same have heretofore been usually rated and paid: And no such fifth Bond already given shall, from and after the said twenty-fifth Day of *March* in the Year one thousand seven hundred and four, be sued or recovered.

C A P. XII.

An Act for raising the Militia for the Year one thousand seven hundred and four, notwithstanding the Month's Pay formerly advanced be not repaid. Militia Forces may be drawn out into actual Service any Time before 24 June 1705. notwithstanding the one Month's Pay formerly advanced be not repaid. E X P. 13 & 14 Car. 2. c. 3.

C A P. XIII.

An Act for prolonging the Time by an Act of Parliament made in the first Year of her Majesty's Reign, for importing Thrown Silk of the Growth of Sicily, from Legborn. E X P. 2 W. & M. ff. 1. c. 9. 1 Annæ, stat. 1. c. 28.

C A P. XIV.

An Act for the better securing and regulating the Duties upon Salt.

WHEREAS great Sums of Money are paid out of her Majesty's Duties upon Salt, on account of Debentures for Salt shipped to be exported to foreign Parts; and it is found by Experience, that great Part of the Salt, for which such Debentures have been paid, hath been fraudulently landed on the Coast of England and Wales, and not exported to any foreign Parts, or having been actually landed in Ireland, or other Places out of England and Wales, have been shipped off again from thence, and fraudulently brought into England or Wales; by which evil Practices her Majesty's said Duties are very much lessened in the Produce thereof, and the Salt Makers, who pay their full Duties, are very much prejudiced and discouraged in their Trade, by reason they cannot sell their Salt in Places which are supplied with Salt run as aforesaid." For Remedy whereof be it enacted by the Queen'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 Authority of the same, That no Salt whatsoever, being of the Produce or Manufacture of England, Wales, Berwick upon Tweed, Scotland, or Ireland, nor any other Salt coming from Ireland, Scotland, or the Isle of Man, shall, after the first Day of June one thousand seven hundred and four, be imported or brought into any Port or Place within England, Wales, or Berwick upon Tweed, nor be taken out of any Ship or Vessel, nor put on shore within any of the said Ports or Places, upon Pain that all the Salt so imported or brought in, taken out of any Ship or Vessel, or landed or put on shore, contrary to the true Intent and Meaning of this Act, shall be forfeited and lost; and that the Ship or Vessel in which any such Salt shall be so imported or brought in, or out of which any such Salt shall be taken or put on shore, together with all her Tackle and Apparel, shall also be forfeited and lost; and every Person that shall take any such Salt out of any such Ship or Vessel, or carry the same on shore, or convey the same from the shore when landed, or be aiding or assisting therein, shall forfeit the Sum of twenty Pounds for every such Offence, or suffer six Months Imprisonment.

II. And be it further enacted, That it shall and may be lawful to and for any of the Officers for the said Duties upon Salt, at any Time within two Months after the Importation or Landing any such Salt, and not afterwards, to seize the Salt so imported or taken out of any Ship or Vessel, or landed or put on shore, or conveying from the shore; and also the Ship or Vessel in which such Salt was imported, together with all her Tackle and Apparel: And in case the Owner of such Salt or Ship shall not, within twenty Days after such Seizure, claim the Salt and Ship so seized, and also give sufficient Security to answer the Value thereof; then and in every such Case, the Salt and Ship, with all her Tackle and Apparel, shall be sold to the best Advantage.

III. Provided nevertheless, That nothing in this Act shall extend, or be construed to extend, to any Salt which shall be shipped, to be carried Coastwise, by Certificate from one Port to another in England, Wales, or Berwick upon Tweed, according to the Directions of the former Acts relating to the said Duties.

IV. Provided also, That in case where any Salt shall have been entred and shipped to be exported to foreign Parts, according to the Directions of the former Acts in that Behalf, and the Ship or Vessel, laden with such Salt, shall by Strefs of Weather, Enemies, or other unavoidable Necessities, be forced into any Port or Place within England, Wales, or Berwick upon Tweed, it shall and may be lawful to and for the Owner of such Salt, or Master of such Ship, within twenty Days after her coming into such Port, to reland the said Salt, so as due Entry be made, and the Duties again paid down for the whole Quantity of Salt that was entred to be exported, before any Part thereof shall be relanded, and not otherwise; any thing in this Act or any other Law or Statute to the contrary notwithstanding.

V. Provided also, That in case where any Fisherman shall have taken any Salt on board his Boat or Vessel from any Part of England, Wales, or Berwick upon Tweed, for the salting of Fish at Sea, it shall and may be lawful for any such Fisherman to bring in and land any such Salt so taken on board, so as Oath be made before the Landing thereof (which Oath the Officer for the said Duties hath hereby Power, and is hereby directed to administer, without Fee or Charge) that the particular Quantity of Salt, so to be landed, was taken on board from some Part of England, Wales, or Berwick upon Tweed, and at what Place it was taken on board, and that no Part thereof was taken out of any Ship or Vessel at Sea; any thing in this Act or any other Statute to the contrary notwithstanding.

VI. Provided also, That in case where any Ship or Vessel shall come into any Port of England, Wales, or Berwick upon Tweed, from Ireland, or any other foreign Part, having on board any Quantity of Salt, which was taken in only for the necessary Provisions of the Ship for such Voyage, or for curing of Fish, it shall and may be lawful to and for the Master of such Ship or Vessel to land the said Salt, so as Entry be

5 W. & M. c. 7.

No Salt coming from Ireland, Scotland, or the Isle of Man, to be imported. Further Provisions for this Purpose by 5 Geo. 1. c. 18. f. 23. Forfeiture.

Salt so imported may in two Months after be seized; also the Ship; and if not claimed in 20 Days may be sold.

Salt carried Coastwise excepted.

Salt forced into any Port by Strefs of Weather, &c. may be re-landed.

Fisherman may land Salt taken on board for salting Fish, on Oath made, &c.

Allowance of Salt for Ship's Provision, or for curing Fish, &c. What forfeited upon Neglect of

such Entries by 5 Geo. 1. c. 18. f. 18.

be made thereof within ten Days after his first coming into such Port, and the Duties paid down or secured for the same, before the same, or any Part thereof, shall be landed or taken out of any such Ship or Vessel, in the same Manner as the Duties of foreign Salt imported are to be paid or secured; any thing in this Act or any other Statute to the contrary notwithstanding.

No Salt to be brought out of Scotland by Land, into England. Penalty. Salt Officers to seize such Salt, &c.

VII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and four, no Salt shall be brought out of *Scotland* by Land, into any Part of *England*, or Town of *Berwick* upon *Tweed*, or Precincts thereof, on Pain of forfeiting the Salt so brought into any of the said Places, and twenty shillings a Bushel, and so proportionably for a greater or lesser Quantity; and that it shall and may be lawful to and for any of the Officers for the Duties upon Salt, to seize any Salt so brought into any of the said Places, and to apprehend the Person and Persons who shall bring in the same, and to carry him, her, or them before any of her Majesty's Justices of the Peace near the Place where such Seizure shall be made; and if, upon full Proof of the Fact, such Offender shall not pay down the said Penalties by this Act imposed, such Justice shall commit such Offender to the next Gaol, there to remain for the Space of six Months without Bail or Mainprize.

5 W. & M. c. 7. s. 11.

VIII. And whereas by an Act of Parliament made in the fifth Year of the Reign of the late King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France; it is amongst other Things enacted, That no Salt shall be delivered from any Salt Works or Pits, without Notice first given to the Officer appointed for that Purpose, upon Pain of Forfeiture of the Salt so delivered, and upon Pain of twenty Pounds to be forfeited by the Owner or Owners of the Salt Works or Pits, where such Salt shall be delivered: And whereas several Salt Makers have been, and others may be, subjected to the said Penalties of twenty Pounds, by the evil Practices of Salt Carriers, and others, who convey Salt from the Salt Works without a Warrant or Permit for conveying the same; For preventing whereof be it enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and four, as well the Carrier, or Person who shall carry or convey any Salt without a Warrant or Permit for carrying the same, as the Proprietor of the Salt Works, who shall deliver Salt without Notice first given, shall forfeit the said Sum of twenty Pounds.*

Penalty on Salt Carrier carrying Salt without a Permit.

Farther Provisions relating hereto by 5 Annæ, c. 29. s. 16.

IX. And whereas in and by the said Act of Parliament made in the fifth Year of the Reign of the late King WILLIAM and Queen MARY, and by several other Acts relating to the said Duties upon Salt; it is amongst other Things provided, That any Person, who shall export beyond the Seas any Salt, as well foreign as *English*, or any Rock Salt, shall, upon a Debenture made out according to the Direction of the said Acts, be repaid the Duties of such Salt so exported: And whereas some Doubts and Controversies have been made, whether Salt shipped and exported to *Scotland*, the Isle of *Man*, or the Islands of *Jersey* and *Guernsey*, be an Exportation of Salt within the Intent and Meaning of the said Acts, so as to intitle the Exporter to a Drawback of the Duties of the Salt so exported: For preventing of all such Controversies and Disputes, be it enacted and declared by the Authority aforesaid, That it was and is the Intent and Meaning of the said Acts, that any Person exporting any Salt to *Scotland*, the Isle of *Man*, or the Islands of *Jersey* and *Guernsey*, according to the Directions of the said Acts, is and shall be intitled to a Drawback of the Duties of the Salt so exported, and shall be repaid the same, in such Manner, and under such Conditions, as are directed and required by the said Acts, in case of the Exportation of Salt to any other foreign Parts; any thing in the said Acts or any other Law or Statute to the contrary in any wise notwithstanding.

Salt exported to Scotland, the Isle of Man, or Jersey and Guernsey, intituled to a Drawback.

Salt shipped for Exportation, and perishing in Port, by the sinking of the Ship, &c.

X. Provided always, and it is further enacted by the Authority aforesaid, That where any Salt or Rock Salt (the Duties whereof shall have been paid or secured to be paid, according to the Direction of the former Laws, relating to the said Duties on Salt) shall from and after the first Day of *June* one thousand seven hundred and four, be shipped or laid on board any Ship or Vessel, in any Port, River, or Place within this Kingdom of *England*, or the Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, in order to be exported to Parts beyond the Seas, or be carried Coastwise; and the said Salt or Rock Salt, so shipped or laid on board, shall happen to perish by the sinking of the Ship or Vessel, on which the same shall be shipped or laid on board, before the said Ship or Vessel shall go out of such Port or Place, and before the Exporter of such Salt shall be intitled to a Drawback or Allowance of the Duties thereof; then and in such Case the Exporter or Proprietor of the said Salt or Rock Salt, so perished, shall, upon Proof made before the Justices of the Peace, at the next General Quarter-Sessions of the Peace, to be held for the County, City, Riding, Division, or Place next to the Place where the said Salt or Rock Salt shall so perish, of the Loss of the Salt or Rock Salt so shipped, receive from the said Sessions a Certificate, that such Proof was made before them, and upon producing the said Certificate to any of her Majesty's Collectors or Officers appointed to collect the said Duties on Salt, the said Collectors and Officers are hereby required to let the said Exporter or Proprietor buy the like Quantity of Salt or Rock Salt, as is expressed in the said Certificate to be so perished, without paying to her Majesty any Duty of Excise for the same, in the same Manner as if such Salt or Rock Salt had so perished going Coastwise from one Port of *England* to another.

Proprietor to buy the like Quantity, Duty free.

General Issue.

Double Costs.

XI. Provided always, and be it further enacted, That if any Person or Persons shall at any Time be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, he or they shall or may plead the General Issue, and give this Act in Evidence for his Defence; and if upon a Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonsuit, discontinued, or forbear prosecuting the said Actions, then such Defendant or Defendants shall have double Costs to him

him or them awarded against such Plaintiff or Plaintiffs, for which Costs he shall have such Remedy, as in other Cases where Costs are by Law given to Defendants.

XII. And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures, hereby given and imposed, shall be recovered and levied by the same Ways, Means and Methods, as any Penalties and Forfeitures can or may be recovered and levied by any of the Laws of Excise, or by Action of Debt, Bill, Plaint or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no *Essoin*, Protection, or Wager of Law, nor any more than one *Imprallance* shall be allowed; and that the said Penalties and Forfeitures shall be distributed in manner following (to wit) one *Moiety* thereof to her Majesty, her Heirs and Successors, and the other *Moiety* to him or them that will sue or inform for the same.

Penalties and Forfeitures how to be recovered.

XIII. And whereas it is found by Experience, that great Quantities of Fish, which have been cured at Sea, or in *Ireland*, or other Parts not within *England*, *Wales*, or *Berwick upon Tweed*, with Salt, for which the Duties have not been answered and paid, have been imported or brought into *England*, *Wales*, or *Berwick upon Tweed*, by which Practice her Majesty, and the *English* Fishery, are very much prejudiced: For Remedy whereof be it enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and four, no Herrings, Pilchards, Scads, Codfish, Ling, Hake, Salmon, or dried red Sprats whatsoever, or by whomsoever caught or cured, shall be imported, brought in, or landed within *England*, *Wales*, or *Berwick upon Tweed*, unless the Owner or Proprietor of such Fish, or the Master of the Vessel, shall make Oath before the Officer for the said Duties on Salt, in the Port or Place where such Fish shall be imported, brought in, or landed (who shall administer the same without Fee or Charge) that all the Salt wherewith the said Fish was cured, was laden or put on board from some Part of *England*, *Wales*, or *Berwick upon Tweed*, and when and where the same was so put on board, and that no Drawback or Allowance, or Debenture for the same, hath to his Knowledge or Belief been had or obtained upon the Exportation or carrying out of the said Salt, or any Part thereof, or is intended to be had or obtained on account of such Exportation; upon Pain of forfeiting such Fish that shall be imported, brought in, or landed contrary to the Intent and Meaning hereof, and double the Value thereof, to be recovered of the Importer or Proprietor thereof.

No Herrings, Pilchards, Scads, Codfish, Ling, Hake, Salmon, &c. shall be imported or landed, unless Oath be made, that the Salt wherewith such Fish was cured, was laden from *England*, &c. and no Drawback allowed on Exportation, &c. Penalty.

XIV. Provided, That nothing in this Act shall extend to prohibit the importing and landing any Codfish, Ling, or Hake, which have been caught and cured at *Newfoundland* or *Island*, so as Oath be first made before the landing thereof by the Owner or Proprietor of such Fish, or the Master of the Vessel, before the Officer for the said Duties, in the Port or Place where such Fish shall be imported, brought in, or landed (who shall administer the same without Fee or Charge) that all the Fish so imported came from *Newfoundland* or *Island*, and were caught and cured there, and so as the said Fish be at the landing thereof, and before the same be removed from the Shore, tendered to the Officer of the Port for the said Duties, to have Part of the Tail of every such Codfish, Ling, or Hake cut off, that no Allowance for such Fish be obtained upon Exportation; and the said Officer is hereby impowered and required to cut off Part of the Tail of all such Fish on the Importation thereof: And in case any such Fish shall be landed before the same shall be tendered to the Officer, to have Part of the Tail cut as aforesaid, all the Fish, so imported and landed, shall be forfeited, and double the Value thereof, to be recovered of the Importer or Proprietor thereof; to wit, one *Moiety* thereof to the Queen, the other *Moiety* thereof to him or them who shall prosecute or sue for the same.

Newfoundland or *Island* Fish, excepted.

Part of the Tail of such Fish to be cut off. Penalty on landing the same before Tender thereof made. Provision is made by 4 Anne, c. 12. §. 12. for Codfish, &c. imported from the North Sea.

XV. And whereas the Proprietors who have given Securities at their Works or Pits for the Duty of Salt or Rock Salt bought of them, do often suffer Damage by Frauds committed in the Exportation without their Privity: For Remedy whereof be it enacted by the Authority aforesaid, That where any Salt or Rock Salt shall, after the first Day of *June* one thousand seven hundred and four, be entred, and Security shall be given for the Duties, and certified to the Officer, according to the former Laws relating to the Duties on Salt, no such Salt or Rock Salt shall afterwards be entred for Exportation by any Person or Persons, not bound in the Security first given as aforesaid, until such Person or Persons, so exporting such Salt or Rock Salt, shall give or find sufficient Security for the Duties thereof (which the Officer for the said Duties at the Port where the same is so entred for Exportation is hereby required to take); and the same Officer shall deliver gratis, and without delay, a Certificate of such new Security taken, and upon producing such Certificate to the Officer of the Place where the Duty of the said Salt, was first secured to be paid, such first Security shall be discharged.

Where Salt is entred, and the Duties secured, no such Salt shall afterwards be entred for Exportation by any Person not bound in the first Security, till Security given for the Duties, &c.

XVI. And whereas by several Leases, Grants, or Contracts, made before the sixth Day of *November* one thousand six hundred ninety-three, certain Rents payable in Salt were reserved, granted, or agreed to be paid out of or for divers Lands, Tenements, or Hereditaments; and it is evident that the imposing the present Duties on Salt, since the making the said Leases, Grants, or Contracts, doth in Effect increase the said Rents, and make them more burdensome to the Persons liable thereunto; it is therefore enacted and declared by the Authority aforesaid, That when the Owners, Proprietors, and Tenants of such Lands, Tenements, and Hereditaments, so charged by any Leases, Grants, or Contracts, made before the Time aforesaid, do from and after the five and twentieth Day of *December* one thousand seven hundred and three, pay or deliver any such Rent in Salt, the Person or Persons, who shall receive the same, shall be obliged by this Act to pay to him or them, who shall make such Payments of Salt in kind, so much Money as the Duty and Duties paid or payable to her Majesty for the same Salt, by any Act or Acts of Parliament made since the said sixth Day of *November* one thousand six hundred ninety-three, do amount unto.

Tenants paying their Rent in Salt, to be allowed so much as the Duty comes to.

Guernsey Bay Salt may be imported during the War, not exceeding 4000 Bushels per Annum. No Drawback allowed.

XVII. Provided always, and it is hereby enacted, That it shall and may be lawful, during the present War, to bring in Bay Salt of the Produce of the Island of *Guernsey*, upon paying the same, and no higher or other Duty, than what is or shall be laid upon Salt made in *England*, and so as the same Salt so to be imported shall be imported in the Ports of *Yarmouth* in *Norfolk*, *Portsmouth*, *Plymouth*, and *Falmouth*, or any of them, and shall not exceed in the whole four thousand Bushels in any one Year, so as due Entry (according to the Law) be made of the same, for which Salt no Drawback shall be allowed upon the Exportation thereof; any thing in this present Act, or any other Act, contained to the contrary thereof in any wise notwithstanding.

Salt lost at Sea by stormy Weather, &c. Owners to buy the same Quantities so lost, without paying Duty. This Privilege extended by 8 Geo. 1. c. 4. §. 11. to all Merchants in general.

XVIII. And whereas divers Merchants, and other Persons, being Subjects of this Realm of *England*, do ship Salt that hath paid the Duty to her Majesty, to convey it to some Part of *England*, and the same or Part thereof may be lost at Sea, by violent or stormy Weather, or by being thrown over board for preserving Mens Lives, or the Vessel in which such Salt is shipped, as aforesaid; Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and four, in such Case any Merchant or Person, Owner of the said Salt, shall, upon Proof made (by the Oaths of two or more credible Witnesses, whereof the Master or Mate of the Vessel to be one, before the Justices of the Peace at the Quarter-Sessions held for the County, Riding, Division, or Town wherein he doth inhabit; in open Court) of the Loss of such Salt so shipped, and that the same was not occasioned by any Leekage of the Ship or Vessel, or by any Negligence or Default of the Master or Mariners, receive from the said Sessions a Certificate that such Proof was made before them, and upon producing the said Certificate to any of the Officers appointed to collect the Duties on Salt, the said Officer or Officers are hereby required to let such Persons buy the like Quantity of Salt, as is expressed in the Certificate to be lost, without paying to her Majesty, her Heirs or Successors, any Duty or Excise for the same; any thing in this Act or any other Act contained to the contrary notwithstanding.

Two Ships with Salt drove into Holland by Strefs of Weather, and the Salt there fold, Proprietors intitled to the Drawback.

XIX. And whereas in the late violent Storms, which happened in the Months of *November* and *December* one thousand seven hundred and three, two Vessels laden with Salt from *Newcastle* to the *Humber*, were by Strefs of Weather blown into *Holland*, and the Masters did there unlade and sell the said Salt; Be it therefore enacted by the Authority aforesaid, that upon Proof made thereof, upon the Oath of two credible Witnesses, the Proprietor or Proprietors of the said Salt shall be intitled to the Drawback upon the same, as if the said Salt had been entered for exportation into Parts beyond the Seas; any thing in this or any former Law to the contrary notwithstanding.

1 Anne, stat. 1. c. 21. sec. 10. which is explained by 8 Geo. 2. c. 12.

XX. And whereas by an Act made in the first Year of the Reign of her present Majesty it is enacted, That no Rock Salt whatsoever shall be refined or made into White Salt in any Place or Places whatsoever, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, except in such Places as are, or shall be within ten Miles Distance of the respective Pit or Pits, from whence such Rock Salt shall be taken, or at such Places as, on or before the tenth Day of *May* one thousand seven hundred and two, shall have been used for the refining Rock Salt, under a penalty therein expressed: And whereas *Lawn Marsh* in the County of *Carmarthen* hath been an ancient Place used for making Salt from Sea Water; and upon several Occasions Rock Salt is very useful to strengthen the Brine in the said Work, when weakened by fresh Water, or other Accidents; but the proper Use of the said Salt Work not being for the refining Rock Salt, it hath been doubted whether Rock Salt might be there used: For preventing such Doubts for the future be it enacted and declared by the Authority aforesaid, That Rock Salt may be so used in the making Salt from Sea Water in the Salt Works at *Lawn Marsh* aforesaid; any thing in the said Act or in any other Law or Statute to the contrary notwithstanding; so as her Majesty's Duties for all the Salt proceeding as well from the said Rock Salt, as from the Sea Water, be duly charged, answered, and paid to her Majesty's Use.

Rock Salt may be used in making Salt at *Lawn Marsh*, so as the Duties be paid. Further Provisions concerning Salt.

4 Ann. c. 12. 5 Ann. c. 29. 6 Ann. c. 12. 9 Ann. c. 23. 12 Ann. st. 2. c. 2. 5 Geo. 1. c. 18. 8 Geo. 1. c. 4. §. 16. 11 Geo. 1. c. 30. 3 Geo. 2. c. 20. 5 Geo. 2. c. 6. 8 Geo. 2. c. 12. 14 Geo. 2. c. 22. 26 Geo. 2. c. 3. §. 32.

C A P. XV.

An Act for the better and more regular paying and assigning the Annuities after the Rate of three Pounds *per Centum per Annum*, payable to several Bankers, and other Patentees, or those claiming under them.

32 W. 3. c. 22.

WHEREAS by an Act of Parliament made in the twelfth Year of the Reign of our late Sovereign Lord King WILLIAM the Third (of Glorious Memory) intituled, *An Act for appropriating three thousand seven hundred Pounds weekly out of certain Branches of Excise, for publick Uses, and for making a Provision for the Service of his Majesty's Household and Family and other his necessary Occasions*; It was amongst other Things enacted, That in lieu and discharge of certain perpetual annual Payments, and of all Arrears thereof, granted by his late Majesty King CHARLES the Second to the respective Patentees therein named, the Hereditary Revenue of Excise, in the said Act mentioned, should from and after the twenty-sixth Day of *December* one thousand seven hundred and five, be and stand charged for ever with the Payment of annual Sums after the Rate of three Pounds *per Centum per Annum*, for the principal Sums mentioned in the said respective Letters Patent, to be issued and paid out of the said Revenue, by quarterly Payments, out of the Receipt of the Exchequer, by the Officers of the same, unto the respective Owners and Proprietors of the several annual Sums, and to their Heirs and Assigns for ever, without any further or other Warrant, to be sued for, had, and obtained in that Behalf; the said annual Payments,

Payments, after the Rate of three Pounds *per Centum*, to be subject nevertheless to be redeemed, on Payment of a Moiety of the principal Sums mentioned in the said respective Letters Patent, : And whereas by an Act of Parliament made in the first Year of the Reign of her present Majesty, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*, it is (amongst other Things) enacted, That from and after the Expiration of the Term of five Years therein mentioned, so much Money as, together with the said Payments, after the Rate of three Pounds *per Centum per Annum*, should make up the Sum of three thousand seven hundred Pounds for every Week, during her Majesty's Life, should and might be taken out of the said Hereditary Duties of Excise, and out of the Duties of Excise thereby granted for her Majesty's Life, and either or any of them; and the said Payments, after the Rate of three Pounds *per Centum per Annum*, being deducted out of the Hereditary Part thereof, the Residue of the said three thousand seven hundred Pounds a Week should be applied and disposed of to and for the publick Use and Service: And whereas by an Act of this present Session of Parliament, intituled, *An Act for granting an Aid to her Majesty for carrying on the War, and other her Majesty's Occasions, by selling Annuities at several Rates, and for such respective Terms and Estates, as are therein mentioned*; It is (amongst other Things) enacted, That from and after the five and twentieth Day of December in the Year of our Lord one thousand seven hundred and five, the said full, clear, and entire weekly Sum of three thousand seven hundred Pounds out of all the Monies arising by the said Hereditary Duties of Excise, and by the said Duties of Excise payable during her Majesty's Life, and by every and any of them, according to the Tenour and Direction of the Act of Parliament above recited in that Behalf; and from and after her Majesty's Decease, then the like, full, clear, entire, and weekly Sum of three thousand seven hundred Pounds, of lawful *English* Money, out of all the Monies to arise by the said Hereditary Duties of Excise, and every or any of them, from Time to Time for ever, shall be brought and paid into the Receipt of the Exchequer; and that out of the Monies of the said Hereditary Duties of Excise, arising in or by such weekly Payments at the Exchequer, as aforesaid, the said annual Sums, after the Rate of three Pounds *per Centum per Annum*, prescribed by the said Act, made in the Parliament holden in the twelfth Year of the Reign of his late Majesty King WILLIAM the Third, shall be satisfied and paid, according to the Directions therein contained, and subject to the Power of Redemption therein mentioned, as by the said several Acts, Relation being thereunto had, more at large may appear: Now for the better and more regular payment and assigning the said Annuities, after the Rate of three Pounds *per Centum per Annum*, be it enacted, &c.

12 W. 3. c. 12.
These Annuities were subscribed to the South Sea Stock.
6 Geo. 1. c. 4.

" Auditor to certify to the Lord Treasurer the Names of Persons intitled to Annuities at 3 l. *per Centum per Annum*. Every Person to have a Warrant for Payment. Payments to be made quarterly. Orders to be signed by the Lord Treasurer, &c. Annuities may be assigned or devised, and not revocable, so as Entry be made thereof. Annuities free from Taxes, and to be as a personal Estate, and not descendable to Heir. Officers in the Exchequer to take 2 d. in the Pound. Persons intitled to Annuities Right of their Wives, not to dispose of such Annuities, unless the Wife be a Party to the Assignment. Divers Annuities may be comprehended in one Order, and reduced into one Yearly Sum."

C A P. XVI.

An Act for the Discharge out of Prison such Insolvent Debtors as shall serve or procure a Person to serve, in her Majesty's Fleet or Army. Justices of Peace, on Petition of poor Prisoners for Debt, may summon the Creditors before them, and also the Gaoler. Prisoner to take an Oath. Creditor to shew cause why Prisoner should not be discharged. In case Prisoner be detained, Creditor to allow him 4 d. *per Day*, and if no Estate appear in three Months, Justices may discharge the Person of Prisoner, but the Debt not thereby discharged; and Judgment against Prisoners Lands, &c. to stand good. Persons discharged, and again arrested, on shewing a Duplicate of their Discharge shall again be discharged. Person of Prisoner for ever free. Penalty on Sheriff, &c. disobeying Justices Summons. Prisoners before Discharge shall declare on Oath what Effects or Debts are belonging to them. A Schedule thereof to be made. Creditors may sue for such Debts in Prisoner's Name. Persons discharged, freed from Chamber Rent and Gaoler's Fees, &c. Prisoners Wearing Apparel, Tools in Trade, not liable to Attachment. No Person to be discharged who is indebted more than 100 l. to one Person: Nor from his Imprisonment, unless he list himself in the Queen's Service, or procure one in his Stead. Penalty on Persons convicted of wilful Perjury.

C A P. XVII.

An Act for the better charging several Accountants with Interest Monies by them received and to be received.

WHEREAS by an Act of the twelfth Year of the Reign of his late Majesty King WILLIAM the Third, for granting to his Majesty several Duties upon Low Wines, or Spirits of the first Ex- traction, and for continuing several Duties therein mentioned, Provision is made, that the respective Treasurers of the Navy, and Paymasters of the Land Forces, and the Officers in the subordinate Offices therein mentioned, should be chargeable with the Interest Monies by them or their Agents respectively received upon Tallies and Orders for Monies imprested to them severally, during the late War against France,

12 W. 3. c. 11.
sec. 28.
E X P.

1 Annæ, stat. 1.
c. 13.

France, or at any Time before the making of the said Act, in the Manner and Form thereby prescribed; and that every such Charge should be examined by the Entries and Vouchers in the Receipt of the Exchequer, before the respective Account or Accounts of the said Treasurers, Paymasters, or other Officers should be declared; and by an Act of the first Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and for preserving the publick Credit*, It was enacted, That the respective Accounts of any the said Treasurers, Paymasters, or other Officers, of the Monies by them received for the Service of the said Navy, Forces, and for Services in the said subordinate Offices, should and might be declared and finished, according to the ancient Usage and Methods of the Exchequer, so as before the declaring of the last Accounts of the Monies by them severally received, as aforesaid, for the said respective Services, all the said Interest Monies be duly examined and charged, as the said former Act directed, as by the said several Acts may more fully appear: And whereas it appears, that the Auditor of the said Receipt of Exchequer doth or can charge Accountants, as aforesaid, with Interest Monies by them or their Agents received, upon Tallies or Orders that are satisfied and discharged in the said Receipt; but it is difficult to charge such Accountants with Interest Money upon such of the said Tallies or Orders, as are standing out and unsatisfied; and it is utterly impossible for him to charge upon such Accountants the Interest hereafter to be paid upon any such unsatisfied Tallies and Orders, until the Principal thereupon comes in course of Payment, and the said Tallies and Orders, be brought to the said Receipt to be discharged; and it will be a great Detriment to her Majesty's Service, in case the final Accounts of the said respective Treasurers, Paymasters, and other subordinate Officers (which contain large Sums of Money, and may have many *Supers* depending thereupon) should be deferred until all the said Orders and Tallies be fully discharged: To obviate which Mischiefe, be it enacted, &c.

“ Auditor to proceed in examining the several Interest Accounts pursuant to the Act 12 & 13 W. 3. c. 11.
“ and surcharge the Interest Monies omitted. Lord Treasurer, &c. on such Charge may proceed in finishing the Accounts of the Treasurers and Paymasters of the Navy, Forces, &c. Auditor to examine the Accountant's Interest Accounts, and certify the Sums which ought to be surcharged for Interest Money. Certificate a legal Charge against such Accountant. In Case it appears that Interest Money charged on Accountant's was paid over to Creditors, &c. Accountant to be allowed for so much. Salaries of the Army Commissioners to be made without Account.

C A P. XVIII.

An Act for the further Explanation and Regulation of Privilege of Parliament in Relation to Persons in publick Offices.

12 & 13 W. 3.
c. 3.

WHEREAS it is most just and reasonable, that Persons employed in Offices and Places of publick Trust, should at all Times be accountable for any Misdemeanors therein, and the publick Justice of the Realm requireth a vigorous Prosecution of such Offenders: To the end therefore that your Majesty's good Subjects may not lie under any Doubts or Discouragements, whereby such Prosecutions might be prevented or delayed; may it please your most Excellent Majesty that it may be enacted; and be it enacted by the Queen'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 any Action or Suit shall and may be commenced and prosecuted in any of her Majesty's Courts at *Westminster*, against any Officer or Persons intrusted or employed in the Revenue of her Majesty, her Heirs and Successors, or any Part or Branch thereof, or any other Office or Place of publick Trust, for any Forfeiture, Misdemeanor, or Breach of Trust, of, in, or relating to such Office or Place of Trust, or any Penalty imposed by Law to enforce the due Execution thereof; and that no such Action, Suit, or any other Process, Proceeding, Judgment, or Execution thereupon, although such Officer or Person shall be a Peer of this Realm, or Lord of Parliament, or one of the Knights, Citizens, or Burgeses of the House of Commons, or otherwise intituled to the Privilege of Parliament, shall be impeached, stayed, or delayed by or under Colour or Pretence of any Privilege of Parliament.

Action may be prosecuted against any Officer of the Revenue, or any other Place of publick Trust, for any Misdemeanor, &c.

No such Action to be stayed on Pretence of Privilege of Parliament.

Act not to subject the Person of Peer to Imprisonment:

Nor Member of the House of Commons.

Further Provisions concerning Parliament, 6 Ann. c. 7 & 23.
9 Ann. c. 5.

10 Ann. c. 19 & 23.
1 Geo. 1. c. 38 & 56.
19 Geo. 2. c. 28.

II. Provided nevertheless, and be it further enacted by the Authority aforesaid, That nothing in this Act shall extend to subject the Person of such Officer, being a Peer of this Realm, or Lord of Parliament, to be arrested or imprisoned; but that all Process shall issue against such Officer or Person, being a Peer of this Realm, or Lord of Parliament, as should have issued against him out of the Time of Privilege: Nor shall extend to subject the Person of such Officer, being a Knight, Citizen, or Burgeses of the House of Commons, to be arrested or imprisoned, during the Time of Privilege of Parliament; and that against such Officer or other Person, being a Knight, Citizen, or Burgeses of the House of Commons, intituled to Privilege, shall be issued Summons and Distress infinite, or original Bill, Summons, Attachment, and Distress infinite, which the said respective Courts are hereby impowered to issue in such Case, until the Party shall appear upon such Process according to the Course of such respective Court.

2 Geo. 2. c. 24.
6 Geo. 2. c. 23.
8 Geo. 2. c. 30.
9 Geo. 2. c. 38.
11 Geo. 2. c. 24.
13 Geo. 2. c. 20.
15 Geo. 2. c. 22.
31 Geo. 2. c. 14.
33 Geo. 2. c. 20.

C A P. XIX.

An Act for raising Recruits for the Land Forces and Marines, and for dispensing with Part of the Act for EXP. the Encouragement and Increase of Shipping and Navigation during the present War.

C A P. XX.

An Act for punishing Mutiny, Desertion, and false Musters, and for better paying of the Army and EXP. Quarters; and for satisfying divers Arrears, and for a further Continuance of the Powers of the five Commissioners for the examining and determining the Accounts of the Army. Officers or Soldiers, who shall mutiny or desert, to suffer Death. General to call Courts Martial for punishing Offenders. Court Martial to consist of 13 Commission Officers. Officer or Soldier not to be exempt from the ordinary Process of Law. Act not to extend to the Militia Forces. Every Officer at a Court Martial to take an Oath. Nine Officers to concur in giving Sentence of Death against Offender. No Trial to be but between eight and one. Penalty on Person making false Certificate to excuse Soldier from Muster. Penalty on Officer making false Muster. Commissary to give Notice of the Muster to the Mayor, &c. Mayor, &c. to be present at Muster. No Muster Roll to be allowed, unless signed by Mayor, &c. Penalty on Person falsely mustered. Horse mustered not belonging to the Troop forfeited, &c. Penalty on Paymaster, &c. detaining Officers or Soldiers Pay, &c. Officer to bring a Certificate of Men sick or absent. Penalty on Officer mustering Servants, &c. 31 Car. 2. c. 1. Officers and Soldiers may be quartered in Inns, Livery Stables, &c. Penalty on quartering Officers or Soldiers in private Houses, &c. Justices to set Rates for all necessary Provisions for Soldiers in their March. Penalty on Officer taking Money to excuse the quartering of Soldiers. No Paymaster, &c. to deduct Fees out of Officers or Soldiers Pay, &c. Officer, on Receipt of Subsistence Money, to give Notice thereof to Innkeepers, &c. who are to bring in their Accounts. Rates allowed for Diet, &c. for Officers and Soldiers. Officer to make up Accounts before he leaves his Quarters, &c. All Accountments of War shall be bought in *England*. Muster Rolls to be closed the same Day as taken: One whereof to be returned to the Paymaster General, and another to the Comptroller of the Army Accounts. Carriages to be provided for the Forces in their March. Penalty on Officer forcing Waggon, &c. to travel more than one Day's Journey, or forcing Horses from the Owners. Penalty on Officer quartering Wives, Children, &c. of Soldiers in Houses against Consent of Owner. Penalty on Civil Officer so doing. Penalty on Officers or Soldiers destroying the Game without Leave. Account of Money due to every Regiment in the Queen's Service, to be made up between the Paymaster General and the Colonel, &c. and so every four four Months, &c. Colonel to account with his Captains, &c. Penalty on Persons harbouring Deserters, &c. Inhabitants of *Epsom*, &c. not liable to quarter Soldiers.

'XXXIV. And forasmuch as there is not any effectual Provision made for the Government of her Majesty's Land Forces out of the Realms of *England* and *Ireland*;' Be it further enacted and declared, That if any Officer or Soldier in her Majesty's Army shall, either upon Land out of *England*, or upon the Sea, hold Correspondence with any Rebel or Enemy of her Majesty, or give them Advice or Intelligence, either by Letters, Messages, Signs, or Tokens, or any Manner of Way whatsoever, or shall treat with such Rebels or Enemies, or enter into any Condition with them, without her Majesty's Licence, or Licence of the General, Lieutenant General, or chief Commander, then every such Person so offending, shall be deemed and adjudged to be guilty of High Treason, and suffer such Pains and Penalties as in case of High Treason. Officer or Soldier corresponding with the Queen's Enemies beyond Seas, guilty of High Treason.

XXXV. And be it further enacted by the Authority aforesaid, That if any Officer or Soldier of her Majesty's Army, either upon Land out of *England*, or upon the Sea, shall raise, or cause to be raised, any Mutiny or Sedition in the Army, or shall refuse to obey his superior Officer, or shall resist any Officer in the Execution of his Office, or shall strike, draw, or offer to draw, or lift up, any Weapon against his superior Officer, upon any Pretence whatsoever; all and every the Person and Persons so offending, in any of the Matters before mentioned, shall be adjudged and taken to be guilty of Felony, and shall suffer as in Cases of Felony; and every of their said Offences shall be deemed to be Felony, and shall suffer as in case of Felony; and the Offenders being thereof convicted, or being indicted or arraigned thereof, and standing mute, or challenging peremptorily above the Number of twenty returned to be of the Jury, shall suffer Death as in case of Felony. Officer or Soldier beyond Sea raising any Mutiny, or resisting his Officer, &c. guilty of Felony.

XXXVI. And be it further enacted by the Authority aforesaid, That all and every the Treasons and Felonies before mentioned, that shall be committed, perpetrated, or done, may be inquired of, heard and determined in her Majesty's Court, commonly called the *Queen's Bench*, by good and lawful Men of the same County where the said Court shall sit and be kept, or before such Commissioners, and in such County of this Realm, as shall be assigned by the Queen's Majesty, and by good and lawful Men of the same County, in like Manner and Form, to all Intents and Purposes, as if the said Treason and Felonies had been committed, perpetrated, and done within the same County. All Treasons and Felonies may be tried in the Queen's Bench at Westminster, &c.

XXXVII. Provided always, That this Act, or any thing therein contained, shall not extend to abridge her Majesty's Power of forming, making, and establishing Articles of War, and erecting and constituting Courts-martial, and inflicting Penalties by Sentence or Judgment of the same, in such Manner as might have been done by her Majesty's Authority beyond the Seas, in the Time of War, before the making of this Act. This Act not to abridge the Queen's Power of making Articles of War, &c.

XXXVIII. And

Court-martial may try Offences committed out of the Realm, not before tried.

How Officers or Soldiers deserting the Queen's Service beyond Sea, shall be tried.

Persons acquitted by a Court-martial not to be prosecuted again. No Attainder to corrupt the Blood of Heir, &c.

How a Peer of England shall be tried for any Offence by this Act.

Persons indicted of Treason, &c. to have the Benefit of the Act 7 W. 3. c. 3.

XXXVIII. And be it further enacted by the Authority aforesaid, That her Majesty may, from Time to Time, grant a Commission to such General, Lieutenant General, or other Officers, as aforesaid, for the holding a Court-martial within this Realm, in which all Officers and Soldiers, who shall at any Time hereafter, during the Continuance of this Act, commit any Crime or Offence out of this Realm, against the Rules, Articles, or Laws of War, and shall not be tried for the same by a Court-martial, before their Return into this Realm, shall and may be tried and proceeded against, and punished, according to the Rules and Articles of War aforesaid.

XXXIX. Provided always, That if any Officer or Soldier shall desert her Majesty's Service in any Parts beyond the Seas, and shall escape or come into this Realm or *Ireland*, before he be tried by a Court-martial for such Offence, then and as often as any such Case shall happen, if it shall also happen that the Regiment, Troop, or Company, to which such Officer or Soldier shall belong, shall continue in her Majesty's Service beyond the Seas, it shall and may be lawful, upon Oath thereof made to any one of her Majesty's Justices of the Peace, where such Offender shall be taken, for such Justices of the Peace to cause such Offender to be sent to the General Court-martial in *England* or *Ireland*, who are hereby enabled, if they think fit, for Example's Sake, to send such Offenders to the respective Regiment, Troop, or Company beyond the Seas, to which the Offender shall belong, there to be proceeded against according to the Directions of this Act.

XL. Provided also, That if any Person or Persons shall, in a Court-martial constituted as aforesaid, be tried and acquitted, or convicted of any of the Crimes or Offences herein before mentioned, such Acquittal or Conviction shall be a full Bar to any Indictments or Proceedings for the same Offence.

XLI. Provided always, That no Attainder for any Crime or Offence made Felony by this Act, shall extend or be adjudged to make any Corruption of Blood to any Heir of such Offender, or to debar the Wife of such Offender of her Title of Dower.

XLII. Provided also, That if any Peer of this Realm shall commit any of the Offences aforesaid, in any Parts beyond the Seas, and shall not have been there tried for the same by Martial Law, and after his Return into this Realm shall be indicted of any Offence hereby declared or enacted to be Treason or Felony, that then, and after such Indictment, he shall have his Trial by his Peers, in such like Manner and Form as hath been accustomed.

XLIII. And be it declared and enacted by the Authority aforesaid, That all and every Person and Persons, who shall hereafter be accused, indicted, or prosecuted, for any thing made or declared Treason by this Act, shall be intitled to the Benefit of the Act of Parliament made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for regulating Trials in Cases of Treason and Misdemeanors*.

“ Officers and Soldiers of the Marine Regiments, &c. subject to the Penalties, &c. in this Act. Account of each Regiment, Garrison, &c. to be made up. Auditors to examine the same, and the Accountant on Oath. No Account to be hereafter declared by the Lord Treasurer, &c. until Auditor certify the Examination thereof. Respite Money may be applied as Levy Money. The Debts owing in Quarters by the Invalids of *Chelsea* Hospital, &c. shall be paid. Persons reprieved from Execution, in order to obtain their Pardon, &c. On Sight of the Queen's Warrant, for passing such Pardon, Judge may direct the Delivery of Prisoner, to be listed in the Queen's Service. Pardon, when passed to be inrolled, &c. Act, as to Mutineers and Deserters, &c. to extend to the Forces in *Ireland*. The Pay of the 10,000 Men raised for Sea Service to be cleared to 25 Dec. 1703. Accounts of the *English* and *Dutch* Trains of Artillery to be examined, and Debentures issued out thereupon. Pay of the Forces at *New York* to be computed. Debentures to be issued for Payment. [1 Annæ, stat. 2. c. 20. continued until 30 June 1704.]

Anno Regni ANNÆ Reginae tertio & quarto.

“ * In the Inrolment it is, to the fourteenth Day of March, * AT the Parliament begun at *Westminster* the twentieth Day of *August*, Anno Dom. 1702. in the first Year of the Reign of our Sovereign Lady ANNE, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, Queen, Defender of the Faith, &c. And from thence continued by several Prorogations and Adjournments to the * four and twentieth Day of *October* 1704. being the third Session of this present Parliament.”

C A P. I.

An Act for granting an Aid to her Majesty by a Land Tax, to be raised in the Year one thousand seven hundred and five. ‘ 4 s. in the Pound.’

C A P. II.

An Act for raising Monies, by Sale of several Annuities, for carrying on the present War.

Most Gracious Sovereign,

2 & 3 Annæ,
c. 3.

“ W HEREAS by an Act of Parliament made and passed in the second Year of your Majesty's Reign, intituled, *An Act for granting an Aid to her Majesty, for carrying on the War, and other her Majesty's*

Majesty's Occasions, by selling Annuities at several Rates, and for such respective Terms or Estates, as are therein mentioned, and by several other Acts therein recited, Provision is made, That from and after the five and twentieth Day of December in the Year of our Lord one thousand seven hundred and five, the full, clear, and intire weekly Sum of three thousand seven hundred Pounds out of all the Monies arising by the Hereditary Duties of Excise, and by other Duties of Excise therein mentioned, payable during her Majesty's Life, and from and after her Majesty's Decease, then the like full, clear, and intire weekly Sum of three thousand seven hundred Pounds, out of all the Monies to arise by the said Hereditary Duties of Excise, from Time to Time for ever, shall be brought and paid into the Receipt of Exchequer every Week, in the Manner and Form, and under such Penalties, as are thereby prescribed: And it is thereby further enacted, That out of the Money of the said Hereditary Duties of Excise, arising in or by such weekly Payments at the Exchequer as aforesaid, certain annual Sums after the Rate of three Pounds per Centum per Annum, therein mentioned, shall be satisfied and paid, and that out of the Monies of the said several Branches of Excise, arising in or by the said weekly Payments, the several Annuities to be purchased in pursuance of the said Act of the second Year of your Majesty's Reign, should also be paid and satisfied; and that all the Rest and Residue of the Monies arising by the said weekly Payments, and which at the End of every Year, reckoning the first Year to begin from the said five and twentieth Day of December in the Year of our Lord one thousand seven hundred and five, should remain, after satisfying or reserving sufficient to satisfy all the Payments which should be then incurred or grown due, as well for and upon the said annual Sums, after the Rate of three Pounds per Centum per Annum, as also for and upon all the said Annuities, to be purchased upon the Act last mentioned, should be applied and disposed of to and for the publick Use and Service, and not otherwise: And whereas the said annual Sums, after the Rate of three Pounds per Centum per Annum, do amount in the whole to the yearly Sum of thirty-nine thousand eight hundred fifty-five Pounds sixteen Shillings and one Halfpenny; and the Annuities purchased on the said Act of the second Year of your Majesty's Reign, for the said Term of ninety-nine Years, do amount in the whole to sixty-seven thousand nine hundred twenty-four Pounds ten Shillings and six Pence Halfpenny; and the Annuities purchased severally on the same Act for single Lives, do amount in the whole to twenty-two thousand three hundred and thirteen Pounds six Shillings and eight Pence; and the Annuities severally purchased on the same Act for the Lives of two Persons, and the Survivor of them, do amount in the whole to ten thousand five hundred and twenty-eight Pounds; and the several Annuities purchased on the same Act for the Lives of three Persons, and the Survivors and Survivor of them, do amount in the whole to three thousand nine hundred seventy-nine Pounds thirteen Shillings and four Pence; and the Charges of paying the said Annuities do amount to the yearly Sum of twelve hundred Pounds; so that there doth remain at this Time undisposed of, of the Money of the said weekly Payments, to be applied to the publick Use and Service, the yearly Sum of forty-six thousand five hundred ninety-eight Pounds thirteen Shillings and five Pence, or thereabouts, besides the Expectancies after the Determination of the said respective Estates, for one, two, and three Lives: Now we your Majesty's most dutiful and loyal Subjects, the Commons of England in Parliament assembled, being desirous to raise the Money necessary for carrying on the present War, and other your Majesty's most pressing Occasions, by such Ways and Means as are most easy to your Majesty's Subjects, do cheerfully and unanimously grant unto your Majesty a further Aid, to arise by Contributions for Annuities, to be purchased in the Manner and Form herein after mentioned; and do humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 and may be lawful to and for any Person or Persons, Natives or Foreigners, to contribute, advance, and pay into the Receipt of her Majesty's Exchequer, for her Majesty's Use, at or before the respective Days and Times in this Act limited in that Behalf, any Sum or Sums of Money, not exceeding in the whole the Sum of eight hundred seventy-seven thousand nine hundred and thirty Pounds nineteen Shillings and three Pence Halfpenny, for purchasing such several and respective Annuities as are herein after-mentioned (that is to say) any Sum and Sums of Money, not exceeding six hundred and ninety thousand Pounds (Part of the said whole Sum not exceeding eight hundred seventy-seven thousand nine hundred and thirty Pounds nineteen Shillings and three Pence Halfpenny) for any Annuity or Annuities to be paid during the full Term of ninety-nine Years, to be reckoned from the said five and twentieth Day of December in the Year of our Lord one thousand seven hundred and five, at the Rate of fifteen Years Purchase; which Rate doth amount to the Sum of one hundred and fifty Pounds for every such Annuity of ten Pounds per Annum, and proportionably for any greater Annuity; and the same Rate or Consideration-money, for the said full Term of ninety-nine Years, is hereby appointed to be paid into the said Receipt at or before the respective Days and Times herein after-mentioned (that is to say) One third Part thereof on or before the first Day of May in the Year of our Lord one thousand seven hundred and five; one other third Part thereof, on or before the four and twentieth Day of June in the said Year of our Lord one thousand seven hundred and five; and the remaining third Part thereof on or before the nine and twentieth Day of September in the same Year of our Lord one thousand seven hundred and five: All which Annuities, so to be purchased for the said full Term of nine-nine Years, shall not exceed in the whole the Sum of forty-six thousand Pounds per Annum, and shall be paid and payable at the four most usual Feasts in the Year (that is to say) The Feast of the Annunciation of the Blessed Virgin Mary, the Nativity of St. John Baptist, St. Michael the Archangel, and the Birth of our Lord Christ, by even and equal Portions; the first Payment to be made at or upon the Feast of the Annunciation

See 1 Geo. 1. Stat. 1. c. 1. §. 4.

By 6 Geo. 1. c. 4. the South-Sea Company take in these Annuities.

What Sums may be advanced for Purchases, &c.

for 99 Years at 15 Years Purchase, to be paid into the Exchequer.

Times of Payment.

Annuities so purchased, not to exceed 46,000l. per Annum. The first Payment 25 March 1706.

ation of the Blessed Virgin *Mary*, which shall be in the Year of our Lord one thousand seven hundred and six.

II. And whereas the Persons, who are or may be intitled to the respective Estates for Life or Lives, purchased upon the said Act of the second Year of your Majesty's Reign, or some of them, are or may be willing and desirous (for such respective Prices or Considerations as are herein after-mentioned) to have such their respective Estates for Life or Lives changed or converted into a certain Term or Terms for ninety-nine Years, to be computed from the said five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and four, of and in such or the like Annuities as they have for Life or Lives as aforesaid, or that they, or such as they shall nominate his, her, or their Executors, Administrators, and Assigns respectively (for the like respective Prices or Considerations) shall or may be intitled to have, receive, and enjoy the like Annuity from and after the Determination of his, her, or their Estate for Life or Lives as aforesaid, for and during the Residue which shall be then to come and unexpired of the said Term of ninety-nine Years last mentioned; and in Cases where the present Owner of any such Annuity for Life or Lives is or may be unwilling (if any such be) to purchase a further or more certain Estate or Interest therein, it is likely that some other Person or Persons is or may be desirous to be admitted to purchase a future Estate or Interest in such or the like Annuity or Annuities, to take Effect from and after the Determination of the respective Estate for one, two, or three Lives in being, and to continue for and during the then Residue and Remainder of the said Term of ninety-nine Years, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four, which shall be then to come and unexpired.

III. Now for the raising any further Sum and Sums of Money, not exceeding one hundred eighty-seven thousand nine hundred and thirty Pounds nineteen Shillings and three Pence Halfpenny, other Part of the said Sum not exceeding eight hundred seventy-seven thousand nine hundred and thirty Pounds nineteen Shillings and three Pence Halfpenny, for the Purposes aforesaid; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, being as original Contributors, or by Mesne Assignments, or by other lawful Ways and Means, intitled to any Estate for one Life in being, of or in any Annuity purchased or obtained upon the said Act of the second Year of your Majesty's Reign, to advance and pay into the Receipt of your Majesty's Exchequer, at or before the respective Days and Times in this Act limited in that Behalf, so much Money as every or any such Annuity, being computed for six Years, doth or shall amount unto, either for changing or converting the said Estate for a single Life, into a certain Term for the said ninety-nine Years, to be computed from the said five and twentieth Day of *March* one thousand seven hundred and four; or for the like Annuity to be paid to him, her, or them, his, her, or their Executors, Administrators, and Assigns, from and immediately after the Determination of the said Estate for one Life, during the then Residue of the said ninety-nine Years last mentioned, at the Election of the Purchasers respectively; and that it shall and may be lawful to and for any Person or Persons, being as aforesaid, intitled to any Estate for two Lives now in being, of or in any Annuity purchased or obtained upon the said Act of the second Year of our Majesty's Reign, to advance and pay into the Receipt of your Majesty's Exchequer, at or before the respective Days and Times in this Act limited in that Behalf, for your Majesty's Use, so much Money as every or any such Annuity, being computed for four Years, doth or shall amount unto, either for changing or converting the same Estate for two Lives, into a certain Term for the said ninety-nine Years, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four, or for the like Annuity, to be paid to him, her, or them, his, her, or their Executors, Administrators, and Assigns, from and immediately after the Determination of the said Estate for two Lives, during the then Residue of the Term of ninety-nine Years last mentioned, at the Election of the Purchasers respectively; and that it shall and may be lawful to and for any Person or Persons being, as aforesaid, intitled to any Estate for three Lives now in being, of or in any Annuity purchased or obtained upon the said Act of the second Year of your Majesty's Reign, at any Time to advance and pay into the said Receipt of your Majesty's Exchequer, for your Majesty's Use, at or before the respective Days and Times in this Act limited in that Behalf, so much Money as every or any such Annuity, being computed for three Years, doth or shall amount unto, either for changing or converting the same Estate for three Lives into a certain Term for ninety-nine Years, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four, or for the like Annuity to be paid to him, her, or them, his, her, or their Executors, Administrators and Assigns, from and immediately after the Determination of the said Estate for three Lives, during the then Residue of the Term of ninety-nine Years last mentioned, at the Election of the Purchasers respectively; and it is hereby declared and appointed, That all the Consideration Monies to be paid after the respective Rates of six Years Purchase, four Years Purchase, and three Years Purchase, in the several and respective Cases before mentioned, shall be paid into the said Receipt of Exchequer, for your Majesty's Use, at or before the respective Days and Times herein after limited (that is to say) one third Part thereof on or before the last Day of *March* in the Year of our Lord one thousand seven hundred and five; one other third Part thereof on or before the four and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and five; and the remaining third Part thereof on or before the nine and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and five; and the said Annuities for which the said Consideration Monies shall be so paid after the said Rates of six Years, four Years, and three Years Purchase as aforesaid, shall be also paid and payable at the four most usual Feasts before mentioned, by even and equal Portions; the first Payment thereof to begin and to be made at such of the said Feasts as shall next happen after the respective Times on which they

What to be done where an Annuity is not demanded in 2 Years Time: 1 Geo. 1. stat. 2. c. 36. s. 16. Original Contributors intitled for one Life, &c. may advance so much Money, &c. as every Annuity amounts unto for six Years Purchase, for converting their Estate for one Life, &c. into a certain Term for 99 Years. Or after the Determination of one Life, during the Residue of 99 Years, &c. Two Lives for four Years Purchase, &c. The like after the Determination for two Lives, &c. Three Lives at three Years Purchase. The like after the Determination for three Lives, &c. Consideration Monies, &c. to be paid into the Exchequer. Times of Payment. Annuities to be paid at the four most usual Feasts, &c. First Payment.

they are to take Effect, as aforesaid; nevertheless in all Cases where any Estate for Life or Lives shall be, in pursuance of this Act, changed into a certain Term for ninety-nine Years, as aforesaid, for avoiding any double Payments thereupon, the quarterly Payments, which shall have been made on the said Estate for Life or Lives, shall be deemed and taken to discharge so many of the quarterly Payments, which might otherwise be reckoned for the same Time, upon the said certain Term of ninety-nine Years, and then such present Estate for Life or Lives shall be understood to be merged or extinguished in the said Terms of Years respectively.

Estates for Lives changed for 99 Years.
Quarterly Payments thereon to discharge Quarterly Payments, reckoned to be extinguished.

on the Term of 99 Years, and then such Estates for Lives to

IV. And it is hereby further enacted, That if any Person or Persons, being intitled to any Estate for one, two, or three Lives in being, in any such present Annuity or Annuities, as aforesaid, shall not, on or before the said last Day of *March* in the Year of our Lord one thousand seven hundred and five, advance and pay into the said Receipt of Exchequer, one Third Part at the least of such respective Rate or Consideration Money, as is before-mentioned, for changing his, her, or their Estate for one, two, or three Lives into a Term certain, or for a future Interest, as aforesaid, that then, and in every such Case, it shall and may be lawful to and for any Person or Persons whatsoever, Natives or Foreigners (having or not having any Property or Interest in such Estate for Life or Lives) at any Time or Times after the said last Day of *March* one thousand seven hundred and five, and within the respective Days and Times by this Act limited in this Behalf, to contribute, advance, and pay into the said Receipt of Exchequer, for the Purposes aforesaid, such respective Rates or Consideration Monies, as are herein after appointed for purchasing of such Annuities, to commence after the Determination of the said Estates for one, two, or three Lives respectively, as are herein after expressed (that is to say) in every or any Case where any Annuity was purchased upon the said former Act for one Life only still in being, and the present Owner shall have made no further Payment for a future Interest, or certain Term therein, according to this Act, any Person or Persons, as aforesaid, may contribute and pay the Consideration Money, after the Rate of six Years Purchase for such or the like Annuity, to be paid and payable to him, her, or them, his, her, or their Executors, Administrators, and Assigns, from and immediately after the Determination of every such Estate for a single Life (which is to be named in every Talley for such Purchase Money, and in the Order thereupon) and to continue from thenceforth for and during all the rest and Residue, which shall be then to come and unexpired, of and in the said Term of ninety-nine Years, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four; and in every or any Case where any Annuity was purchased upon the said former Act for two Lives still in being, and the present Owner shall have made no further Payment for a future Interest, or a certain Term therein, according to this Act, any Person or Persons, as aforesaid, may contribute and pay the Consideration-money after the Rate of four Years Purchase for such or the like Annuity, to be paid and payable to him, her, or them, his, her, and their Executors, Administrators and Assigns, from and immediately after the Determination of every such Estate for two Lives (which are to be named in every Talley for such Purchase-money, and in the Order thereupon) and to continue from thenceforth, for and during all the rest and Residue, which shall be then to come and unexpired, of and in the said Term of ninety-nine Years, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four: And in every or any Case where any Annuity was purchased upon the said former Act for three Lives still in being, and the present Owner thereof shall have made no further Payment for a future Interest or a certain Term therein, according to this Act, any Person or Persons, as aforesaid, may contribute and pay the Consideration-money, after the Rate of three Years Purchase, for such or the like Annuity to be paid and payable to him, her, or them, his, her, or their Executors, Administrators, and Assigns, from and after the Determination of every such Estate for three Lives (which are to be named in every Talley for such Purchase-money, and in the Order thereupon) and to continue from thenceforth, for and during all the rest and Residue, which shall be then to come and unexpired, of and in the said Term of ninety-nine Years, to be reckoned from the said five and twentieth Day of *March* one thousand seven hundred and four. And it is hereby declared and appointed, That all the Consideration-monies to be paid by the said Persons, who may purchase in Default of those who have the present Estates for Life and Lives, as aforesaid, shall be paid in the said Receipt of Exchequer for your Majesty's Use, after the said last Day of *March* one thousand seven hundred and five, and at or before the respective Days and Times herein after limited (that is to say) One third Part thereof on or before the first Day of *May* in the Year of our Lord one thousand seven hundred and five; one other third Part thereof on or before the four and twentieth Day of *June* one thousand seven hundred and five; and the remaining third Part thereof on or before the nine and twentieth Day of *September* one thousand seven hundred and five; and the said Annuities so to be purchased by any Persons (in Default of those who have the present Estates for Life or Lives, as aforesaid) shall also be paid and payable, at the four most usual Feasts in the Year before-mentioned, by even and equal Portions; the first Payment thereof to begin, and to be made at such of the said Feasts, as shall next happen after the respective Times, from which such Annuities are to commence or take Effect, as aforesaid.

If one third of the Consideration Money, &c. be not paid before the last of *March* 1705, &c. any Person, &c. may purchase.

Conditions of Purchase for one Life.

Two Lives;

Three Lives, &c.

Consideration-money to be paid into the Exchequer.

Times of Payment.

Annuities when payable.

V. And it is hereby enacted, That in the Offices of the Auditor of the Receipt, and Clerk of the Pells in the Exchequer, severally, there shall be provided and kept a Book or Books, in which shall be fairly entered the Names of all who shall be Contributors, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the several Sums so paid, and the Times when the same are respectively paid; to which Book it shall be lawful for the respective Contributors, their

Contributors Names to be entered in the Offices of the Auditor and Clerk of the Pells.

Books to be inspected without Fee.

All Annuities, &c. to be paid out of the weekly Payments, &c.

Overplus to discharge the Annuities, and applied to no other Use.

Contributors paying the Purchase-money, shall enjoy the Annuities so purchased,

and have free Estates therein,

free from Taxes;

and have Tallies for the same,

and Orders for Payment.

No Lord Treasurer, &c. to revoke the same.

5 l. per Cent for prompt Payment.

Contributors, &c. may assign or devise Annuities, and so toties quoties.

their Executors, Administrators, and Assigns, from Time to Time, and at all reasonable Times, to have resort, and to inspect the same without Fee or Reward.

VI. And be it further enacted by the Authority aforesaid, That all and every the Annuities whatsoever, which shall be any Way purchased upon, or in pursuance of, this present Act, shall be and are hereby charged upon, and shall be paid and payable out of, the Overplus of the Monies arising from Time to Time by the weekly Payments of Excise Money afore-mentioned (that is to say) the Money which shall remain, from Time to Time, over and above so much as shall be sufficient to pay and satisfy the Monies, which shall from Time to Time be incurred and grown due, as well for and upon the said annual Sums, after the Rate of three Pounds *per Centum per Annum*, as for and upon all the said Annuities for Lives or Years, purchased upon the said Act of the second Year of your Majesty's Reign; and so much of the said overplus Monies, as are and shall be sufficient to satisfy and discharge all the Annuities to be purchased upon this Act, according to the Purport and true Meaning of the same, are and shall be appropriated and applied to and for the satisfying and discharging of the same accordingly, and shall be issued, disposed, or applied to that Use, and to no other Use, Intent, or Purpose whatsoever.

VII. And be it further enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money after the respective Rates aforesaid, at or before the respective Days and Times in this Act limited in that Behalf, for any Annuity or Annuities whatsoever, allowed to be purchased by this Act, according to the true Meaning of the same Act, or such as he, she, or they shall appoint, his, her, or their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, and be intitled, by Virtue of this Act, to have, receive, and enjoy the respective Annuity and Annuities so to be purchased, out of the Overplus Monies arising and to arise, as aforesaid, from the respective Times on which such Annuities are respectively to commence, for and during such respective Term of Years, or remaining Term of Years, as are above-mentioned; and that all and every such Purchasers, their Executors, Administrators, and Assigns respectively, shall have good and sure Estates and Interests in the several Annuities so by them to be purchased, according to the Nature of their respective Purchases, and the Tenor and true Meaning of this Act; and that all Annuities to be purchased on this Act for any Term, Estate, or Interest whatsoever, shall be free from all Taxes, Charges, and Impositions whatsoever.

VIII. And be it further enacted by the Authority aforesaid, That every Contributor upon any Part of this Act for any of the Annuities aforesaid, his, her, or their Executors, Administrators or Assigns, upon Payment of the Consideration or Purchase-money for the same, at the respective Rate in this Act before appointed, or any Part or Proportion thereof, within the Time or Times by this Act limited in that Behalf, shall immediately have one or more Talley or Talleys levied, importing the Receipt of so much Consideration-money as shall be so paid, for or in Part of the said respective Sums to be raised, as aforesaid, and according to the Nature of his, her, or their Payments respectively; and upon Payment of all the Purchase-money for any such Annuity or Annuities, as aforesaid, at the Rate by this Act appointed, every such Contributor respectively, his or her respective Executors, Administrators, or Assigns, shall have an Order for Payment of such Annuity and Annuities, for and during such respective Term, Estate, or Interest, as he, she, or they shall or ought to have therein, as aforesaid; which Order shall be signed by the Treasurer and under Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being; and, after the signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office or Offices of them or any of them; nor shall any Lord High Treasurer of England, Treasurer of the Exchequer, or any Commissioners of the Treasury, now, or for the Time being, have Power to revoke, countermand, or make void such Orders, so signed as aforesaid, or any of them.

IX. And for the Encouragement of the Contributors to advance and pay forthwith, into the Receipt of Exchequer, the Sums by them intended to be advanced upon any of the Terms aforesaid, it is provided and enacted by the Authority aforesaid, That every such Contributor, who being to pay his or her Purchase-money, or any Part thereof, on or before the said last Day of *March* one thousand seven hundred and five, shall pay the same, or any Part thereof, sooner than the said last Day of *March*, shall be paid out of the Contribution-money arising by this Act, after the Rate of five Pounds *per Centum per Annum*, for prompt Payment of the Money so advanced, from the Time of actual paying the same, until the said last Day of *March* one thousand seven hundred and five; and every Contributor on this Act, who being to pay his or her Purchase-money, or any Part thereof, on or before the said first Day of *May* one thousand seven hundred and five, shall pay the same, or any Part thereof, sooner than the said first Day of *May*, shall be paid out of the said Contribution-money the like Rate of five Pounds *per Centum per Annum*, for such prompt Payment of the Money so advanced from the Time of actual paying the same, until the said first Day of *May* one thousand seven hundred and five.

X. And be it further enacted, That it shall and may be lawful to and for any Contributor, his or her Executors, Administrators, or Assigns, at any Time or Times, having any present or future Term, Estate, or Interest, or any present Estate to take Effect *in futuro*, of and in any Annuity to be purchased upon this Act, or of or in any Part of such Annuity, by any Writing under Hand and Seal, or by his or her last Will in Writing, to assign or devise such Annuity and Annuities, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*, and no such Assignment to be revocable so as an Entry or Memorandum of such Assignment or Will be made in Books to be kept for that Purpose in the said Office of the Auditor of the Receipt, within the Space of two Months after such Assignment,

signment, or Death of the Devisor; and that upon the producing such Assignment, or Will, or Probate thereof, in the said Office of Receipt, to be entred as aforesaid, the Party so producing the same, shall bring therewith an Affidavit, taken before some Person authorized to take Affidavits in Causes depending in any of the Courts at *Westminster*, of the due Execution of the said Assignment or Will, which Affidavits shall be severally filed in the said Office; which said Entry or Memorandum the proper Officers, in the said Receipt of the Exchequer, are hereby required to make accordingly, and to file the said Affidavits; and in Default of such Assignment or Devise by Deed or Will, the Interest of such Contributor shall go to his or her Executors or Administrators.

Entry of such Assignments, &c. to be made on Affidavit. Affidavits to be filed. In Default of Assignment or Devise, &c. Interest of Contributor Executors, &c.

to go to his

XI. And be it further enacted, That it shall and may be lawful for any Guardian or Trustee, having the Disposal of the Money of any Infant under the Age of one and twenty Years, for the Use and Benefit of such Infant, to advance and pay the Sum of one hundred and fifty Pounds, of the Money of such Infant, to purchase any Annuity upon this Act for the Benefit of such Infant; and the said Guardian and Trustee, as to the said Sum of one hundred and fifty Pounds so advanced, is hereby discharged.

Guardians may advance 150 l. for the Benefit of Infant to purchase any Annuity on this Act.

XII. And be it further enacted, for the better encouraging Persons to advance the said several Sums on this Act, That all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Gratuity, or Reward for the same; and in Case any of the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall divert or misapply any of the said weekly Sums to be paid into the Receipt of Exchequer, or any Part of the Monies which should make good the Payment of the said Annuities, or shall pay or issue out of the same, otherwise than according to the Intent of this Act, or shall not keep Books and Registers, and make Entries, and do and perform all other Things, which by this Act they are required to perform, every such Officer shall forfeit his Office, and be for the future incapable of any Office or Place of Trust, and shall answer and pay treble Damages, with Costs of Suit, to every Contributor or Person who shall be prejudiced thereby, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law, Injunction, or Order of Restraint, or more than one Impar lance, shall be granted or allowed; and in the said Action the Plaintiff upon Recovery shall have his full Costs, one third Part of which Sum, so to be recovered for Damages, shall be to the Use of your Majesty, your Heirs and Successors; and the other two third Parts, with the Costs, shall be to the Use of the Prosecutor: And in case there shall be any Collusion or faint Prosecution between the Plaintiff and Defendant in such Action, it shall be lawful for any other Contributor, his or her Executors, Administrators, or Assigns, to bring another Action, wherein he shall recover as aforesaid, to the like Uses as aforesaid.

All Receipts and Issues in the Exchequer to be done without Fee.

Penalty,

Plaintiff on Recovery to have full Costs.

In Case of faint Prosecution, any other Contributor, &c. may bring another Action.

XIII. Provided always, That no Person or Persons whatsoever shall or may purchase or obtain any Annuity upon this Act, for which the Purchase-money or any Part thereof, is hereby appointed to be paid on or before the said last Day of *March* one thousand seven hundred and five, unless the whole, or one third Part of the Consideration-money for the same, at such respective Rates as aforesaid, be advanced and paid into the said Receipt of Exchequer on or before the said last Day of *March* in the Year of our Lord one thousand seven hundred and five; and that no Person or Persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any Annuity upon this Act, for which the Purchase-money, or any Part thereof, is hereby appointed to be paid on or before the said first Day of *May* one thousand seven hundred and five, unless the whole, or one third Part of the Consideration-money for the same, at such respective Rate, as aforesaid, be advanced and into the said Receipt of Exchequer on or before the said first Day of *May* one thousand seven hundred and five.

None to purchase any Annuity, unless one third Part of the Purchase money be paid in by the last of *March* 1705.

or unless one third be paid in by the first of *May* 1705.

XIV. Provided also, That in case any such Contributor, as aforesaid, who shall, on or before the respective Days by this Act appointed for his or her first Payment, have advanced one third Part only of his or her Purchase-money, his or her Executors, Administrators, or Assigns do not advance and pay, into the Receipt of Exchequer, one other third Part of his or her Consideration-money, so to be paid for such respective Annuity or Annuities, as aforesaid, on or before the said four and twentieth Day of *June* one thousand seven hundred and five; and the remaining third Part thereof on or before the said nine and twentieth Day of *September* one thousand seven hundred and five; then, and in every such Case respectively, no Order shall be drawn or signed for such respective Annuity, for which the Consideration-money shall not be fully paid, as aforesaid; but so much of the Consideration-money, as shall have been actually paid into the Exchequer for such respective Annuity, shall be forfeited and lost to your Majesty, your Heirs and Successors, and be applied, together with other the Monies to be raised by this Act, for the Purposes aforesaid; any thing in this Act contained to the contrary notwithstanding.

Contributors advancing one third Part, and not paying the two other Parts of the Consideration Money within the Times limited,

such Money so paid in, to be forfeited, &c.

XV. Provided always, and it is hereby enacted, That it shall and may be lawful to and for the Lord Treasurer, or Commissioners of the Treasury for the Time being, out of any of the Monies of the said weekly Payments, to reward the Officers and Clerks in the Exchequer to be employed in the Payment of the said Annuities, or any of them, for their Labour, Pains, and Service therein respectively, in such Proportions as to the said Lord Treasurer, or Commissioners of the Treasury for the Time being, shall seem meet and reasonable in that Behalf; any thing in this Act contained to the contrary notwithstanding.

Allowances to Officers and Clerks employed, &c.

C A P. III.

An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, for one Year.

EXR.

C A P. IV.

C A P. IV.

An Act for continuing Duties upon Low Wines, and upon Coffee, Tea, Chocolate, Spices, and Pictures, and upon Hawkers, Pedlars, and Petty Chapmen, and upon Muslins; and for granting new Duties upon several of the said Commodities, and also upon Callicoos, China Ware, and Drugs.

Most Gracious Sovereign,

12 W. 3. c. 11. **W**HEREAS by an Act of Parliament made and passed in the twelfth Year of the Reign of your Majesty's late Royal Brother King WILLIAM the Third (of glorious Memory) intituled, *An Act for granting to his Majesty several Duties upon Low Wines or Spirits of the first Extraction, and continuing several additional Duties upon Coffee, Tea, Chocolate, Spices, and Pictures, and certain Impositions upon Hawkers, Pedlars, and Petty Chapmen, and the Duty of Fifteen per Centum upon Muslins, and for improving the Duties upon japanned and lacquered Goods, and for continuing the Coinage Duty, for the several Terms and Purposes therein mentioned,* certain Duties upon Low Wines, or Spirits of the first Extraction, were granted for a Term, to continue until the twenty-fifth Day of *March* one thousand seven hundred and six; and certain Duties, which, by an Act of the sixth Year of his said late Majesty's Reign, had been imposed upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, were by the said Act of the twelfth Year of his said late Majesty's Reign, enacted to be continued until the first Day of *May* one thousand seven hundred and six; and by the same Act certain Duties or Sums of Money to be paid by every Hawker, Pedlar, Petty Chapman, and other trading Persons described in a former Act for licensing Hawkers and Pedlars, and the Powers for granting such Licences, were enacted to be continued until the four and twentieth Day of *June* one thousand seven hundred and six; and a Duty upon Muslins, after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, was likewise, by the said Act of the twelfth Year of his said late Majesty's Reign, enacted to be continued until the thirtieth Day of *September* one thousand seven hundred and six, as by the same Act (Relation being thereunto had) may more fully appear: Now we your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, as a further Supply for carrying on the present War, and other your Majesty's most necessary and important Occasions, have given and granted to your Majesty the several and respective Duties, and additional Duties hereafter in this Act expressed, and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 Authority of the same, That all and every such or the like Duties for and upon all Low Wines or Spirits of the first Extraction, as by the said Act of the twelfth Year of his said late Majesty's Reign were continued or granted until the said twenty-fifth Day of *March* one thousand seven hundred and six, shall, by virtue of this Act, be further continued, and be paid and payable to her Majesty, her Heirs and Successors, for and upon all Low Wines and Spirits of the first Extraction, to be made or drawn by any Distiller, or other Person making or drawing Spirits or Strong Waters for Sale or Exportation, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, from the four and twentieth Day of *March* one thousand seven hundred and six, until the four and twentieth Day of *June* one thousand seven hundred and ten; and that all and every such or the like several and respective Duties for and upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, as by the said Act of the twelfth Year of his said late Majesty's Reign, were, as aforesaid, continued until the said first Day of *May* one thousand seven hundred and six, shall be continued and be paid and payable to her Majesty, her Heirs and Successors, for and upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, which shall be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, at any Time or Times from and after the last Day of *April* one thousand seven hundred and six, and before the said four and twentieth Day of *June* one thousand seven hundred and ten; and that all and every such and the like several Duties, Impositions, and Sums of Money to be paid by every Hawker, Pedlar, Petty Chapman, and such other Persons as are described in one Act of the ninth Year of his said late Majesty's Reign, for licensing Hawkers and Pedlars, and all the Powers for granting Licences, and other Powers, and all Clauses, Directions, Allowances, Penalties, Forfeitures, Articles, Matters and Things therein contained, which, by the said Act of the twelfth Year of his said late Majesty's Reign, have Continuance until the said four and twentieth Day of *June* one thousand seven hundred and six, shall be continued, and be paid, and be practised, observed, and put in Execution, by virtue of this Act, from the three and twentieth Day of *June* one thousand seven hundred and six, until the said four and twentieth Day of *June* one thousand seven hundred and ten; and that the same or the like Duty upon all Muslins described in the said Act of the twelfth Year of his said late Majesty's Reign, after the Rate of fifteen Pounds for every one hundred Pounds, of the true and real Value thereof, to be determined by the gross Price upon Sale by the Candle, as by the same Act hath Continuance until the thirtieth Day of *September* one thousand seven hundred and six, shall by Virtue of this Act be continued, and be raised, levied, collected, answered, and paid to her Majesty, her Heirs and Successors, for and upon all such Muslins as shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, and Town or Port of *Berwick upon Tweed*, at any Time or Times from and after the nine and twentieth Day of *September* one thousand

Additional Duties granted on Low Wines, until 24 June 1710.

Continued from June 1710, for 96 Years by 5 Annæ, c. 19. f. 1. and for ever by 7 Annæ, c. 7. §. 26.

1 Geo. 1. stat. 2. c. 12. f. 8.

The like on Coffee, Cocoa Nuts, Chocolate, &c. until 1710.

These Additions repealed by 10 Geo. 1. c. 10. and new ones imposed on Coffee, &c.

Duties to be paid by Hawkers and Pedlars continued until 1710.

Duties on Muslins continued until 1710.

thousand seven hundred and six, and before the said four and twentieth Day of *June* one thousand seven hundred and ten; the said several and respective Duties, Impositions, and Sums of Money, for and upon all Low Wines or Spirits of the first Extraction, and for and upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and upon all Hawkers, Pedlars, Petty Chapmen, and other Persons described as aforesaid, and for and upon all Muslins, to be paid during the respective Times for which they are granted, or are to continue, by virtue of this Act as aforesaid (over and above all other Duties and Impositions whatsoever, already charged for or upon the same Commodities and Persons, or any of them respectively, by any other Laws or Statutes now in Force) and to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, to the Uses and Purposes in this Act expressed, by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and subject to such Drawbacks, Allowances, and Repayments, and in such Manner and Form in all Respects, as the like Duties, Impositions, and Sums of Money respectively granted or continued by the said Act of the twelfth Year of his said late Majesty's Reign, are thereby, or by any other Law, whereunto the said Act hath Reference, prescribed, enacted, or appointed to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for during the Continuance thereof respectively.

For Pictures see 2 Geo. 1. c. 20. §. 49. How to be levied.

II. And it is hereby enacted by the Authority aforesaid, That all such of the Powers, Directions, Penalties and Forfeitures, Clauses, Matters and Things, provided, settled, or established by the said Acts of the sixth, ninth, and twelfth Years of his said late Majesty's Reign, or by any of them, or by any other Act now in Force, whereunto the same, or any of them, have or hath Relation, for the better raising, levying, recovering, answering, or paying the said respective Duties thereby granted, or for making any Drawbacks, Repayments, or Allowances out of any of the said several and respective Duties upon Exportations, shall be revived and be continued, and be in Force and Virtue during the Continuance of this Act, and further for the Recovery of all the Arrearages and Sums of Money, which shall become due or payable to her Majesty, her Heirs or Successors, upon this Act, in as full and ample Manner, to all Intents and Purposes, as if the said Powers, Directions, Penalties, Forfeitures, Clauses, Matters and Things, and every of them, were again repeated and re-enacted in the Body of this present Act.

Powers of the said Acts revived.

III. And it is hereby enacted, That a certain Clause in an Act made in the second Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the encouraging the distilling of Brandy and Spirits from Corn, and for laying several Duties on Low Wines or Spirits of the first Extraction*, relating to Strong Waters, Brandy, *Aqua Vitæ*, and other exciseable Liquors brought from the Islands of *Guernsey, Jersey, Sark, or Alderney*, and all the Charges, Duties, Penalties, and every Article and Thing therein contained, which were revived by the said Act of the twelfth Year of his said late Majesty's Reign, and were to be of full Force during the Continuance thereof, shall be further continued, and be of full Force and Virtue, during the Continuance of this present Act, in as full and ample Manner, to all Intents and Purposes, as if the said Clause was herein Word for Word repeated.

Clause of 2 W. & M. 1. 2. c. 9. sect. 12. revived.

“IV. And whereas great Abuses have been committed by several Persons in lending or letting out to hire the Licences by them taken out to trade as Hawkers, Pedlars, or Petty Chapmen;” Be it enacted and declared by the Authority aforesaid, That from and after the first Day of *May* one thousand seven hundred and five, every Person, who being actually trading as an Hawker, Pedlar, or Petty Chapman (for which he or she ought to have a Licence, pursuant to this or the said Act of the twelfth Year of his said late Majesty's Reign) shall not, upon Demand, have his, her, or their Licences ready to be produced, shall be adjudged to forfeit, as if such Person had traded without any Licence granted to him, her, or them; and such Person in that Case shall and may be committed, and the Forfeiture recovered and levied in such Manner, as is directed by this or any of the former Acts for licensing Hawkers, Pedlars, and Petty Chapmen, in case of trading without Licence: And that from and after the said first Day of *May* one thousand seven hundred and five, in case any Person shall lend or let out to hire any Licence to him or her granted, the Person lending or letting out to hire such Licence, and the Person trading under Colour of the same, shall either of them forfeit the Sum of forty Pounds, one Moiety thereof to the Queen's Majesty, the other Moiety thereof to any Person that will inform or sue for the same, to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of her Majesty's Courts of Record, and the Person so lending or letting out to hire such Licence shall also forfeit the same.

Penalty on Pedlar letting out his or her Licence.

V. And for the increasing her Majesty's Revenues upon some of the Commodities before in this Act charged (to wit) upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, to be imported within or during the Term herein after-mentioned; and to the End more Money may be raised thereby for carrying on the said War, and other her Majesty's most necessary Occasions, it is hereby further enacted by the Authority aforesaid, That there shall be answered and paid to her Majesty, her Heirs and Successors, for and upon all and all Manner of Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, which shall be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, at any Time or Times after the first Day of *February* one thousand seven hundred and four, and before the four and twentieth Day of *June* one thousand seven hundred and ten, over and above all Duties, and additional Duties already payable for the same, or any of them, by any other Law now in force, and over and above the said continued Duties chargeable thereupon by this Act, the new additional Rates and Sums following; that is to say, For every hundred Weight of Coffee imported as aforesaid, accounting one hundred and twelve Pounds to the Hundred, six and fifty Shillings of lawful *English* Money; for every hundred Weight of Cocoa Nuts imported, and containing as aforesaid, from any the Plantations belonging

Duties on Coffee, &c. continued, and to pay 5s. per Hundred additional Duty. 10 Geo. 1. c. 10. 18 Geo. 2. c. 26. which impose new Duties.

Cocoa Nuts 56 s. per Hundred from the Plantations: From any other Country 4 l. 4 s. per Cent. Chocolate imported 12 d. per lib. Cocoa Paste 2 s. per lib. Tea 1 s. per lib. Tea imported from Holland, &c. 2 s. 6 d. per lib. Nutmegs, Cinnamon, Cloves, and Mace imported 5 l. per Cent. Pictures 20 l. per Cent.

Proviso for importing Nutmegs, Cinnamon, &c.

See farther concerning Spices

6 Ann. c. 16.

3 Ann. c. 7.

9 Ann. c. 6.

10 Ann. c. 26.

6 Geo. 1. c. 21.

8 Geo. 1. c. 15

& 12.

* Repealed as to

Tea by 7 Geo. 1.

cap. 21. s. 12.

Drawback allowed on Exportation, &c.

See 7 Geo. 1.

stat. 1. c. 21.

s. 11.

Additional Duties on White Callicoes, Porcelain, and Drugs.

* Continued by

6 Annæ, c. 22.

for 4 Years, and

perpetuated by

7 Annæ, c. 7.

s. 26.

Callicoes 15 l.

per Cent.

China Wares

12 l. per Cent.

Drugs (except

dying Drugs)

10 l. per Cent.

belonging to the Crown of *England*, six and fifty Shillings; for every hundred Weight of Cocoa Nuts imported, and containing as aforesaid, from any other Country or Place from whence they may by Law be imported, four Pounds and four Shillings of like lawful *English* Money; for every Pound of Chocolate ready made, and imported as aforesaid, one Shilling; for every Pound of Cocoa Paste, imported as aforesaid, two Shillings; for every Pound of Tea, regularly imported as aforesaid, from whence the same might lawfully have been imported before the making of the said Act of the sixth Year of his said late Majesty's Reign, one Shilling; for every Pound of Tea, imported as aforesaid, from *Holland*, or any other Country, not the Place of its growth, or usual shipping, two Shillings and six Pence, and so proportionably for any greater or lesser Quantity of any the Commodities imported as aforesaid respectively; for all Nutmegs, Cinnamon, Cloves, and Mace imported as aforesaid, five Pounds for every hundred Pounds Value thereof, according to the several Values charged on them respectively in the Book of Rates, and so in proportion for any greater or lesser Quantity thereof; and for all Pictures imported within the Time aforesaid, whether for private Use, or Sale (which are hereby permitted to be imported during the Continuance of this Act, any Law or Usage to the contrary notwithstanding) twenty Pounds of lawful *English* Money *per Centum* of the Value, to be affirmed by the Oath of the Importer, and so in proportion for any greater or lesser Quantity thereof.

VI. Provided always, and it is hereby enacted, That it shall and may be lawful for any Person or Persons to import into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, during the Continuance of this Act, Nutmegs, Cinnamon, Cloves, Mace, and Tea, subject to the several Duties payable for the same, from any Parts beyond the Seas, in *English* Ships, so as the Master, and at least one Moiety of the Mariners, during the Continuance of the present War, be *Englishmen*; and so as after the End of this War, and during the Continuance of this Act, the Master and at least three Fourths of the Mariners be *English*; and so as Notice be first given to the Commissioners of her Majesty's Customs, of the Quality and Quantity of the said Spices and Tea so intended to be imported, and the Place in which they intend to import the same; and taking a Licence under the Hands of the Commissioners of the Customs for the time being, or any three of them, for the lading and importing thereof as aforesaid; which Licence they are hereby authorized and required to grant without any Fee or Reward, or any other Charge to the Person demanding the same; any Law, Custom or Usage to the contrary notwithstanding.

VII. And be it enacted by the Authority aforesaid, That all the additional Duties last-mentioned, and upon the said Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, to be imported from and after the said first Day of *February* one thousand seven hundred and four, at any Time or Times before the said four and twentieth Day of *June* one thousand seven hundred and ten, and all Arrearages thereof (over and above all other Duties on the same Commodities respectively) shall be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, to the Uses and Purposes in this Act expressed, by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and subject to such Drawbacks, Allowances, and Repayments to be made, of or out of the said additional Duties last-mentioned respectively, upon the Exportation of the said Commodities last enumerated (Coffee, Tea, and Cocoa Nuts, for which other Provision is made by this Act, only excepted) or any of them respectively, as the like respective Duties, by virtue of the said Act of the twelfth Year of his said late Majesty's Reign, or by virtue of this present Act, or any other Act now in Force relating thereunto, are to be ascertained, secured, raised, levied, recovered, answered, paid, or accounted for, during the Continuance thereof respectively; and upon the Exportation of Coffee, Tea, and Cocoa Nuts, within the Times limited by Law, so much as shall have been paid for the same, for such of the said Duties as are by this Act to commence from the said first Day of *February* one thousand seven hundred and four, shall be repaid to the Exporter, under such Regulations as are prescribed by any former Acts for Drawbacks, in case of Exportation of those Commodities respectively.

VIII. And her Majesty's said dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, being desirous by the most reasonable Ways and Means to raise the Monies necessary for carrying on the said War, and other her Majesty's important Occasions, have for that End and Purpose also given and granted to her Majesty the further Duties herein after mentioned: And be it enacted, and it is hereby further enacted by the Authority aforesaid, That there shall be answered and paid to her Majesty, her Heirs and Successors, for and upon all white Callicoes, Porcelain, commonly called *China* Ware, and Drugs (except Drugs for dying) which from and after the first Day of *February* one thousand seven hundred and four, and at any Time or Times before the said four and twentieth Day of *June* one thousand seven hundred and ten, are or shall be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed* (over and above all other Duties payable for the same at the Custom-house) the further Rates and Sums following; that is to say, For and upon all white Callicoes (by which are meant, all Callicoes which do not pay Duties as Mullins, and all Dimities and other Manufactures made of Cotton) which within the Times aforesaid shall be imported as aforesaid, a Duty after the Rate of fifteen Pounds of lawful *English* Money for every hundred Pounds of the true and real Value of the said Callicoes, to be ascertained upon the Sale at the Candle, as is herein after mentioned; and for and upon all Porcelain, commonly called *China* or *Japan* Ware, made of Earth, which within the Times aforesaid are or shall be imported as aforesaid, a Duty after the Rate of twelve Pounds of like Money for every hundred Pounds of the true and real Value thereof, to be also ascertained by the Sale at the Candle, as is herein after mentioned; and for and upon all Drugs (dying Drugs excepted) which are rated in the Book of Rates, and are or shall be imported as aforesaid, a Duty after the Rate of ten Pounds

of like Money for every hundred Pounds worth thereof, according to the several Values charged on them respectively in the said Book of Rates; and for and upon unrated Drugs (dying Drugs excepted) which are or shall be imported within the Days and Times last mentioned, a Duty after the Rate of four Pounds of like Money for every hundred Pounds of the true and real Value thereof, to be ascertained as is herein after mentioned, and so proportionably for any greater or lesser Quantity of any the Commodities last mentioned respectively: And it is hereby declared, That by *unrated Drugs*, chargeable by this Act, are meant, all Bark called *Clove Bark*, all Bark called *Jesuits Bark*, *Callabasha*, *Cassena*, *Fecchia*, *Brugiata*, *Grana Germanica*, Gum Mountjack, Jessamine Ointment, *Lapis Hyacinthiæ*, Oil of Anniseeds, Oil of Carraway-seeds, Oil of Cinnamon, Oil of Cloves, Oil of *Copavia*, or Balsam of *Copavia*, Oil of Juniper, Oil of *Lignum Rhodium*, Oil of Peony, Oil of Sassafras, Pomatum, *Sal Tamariscæ*, and all Chymical Salts, Snake Root, *Terra Dulcis*, Turpentine of *Germany*, all Chymical Preparations, Physical Oils and Medicinal Drugs (excepting unrated Drugs used for dying, and except Coffee, Tea, Chocolate, Cocoa Paste, and Cocoa Nuts.) And it is hereby also declared, That by such dying Goods, as are by this Act, or any other Acts, exempted from Payment of the respective Duties by this or the said other Acts granted, are meant the Goods following (*viz.*) *Aqua-fortis*, *Argoll*, *Anotto*, Allom of all Sorts, *Archelia* or *Spanish Weed*, *Cocheneal*, Cream of Tartar, Copperas of all Sorts, Gum Arabick, Gum *Seneca*, Sticklack, Cakelack, Madder Roots, or *Rubea Tinctorum*, Saunders Red, Sal Armoniack, Sal Gem, Turnefole, Verdigrease, Ising Glafs, Platain, Litharge of all Sorts, Bayberries, Antimony, Pomegranate, Pills Arfenick, Agarick, Senna, Gauls, Indico of all Sorts, Litmus, Madder of all Sorts, *Orchall*, Saffore, Shumack, *Cassumba*, Log Wood, Brazil Wood, Brazeletto Wood, Nickerago Wood, Fustick, Red Wood, Sapan Wood, Woad, Weld, Valonia Grain or Scarlet Powder, Grain of *Sevil* in Berries, and Grains of *Portugal* or *Rota*, *English Berries* from the Plantations, *French Berries*, and Salt Petre.

Unrated Drugs
4l. per Cent.

What is meant
by unrated
Drugs.

By 1 Geo. 1.
stat. 2. c. 43.
§. 3. Senna is
to pay Duties.

IX. And be it further enacted by the Authority aforesaid, That the said Duties hereby granted for and upon all white Callicoes imported, shall be secured, ascertained, valued, raised, levied, collected, answered and paid, according to the gross Price thereof, upon Sale at the Candle, by such Ways and Means, and subject to such or the like Allowances, and under such Penalties and Forfeitures, and in such Manner and Form, as the Duties of fifteen *per Centum* on Muslins imported, by the said Act of the twelfth Year of his said late Majesty's Reign, are to be secured, raised, levied, collected, answered or paid; and that the said respective Duties hereby granted, for and upon the said *China* or *Japan Ware*, and for and upon all such of the said unrated Drugs, imported from the *East Indies*, *Persia*, *China*, or other Parts within the Limits of the Charters granted to the *East India Companies*, shall be secured, ascertained, valued, raised, levied, collected, answered and paid, according to the Prices thereof, upon Sale at the Candle, by such Ways and Means, and with such several and respective Allowances, and under such Penalties and Forfeitures, and in such Manner and Form, as the Duties of unrated Goods from the *East Indies*, *China*, or other Parts within the Limits of the Charters granted to the *East India Companies*, are enacted, prescribed, or appointed to be secured, ascertained, valued, raised, levied, collected, answered or paid, by an Act passed in the second Year of her Majesty's Reign, intituled, *An Act for granting to her Majesty an additional Subsidy of Tunnage and Poundage for three Years, and for laying a further Duty upon French Wines condemned as lawful Prize, and for ascertaining the Values of unrated Goods imported from the East Indies*: And that the Value of all such of the said unrated Drugs, as shall be imported from any Parts or Places (other than the *East Indies*, *Persia*, *China*, and other Parts within the Limits of the Charters aforesaid) according to which the said Duty of four *per Centum* is to be paid, shall be affirmed by the Oaths of the Importers of such Drugs respectively.

How the Duties
on Callicoes
shall be ascer-
tained and paid;

12 W. 3. c. 11.

and the Duties
on China Ware
and unrated
Drugs.

2 Annæ, c. 9.

X. And be it further enacted by the Authority aforesaid, That the said Duties of four *per Centum*, by this Act imposed upon unrated Drugs, imported from Parts not within the Limits of the Charters granted to the said *East India Companies*, shall be paid by the respective Importers of the same upon the Importation thereof.

Importer to pay
the 4l. per Cent.
on unrated
Drugs.

XI. And it is hereby enacted, That in case any of the said Callicoes, *China Ware*, rated or unrated Drugs, hereby charged as aforesaid, shall be landed or put on Shore out of any Ship or Vessel, before due Entry be made thereof at the Custom-house in the Port or Place where the same shall be imported, and before the said Duties by this Act charged or chargeable thereupon shall be secured or paid, as this Act doth require in the respective Cases aforesaid, or without a Warrant for the landing or delivering the same, first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively, that all such imported Callicoes, *China Ware*, and Drugs, as shall be so landed and put on Shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited, and shall and may be seized or recovered of the Importer or Proprietor thereof (to wit) two Thirds of the same to the Use of her Majesty, her Heirs or Successors (she or they bearing the Charge of Prosecution) and the other Third to the Use of such Person or Persons as will seize, inform, or sue for the same, or the Value thereof, by Action, Bill, Suit or Information, wherein no Escoijn, Protection, or Wager of Law shall be allowed.

Goods landed
before Entry
forfeited.

XII. Provided always, and be it further enacted and declared by the Authority aforesaid, That in case any of the said Callicoes and *China Wares*, upon which the said further Duties by this Act granted are paid or secured to be paid as aforesaid, be again exported at any Time or Times within twelve Months by *English*, or within nine Months by Aliens; or if any of the said rated or unrated Drugs, for which the said further Duties by this Act granted shall be paid as aforesaid, be again exported by any *English* Merchants within eighteen Months, or by Aliens within nine Months, to be accounted from the respective Times of the Entry of the said Goods inwards, and that due Proof be first made upon Oath, that

On Exportation
Duties to be re-
paid.

These twelve,
nine, and eight-
teen Months, are
enlarged to three
Years by 7 Geo.
1. stat. 1. c. 21,
§. 10.

the said Callicoës, *China* Wares, and Drugs so exported be the same for which the said Duties are paid and secured to be paid as aforesaid, that then and in every such Case (and not otherwise) the same Duties so paid shall, without any Delay or Reward, be wholly repaid out of any the Duties on imported Commodities by this Act granted, or the Security, for such of the said Duties as shall be secured, shall be vacated, as to so much of the said Callicoës, *China* Wares, and Drugs, as shall be so exported; any thing in this Act to the contrary notwithstanding.

Duties to be paid into the Exchequer.

XIII. And it is hereby further enacted, That all the Duties by this Act granted or continued (except the necessary Charges for raising and managing the same) shall, from time to time, by the respective Receivers thereof, be brought into her Majesty's Receipt of the Exchequer, for the Purposes in this Act mentioned.

Wholesale Traders not to be deemed Pedlars.

XIV. Provided nevertheless, That whereas several Doubts have arisen touching Traders in the Woollen or Linen Manufactures, who trade by Wholesale, and set many thousands of Poor to work, and yet, for want of the Convenience of Water Carriage, are obliged to send their Goods, when manufactured, by Horses and otherwise to the publick Markets, Fairs, and other Places; Be it enacted and declared by the Authority aforesaid, That all Persons trading in the Woollen or Linen Manufactures of this Kingdom, and selling the same by Wholesale, shall not be deemed or taken to be Hawkers, Pedlars, or Petty Chapmen within this or any other Act, but that such Person or Persons, and those that shall be immediately employed under them to sell by Wholesale only, may carry abroad, expose, and sell the said Manufactures; any thing in this Act or any other Act or Acts to the contrary thereof notwithstanding.

Proviso.

XV. Provided always, and it is hereby declared, That no Goods or Merchandizes imported or brought into any Ports of *England* or *Wales*, before the said first Day of *February* one thousand seven hundred and four, and afterwards imported or brought into any other Port or Ports of this Kingdom from the Ports where they so first arrived, shall be liable to pay the new Duties by this Act granted, to commence from the same first Day of *February*; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Clause of Loan not exceeding 700,000 l. at 6l. per Cent. 12 W. 3. c. 11.

' See 6 Annæ, c. 22. & 3 Geo. 1. c. 7. §. 19.'

XVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to lend to her Majesty, at the Receipt of the Exchequer, upon Credit of all the Monies which shall arise by the said Act of the twelfth Year of his said late Majesty's Reign, after Satisfaction of all the Loans, not exceeding three hundred thousand Pounds, made thereupon, and all the Interest due and to be due for the said Loans, and every of them, or reserving sufficient to satisfy the same, and upon Credit of all the several Duties upon Low Wines and Spirits of the first Extraction, Coffee, Tea, Chocolate, Cocoa, Spices, and Pictures, Hawkers, Pedlars, Petty Chapmen, and Muslins, by this Act continued as aforesaid, and upon Credit of the additional Duties of Coffee, Tea, Chocolate, Cocoa, Spices, and Pictures, by this Act granted, and of the new Duties upon Callicoës, *China* Ware, and Drugs, and upon Credit of all other Duties by this Act granted or continued; any Sum or Sums of Money, not exceeding in the whole the Sum of seven hundred thousand Pounds, at an Interest not exceeding the Rate of six Pounds *per Centum per Annum*.

Money to be paid into the Exchequer.

XVII. And to the End all the Money, that shall be so lent to her Majesty, may be well and sufficiently secured and repaid with Interest as aforesaid; be it further enacted by the Authority aforesaid, That all the Monies arising by the said Duties, upon which the said Loans are to be made (other than the necessary Charges of raising and managing the said Duties) shall be brought and paid from Time to Time weekly into the Receipt of the Exchequer; that is to say, on *Wednesday* in every Week, if it be not an Holiday, and if it be, then the next Day after that is not an Holiday; and that there shall be provided and kept in her Majesty's Exchequer, that is to say, in the Office of the Auditor of the Receipt, one Book, in which all the said Monies, which shall be so paid into the Exchequer, shall be entred apart and distinct from all other Monies paid or payable to her Majesty, her Heirs and Successors, upon any Account whatsoever.

A Book to be kept for entering the same.

Tallies of Loan to be levied. Orders for Repayment.

Interest paid every 3 Months.

Orders may be assigned.

A distinct Register to be kept of all the Orders of Repayment. Orders to be paid in Course.

No Fee to be taken for registering or Searches. Penalty.

XVIII. And be it further enacted by the Authority aforesaid, That from Time to Time, upon making of such Loans to be made in pursuance of this Act as aforesaid, Tallies of Loan shall be levied for all and every Sum and Sums of Money so to be lent; and that Orders, according to the Course of the Exchequer shall be drawn and signed for Repayment of the same, and for Payment of such Interest as aforesaid, for the Forbearance thereof, the said Interest to be paid every three Months, until Satisfaction of the Principal Sum; and that all and every such Order and Orders, and the Monies therein to be contained, or any Part thereof, shall be assignable and transferrable without Power of Revocation, so as the Assignments thereof be indorsed upon the respective Orders, and entred and notified in the Office of the Auditor of the Receipt of Exchequer, in a Book to be there kept for that Purpose; and that a distinct Register shall be kept in the said Receipt of Exchequer of all the said Orders of Repayment, not exceeding seven hundred thousand Pounds Principal Money, in which the said Orders shall be registred in course, according to the Date of the Tallies respectively, without any other Preference of one before another; and that every Person shall be paid in Course, as his Order shall stand entred in such Register Book, out of the Monies arising by the said Duties or Payments, upon the Credit whereof the said Loans shall be made as aforesaid, which are hereby appropriated thereunto; and that no Fee, Reward, or Gratuity, directly or indirectly, shall be demanded or taken for providing or making any such Book or Register, or for any View or Search in the same, by any of her Majesty's Officers, their Clerks or Deputies; on Pain of forfeiting treble Damages to the Party grieved, with treble Costs of Suit, to be recovered by Action of Debt, or on the Case, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, by any Person

Person or Persons who will sue for the same, wherein no Effoin, Protection, Wager of Law, Privilege of Parliament, or other Privilege, or more than one Impar lance, shall be granted or allowed, either for demanding or taking any such Fee or Gratuity, or for giving any undue Preference in Point of Registry or Payment, or for diverting or misapplying any of the Monies of the said Duties, contrary to the true Meaning of this Act.

XIX. Provided always, That if it shall happen that several of those Tallies and Orders bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, it shall be interpreted no undue Preference which of those be entred first. No undue Preference.

XX. Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor direct, or the Clerk of the Pells record, and the Tellers do pay subsequent Orders of Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to demand their Monies, and bring their Orders in course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them; yet so as that Interest of Loan shall in that case cease from the Time the Money is so reserved and kept in Bank for them.

C A P. V.

An Act for granting to her Majesty a further Subsidy on Wines and Merchandizes imported. Two thirds Subsidy.

Most Gracious Sovereign,

WHEREAS by an Act of Parliament made and passed in the ninth Year of the Reign of your Majesty's late Royal Brother King WILLIAM the Third, of glorious Memory, intituled, *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage, towards raising the yearly Sum of seven hundred thousand Pounds, for the Service of his Majesty's Household, and other Uses therein mentioned, during his Majesty's Life*, it was enacted, That over and above all Subsidies of Tunnage and Poundage, and over and above all additional Duties, Impositions, and other Duties whatsoever, therein mentioned, there should be raised and paid to his Majesty one other Subsidy, called *Tunnage*, for and upon all Wines, which from and after the last Day of *January* in the Year of our Lord one thousand six hundred ninety-nine, at any Time or Times during his Majesty's Life, should be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*; and one further Subsidy, called *Poundage*, of all Manner of Goods and Merchandizes imported or brought into this Realm, or any his Majesty's Dominions to the same belonging, at any Time or Times after the said last Day of *January* one thousand six hundred ninety-nine, during his Majesty's Life, by Way of Merchandize (except such Goods and Merchandizes as are therein excepted) and with such Abatements, Regulations, Directions for making Repayments or Allowances upon Exportation, and subject to such Rules, and other Matters and Things touching the said several Subsidies, as in the said Act are expressed; which said further Subsidies of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes, granted by the Act above recited, are to be raised and paid to your Majesty during your Life, by Virtue of another Act of Parliament made and passed in the first Year of your Majesty's Reign, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*: And by another Act made and passed in the second Year of your Majesty's Reign, intituled, *An Act for granting to her Majesty an additional Subsidy of Tunnage and Poundage for three Years, and for laying a further Duty upon French Wines condemned as lawful Prize, and for ascertaining the Values of unraided Goods imported from the East Indies*, a further Subsidy of Tunnage upon all Wines, which were to be imported during the Term therein mentioned (that is to say) one third Part of such or the like Duties, as by the said recited Acts, or either of them, were imposed upon Wines; and one other Subsidy of Poundage of Goods and Merchandizes, which were to be imported during the Term therein mentioned (that is to say) one third Part of such or the like several Duties as by the said recited Acts, or either of them, are imposed upon the same Goods and Merchandizes respectively (except as therein is excepted) are already granted to your Majesty, in the Manner therein expressed, as by the said several Acts (Relation being thereunto severally had) may more fully appear: Now we your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, for the better enabling your Majesty to carry on the present War, and to defray your other necessary Expences, do cheerfully and unanimously give and grant unto your most Excellent Majesty the additional Rates, Duties, and Sums of Money, herein after mentioned, and do most humbly beseech your Majesty, that it may be enacted: And be it enacted by the Queen'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 over and above the Subsidies of Tunnage and Poundage above mentioned, and over and above all other Subsidies, additional Duties, Impositions, and Payments whatsoever, by any other Act or Acts of Parliament, or otherwise however already due or payable, or which ought to be paid to her Majesty for or upon any Wines, Goods, or Merchandizes whatsoever, imported or to be imported, there shall be raised, levied, collected, paid, and satisfied unto her Majesty, one other Subsidy, called *Tunnage*, for and upon all Wines, which from and after the eighth Day of *March* one thousand seven hundred and four, at any Time or Times within or during the Space of four Years from thence next and immediately ensuing, shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed* (that is to say) two third Parts of such or the like several and respective Duties, as by the said Act of the ninth Year of his said laid Majesty's Reign were granted, and by the said Act of the first Year of her Majesty's Reign are continued and payable for or upon any kind of Wine or Wines respectively:

W. 3. c. 23.
This Duty is made perpetual by 7 Ann. c. 7.
1 Geo. 1. c. 12.
3 Geo. 1. c. 8.
& 5 Geo. 1. c. 3.
and Part of the Aggregate Fund.

1 Annæ, stat. 1. c. 7.
2 Annæ, c. 9.

See 5 Geo. 1. c. 3. §. 34.

Additional Duty of Tunnage granted for 4 Years.

On all Wines imported.

Additional
Poundage.
' See 11 Geo. 1.
c. 7.'

Except Tobacco
and Currans, and
Sugar from the
English Planta-
tions.

Duties how to be
raised and levied,
and Drawbacks
proportioned.

' Currans im-
ported in Vene-
tian Ships pro-
vided for by 8
Annæ, c. 13.
f. 21.'

Acts aforesaid to
be in Force for
levying the Du-
ties hereby grant-
ed.

Exception.

Penalty on Of-
ficer taking Fee
for Entry, &c.

Provido.

Act not to affect
Foreign Stores
sold for the Use
of the Navy.

Clause of Loan
not to exceed
636,957l. 4s. ob.

with Interest at
6l. per Cent.

Monies lent not
to be taxed.

Lenders to have
Tallies of Loan,
and Orders for
Re-payment.

Orders to be re-
gistred and paid
in Course,

And one other Subsidy, called *Poundage*, of all Manner of Goods and Merchandizes to be imported or brought into this Realm, or any her Majesty's Dominions to the same belonging, at any Time or Times after the said eighth Day of *March* one thousand seven hundred and four, during the said Term of four Years, by way of Merchandize (that is to say) Two third Parts of such or the like several and respective Duties, as by the said Act of the ninth Year of his said late Majesty's Reign were granted, and by the said Act of the first Year of her Majesty's Reign are continued and payable for or upon the same Goods and Merchandizes respectively; except Tobacco, and such Currans as shall be imported in *English* built Shipping, navigated according to the Laws now in Force, and Sugar from the *English* Plantations, and such Goods and other Merchandizes as by the two Acts last mentioned, or either of them, are exempted from Payment of the Subsidies thereby granted.

II. And it is hereby enacted, That in all Cases where by the said two Acts last mentioned, or either of them, any Drawbacks or Abatements are to be made of the whole or any Part of the Duties thereby imposed, there shall be in the like Cases proportionable Drawbacks and Abatements made of the whole or Part of the Duties by this Act granted respectively; and that the several Subsidies and Duties by this Act granted, during the Continuance thereof, shall be raised, collected, levied, secured, and paid, by the same Ways, Means, and Methods, and under such Penalties and Forfeitures, and subject to such Rules and Directions, as in and by the said former Acts, or any of them, are prescribed or appointed touching or concerning the said Subsidies of Tunnage and Poundage, which were thereby granted, as aforesaid; and that every Article Rule, and Clause contained in the said recited Acts, or any of them, concerning the said Subsidies of Tunnage and Poundage formerly granted, as aforesaid, and now in Force, so far forth as the same do or may relate to the Subsidies or Duties formerly granted, as aforesaid, shall be used, exercised, and put in Practice, for the raising, levying, collecting, and answering the Subsidies and Duties hereby before granted, as fully and effectually, as if the same Articles, Rules and Clauses, and every of them, were again particularly and at large recited and re-enacted in the Body of this present Act; except only as to such of the said Articles, Rules, and Clauses, touching which other Provisions, Alterations, or Exemptions are made by any Act or Acts of Parliament now in being; which other Provisions, Alterations or Exemptions shall be observed, with respect to the Duties hereby granted, during the Continuance of this Act, in the same Manner as they are to be observed with Respect to the said Subsidies formerly granted, as aforesaid.

III. And be it further enacted by the Authority aforesaid, That the Officers of her Majesty's Customs, or any of them, or any of their Clerks or Substitutes, shall not directly or indirectly receive, take, or demand any Fee, Gratuity, or Reward whatsoever, from any her Majesty's Subjects or Aliens for any Entry, Warrant, Debenture, Certificate, Cocquet, or other Matter or Thing to be done or performed by them or any of them, in relation only to the said Subsidies, of Tunnage and Poundage herein before granted; on Pain of forfeiting for every such Offence the Sum of forty Pounds (to wit) One third thereof to her Majesty, and the other two Thirds thereof (besides Costs of Suit) to the Party grieved, who may sue for the same by Action of Debt, or on the Case, Bill, Suit, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no *Essoin*, Protection, Wager of Law, or more than one *Imprallance* shall be allowed.

IV. Provided, That nothing in this Act shall extend, or be construed to extend, to charge any Goods or Merchandize chargeable by this Act, imported in any Port of *England* or *Wales* before the said eighth Day of *March* one thousand seven hundred and four.

V. Provided nevertheless, and be it enacted by the Authority aforesaid, That the new or additional Duties imposed by this Act, shall not extend to affect such foreign Stores, as have been sold to the Use of her Majesty's Navy, by Contract with the Navy Board, before the five and twentieth Day of *December* one thousand seven hundred and four, so as a Certificate be given from the Commissioners of the Navy, that such Foreign Stores have been so contracted for by them for her Majesty's Service, as aforesaid; and so as the Importer of the same do make Oath before the Commissioners appointed to manage the Customs (which Oath they are hereby impowered to administer) of the Truth of the said Contract, and that he will deliver the said Goods into her Majesty's Stores, pursuant to the Contract so certified by the Commissioners of the Navy.

VI. And be it further enacted by the Authority aforesaid, That all the Monies arising by the said Subsidy of Tunnage and Poundage, and other the Duties hereby granted, as aforesaid (except the necessary Charges of raising and answering the same) shall from Time to Time be brought and paid into the Receipt of her Majesty's Exchequer; and that it shall and may be lawful to and for any Person and Persons, Natives or Foreigners, Bodies Politick or Corporate, to lend to her Majesty at the said Receipt, upon Credit thereof, any Sum or Sums of Money, not exceeding in the whole the Sum of six hundred thirty-six thousand nine hundred fifty-seven Pounds four Shillings and a Halfpenny; and to have and receive, for the Forbearance thereof, Interest after the Rate of six Pounds *per Centum per Annum*, to be paid every three Months from the making of such Loans, until Satisfaction of the principal Sums respectively; and that the Monies so to be lent shall not be rated or assessed to any Tax or Assessment whatsoever; and that every such Lender shall immediately have a Talley of Loan struck for the Money by him, her, or them lent, and an Order of the same Date for Repayment thereof, with such Interest as aforesaid; and that all such Orders shall be registred in course, according to their Dates, on a Register to be kept by the Auditor of the said Receipt for that Purpose; and all Persons on the said Register shall be paid in course, as their Orders shall stand registred, so as the Person, Native or Foreigner, his Executors, Administrators, or Assigns, whose Orders shall be first registred, shall be accounted the Person to be first paid out of the Money to come in by this Act; and he or they, who shall have his or their Order or Orders next en-
tred

ted, shall be taken to be the second Person to be paid, and so in course; and that the Monies to come in by the said Subsidy of Tunnage and Poundage, and other the Duties hereby granted, shall be in the same Order liable to the Satisfaction of the said respective Persons, their Executors, Administrators, or Assigns successively, without undue Preference of one before another, and not otherwise, and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any of her Majesty's Subjects for providing or making of any such Books or Registers, or any Entries, Views, or Search in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of her Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party aggrieved by the Party offending, with treble Costs of Suit; or if the Officer himself take or Demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable, by Action of Debt, or on the Case, to pay the Value of the Debt, with Damages and Costs, to the Party grieved, and shall be for ever incapable of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever after incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Place and Order, as afore directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending, to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid: All which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Complaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

No undue Preference.
Nor Fee to be taken for Entries, &c.

Penalty on Officers or Clerks offending.

VII. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those be entred first, so as he enters them all the same Day.

What shall not be accounted undue Preference.

VIII. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders of Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in their Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

IX. And be it further enacted, That all and every Person and Persons, to whom any Money shall be due for Loans by virtue of this Act, after Order entred in the Book of Register, as aforesaid, his or their Executors, Administrators, or Assigns, by Indorsement of his Order, may assign or transfer his Right, Title, Interest, and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the said Book of Registry (which the Officers shall upon Request, without Fee or Charge, accordingly make) shall intitle such Assignee, his Executors, Administrators, Successors, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so *toties quoties*, and afterwards it shall not be in the Power of such Person or Persons, who shall make such Assignments, to make void, release, or discharge the same, or any the Monies thereby due or any Part thereof.

Orders may be assigned, and Assignee may assign again.

X. And be it further enacted by the Authority aforesaid, That all the Monies which shall be lent to her Majesty on the Credit of the said Subsidies and Duties by this Act granted, and all the Monies which are or shall be lent, contributed, or advanced to her Majesty, upon every or any other Act or Acts of this Session of Parliament, for granting any Aid or Supply to her Majesty for carrying on the present War, and other her Majesty's necessary and important Occasions; and so much of the several Taxes and Duties granted in this Session of Parliament for the Purposes aforesaid, and charged or chargeable with Loans made or to be made thereupon, as shall remain (over and above the Monies thereof which are in the first Place to go and be applied in Repayment and Satisfaction of all the said Loans, made or to be made thereupon, or upon any of them, and the Interest thereof respectively, and over and above the Charges to be allowed for raising the said Taxes and Duties respectively) shall be appropriated, issued, and applied, and the same are hereby appropriated for or towards the several Uses and Purposes herein after expressed (that is to say) for or towards the Defraying the Charges of the Ordinary of her Majesty's Navy, and for Victuals, Wages, Wear, Tear, and other Services of the Navy, and the Vi&tualing thereof, performed and to be performed; and for the Sea Service in the Office of the Ordnance, performed and to be performed, for or towards the supplying of Ordnance Stores for Sea Service, and for and towards the making of a Wharf and Storehouse at *Portsmouth*, and for paying the Bounty or Reward, which her Majesty shall be pleased to bestow, in Consideration of the good Service of those who were on Board her Majesty's Fleet, or at *Gibraltar*, at the Time of the late Engagement in the *Mediterranean Sea*; and for or towards the Land Services, performed and to be performed, by the said Office of the Ordnance, and to and for Subsistence, Off-reckonings, and clearings for one Year, from the three and twentieth Day of *December* one thousand seven hundred and four, to her Majesty's Guards and Garisons in *England*, and

Monies how appropriated.

and the Dominions thereunto belonging (*Ireland* excepted) and the contingent Charges of the same; and for Payment of Invalids for the said Year, beginning from the said three and twentieth Day of *December* one thousand seven hundred and four; and for or towards the defraying the Charge of her Majesty's Army, and such Forces as are or shall be added thereunto in the *Low Countries*, or *Germany*, within or for one Year, to be reckoned from the said three and twentieth Day of *December* one thousand seven hundred and four, and the contingent Charges thereunto belonging; and for paying the Bounty or Reward which her Majesty shall be pleased to bestow, in Consideration of the good Services performed by her Land Forces in *Germany*, during the last Summer; and for or towards the defraying her Majesty's Part of the Charge of the Forces acting or to act in Conjunction with the Forces of the King of *Portugal*, until or at any Time before the five and twentieth Day of *December* one thousand seven hundred and five; and for defraying extraordinary Expences of the War in the Year one thousand seven hundred and three, pursuant to the late Treaty with *Portugal*; and for or towards the Payment of her Majesty's Proportion of the Subsidies due upon Treaties made, or to be made, with her Majesty's Allies, and other Charges for the Service of War, for any Time before, or until the said five and twentieth Day of *December* one thousand seven hundred and five; and for or towards the recruiting the Horses of the *English* Horse and Dragoons lost at the Battles of *Schellenberg* and *Blenheim*; and for or towards her Majesty's Proportion of the Levy Money, to recruit the Men and Horses of the Foreigners in the Pay of her Majesty and of the *States General* of the United Provinces of the *Netherlands*, which were lost in the same Battles; and for or towards discharging of the *Premiums*, and other Charges, for circulating the Bills commonly called *Exchequer Bills*; and for or towards the Charge of Transportation of the Land Forces, performed and to be performed; and for and towards the Charge of raising and maintaining five thousand additional Forces, to enable her Majesty to supply the like Number of Men to act in Conjunction with the Forces of her Majesty's Allies, to serve with the Fleet; and for Payment of another Year's Interest, after the Rate of five Pounds *per Cent.* for the unsatisfied Debentures charged on the *Irish* Forfeitures; and for or towards the Sums to be paid by her Majesty to the King of *Prussia*, pursuant to the late Treaty made with him for the Support of the Duke of *Savoy*; and to none other Use, Intent, or Purpose whatsoever.

Proviso towards Maintenance of the Soldiers raised for Sea Service.

XI. Provided always, That out of the Monies to be issued to the Guards and Garrisons, as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, towards the Charge of maintaining the Soldiers raised and to be raised for Sea Service, with their Officers, and the contingent Charges thereunto belonging; and out of the Monies to be issued for the Service of the Navy and Sea Services, as aforesaid, there shall be taken and applied such Sums, as, together with the said Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

12 Car. 2. c. 18.
25 Car. 2. c. 7.
This extended to Copper Ore by 8 Geo. 1. c. 18. s. 22.

Rice shipped in Carolina in America, may be carried to any Part of Europe Southward of Cape Finisterre, &c.

3 Geo. 2. c. 28. s. 2.

From 29 Sept. 1705. Rice and Mellasses to be under the like Securities as other Plantation Goods, &c.

Cargo of the *Hern Frigot* exempted from the new Duties.

XII. And whereas by the Acts made in the twelfth and five and twentieth Years of the Reign of his late Majesty King CHARLES the Second, the former intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, and the latter, intituled, *An Act for the Encouragement of the Greenland and East-land Trade, and for the better securing the Plantation Trade*, certain Commodities therein enumerated, of the Growth, Production, or Manufacture of any of the *English* Plantations in *America*, *Asia*, or *Africa*, are obliged to be imported into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or to some other of the said Plantations, under the Securities and Penalties in the said Acts particularly mentioned, to the end this Kingdom might be made a Staple, not only of the Commodities of those Plantations, but also of the Commodities of other Countries, for supplying them; since the making of which Laws several Commodities, which are not in the said Acts particularly enumerated, such as Rice and Melasses, are produced and made in the said Plantations, and carried to divers foreign Markets in *Europe*, without being first brought into this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, contrary to the true Intent and Meaning of the aforesaid Laws, to the great Prejudice of the Trade of this Kingdom, and the lessening the Correspondence and Relation between this Kingdom and the aforesaid Plantations: For the Prevention whereof for the future, Be it enacted by the Authority aforesaid, That from and after the nine and twentieth Day of *September* one thousand seven hundred and five, all Rice and Melasses shall be under the like Securities and Penalties restrained to be imported into this Kingdom, Dominion of *Wales*, and Town of *Berwick* aforesaid, as by the fore-recited Acts, or either of them, is provided for the Goods therein particularly enumerated.

XIII. Provided always, and be it enacted, That nothing in this Act contained, or any other Act of Parliament passed this Session, shall extend, or be construed to extend, to charge the Cargo, or any of the Goods or Merchandizes in the Ship called the *Hern Frigot*, *William Morris* Master thereof (which came from the *West Indies*, and was chased into *Limerick* in *Ireland* by a *French* Privateer, in the Month of *July* last, and was forced to lie there until lately, for want of a Convoy, so that she could not arrive at *Plymouth* until the sixth Day of *February* one thousand seven hundred and four) with any of the new Duties laid upon any of the said Goods and Merchandizes, to commence from the first Day of *February* one thousand seven hundred and four; any thing in this, or in any other Act of Parliament passed this Session, contained to the contrary thereof in any wise notwithstanding.

Lord Treasurer to compound with the Sureties of *Raymond Roodey*.

XIV. And whereas *Raymond Roodey*, late of the City of *Chester*, Merchant, became indebted to his late Majesty King *William*, of glorious Memory, in several Sums of Money, for Customs, Impositions, and other Duties upon Goods imported, and entred into several Bonds to his said Majesty, with Sureties, for Payment of the same; And whereas the said *Raymond Roodey* is since dead, and his Effects not visibe in *England*,

‘ *England*, and his Sureties have failed in their Credit, and are not able to pay the full Sums for which they so stand respectively engaged, but may by the Assistance of Friends, pay some Part of the said Debts to her Majesty, in case a Composition be made with them for the same;’ Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer, or Commissioners of her Majesty’s Treasury for the Time being, or any three or more of them, at any Time before the five and twentieth Day of *March* one thousand seven hundred and six, to make such Composition or Agreement, as to him or them shall seem reasonable, with the respective Sureties of the said *Raymond Roodey*, their Heirs, Executors, or Administrators, for such Debts as aforesaid; and, upon Payment of the Money so compounded for, to cause the said Sureties, their Heirs, Executors, and Administrators respectively, to be discharged of and from the said Bonds; but that the said *Raymond Roodey*, his Heirs, Executors, and Administrators, and every of them, shall stand charged, and be liable to the Payment of the Money due upon the said Bonds; any Thing herein contained to the contrary thereof in any wise notwithstanding.

and on Payment,
Sureties to be
discharged.

C A P. VI.

An Act for the better enabling her Majesty to grant the Honor and Manor of *Woodstock*, with the Hundred of *Wootton*, to the Duke of *Marlborough* and his Heirs, in Consideration of the eminent Services by him performed to her Majesty and the Publick.

Most Gracious Sovereign,

‘ **W** H E R E A S the eminent and unparalleled Services performed to your Majesty and the Crown of *England*, by the most noble *John Duke of Marlborough*, are well known, not only to your Majesty, and to all your Subjects, but to all *Europe*, who will always remember, That the Alliances which your Majesty’s Royal Brother King *WILLIAM* the Third, of glorious Memory, had, in a little Time before his Death, contracted by the Ministry of the said Duke of *Marlborough*, as his Majesty’s Ambassador Extraordinary and Plenipotentiary to the *States General* of the United Provinces, for preserving the Liberties of *Europe*, against the Ambition of *France*, were immediately after your Majesty’s happy Accession to the Throne, by the said Duke, then employed by your Majesty in the same Character, confirmed and improved, and others were contracted, whereby the Confederacy, which had been dissolved at the End of the last War, was re-united in a stricter and firmer League: And that in the first Year of your Majesty’s Reign, the said Duke of *Marlborough* did so well execute the Commission and Orders which he received from your Majesty, as Captain General and Commander in Chief of your Majesty’s Forces, that he not only secured and extended the Frontier of *Holland*, by taking the Towns and Fortresses of *Venlo*, *Ruremond*, *Stevensweart*, and *Liege*, but soon obliged the Enemy (who had been at the Gates of *Nemighen*) to seek Shelter behind their Lines; and the next Campaign, by taking *Bon*, *Huy*, and *Limbourg*, added all the Country between the *Rhine* and the *Maes* to the Conquest of the preceding Year: And that in the memorable Year one thousand seven hundred and four, when your Majesty was generously pleased to take the Resolution of rescuing the Empire from that immediate Ruin, to which, by the Defection of the Elector of *Bavaria*, it was exposed, the Measures, which by your Majesty’s Wisdom and Goodness had been devised and concerted, were pursued by the said Duke with the utmost Diligence, Secrecy, and good Conduct, in leading the Forces of your Majesty, and your Allies, by a long and difficult March, to the Banks of the *Danube*, where the said Duke did immediately upon his Arrival, attack and force the *Bavarians* (assisted by the *French*) in their strong Intrenchments at *Schellenberg*, passed the *Danube*, distressed the Country of *Bavaria*, and a second Time fought the Enemies, who had been reinforced by a Royal Army of the *French King*’s best Troops, commanded by a Marshal of *France*; and on the second Day of *August* one thousand seven hundred and four, after a bloody Battle, at or near *Blenheim* (although the Enemies had the Advantages of Number and Situation) did gain as absolute and glorious a Victory, as is recorded in the History of any Age; by which *Bavaria* being entirely reduced, *Ratisbon*, *Augsbourg*, *Ulm*, *Memminghen*, and other Imperial Towns recovered, the Liberty of the Diet and the Peace of the Empire was restored, and *Landau*, *Treves*, and *Traerbach*, being taken, the War is carried into the Dominions of *France*: And forasmuch as the happy Achievements of the said Duke, having apparently tended not only to the Honour and Safety of your Majesty, and your Subjects, and of their Posterity, but also towards the future Tranquillity of *Europe*; your Majesty’s most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, thought themselves obliged, in an humble Address to your Majesty, not only to express their great Sense of the said glorious Victories, but also humbly to desire your Majesty, that you would be graciously pleased to consider of some proper Means to perpetuate the Memory of such signal Services: And your Majesty having been thereupon pleased to signify your Intention to grant the Interest of the Crown in the Honor and Manor of *Woodstock* and the Hundred of *Wootton*, to the said Duke and his Heirs; your Majesty’s said dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, duly considering the good and prudent Provision made by your Majesty, by an Act of Parliament in the first Year of our Reign, for preserving the Inheritance of several Revenues of the Crown, and believing that the Settlement of the said Honor, Manor, and Hundred, on the said Duke and his Heirs, can make no Precedent for Cases where there is or shall be less Merit, do most humbly, cheerfully, and unanimously beseech your Majesty that it may be enacted; and be it enacted by the Queen’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

1 Annæ, stat. 1.
c. 7.

same,

Grant of the
Manor of Wood-
stock and Hun-
dred of Wootton,
to the Duke of
Marlborough
and his Heirs.

Woodstock
Manor House.

Woodstock
Park.

Podghill.

Little Mill
Mead.

Great Mill
Mead.

Middle Mead.

Little Park
Mead.

Tennis Court
Mead.

Hopyard.

Flaggmore
Mead.

Mare Moore
Mead.

Staunton
Custom.

Southley
Custom.

Hill Ground.

Combe Custom.

Bladon Custom.

Eight Acres.

Hanborough
Custom.

Pit Mead.

Borrow Mead.

Thistlebaim.

Bailiff's Turret.

Bailiff's Hook.

same, That it shall and may be lawful to and for the Queen's most Excellent Majesty, by any Letters Patents under the Great Seal of *England*, hereafter to be made, to give and grant unto the said *John Duke of Marlborough*, and his Heirs and Assigns for ever, or to any other Person or Persons to the Use of or in Trust for the said Duke, his Heirs and Assigns for ever, all that the Honor and Manor of *Woodstock*, with the Rights, Members and Appurtenances thereof, situate, lying, and being in the County of *Oxon*, and all that the Hundred of *Wootton*, with the Rights, Members, and Appurtenances thereof, in the said County of *Oxon*, and all those the Manors, or reputed Manors of *Hardley*, *Wootton*, *Old Woodstock*, *Hanborough*, *Stonesfield*, *Combe*, and *Bladon*, with the Advowsons of the Rectories, Vicarages, or Churches of *Bladon* or *Stonesfield*, and all the Rights, Members and Appurtenances; to them or any of them belonging, in the County of *Oxon* aforesaid; and all Quit Rents, Rents of Assize, Chief Rents, Old Rents, Free Rents, Copyhold and Customary Rents, Rent Works, and all other Rents, and yearly Sum and Sums of Money whatsoever, to the said Honor, Hundred, and Manors, or reputed Manors, every or any of them, belonging, or in any wise appertaining; and also all that demolished Messuage, Court House, or Toft, with the Appurtenances, together with the Site thereof, now or formerly called *Woodstock Manor House*, situate, lying, and being in the said County of *Oxon*, within the Park herein after mentioned; and all Houses, Dove Houses, Edifices, Structures, Buildings, Barns, Stables, Out-houses, Orchards, Gardens, Yards, Backsides, Court Yards, and Curtilages to the same belonging or appertaining, containing by Estimation three Acres, one Rood, and fifteen Perches, more or less; and also all that Piece or Parcel of Ground, with the Appurtenances, commonly called or known by the Name of *Woodstock Park*, lying and being in the said County of *Oxon*, abutting upon *Woodstock Town* on the East, upon *Bladon Parish* towards the South, *Combe Parish* on the West, and upon *Wootton Parish* towards the North, containing in the whole by Estimation one thousand seven hundred ninety-three Acres, and two Roods, more or less; and all that Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Podghill*, containing by Estimation three Acres, and one Rood, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Little Mill Mead*, containing by Estimation two Acres and one Rood, more or less; and all that Piece or Parcel of Meadow Ground, now or lately called or known by the Name of the *Great Mill Mead*, containing by Estimation four Acres, two Roods, and thirty-seven Perches, more or less; and also all that other Piece or Parcel of Meadow Ground, now or lately called or known by the Name of the *Middle Mead*, containing by Estimation three Acres and two Roods, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Little Park Mead*, containing by Estimation nine Acres and thirty-three Perches, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Tennis Court Mead*, containing by Estimation three Acres, three Roods, and nine Perches, be the same more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of the *Hopyard*, containing by Estimation one Acre, two Roods, and three Perches, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Flaggmore Mead*, containing by Estimation six Acres, three Roods, and twenty-four Perches, more or less; and also all that Parcel of Meadow Ground, with the Appurtenances, now or lately called *Mare Moore Mead*, containing by Estimation nine Acres, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Staunton Custom*, containing by Estimation ten Acres and one Rood, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Southley Custom*, containing by Estimation five Acres and two Roods, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, to the last mentioned Meadow adjoining, and now or lately called or known by the Name of the *Hill Ground*, containing by Estimation one Rood, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Combe Custom*, containing by Estimation four Acres, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Bladon Custom*, containing by Estimation one Acre and three Roods, more or less; and all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Eight Acres*, containing by Estimation eleven Acres, two Roods, and twenty-four Perches, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Hanborough Custom*, containing by Estimation four Acres and two Roods, more or less; and all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of the *Pit Mead*, containing by Estimation four Acres and five Perches, be the same more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Borrow Mead*, containing by Estimation eleven Acres, one Rood, and thirty Perches, more or less; and also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Thistlebaim*, containing by Estimation four Acres, three Roods, and four Perches, more or less; and also all that Piece and Parcel of Pasture Ground, with the Appurtenances, to the last-mentioned Meadow adjoining, now or lately called or known by the Name of *Bailiff's Turret*, containing by Estimation two Roods and sixteen Perches, more or less; and all that other Piece or Parcel of Pasture Ground, with the Appurtenances, adjoining to the East Side of the last-mentioned Piece of Pasture Ground, now or lately called or known by the Name of *Bailiff's Hook*, containing by Estimation one Rood and ten Perches, more or less; and also all that Piece or Parcel

of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of *Rush Mead*, containing by Estimation seventeen Acres, one Rood, and eight Perches, more or less; and also all that Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of the *Palace Mead*, containing by Estimation two Acres, three Roods, and nine Perches, more or less: All which several Pieces and Parcels of Meadow and Pasture Ground before-mentioned, are situate, lying, and being within the Walls of the said Park, in the said County of *Oxon*: And also all that other Piece or Parcel of Meadow Ground, with the Appurtenances, now or lately called or known by the Name of the *Long Acre*, lying and being without the said Park, within the Parish of *Bladon* afore said, containing by Estimation twenty-four Acres, one Rood, and thirty Perches, more or less; and all that Parcel of Land lying in the Parish of *Combe*, in the said County of *Oxon*, called by the Name of *Combe Rayes*, which were purchased by his late Majesty King CHARLES the Second from several Persons, and do contain in the whole, by Estimation, three score Acres, be the same more or less; and also all that Messuage, Tenement, or Lodge, with the Appurtenances, now or lately called *Hensgrove Lodge*, situate and being in the South East Part of the said Park; and also all that other Messuage, Tenement, or Lodge, with the Appurtenances, now or lately called *Streights Lodge*, situate and being in the South West Part of the said Park; and also all that other Messuage, Tenement, or Lodge, with the Appurtenances, now or lately called *New Lodge*, situate and being on the West Part of the said Park; and also all that other Messuage, Tenement, or Lodge, with the Appurtenances, now or lately called *Correll Lodge*, situate and being on the North Side of the said Park; and all those several Woods and Coppices, and the Soil and Ground of the same, commonly called the *Kings Woods*, within the said Honor and Manor of *Woodstock*, herein after-mentioned (that is to say) all that Wood and Coppice, commonly called or known by the Name of *Mill Wood*, lying and being in the Parish of *Hanborough*, in the said County of *Oxon*, containing by Estimation seventeen Acres and two Roods, more or less; and all that Wood and Coppice commonly called or known by the Name of *Pinsley Wood*, also lying and being in the Parish of *Hanborough* afore said, containing by Estimation fourscore and one Acres and two Roods, more or less; and all that Wood and Coppice commonly called or known by the Name of *Wooll Coppice*, lying and being in the said Parish of *Hanborough*, containing by Estimation sixteen Acres, more or less; and all that Wood and Coppice, commonly called or known by the Name of *Wootton Wood*, lying and being in the Parish of *Wootton*, in the said County of *Oxon*, containing by Estimation fifty-four Acres and twenty Perches, more or less; and all that Wood and Coppice called or known by the Name of *Fendon Wood*, lying and being within the said Parish of *Wootton*, containing by Estimation seventeen Acres and two Roods, more or less; and all that Wood and Coppice called and known by the Name of *Ambrose Coppice*, lying and being in the Parish of *Stonesfield*, in the said County of *Oxon*, containing by Estimation one hundred thirty-nine Acres, more or less; and all her Majesty's Timber and Trees, Wood, and Underwood whatsoever, now standing, growing, or being, or hereafter to stand or grow, as well within or upon the several Woods, Coppices, and Wood Grounds before-mentioned, and every or any of them, as within or upon the said Park, called *Woodstock Park*, and within or upon any of Waste Grounds belonging to the said Honor and Manors, or within or upon any other of the Premises so to be granted, and every or any of them respectively; and all and singular her Majesty's Messuages, Tenements, Lands, Woods, Rents, Mills, Tolls, and Hereditaments whatsoever, situate, lying, being, or renewing within the said Park, called *Woodstock Park*, and in the Towns, Villages, Hamlets, Parishes, Precincts, or Territories of *Old Woodstock*, *Hardley*, *Wootton*, *Bladon*, *Hanborough*, *Combe*, and *Stonesfield*, and every or any of them, or within the said Hundred of *Wootton* in the said County of *Oxon*; and also all and singular Houses, Edifices, Buildings, Barns, Stables, Orchards, Gardens, Yards, Backsises, Curtilages; and also all Courts Leet, Courts Baron, Hundred Courts, and other Courts whatsoever, Services, Franchises, Customs, Custom Works, Forfeitures, Escheats, Reliefs, Herriots, Fines, Issues, Amerciaments, Perquisites and Profits of the said Courts and Leets, and every of them, Goods and Chattels of Felons and Fugitives, Felons of themselves, outlawed Persons, and of Persons put in Exigent, Waifs, Estrays, Deodands, Heaths, Moors, Marshes, Ways, Passages, Lights, Easements, Commons, Ground used for Common, Wastes, Waste Grounds, Rivers, Streams, Waters, Watercourses, Weirs, Dams, Stanks, Mill Pools, Hawking, Hunting, Fishing, Fowling, Right, Royalties, Jurisdictions, Liberties, Privileges, Immunities, Profits, Commodities, Advantages, Emoluments, Possessions, and Hereditaments whatsoever, with their and every of their Appurtenances, of what Nature or Quality soever, to the said Honor, Manors, Park, Woods, or other the Premises belonging or appertaining, or accepted, reputed, or taken, as Part, Parcel, or Member thereof, or which have been usually held, exercised, or enjoyed therewith, or within the same, or any Part thereof, and such other Franchises as her Majesty shall think fit to grant by such Letters Patents as afore said, and the Reversion and Reversions, Remainder and Remainders of all and singular the Premises, and of every or any Part or Parcel thereof, dependant or expectant upon any former Grant, Demise, or Lease, Grants, Demises, or Leases, made of the Premises, or of any of them; and all the Rents, Issues, and Profits of the said Honor, Manors, Park, and other the Premises, and of every Part and Parcel thereof; and all the Estate, Right, Title, Interest, Property, Claim and Demand whatsoever of her Majesty, of, into, or out of the same: To have and to hold the said Honor, Hundred, Manors, Park, Woods, and other the Premises so to be granted, with their and every of their Appurtenances, to the said *John Duke of Marlborough*, or such Person or Persons as he shall nominate, as afore said, his and their Heirs and Assigns for ever, to the only Use and Behoof of, or in Trust for, the said *John Duke of Marlborough*, his Heirs and Assigns for ever, and to no other Use, Intent, or Purpose whatsoever; to be holden of her Majesty, her Heirs and Successors, as of her Castle of *Windsor*, in free and common Sockage by Fealty, and rendering to her Majesty.

Rush Mead.

Palace Mead.

Long Acre.

Combe Rayes.

Hensgrove Lodge.

Streights Lodge.

New Lodge.

Correll Lodge.

Kings Woods.

Mill Wood.

Pinsley Wood.

Wooll Coppice.

Wootton Wood.

Fendon Wood.

Ambrose Coppice.

Woodstock Park.

To be holden of the Queen as of her Manor of her Windsor in Fee.

her Heirs and Successors, on the second Day of *August* in every Year for ever, at the Castle of *Windsor*, one Standard or Colours with three *Flower de Luces* painted thereupon, for all manner of Rents, Services, Exactions, and Demands whatsoever.

Grant continued.

III. And be it further enacted by the Authority aforesaid, That all and every the Grants and Clauses to be contained in such Letters Patents, as aforesaid, for the better conveying and assuring of the said Honor, Hundred, Manors, Park, Woods, and other the Premises, to or for the Use or Benefit of the said Duke, his Heirs or Assigns as aforesaid, shall be, and are hereby enacted to be good and effectual in the Law, according to the Tenor and Purport thereof, in the said Letters Patents to be expressed, notwithstanding any Restriction, or other Matter or Thing contained in the Act of Parliament made in the first Year of her Majesty's Reign, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*, and any other Law or Statute, or any Mis-recital, Non-recital, Omission, or other Defect in the said Letters Patents hereafter to be made, in any wise notwithstanding.

1 Annæ, Stat. 1. c. 7.

Salvo of Right. By 5 Ann. c. 3. these Honours are settled on his Posterity.---By 5 Ann. c. 4. an Annuity from the Post Office is settled on the Duke, and the 1 Geo. 1.

IV. Saving to all and every Person and Persons, their Heirs, Executors and Administrators, and to all Bodies Politick and Corporate, and their Successors (other than to the Queen's Majesty, her Heirs and Successors) all such Right, Title, Interest, Right of Common, Offices, Fees, Privileges, Properties, Profits and Demands whatsoever, which they, or any of them have, or are intitled to have, of, into, within, or out of the said Honor, Hundred, Manors, Park, Woods, and other the Premises, or any of them, or any Part thereof, before the making of this Act, as fully and effectually, to all Intents and Purposes, as if this Act had not been made; this Act, or any thing therein contained to the contrary notwithstanding.

St. 2. c. 12. s. 34. provides for paying the Arrears due for building *Blenheim House*.

C A P. VII.

An Act for the effectual securing the Kingdom of *England* from the apparent Dangers that may arise from several Acts lately passed in the Parliament of *Scotland*.

FOR preventing the many Inconveniencies which may speedily happen to the two Kingdoms of *England* and *Scotland*, if a nearer and more compleat Union be not made between the said Kingdoms; Be it enacted by the Queen'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 such Persons as shall be nominated by her Majesty, under her Great Seal of *England*, or such and so many of them as shall in that Behalf be appointed by her Majesty to be of the *Quorum*, shall, by Force of this Act, have full Power, Commission and Authority, at such Time and Times, and in such Place or Places, as her Majesty shall please to appoint, to assemble and meet, and thereupon to treat and consult, according to the Tenor or Purport of their Authority or Commission in that Behalf, with certain Commissioners as shall be authorized by Authority of the Parliament of *Scotland*, of and concerning such an Union of the said Kingdoms of *England* and *Scotland*, and of and concerning such other Matters, Clauses and Things, as upon mature Deliberation of the greatest Part of the said Commissioners, assembled as aforesaid, and the Commissioners to be authorized by the Parliament of *Scotland*, according to the Tenor or Purport of their Commissions in that Behalf, shall in their Wisdoms think convenient and necessary for the Honour of her Majesty, and the common good of both the said Kingdoms for ever: Which Commissioners of both the said Kingdoms shall, according to the Tenor or Purport of their said Authorities or Commissions in that Behalf, reduce their Doings and Proceedings therein into Writings or Instruments *Quadrupartite*, every Part to be subscribed and sealed by them, to the End that one Part thereof may in all Humbleness be presented to the Queen's most Excellent Majesty, two other Parts thereof to be offered to the Consideration of the Parliament for the Realm of *England*, and another Part to be offered to the Consideration of the Parliament for the Realm of *Scotland*, at their next Sessions, which shall be held in each Kingdom respectively, after such Writings or Instruments shall be subscribed and sealed by the said Commissioners, that thereupon such further Proceedings may be had, as to her Majesty, and both the said Parliaments, shall be thought fit and necessary for the Weal and common good of both the said Kingdoms, to whom the entire Consideration of the whole, and the allowing or disallowing the whole, or any Part thereof, as they shall think fit, is wholly reserved.

Queen may appoint Commissioners under her Great Seal of *England*, to treat with Commissioners authorized by the Parliament of *Scotland*, for treating of a Union between both Kingdoms.

Commissioners to reduce their Proceedings into Writings *Quadrupartite*.

When such Commission shall commence.

Nothing agreed on to have any Force till confirmed by Act of Parliament of *England*.

II. Provided always, and be it enacted and declared, That no such Commission or Authority as aforesaid, shall be granted, until an Act of Parliament shall be made in the Kingdom of *Scotland*, empowering her Majesty to grant a Commission under the Great Seal of that Kingdom, nominating Commissioners to treat concerning the Union of the two Kingdoms.

III. Provided also, and be it further enacted and declared, That no Matter or Thing to be treated of, agreed or proposed by the said Commissioners by virtue of this Act, shall have any Force or Effect to be put in Execution, until it be confirmed and established by Act of Parliament of *England*.

“ After 25 *December* 1705. no Native of *Scotland*, except settled Inhabitants, to inherit any Lands in *England*, &c. The seven following Clauses are repealed by 4 *Annæ*, c. 3. s. 10. Nor be supplied with Horses, Arms, or Ammunition from *England*. *Scotch* Cattle prohibited to be brought into *England* or *Ireland*. Lawful to seize and detain Cattle so brought in. *English* Cattle intermixt with *Scotch* Cattle and so seized, subject to the like Forfeiture. Penalty on Persons conspiring to avoid or evade such Seizures. After 25 *December* 1705. no *Scotch* Coals to be imported into *England* or *Ireland*. Nor *Scotch* Linen.

XII. Provided

XII. Provided always, and be it enacted and declared by the Authority aforesaid, That the Commissioners to be named in pursuance of this Act, shall not by Virtue of such Commission, treat of or concerning any Alteration of the Liturgy, Rites, Ceremonies, Discipline or Government of the Church, as by Law established within this Realm.

Commissioners not to treat of altering the Liturgy or Government of the Church of England.

C A P. VIII.

An Act to permit the Exportation of *Irish* Linen Cloth to the Plantations, and to prohibit the Importation of *Scotch* Linen into *Ireland*.

WHEREAS in and by an Act made in the fifteenth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for the Encouragement of Trade*, it is amongst other Things enacted, That no Commodity of the Growth, Production or Manufacture of *Europe*, shall be imported into any Land, Island, Plantation, Colony, Territory, or Place, to his Majesty belonging, or which shall hereafter belong unto, or be in the Possession of his Majesty, his Heirs and Successors, in *Asia*, *Africa*, or *America* (except as is therein excepted) but what shall be *bona fide*, and without Fraud, laden and shipped in *England*, *Wales*, or the Town of *Berwick upon Tweed*, under the Penalties in the said Act contained: Yet forasmuch as the Protestant Interest in her Majesty's Kingdom of *Ireland* ought to be supported, by giving the utmost Encouragement to the Linen Manufactures of that Kingdom; Her Majesty is graciously pleased, in tender Regard to her good Protestant Subjects of her said Kingdom, and for the further Encouragement of the Linen Manufactures thereof, That it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That from and after the four and twentieth Day of *June* one thousand seven hundred and five, it shall and may be lawful to and for any Native or Natives of *England*, or *Ireland*, to lade and ship in any Port of the said Kingdom of *Ireland* in *English* built Shipping, whereof the Master and one Moiety of the Mariners, during the present War, and afterwards the Master and three Fourths of the Mariners at least to be *English* or *Irish*, any white or brown Linen Cloth, which shall be of the Manufacture of the said Kingdom of *Ireland*, and no other, and the same to transport in such Ships, and so navigated, into any of the said Lands, Islands, Plantations, Colonies, Territories, or Places, and there freely to traffick with, and vend the same; any thing in the said Act, or in any other Act, to the contrary thereof in any wise notwithstanding.

II. Provided nevertheless, That no Ship or Vessel coming to any of the said Lands, Islands, Plantations, Colonies, Territories, or Places, from the said Kingdom of *Ireland*, shall unlade, or break Bulk, until the Master or Commander of such Ship or Vessel shall first have made known to the Governor of such Land, Island, Plantation, Colony, Territory, or Place, or to such Person or Officer as shall be by him thereunto authorized and appointed, the Arrival of the said Ship or Vessel, with her Name, and the Name and Surname of the Master or Commander, and shall have delivered to such Governor or Officer, a true and perfect Inventory or Invoice of the Lading of such Ship or Vessel, together with a Certificate from the Chief Officer of the Port in *Ireland*, where such Ship or Vessel shall be laden, expressing the Particulars of such Lading, with the Names and Abodes of the Exporters, and of two Persons at the least, who shall have made Oath before such Chief Officer, that the said Goods and Linen are *bona fide* of the Manufacture of the said Kingdom of *Ireland*, and until the Master or Commander of such Ship or Vessel shall have made Oath before such Governor or Officer, that the said Goods, and every Parcel thereof, are the same Goods that he, the said Master or Commander, took on board by Virtue of such Certificate as is aforesaid, nor until such Ship or Vessel shall have been visited and searched by an Officer or Officers; and in case the Commander of any such Ship or Vessel shall unlade, or break Bulk, before such Notice given, and such Certificate produced, and such Oath made by such Commander, or before such Search made as aforesaid, or if upon such Search any Goods whatsoever of Woollen Manufacture, not laden in *England* (necessary Apparel of the Commander and Mariners only excepted) or any Linen Goods not laden in *England*, nor of the Manufacture of *Ireland*, shall be found in such Ship or Vessel; in all or any of the said Cases, such Ship or Vessel shall be, and is hereby adjudged forfeited, with all her Guns, Tackle, Ammunition and Furniture, together with all such Goods and Commodities, of what Kind soever, as shall be imported or found in such Ship; one third Part to her Majesty, her Heirs and Successors, one third Part to the Governor of such Land, Island, Plantation, Colony, Territory, or Place, into which such Goods shall be imported, if the said Ship, Vessel, or Goods be there seized, informed against, or sued for (or otherwise that third Part also to her Majesty, her Heirs and Successors) and the other third Part to him or them who shall sue for the same in her Majesty's Court, in such of the said Lands, Islands, Colonies, Plantations, Territories, or Places, where the Offence shall be committed, or in any of her Majesty's Courts at *Westminster*, by Bill, Plaint, Information, or other Action, wherein no Essoin, Protection, or Wager of Law shall be allowed.

III. And be it further enacted, That all Ships coming from *Ireland*, to any such Land, Island, Colony, Plantation, Territory, or Place, shall be subject to the same Rules, Visitations, Searches, Penalties, and Forfeitures, to which Ships coming from *England* to any of the said Colonies, Plantations, or Places, are subject or liable to by any Law now in Force. [The four next Sections are omitted, being repealed by 5 Ann. c. 8.]

25 Car. 2. c. 7.

28 H. 3. c. 4.
1 El. c. 12.
1 Ann. s. 2. c. 3.

After 24 June, 1705. Irish Linen may be transported, and sent to the English Plantations.

This Part of the Act continued by 3 Geo. 1. c. 21. s. 1. under the Limitation therein mentioned.

No Ship to break Bulk until Notice of Arrival be first given to the Governor, and an Invoice of the Lading, &c. delivered.

Penalty on Commander offending.

Ships coming from *Ireland*, liable to be visited in like Manner as Ships from *England*.

“ Penalty on importing *Scotch Linen* into *Ireland* after 25 *March* 1705. *Linen* so prohibited, to be seized, and Importers prosecuted. After Condemnation to be sold by Inch of Candle. But not delivered until Bond given for exporting such Goods in three Months out of *Ireland*, &c. How Bond shall be vacated. Penalty on not exporting such Goods. Penalty on Officer conniving at the Importation of *Scotch Linen*. Forfeitures where recoverable.”

General Issue.

VIII. And it is hereby further enacted, That if any Person or Persons be sued, molested or prosecuted, for or by reason of any Seizure made in pursuance of this Act, such Person and Persons may plead the General Issue, and give this Act, and the Special Matter in Evidence; and if afterwards a Verdict shall pass for the Defendant or Defendants, or if the Plaintiff shall discontinue his Action, or be nonsuited, or if Judgment be given against him, then such Defendant or Defendants shall have double Costs.

Suits to be commenced within 12 Months after Offence.

IX. Provided always, That all Informations, Actions, and Suits, to be brought for any Offence against this Act, shall be brought and commenced within twelve Months after the Discovery of such Offence.

Proviso concerning English Ships laden for the Plantations, &c.

X. Provided also, and be it enacted, That if any Ship or Vessel, being laden with Goods in *England*, *Wales*, or *Berwick upon Tweed*, for any of the Plantations aforesaid, shall put into any Port or Place in *Ireland*, and shall there take in any White or Brown *Irish Linen Cloth*, in that Case, the like Certificate and Oaths shall be made, that the said *Linen Cloth* is of the Manufacture of *Ireland*, as is before directed by this Act: And if, upon the Arrival of such Ship or Vessel in any of the said Plantations, such Certificate be produced, and Oaths made as aforesaid, such Ship or Vessel, her Master, or Commander, and Lading, shall be subject and liable to such Rules, Visitations, Searches, Penalties, and Forfeitures, as they respectively were subject and liable to by Virtue of the Laws which were in Force before the passing of this Act, and no other; any thing in this Act to the contrary notwithstanding.

Act to continue eleven Years.

XI. Provided, That this shall continue only for the Term of eleven Years. [Continued by 3 Geo. 1. c. 21.]

Farther Provisions concerning Linen,

7 Ann. c. 7. 10 Ann. c. 19. 12 Ann. st. 2. c. 9, 19 & 21. 1 Geo. 1. c. 36. 3 Geo. 1. c. 7 & 21. 17 Geo. 2. c. 30. 18 Geo. 2. c. 24, 27 & 36. 21 Geo. 2. c. 26. 24 Geo. 2. c. 46. 29 Geo. 2. c. 15. and 32 Geo. 2. c. 32.

C A P. IX.

An Act for giving like Remedy upon Promissory Notes, as is now used upon Bills of Exchange, and for the better Payment of Inland Bills of Exchange.

“ W H E R E A S it hath been held, That Notes in Writing, signed by the Party who makes the same, whereby such Party promises to pay unto any other Person, or his Order, any Sum of Money therein mentioned, are not assignable or indorsable over, within the Custom of Merchants, to any other Person; and that such Person to whom the Sum of Money mentioned in such Note is payable, cannot maintain an Action, by the Custom of Merchants, against the Person who first made and signed the same; and that any Person to whom such Note should be assigned, indorsed, or made payable, could not, within the said Custom of Merchants, maintain any Action upon such Note against the Person who first drew and signed the same: Therefore, to the Intent to encourage Trade and Commerce, which will be much advanced, if such Notes shall have the same Effect as Inland Bills of Exchange, and shall be negotiated in like Manner; be it enacted by the Queen’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 Notes in Writing, that after the first Day of *May* in the Year of our Lord one thousand seven hundred and five, shall be made and signed by any Person or Persons, Body Politick or Corporate, or by the Servant or Agent of any Corporation, Banker, Goldsmith, Merchant, or Trader, who is usually intrusted by him, her, or them, to sign such Promissory Notes for him, her, or them, whereby such Person or Persons, Body Politick and Corporate, his, her, or their Servant or Agent as aforesaid, doth or shall promise to pay to any other Person or Persons, Body Politick and Corporate, his, her, or their Order, or unto Bearer, any Sum of Money mentioned in such Note, shall be taken and construed to be, by Virtue thereof, due and payable to any such Person or Persons, Body Politick and Corporate, to whom the same is made payable; and also every such Note payable to any Person or Persons, Body Politick and Corporate, his, her, or their Order, shall be assignable or indorsible over, in the same Manner as Inland Bills of Exchange are or may be, according to the Custom of Merchants; and that the Person or Persons, Body Politick and Corporate, to whom such Sum of Money is or shall be by such Note made payable, shall and may maintain an Action for the same, in such Manner as he, she, or they might do, upon any Inland Bill of Exchange, made or drawn according to the Custom of Merchants, against the Person or Persons, Body Politick and Corporate, who, or whose Servant or Agent as aforesaid, signed the same; and that any Person or Persons, Body Politick and Corporate, to whom such Note that is payable to any Person or Persons, Body Politick and Corporate, his, her, or their Order, is indorsed or assigned, or the Money therein mentioned ordered to be paid by Indorsement thereon, shall and may maintain his, her, or their Action for such Sum of Money, either against the Person or Persons, Body Politick and Corporate, who, or whose Servant or Agent as aforesaid, signed such Note, or against any of the Persons that indorsed the same, in like Manner as in Cases of Inland Bills of Exchange: And in every such Action the Plaintiff or Plaintiffs shall recover his, her, or their

Promissory Notes may be assigned or indorsed, and Action maintained thereon, as on Inland Bills of Exchange.

their Damages and Coſts of Suit; and if ſuch Plaintiff or Plaintiffs ſhall be nonſuited, or a Verdict be given againſt him, her, or them, the Defendant or Defendants ſhall recover his, her, or their Coſts againſt the Plaintiff or Plaintiffs; and every ſuch Plaintiff or Plaintiffs, Defendant or Defendants, reſpectively recovering, may ſue out Execution for ſuch Damages and Coſts by *Capias, Fieri facias, or Elegit.*

Plaintiff or Defendant may recover Coſts.

II. And be it further enacted by the Authority aforeſaid, That all and every ſuch Actions ſhall be commenced, ſued and brought within ſuch Time as is appointed for commencing or ſuing Actions upon the Caſe, by the Statute made in the one and twentieth Year of the Reign of King JAMES the firſt, intituled, *An Act for Limitation of Actions, and for avoiding of Suits in Law.*

How Action ſhall be brought. 21 Jac. 1. c. 16.

III. Provided, That no Body Politick or Corporate ſhall have Power, by Virtue of this Act, to iſſue or give out any Notes, by themſelves or their Servants, other than ſuch as they might have iſſued, if this Act had never been made.

Proviſo againſt giving out Notes.

IV. And whereas by an Act of Parliament made in the ninth Year of the Reign of his late Maſteſty King WILLIAM the Third, intituled, *An Act for the better Payment of Inland Bills of Exchange*, it is, among other Things, enacted, That from and after Preſentation and Acceptance of the ſaid Bill or Bills of Exchange. (which Acceptance ſhall be by the underwriting the ſame under the Party's Hand ſo accepting) and after the Expiration of three Days after the ſaid Bill or Bills ſhall become due, the Party to whom the ſaid Bill or Bills are made payable, his Servant, Agent, or Assigns, may, and ſhall cauſe the ſame Bill or Bills to be proteſted in Manner as in the ſaid Act is enacted: And whereas by there being no Proviſion made therein for proteſting ſuch Bill or Bills, in caſe the Party, on whom the ſame are or ſhall be drawn, reſuſe to accept the ſame, by underwriting the ſame under his Hand, all Merchants and others do reſuſe to underwrite ſuch Bill or Bills, or make any other than a Promiſſory Acceptance, by which Means the Effect and good Intent of the ſaid Act in that Behalf is wholly evaded, and no Bill or Bills can be proteſted before or for want of ſuch Acceptance by underwriting the ſame as aforeſaid.

9 & 10 W. 3. c. 17.

For Remedy whereof be it enacted by the Authority aforeſaid, That from and after the firſt Day of May which ſhall be in the Year of our Lord one thouſand ſeven hundred and five, in Caſe, upon preſenting of any ſuch Bill or Bills of Exchange, the Party or Parties, on whom the ſame ſhall be drawn, ſhall reſuſe to accept the ſame, by underwriting the ſame as aforeſaid, the Party to whom the ſaid Bill or Bills are made payable, his Servant, Agent, or Assigns, may and ſhall cauſe the ſaid Bill or Bills to be proteſted for Non-acceptance, as in caſe of Foreign Bills of Exchange; any thing in the ſaid Act or any other Law to the contrary notwithstanding: For which Proteſt there ſhall be paid two Shillings, and no more.

Party reſuſing to underwrite Bill of Exchange, ſuch Bill may be proteſted for Non-acceptance.

V. Provided always, That from and after the ſaid firſt Day of May no Acceptance of any ſuch Inland Bill of Exchange ſhall be ſufficient to charge any Perſon whatſoever, unleſs the ſame be underwritten or indorſed in Writing thereupon; and if ſuch Bill be not accepted by ſuch Underwriting, or Indorſement in Writing, no Drawer of any ſuch Inland Bill ſhall be liable to pay any Coſts, Damages, or Intereſt thereupon, unleſs ſuch Proteſt be made for Non-acceptance thereof, and within fourteen Days after ſuch Proteſt, the ſame be ſent, or otherwiſe Notice thereof be given to the Party from whom ſuch Bill was received, or left in Writing at the Place of his or her uſual Abode; and if ſuch Bill be accepted, and not paid before the Expiration of three Days after the ſaid Bill ſhall become due and payable, then no Drawer of ſuch Bill ſhall be compellable to pay any Coſts, Damages, or Intereſt thereupon, unleſs a Proteſt be made and ſent, or Notice thereof be given, in Manner and Form above mentioned: Nevertheleſs, every Drawer of ſuch Bill ſhall be liable to make Payment of Coſts, Damages, and Intereſt upon ſuch Inland Bill, if any one Proteſt be made of Non-acceptance, or Non-payment thereof, and Notice thereof be ſent, given or left as aforeſaid.

No Acceptance of Inland Bills of Exchange to be ſufficient, unleſs the ſame be underwritten, nor Drawer thereof liable to Coſts, &c.

VI. Provided, That no ſuch Proteſt ſhall be neceſſary, either for Non-acceptance or Non-payment of any Inland Bill of Exchange, unleſs the Value be acknowledged and expreſſed in ſuch Bill to be received, and unleſs ſuch Bill be drawn for the Payment of twenty Pounds Sterling or upwards; and that the Proteſt, hereby required for Non-acceptance, ſhall be made by ſuch Perſons as are appointed by the ſaid recited Act to proteſt Inland Bills of Exchange for Non-payment thereof.

No Proteſt neceſſary for Non-payment, unleſs the Bill be drawn for 20l. or upwards.

VII. And be it further enacted, That from and after the ſaid firſt Day of May, if any Perſon doth accept any ſuch Bill of Exchange for and in Satisfaction of any former Debt, or Sum of Money formerly due unto him, the ſame ſhall be accounted and eſtimated a full and compleat Payment of ſuch Debt, if ſuch Perſon, accepting of any ſuch Bill for his Debt, doth not take his due Courſe to obtain Payment thereof, by endeavouring to get the ſame accepted and paid, and make his Proteſt as aforeſaid, either for Non-acceptance, or Non-payment thereof.

By whom Proteſt ſhall be made.

Acceptance of Bill eſtimated a full Payment of Debt.

VIII. Provided, That nothing herein contained ſhall extend to diſcharge any Remedy, that any Perſon may have againſt the Drawer, Acceptor or Indorſer of ſuch Bill.

Proviſo.

IX. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for the Space of three Years, from the ſaid firſt Day of May, and from thence to the End of the next ſeſſion of Parliament, and no longer. [Made perpetual by 7 Annæ, c. 25. ſ. 3.]

Act to continue 3 Years.

C A P. X.

An Act for encouraging the Importation of Naval Stores from her Maſteſty's Plantations in America.

WHEREAS the Royal Navy, and the Navigation of England, wherein, under God, the Wealth, Safety and Strength of this Kingdom is ſo much concerned, depends on the due Supply of Stores neceſſary for the ſame, which being now brought in moſtly from foreign Parts, in-foreign Shipping,

12 Car. 2. c. 18. 15 Car. 2. c. 7. 25 Car. 2. c. 7.

‘ exorbitant and arbitrary Rates, to the great Prejudice and Discouragement of the Trade and Navigation of this Kingdom, may be provided in a more certain and beneficial Manner from her Majesty’s own Dominions:’ And whereas her Majesty’s Colonies and Plantations in *America* were at first settled, and are still maintained and protected, at a great Expence of the Treasure of this Kingdom, with a Design to render them as useful as may be to *England*, and the Labour and Industry of the People there, profitable to themselves: And in Regard the said Colonies and Plantations, by the vast Tracts of Land therein, lying near the Sea, and upon navigable Rivers, may commodiously afford great Quantities of all Sorts of Naval Stores, if due Encouragement be given for carrying on so great and advantageous an Undertaking, which will likewise tend, not only to the further Employment and Increase of *English* Shipping and Seamen, but also to the enlarging, in a great Measure, the Trade and Vent of the Woollen and other Manufactures and Commodities of this Kingdom, and of other her Majesty’s Dominions, in Exchange for such Naval Stores, which are now purchased from foreign Countries with Money or Bullion: And for enabling her Majesty’s Subjects, in the said Colonies and Plantations, to continue to make due and sufficient Returns in the Course of their Trade;’ Be it therefore enacted by the Queen’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 every Person or Persons that shall, within the Time appointed by this Act, import or cause to be imported into this Kingdom, directly from any of her Majesty’s *English* Colonies or Plantations in *America*, in any Ship or Ships that may lawfully trade to her Majesty’s Plantations, manned as by Law is required, any of the Naval Stores, hereafter mentioned, shall have and enjoy, as a Reward or *Præmium* for such Importation, after and according to the several Rates for such Naval Stores, as follows, (*viz.*)

II. For good and merchantable Tar *per Tun*, containing eight Barrels, and each Barrel to gage thirty-one Gallons and an half, four Pounds.

For good and merchantable Pitch *per Tun*, each Tun containing twenty Grofs hundreds (Net Pitch) to be brought in eight Barrels, four Pounds.

For good and merchantable Rozin or Turpentine *per Tun*, each Tun containing twenty Grofs hundreds (Net Rozin, or Turpentine) to be brought in eight Barrels, three Pounds.

For Hemp, Water rotted, bright and clean, *per Tun*, each Tun containing twenty Grofs hundreds, six Pounds.

For all Masts, Yards, and Bowsprits, *per Tun*, allowing forty Foot to each Tun, Girt Measure, according to the customary Way of measuring round Bodies, one Pound.

III. Which several Rewards or *Præmiums*, for each Species afore-mentioned, shall be paid and answered by the Commissioners or principal Officers of her Majesty’s Navy, who are hereby impowered and required to make out Bill or Bills, to be paid in course for the same, upon Certificate of the respective Chief Officer or Officers of the Customs, in any Port of this Kingdom where such Naval Stores shall be imported as aforefaid; such Bill or Bills to be made out and given to the Person or Persons importing the same as aforefaid, within twenty Days after the Discharge or unlading of the Ship or Vessel, Ships or Vessels, in which such Stores shall be imported, upon a Certificate or Certificates, to be produced to the Chief Officer or Officers of the Customs (which Certificate or Certificates shall be under the Hand and Seal of the Governor, Lieutenant Governor, Collector of her Majesty’s Customs, and Naval Officer, or any two of them, residing and being within any of her Majesty’s said Colonies or Plantations) That before the Departure of such Ship or Vessel, Ships or Vessels, the Person or Persons, Merchant, Trader or Factor, loading the same, had made Oath before them, That the said Naval Stores, so shipped on board were truly and *bona fide* of the Growth and Produce of her Majesty’s said Colonies and Plantations (which Oath the said Governor, Lieutenant Governor, Collector of her Majesty’s Customs, and Naval Officer, or any two of them, are hereby authorized to administer) as likewise, upon Oath to be made within any Port in *England*, by the Master or Masters of such Ship or Vessel, Ships or Vessels, importing such Naval Stores, that the same were truly laden on board such Ship or Vessel, Ships or Vessels, within some of her Majesty’s Colonies and Plantations in *America*, and that he or they know or believe that the said Naval Stores were the Produce of the said Colonies and Plantations.

IV. Provided always, That the Reward or *Præmium*, hereby granted, shall not be allowed or paid for the Importation of such Masts, Yards, Bowsprits, or other Naval Stores, as are already contracted for by the Commissioners of her Majesty’s Navy.

V. And to the End a particular Benefit may accrue hereby to her Majesty’s Royal Navy, and for the better Supply of the same with Naval Stores; Be it further enacted, That upon the importing of any Naval Stores from her Majesty’s said Colonies and Plantations, for which a Reward or *Præmium* is hereby granted, the Preemption, or Refusal of such Naval Stores, shall be offered and tendered to the Commissioners of her Majesty’s Navy upon landing the same; and if, within the Term of twenty Days after such Tender, the said Commissioners shall not contract or bargain for the same, it shall and may be lawful for the Importer or Importers, Owner or Owners, of the said Naval Stores, otherwise to dispose of the same for his or their best Profit and Advantage.

VI. And for the better Preservation of all Timber fit for the Uses aforefaid; Be it further enacted and ordained by the Authority aforefaid, That no Person or Persons within her Majesty’s Colonies of *New Hampshire*, the *Massachusetts Bay*, *Rhode Island*, and *Providence Plantation*, the *Marraganset Country*, or *Kings Province*, and *Connecticut* in *New England*, and *New York*, and *New Jersey*, do or shall presume to cut, fell, or destroy any Pitch, Pine Trees, or Tar Trees, not being within any Fence or actual Inclosure, under the Growth of twelve Inches Diameter, at three Foot from the Earth, on the Penalty or Forfeiture of five Pounds for each Offence, on Proof thereof to be made by one or more credible Witnesses

Encouragement to import Naval Stores, from *English* Plantations in *America*.

Farther Encouragement
8 Annz, c. 13.
f. 30. & 2 Geo.
2. c. 35. See 8
Geo. 1. c. 12.
f. 4.

Rates allowed to Importer.

For Tar 4l. per Tun.

Pitch 4l. per Tun.

Rozin or Turpentine, 3l. per Tun.

Hemp 6l. per Tun.

Continued, as to Hemp by 12 Ann. st. 1. c. 9.

8 Geo. 1. c. 12. 16 Geo. 2. c. 26.

Masts, &c. 20s. per Tun.

Præmiums to be paid by Commissioners of the Navy.

Restrictions of such Certificates to Pitch and Tar, 5 Geo. 1. c. 11. f. 16, 17.

8 Geo. 1. c. 12. f. 4.

Oath to be made, That the Naval Stores were of the Growth of the Plantations,

Proviso.

Commissioners of the Navy to have the Preemption of Naval Stores so imported, if contracted for within 20 Days after Tender.

Penalty on selling or destroying Pitch, Pine Trees, &c. in *New England*, &c.

on Oath, before one or more Justice or Justices of the Peace within or nearest to such Place where such Offence shall be committed; one Moiety of such Penalty or Forfeiture to be to her Majesty, her Heirs or Successors, the other Moiety to the Informer or Informers.

VII. And be it further enacted by the Authority aforesaid, That no Person or Persons, within the said Colonies of *New Hampshire*, the *Massachusetts Bay*, *Rhode Island*, and *Providence Plantations*, and *Marra-ganset Country*, or *Kings Province*, *Connecticut* in *New England*, and *New York*, and *New Jersey*, shall wittingly or willingly set Fire to any Woods or Forest, in which there are any Pitch, Pine Trees, or Tar Trees, prepared for the making of Pitch or Tar, without first giving notice to the Person or Persons, Owner or Owners of the said Trees, who had prepared or ordered the preparing of such Trees, or to one of her Majesty's Justices of the Peace there, on pain of forfeiting of ten Pounds for each Offence, to be recovered in such Manner, and on such Proof, and to be distributed, as aforesaid; the said Forfeitures and Penalties to be levied by Warrant under the Hands and Seals of such Justice or Justices of the Peace.

Penalty on burn-
ing Pitch Trees,
&c. without No-
tice given to the
Owner.

VIII. Provided always, That the Importation of all such Naval Stores, for which a Reward or *Præ-mium* is granted by this Act, be subject to the same Regulations, Restrictions, and Limitations, in reference to the shipping and navigating thereof, and such Security shall be given for importing the same into *England*, and subject to such Penalties and Forfeitures, as the Importation of Sugar, Tobacco, Cotton-Wool, Indico, Ginger, Fustick, and other Dying Wood, from her Majesty's Colonies and Planta-tions in *America*, are subject unto.

Stores subject to
the same Penal-
ties, &c. as other
Plantation
Goods.

IX. Provided also, That the several Directions and Provisions in this Act shall commence and take effect from the first Day of *January* which shall be in the Year of our Lord one thousand seven hun-dred and five, and shall continue and be in Force from thence forward, for the Space of nine Years, and no longer.

Act to continue
nine Years.

Further Provisions
relating to the
Plantations, 6

Ann. c. 30. 8 Ann. c. 13. 9 Ann. c. 17. 10 Ann. c. 22 & 26. 4 Geo. 1. c. 11. 8 Geo. 1. c. 12 & 15. 13 Geo. 1. c. 5. 3 Geo. 2. c. 12 & 28. 4 Geo. 2. c. 15. 5 Geo. 2. c. 7 & 9. 6 Geo. 2. c. 13. 8 Geo. 2. c. 19. 12 Geo. 2. c. 30. 15 Geo. 2. c. 31 & 33. 24 Geo. 2. c. 51 & 53. 29 Geo. 2. c. 5 & 35. and 30 Geo. 2. c. 9.

C A P. XI.

An Act for the better recruiting her Majesty's Land Forces and the Marines, for the Year one thou-sand seven hundred and five. EXP.

C A P. XII.

An Act for the Relief of the Creditors of *Thomas Pitkin*, a Bankrupt, and for the apprehending of him, and the Discovery of the Effects of the said *Thomas Pitkin*, and his Accomplices. EXP.

C A P. XIII.

An Act for prohibiting all Trade and Commerce with *France*. Prohibition of Trade with *France* during the War. Ships seized by Privateers fraudulently, forfeited; and Privateer Ship condemned as good Prize. Proviso for *French* Wines contracted for before 1 *January* 1704. So as the same be imported before 1 *August* 1705. Act not to prohibit Trade with *Spain*. Contraband Goods excepted. EXP.

C A P. XIV.

An Act to prevent all traitorous Correspondence with her Majesty's Enemies. Persons sending Arms, Ordnance, &c. to *France*, during the War, to suffer Death as in Cases of Treason. Queen's Subjects returning from *France* without Licence guilty of High Treason. Persons who have been in *France*, and returned without Licence, shall depart by 1 *May* 1705. unless they obtain the Queen's Licence for staying here, or be deemed guilty of High Treason. Persons without Licence going to *France*, during the War, guilty of High Treason. Offences committed beyond Sea may be tried in any County in *England*. Persons indicted on this Act, to have the Benefit of the Act made 7 W. 3. c. 3. EXP.

C A P. XV.

An Act for the Relief of *Fulke Emes*, Gentleman, and others who had elapsed their Times, either for pay- ing their Money, or naming their Nominees, for purchasing Annuities; and also for Relief of Sir *John Mead*, Knight and Baronet, who had elapsed his Time for paying Part of his Purchase-money for a forfeited Estate in *Ireland*; and also for Relief of *Dorothy Ireland*, and others, in respect of several Tickets for Payment of Annuities, and of several Million Lottery Tickets, and Exchequer Bills, and Debentures to the Army, which have been burnt or lost. *Fulke Emes* to have the Annuity of 20 l. per Annum, purchased by him for three Lives. The like to *Thomas Barnardiston*, of 30 l. per Annum, for one Life. *Mary Gibson* to have her Annuity of 20 l. per Annum, for two Lives. *Mary Highstreet*, to enjoy the Annuity of 10 l. per Annum, purchased by her for her own Life. *Samuel Cook* to receive the Annuities of 40 l. and 10 l. per Annum, purchased by him for his own Life. Sir *John Mead's* Time of Payment of *Irish* Purchase-money enlarged, with Interest at 8 l. per Cent. *Dorothy Ireland's* Malt Tickets, which were burnt or destroyed to be allowed on Affidavit. Annuity Tickets burnt or lost, Officer on Certificate of Judge may discharge the same. The like on Million Lottery Tickets, and Malt Tickets, &c. burnt or lost. EXP.

2 Ann. c. 3.
5 W. & M. c. 7.

C A P. XVI.

3 & 4 Annæ,
c. 11.

An Act for punishing Mutiny and Desertion, and false Musters; and for the better Payment of the Army, and their Quarters. Mutineers and Deserters, &c. to suffer Death. The Queen may grant Commissions to her Generals to call Courts-martial. Courts-martial not to consist of less than 13 Commission Officers. President to be a Field Officer. Soldiers not exempt from the ordinary Process of Law. Act not to extend to Militia. Every Member of Court-martial to be sworn. No Sentence of Death to be given, unless nine Officers concur: Penalty on false Certificates, to excuse Soldiers from Muster. Penalty on Officers making false Musters. Muster Rolls to be signed by the Mayor, &c. Penalty on Muster Master neglecting to give Notice. Penalty upon Persons falsely mustered. Horses falsely mustered to be forfeited. Penalty on Agent, &c. detaining Officer's or Soldier's Pay. Penalty on Agent disobeying Orders of Queen or Lord Treasurer. Officer to bring a Certificate of Men Sick, &c. Penalty on Officer mustering Servants, &c. No Soldiers to be quartered on private Houses. Penalty on Constable, &c. quartering Soldiers otherwise than by this Act. Officers and Soldiers to pay reasonable Rates for their Provisions. Justices to set the Rates. Penalty on Officer taking Money to excuse from quartering. No Paymaster, &c. to make Deductions out of Officer's or Soldier's Pay. Lord Treasurer may issue the Money due for Clothing every two Months. Paymasters to deduct the Off-reckonings. Charge of Arms, Stores, &c. to be transmitted to Paymasters, &c. Rates of Subsistence to be paid to Innkeepers, &c. for Soldiers Quarters. Penalty on Officer not paying Subsistence-money. No Musters in *Westminster* and *Southwark*, but in the Presence of two Justices. All Clothes, &c. to be bought in *England*. Muster Rolls to be closed on the Day of Muster, and returned to the Paymaster of the Forces, &c. Justices to issue out Warrants to the Constables to provide Carriages. Penalty on Officers forcing Waggon to travel more than one Day's Journey, &c. or obliging Constables to provide Saddle Horses. Soldiers Wives, &c. not to be quartered without Consent. Penalty on Officer or Soldier destroying the Game. Penalty on Persons concealing Deserter, or buying his Arms, Clothes, &c. No Soldiers to be billeted in *Epsom*, &c. Officers or Soldiers corresponding with the Queen's Enemies guilty of High Treason. Soldiers resisting Officer, Felony. All Trials for Treason, Felony, &c. may be determined in the *Queen's Bench*. Act not to abridge the Queen's Power of making Articles of War, &c. Queen may grant Commissions for holding Courts-martial. Deserter to be returned to his own Regiment, there to be punished. But one Trial for the same Offence. No Attainder to extend to Corruption of Blood, &c. Trial of a Peer to be by his Peers. Persons tried for Treason on this Act to have the Benefit of the Act 7 W. 3. c. 3. Officers and Soldiers of the Marine Regiments subject to this Act. Felons may be listed on the Queen's Warrant signed for their Pardon. Act to extend to Mutineers and Deserters in *Ireland*. Persons not tried before 24 *March* 1704. may be tried now by Court-martial. Penalty on Officer refusing to give a just Account of Debentures. E X P.

2 & 3 Annæ,
c. 20.
11 W. 3. c. 8.
13 W. 3. c. 1.
5 Annæ, c. 16.

C A P. XVII.

13 & 14 Car. 2.
c. 3.

An Act for raising the Militia for the Year one thousand seven hundred and five, although the Month's Pay formerly advanced be not repaid. E X P.

C A P. XVIII.

An Act for making perpetual an Act for the more easy recovery of small Tithes; and also an Act for the more easy obtaining Partition of Lands in Coparcenary, Joint Tenancy, and Tenancy in Common; and also for making more effectual and amending several Acts relating to the Return of Jurors.

7 & 8 W. 3. c. 6.
'for recovering
small Tithes,'
and further con-
tinued by 10 & 11
W. 3. c. 15.
made perpetual.

WHEREAS divers Temporary Laws, which by Experience have been found beneficial and useful, are expired, or near expiring; Therefore for continuing the same, be it enacted by the Queen'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 an Act made in the Session of Parliament held in the seventh and eighth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act for the more easy Recovery of small Tithes*, which was to continue for three Years, and from thence to the End of the next Session of Parliament, which Act was further continued by an Act made in the tenth and eleventh Years of the Reign of the said King WILLIAM the Third, for seven Years from the Expiration thereof, which will expire at the End of the next Session of Parliament after the Year one thousand seven hundred and five, shall be, and is hereby continued, and shall be in force, and be made perpetual.

8 & 9 W. 3. c. 31.
'for the easier obtain-
ing Partitions of Lands
in Coparcenary,
&c.' made perpe-
tual.

II. And be it further enacted by the Authority aforesaid, That an Act made in the Session of Parliament held in the eighth and ninth Years of his said late Majesty King WILLIAM the Third, intituled, *An Act for the easier obtaining Partitions of Lands in Coparcenary, Jointenancy, and Tenancy in Common*, which will expire at the End of the next Session of Parliament after the first Day of *May* one thousand seven hundred and four, shall be, and is hereby continued, and shall be in force, and be made perpetual.

4 & 5 W. & M.
c. 24.

III. And whereas in an Act made in the Session of Parliament held in the fourth and fifth Years of the late King WILLIAM and Queen MARY, intituled, *An Act for reviving, continuing, and explaining several Laws therein mentioned, which are expired and near expiring*, there are several good Clauses and Provisions

visions relating to the returning of Jurors, which Clauses and Provisions were by the said Act to continue in force for seven Years after the first of *May* one thousand six hundred ninety-three, and to the End of the next Session of Parliament: And whereas the said Clauses and Provisions relating to the returning of Jurors were, by an Act made in the seventh and eighth Years of the late King WILLIAM the Third, intituled, *An Act for the Ease of Jurors, and better regulating of Juries*, continued for seven 7 & 3W. 3. c. 32. Years, from the first of *May* one thousand six hundred ninety and six, and from thence to the End of the next Session of Parliament, and no longer; which said last-mentioned Act was also to continue but for the said Term of seven Years, from the first of *May* one thousand six hundred ninety and six, and to the End of the next Session of Parliament: And whereas the said Act made in the said Session of Parliament held in the seventh and eighth Years of the late King WILLIAM the Third, was by an Act made in the first Year of the Reign of her present Majesty, intituled, *An Act for continuing former Acts for exporting Leather, and for Ease of Jurors, and for reviving and making more effectual an Act relating to Vagrants*, continued for seven Years from the Expiration thereof, and to the End of the next Session of Parliament: And whereas the said Clauses, Provisions, and Act have not proved effectual, by reason of some Defects in the said Act; For Remedy whereof be it enacted by the Authority aforesaid, That if any Sheriff of the said County of *York* shall, after the first Day of *May* one thousand seven hundred and five, during the Continuance of the said Act, refuse or neglect to provide and keep such Book or Register, as in the said recited Act is directed, or shall refuse or neglect to enter therein the Names of the Persons who served as Jurors in any the Assizes or General Quarter-Sessions of the Peace, to be held in or for the said County, or any the Ridings therein, in or during the Time he shall be Sheriff of the said County, with the Additions and Places of Abode, and Time and Places of such their Services, in such Manner as in and by the said recited Act is directed, or shall refuse or neglect, within ten Days after the next succeeding Sheriff of the said County shall be sworn into his Office, to deliver over to such succeeding Sheriff, as well all and every the Books and Registers that shall be made or prepared in the Year wherein he shall have served Sheriff, as also all such other Books or Registers as were prepared in the Sheriffwick of any of his Predecessors, Sheriffs of the said County, within four Years then next before, and which were delivered over to him by any of his said Predecessors, or shall refuse or neglect to make and deliver, by himself or his Under-Sheriff, such Certificate *gratis*, as in the said recited Act is mentioned, that then every such Sheriff of the said County of *York*, so refusing or neglecting in all or any the said Cases aforesaid, shall for every such Offence forfeit the Sum of one hundred Pounds; one Moiety whereof shall be to the Use of her Majesty, her Heirs or Successors, and the other Moiety to such Person or Persons as shall sue for the same, in any of her Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Effoin, Protection, or Wager of Law, nor more than one Imparance shall be allowed.

Penalty on Sheriff of York not keeping a Register Book of Jurors Names:

IV. And be it further enacted by the Authority aforesaid, That if any such Sheriff of the said County, for the Time being, his or their Under-Sheriff, Deputy, or Bailiff, during the Continuance of the said Act, shall knowingly summon or return any Person or Persons to serve on any Jury or Juries, at any the said Assizes or Sessions of the Peace, who shall, within four Years before such Summons or Return, have served on any Jury at any the said Assizes or Sessions held within the said County, or any the Ridings therein, and shall not, upon producing of such Certificate or Certificates, as aforesaid, to the Officer or Person so summoning, or to the said Sheriff, or his Under-Sheriff or Deputy, discharge the said Summons or Return, and thereof give Notice to the Party summoned, six Days before such Assizes or Sessions of the Peace, at the which such Person shall be summoned or returned to appear, that then the said Sheriff, Under-Sheriff, Bailiff, or Person so summoning or refusing to discharge, as aforesaid, shall forfeit and lose to the Party so summoned the Sum of twenty Pounds, to be recovered in Manner and Form as is last herein before-mentioned, together with his full Costs of Suit.

Or returning one Person oftner than once in four Years.

V. And whereas many Constables, Tythingmen, and Headboroughs of Towns, have refused or neglected to return, or give to the Justices of the Peace at the General Quarter-Sessions, a true List in Writing of the Names and Places of Abode of all Persons within the respective Places for which they serve, qualified to serve upon Juries, as in and by the said Act made in the seventh and eighth Years of the late King WILLIAM it is enacted and provided; by reason of which Neglect, the good Intent of the said Act has been eluded, and great Inconveniences have thereupon ensued: For Remedy whereof be it further enacted by the Authority aforesaid, That the Justices of the Peace for all Counties or Ridings, within the Kingdom of *England*, or Dominion of *Wales*, shall yearly and every Year, during the Continuance of the said Act, at the General Quarter-Sessions to be holden next after the four and twentieth Day of *June*, issue forth their Warrant or Warrants, under the Hands and Seals of two or more of them, to the Head or Chief Constable and Constables of every Hundred, Lathe, or Wapentake, requiring him or them to issue forth his or their Precept or Precepts to the respective Constables Tythingmen, and Headboroughs within his and their Hundred, Lathe, or Wapentake, thereby directing and requiring them, and all and every of them, to convene and meet together with the said Head Constables of the Hundred, Lathe, or Wapentake, within fourteen Days next after the Date of such Receipt, at some usual or convenient Place in the Hundred, Lathe, or Wapentake, when and where the Constables, Tythingmen, and Headboroughs, shall prepare and make a true List fair written and signed by them, of the Names and Places of Abode of all the Persons within the respective Places for which they serve, qualified to serve on Juries, according to the Direction of the said Act made in the fourth and fifth Years of King WILLIAM and Queen MARY, with their Titles and Additions, between the Age of one and twenty Years and the Age of seventy Years, as by the said Act of the seventh and eighth Years of the said King WILLIAM is directed and appointed: Which List the said Constable, Tythingman, and Headborough,

Penalty on Constables not returning a List of Persons fit for Jurors.

Continued by 9 Geo. 1. c. 8. s. 2. for 7 Years. The Constable, &c. subscribing the List before a Justice, is sufficient by 3 Geo. 2. c. 25. s. 7. See 10 Annæ, c. 14.

or their Deputies, or some or one of them, yearly at the General Quarter-Sessions of the Peace to be holden for each County, Riding, or Division, or any Part thereof, in the Week after the Feast of Saint *Michael*, upon the first Day of the said Sessions, or upon the first Day that the said Sessions shall be held by Adjournment at any other particular Place or Division, shall return and give to the Justices of the Peace in open Court: And any Head Constable of the Hundred, Lathe, or Wapentake failing to issue forth his or their Precept or Precepts to convene and meet together, with the Constables, Tythingmen, and Headboroughs, as aforesaid, shall forfeit and incur the Penalty of ten Pounds; and any Constable, Tythingman, and Headborough, failing to meet the Head Constable of the Hundred, Lathe, or Wapentake, pursuant to his Precept, and failing to prepare and make a true List, and to return and give in the same to the Justices in open Court, as aforesaid, shall forfeit and incur the Penalty of five Pounds: And every such High Constable, Constable and Tythingman, so offending, shall be prosecuted at the General Assizes, Sessions of *Oyer and Terminer*, and General Gaol Delivery, or Sessions of the Peace, before the Justices thereof, who shall have Power and Authority to hear and determine the same.

VI. And for the better Observance of this Act, and of the said Acts made in the fourth and fifth Years of King WILLIAM and Queen MARY, and in the said seventh and eighth Years of the late King WILLIAM, the Justices of the Peace at the General Quarter-Sessions, held after the four and twentieth Day of *June*, yearly, shall cause the said several Acts to be publickly read in open Court.

The foremen-
tioned Acts to be
read publickly
every Quarter-
Sessions after 24
June, yearly.

Further Provisions concerning Jurors, 3 Geo. 2. c. 25. 4 Geo. 2. c. 7. 6 Geo. 2. c. 37. 24 Geo. 2. c. 18. and 29 Geo. 2. c. 19.

Anno Regni ANNÆ Reginae quarto.

AT the Parliament summoned to be held at *Westminster* the fourteenth Day of *June*, Anno Dom. 1705. in the fourth Year of the Reign of our Sovereign Lady ANNE, by the Grace of God, of *England, Scotland, France, and Ireland*, Queen, Defender of the Faith, &c. And from thence continued by several Prorogations, to the five and twentieth Day of *October* 1705; * and then begun and holden, being the first Session of this present Parliament.

* * In the Inrol-
ment it is, to
the nineteenth
Day of March.

C A P. I.

An Act for exhibiting a Bill in this present Parliament for naturalizing the most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body.

Princess Sophia
of Hanover, and
her Issue to be
naturalized.
7 Ja. 1. c. 2.

WHEREAS the most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body, are to be naturalized, and by Reason of their being beyond the Seas, they cannot qualify themselves in Order thereto, according to the Act made in the seventh Year of the Reign of King JAMES the First, which requires every Person to receive the Sacrament of the Lord's Supper, within one Month before any Bill for naturalization be exhibited, and also take the Oaths of Supremacy and Allegiance in the Parliament House, before his or her Bill be twice read: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That a Bill for the Naturalization of the said most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body, shall and may be exhibited and brought into this present Parliament, and twice read; any Law, Statute, Matter, or Thing whatsoever to the contrary notwithstanding.

A Bill to be ex-
hibited for their
Naturalization.

C A P. II.

An Act for granting an Aid to her Majesty by a Land Tax, to be raised in the Year one thousand seven hundred and six. EXP: 4s. in the Pound.

C A P. III.

An Act to repeal several Clauses in the Statute made in the third and fourth Years of her present Majesty's Reign, for securing the Kingdom of *England* from several Acts lately passed in the Parliament of *Scotland*.

3 & 4 Annæ,
c. 7.

Natives of Scot-
land (except set-
tled Inhabitants
in England, &c.)
after 25 Dec.
1705, adjudged
Aliens, &c.

WHEREAS in a Statute made in the third and fourth Years of her present Majesty's Reign, intituled, *An Act for the effectual securing the Kingdom of England from the apparent Dangers that may arise from several Acts lately passed in the Parliament of Scotland*, there are Clauses contained in these Words following (that is to say):

II. And be it further enacted by the Authority aforesaid, That from and after the five and twentieth Day of *December* one thousand seven hundred and five, no Person or Persons, being a Native or Natives of the Kingdom of *Scotland* (except such as are now settled Inhabitants within the Kingdom of *England*, or the Dominions thereunto belonging, and shall continue Inhabitants thereof, and such as are now in Service in her Majesty's Fleet or Army) shall be capable to inherit any Lands, Tenements, or Hereditaments

Hereditaments within this Kingdom of *England*, or the Dominions thereunto belonging, or to enjoy any Benefit or Advantage of a natural born Subject of *England*; but every such Person shall be from thenceforth adjudged and taken as an Alien, born out of the Allegiance of the Queen of *England*, until such Time as the Succession to the Crown of *Scotland* be declared and settled by an Act of Parliament in *Scotland*, in the same Manner the Succession to the Crown of *England* is now settled by Act of Parliament in *England*, in Case of her Majesty's Demise without Issue of her Body.'

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall at any Time from and after the twentieth Day of *February* one thousand seven hundred and four, until such Time as the Succession to the Crown of *Scotland* be declared and settled by an Act of Parliament in *Scotland*, in like Manner, as aforesaid, convey or send, or cause to be conveyed or sent from any Parts or Place in *England* or *Ireland*, any Horses, Arms, or Ammunition into the Kingdom of *Scotland*, every such Person or Persons shall forfeit the Sum of one hundred Pounds, and treble the Value of such Horses, Arms, or Ammunition; one third Part thereof to the Queen's most Excellent Majesty, her Heirs and Successors; and the other third Part thereof to him or them who will sue for the same in any of her Majesty's Courts at *Westminster*, by Action of Debt, Suit, Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law shall lie.

Horses, Arms, &c. conveyed in *Scotland*, Forfeiture 100 l. &c.

IV. And be it further enacted by the Authority aforesaid, That from and after the said five and twentieth Day of *December* one thousand seven hundred and five, until such Time as the Succession to the Crown of *Scotland* be declared and settled by an Act of Parliament in *Scotland*, in like Manner, as aforesaid, no great Cattle or Sheep shall be brought out of, or from the Kingdom of *Scotland* into the Kingdom of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, under the Penalty of forfeiting all such great Cattle or Sheep to him or them who will seize or sue for the same, and also the Value of such great Cattle or Sheep; one third Part to the Queen's most Excellent Majesty, her Heirs and Successors, and the other two third Parts thereof to him or them who will sue for the same, to be recovered as aforesaid.'

Scotch Cattle brought into *England*, &c. forfeited.

V. And be it further enacted, That it shall and may be lawful to and for any Person and Persons whatsoever, to take and seize in any Place or Places whatsoever, the great Cattle or Sheep brought contrary to this Act into this Kingdom of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and detain the same, during the Space of four Days, in some publick or convenient Place where such Seizure shall be made, within which Time, if the Owner or Owners, or any on his or their Behalf, shall make it appear unto some Justice of the Peace of the same County where the same shall be so seized, by the Oath of two credible Witnesses (which Oath the said Justice of the Peace is hereby required and impowered to administer) that the same were not brought from *Scotland*, after the said five and twentieth Day of *December* one thousand seven hundred and five, then the same upon the Warrant of such Justice shall be forthwith re-delivered.'

Cattle so brought may be detained 4 Days, &c.

VI. And be it further enacted, That if any *English* or other Cattle or Sheep, shall be, with the Privy or Knowledge of the Owner, or any Person employed by him, driven or intermixed, or caused to be driven or intermixed with great Cattle or Sheep, brought out of or from *Scotland*, and shall be seized with them, such Cattle and Sheep so intermixed and seized, shall be deemed *Scotch* Cattle, and shall be subject to the like Forfeiture, and ordered and disposed of in all Respects as if they were brought out of or from *Scotland*, contrary to this Act; and if any Person or Persons shall wilfully and fraudulently conspire, confederate, or agree together to avoid or evade the Seizures or Forfeitures upon the bringing in of Cattle in this Act particularly specified, and the same shall put in Execution, then every such Person and Persons, being thereof indicted or presented within one Year, next after such Offence by him or them committed, and being thereof lawfully convicted or attainted, at any Time hereafter, shall forfeit the Sum of one hundred Pounds, to be recovered and distributed, as aforesaid.'

English Cattle intermixed, forfeited.

VII. And be it further enacted by the Authority aforesaid, That if any Action, Suit, Bill, Complaint, or Information, shall be commenced or prosecuted against any Person or Persons for any Seizure, or other Thing done or made in Pursuance or Execution of this Act, such Person or Persons shall not be obliged to give any more than a common Appearance, and may plead the General Issue, and give the special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear Prosecution, or suffer Discontinuance, or if a Verdict pass against him in any such Action, Bill, Complaint, Suit, or Information, as aforesaid, the Defendants shall have treble Costs, for which they shall have the like Remedy as in any Case where Costs by Law are given to the Defendant.'

Persons sued, to plead the General Issue.

VIII. And be it further enacted by the Authority aforesaid, That from and after the five and twentieth Day of *December* one thousand seven hundred and five, until such Time as the Succession to the Crown of *Scotland* be declared and settled by an Act of Parliament in *Scotland*, in like Manner as aforesaid, no *Scotch* Coals shall be imported out of the Kingdom of *Scotland* into the Kingdoms of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, under the Penalty of forfeiting the Coals so imported; one Half to the Queen's most Excellent Majesty, the other Half to such Person as shall seize or sue for the same.'

Scotch Coals imported forfeited.

IX. And be it further enacted by the Authority aforesaid, That from and after the said five and twentieth Day of *December* one thousand seven hundred and five, until such Time as the Succession to the Crown of *Scotland* be declared and settled by an Act of Parliament in *Scotland*, in like Manner, as aforesaid, no *Scotch* Linen shall be imported or brought out of *Scotland* into the Kingdom of *England*, Dominion of *Wales*, Town of *Berwick* upon *Tweed*, or *Ireland*, under the Penalty of forfeiting the said Linen, and double the Value thereof, to be recovered with Costs of Suit in any of her Majesty's Courts

Scotch Linen also.

' of Record; one Moiety thereof to the Queen's Majesty, the other Moiety to such Persons as shall seize, inform, or sue for the same.'

The aforesaid
Clauses repealed.

' X. And whereas, since the making the said Act, an Act hath been made and passed in the Parliament of *Scotland*, for enabling her Majesty to appoint Commissioners to treat with Commissioners for the Kingdom of *England*, of and concerning an Union of the said Kingdoms of *England* and *Scotland*: Now to the End that the good and friendly Disposition of this Kingdom towards the Kingdom of *Scotland* may appear; Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That the said Clauses be from henceforth absolutely repealed and vacated to all Intents and Purposes whatsoever.

C A P. IV.

An Act for the Naturalization of the most Excellent Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body.

' WHEREAS the imperial Crown and Dignity of the Realms of *England*, *France*, and *Ireland*, and the Dominions thereto belonging, after the Demise and Death of your Majesty, our most gracious Sovereign, without Issue of your Body, is limited by Act of Parliament, to the most Excellent Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, Granddaughter of the late King *James* the First, and the Heirs of her Body, being Protestants: And whereas your Majesty, by your Royal Care and Concern for the Happiness of these Kingdoms, reigns in the Hearts and Affections of all your People, to their great Comfort and Satisfaction, and will be a glorious Example to your Royal successors in future Ages: And to the End the said Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body, and all Persons lineally descending from her, may be encouraged to become acquainted with the Laws and Constitutions of this Realm, it is just and highly reasonable, that they, in your Majesty's Life Time (whom God long preserve) should be naturalized, and be deemed, taken, and esteemed natural born Subjects of *England*: We your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, do most humbly beseech your Majesty that it may be enacted; and therefore be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Issue of her Body, and all Persons lineally descending from her, born or hereafter to be born, be and shall be, to all Intents and Purposes whatsoever, deemed, taken, and esteemed natural born Subjects of this Kingdom, as if the said Princess, and the Issue of her Body, and all Persons lineally descending from her, born or hereafter to be born, had been born within this Realm of *England*; any Law, Statute, Matter, or Thing whatsoever to the contrary notwithstanding.

Princess Sophia
of Hanover, and
her Issue, natu-
ralized.

No Papist, &c.
to have the Ben-
efit of a natu-
ral-born Subject.

II. Provided always, and be it further enacted and declared by the Authority aforesaid, That every Person and Persons, who shall be naturalized by virtue of this Act of Parliament, and shall become a Papist, or profess the Popish Religion, shall not enjoy any Benefit or Advantage of a natural born Subject of *England*; but every such Person shall be adjudged and taken as an Alien, born out of the Allegiance of the Queen of *England*, to all Intents and Purposes whatsoever; any Thing herein contained to the contrary notwithstanding.

C A P. V.

An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and six. EXP.

C A P. VI.

An Act for continuing an additional Subsidy of Tunnage and Poundage, and certain Duties upon Coals Culm, and Cynders, and additional Duties of Excise, and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities, to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned.

257576 l. 16 s.
2 d. to be raised.

' MAY it please your most Excellent Majesty, we your Majesty's most dutiful and loyal Subjects the Commons of *England* in Parliament assembled, duly considering your Majesty's great Occasions for Money to carry on the present War, and having Regard as well to the great Burthen of Taxes now lying upon your Majesty's Subjects, as to the present Condition of the publick Funds, and the present Incumbrances thereupon, are therefore desirous, by such easy and effectual Ways and Means, as in this Act are expressed and intended, to raise a Sum of Money, not exceeding in the whole, two millions five hundred seventy-five thousand seven hundred sixty-one Pounds sixteen Shillings and two Pence, (Part of the Money necessary to be provided in this Session of Parliament for your Majesty's Supply) and such further Sum of Money as will be sufficient, during the first two Years of the Term herein after mentioned, to compleat the Payment of the Annuities to be purchased upon this Act; and have

have for that End and Purpose, cheerfully and unanimously given and granted, and do by this Act give and grant unto your Majesty the Subsidy of Tunnage and Poundage upon Wines, Goods, and Merchandizes, and the several Duties upon Coal, Culm, and Cynders, and upon Beer, Ale, Cyder, and other Liquors hereafter in this Act mentioned, for such several and respective Terms, and to commence at or from such respective Days and Times, and to be paid and payable in such Manner and Form, as in this Act are afterwards expressed: (That is to say) Whereas by an Act made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, (intituled *An Act for granting to his Majesty a further Subsidy of Tunnage and Poundage, towards raising the yearly Sum of seven hundred thousand Pounds, for the Service of his Majesty's Household, and other Uses therein mentioned, during his Majesty's Life*) it was enacted, That over and above the Subsidies, Impositions, and other Duties therein mentioned, there should be raised and paid to his Majesty, one other Subsidy called Tunnage, for and upon all Wines which from and after the last Day of *January* in the Year of our Lord one thousand six hundred ninety and nine, at any Time and Times, during his Majesty's Life, should be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*; and one further Subsidy called Poundage of all Manner of Goods and Merchandizes imported or brought into this Realm, or any his Majesty's Dominions to the same belonging, at any Time or Times after the said last Day of *January* one thousand six hundred ninety-nine, during his Majesty's Life, by way of Merchandize (except such Goods and Merchandizes as are therein excepted) and with such Abatements, Regulations, Directions for making Repayments or Allowances upon Exportation, and subject to such Rules and other Matters and Things touching the said several Subsidies, as in the last-mentioned Act are expressed; which said further Subsidies of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes, granted by the Act above recited, are to be raised and paid to her Majesty, during her Life, by virtue of another Act of Parliament made and passed in the first Year of her Reign, (intituled, *An Act for the better Support of her Majesty's Household, and the Honour and Dignity of the Crown*;) And whereas by an Act made and passed in the second Year of her Majesty's Reign, (intituled, *An Act for granting to her Majesty an additional Subsidy of Tunnage and Poundage for three Years, and for laying a further Duty upon French Wines condemned as lawful Prize, and for ascertaining the Values of unrated Goods imported from the East Indies*) It was enacted, That there should be raised, levied, collected, paid and satisfied unto her Majesty one other Subsidy called Tunnage, for and upon all Wines which from and after the eighth Day of *March* in the Year of our Lord one thousand seven hundred and three, at any Time or Times within or during the Space of three Years from thence next and immediately ensuing, should be imported or brought into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*; (that is to say) one third Part of such or the like several and respective Duties as by the two Acts last recited or mentioned, or either of them, were imposed or payable for or upon any Kind of Wine or Wines respectively: And one other Subsidy called Poundage of all Manner of Goods and Merchandizes to be imported or brought into this Realm, or any her Majesty's Dominions to the same belonging, at any Time or Times after the said eighth Day of *March* one thousand seven hundred and three, during the said Term of three Years, by way of Merchandize; (that is to say) one third Part of such or the like several and respective Duties as by the said two Acts last before recited or mentioned, or either of them, are imposed or payable for or upon the same Goods and Merchandizes respectively, (except such Goods and other Merchandizes as by the said two Acts last-mentioned, or either of them, are exempted from Payment of the Subsidies thereby granted) as in and by the said several Acts (Relation being thereunto respectively had) may more fully appear: Now we your Majesty's said dutiful and loyal Subjects the Commons in Parliament assembled, for the Ends and Purposes aforesaid, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen'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 over and above the Subsidies of Tunnage and Poundage above-mentioned, and over and above all other Subsidies, additional Duties, Impositions, and Payments whatsoever, by any Act or Acts of Parliament, or otherwise howsoever already due or payable, or which ought to be paid to her Majesty, her Heirs or Successors, for or upon any Wines, Goods, and Merchandizes whatsoever imported or to be imported, there shall be continued, and be raised, levied, collected, paid, and satisfied unto her Majesty, her Heirs and Successors, for and upon all Wines which from and after the eighth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and six, at any Time or Times, within or during the Term of ninety and eight Years from thence next and immediately ensuing, and fully to be compleat and ended, shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, the same or the like Subsidy of Tonnage, as by the said Act of the second Year of her Majesty's Reign was charged or imposed, for or upon any kind of Wine or Wines whatsoever; (that is to say) one third Part of such or the like several and respective Duties, as by the said Act of the ninth Year of his said late Majesty's Reign, were granted to him during his Life, and by the said Act of the first Year of her Majesty's Reign, are continued to her during her Majesty's Life, for or upon any kind of Wine or Wines respectively, and for and upon all manner of Goods and Merchandizes, which from and after the said eighth Day of *March*, which shall be in the Year of our Lord one thousand seven hundred and six, at any Time or Times within or during the said Term of ninety and eight Years, shall be imported or brought into this Realm, or any her Majesty's Dominions, to the same belonging, by way of Merchandize, there shall be continued, raised, levied, collected, paid, and satisfied to her Majesty, her Heirs and Successors, the same or the like Subsidy of Poundage, as by the said Act of the second Year of her Majesty's Reign was laid or imposed, for or upon

Tunnage and Poundage, upon Wines, &c. granted.

9 & 10 W. 3. c. 23.

New Subsidy.

1 Annæ, stat. 1. c. 7.

2 & 3 Annæ, c. 9.

One third Subsidy.

Tunnage, &c. 2 Annæ, continued from 8 March 1706, for 98 Years.

For the Application of 40000 l. per Ann. of the Surplus Money arising from this Act, see 6 Ann. c. 5. f. 1, 2.

This Duty made perpetual by 1 Geo. 1. stat. 2. c. 12. f. 8. (viz.) one third Part, &c. 9 & 10 W. 3. c. 23.

9 & 10 W. 3.
c. 23.
1 Annæ, stat. 1.
c. 7.
Except such as
are exempted
from Payment.

Drawbacks, &c.
allowed by this
Act. 2 & 3
Annæ, c. 9.

Duties how
raised. 9 & 10
W. 3. c. 23.
1 Annæ, stat. 1.
c. 7. 2 & 3
Annæ, c. 9.

Clauses to be
observed in col-
lecting the Sub-
sidy.

Duty on Currans
from Venice
exempted.
3 & 4 Annæ,
c. 5.
This Clause ex-
plained by
8 Annæ, c. 13.
f. 21.

Duties on Coal,
Culm, &c. con-
tinued from
14 May 1708.
to 30 Sept. 1710.
9 & 10 W. 3.
c. 13.

10 & 11 W. 3.
c. 21.

1 Annæ, stat. 2.
c. 4.

Clauses, &c. in
former Acts re-
vived, for levy-
ing the Duties
on this Act.
9 & 10 W. 3.
c. 13. 9 Annæ, c. 6. §. 9.

Concerning Duties on Coals, &c. see further 8 Ann. c. 4. 9 Ann. c. 6 & 23. 12 Ann. st. 2. c. 9. 5 Geo. 1. c. 9. 6 Geo. 1. c. 4. 22 Geo. 2. c. 37. 30 Geo. 2. c. 19. f. 28.

any Goods or Merchandizes whatsoever; (that is to say) one third Part of such or the like several and respective Duties, as by the said Act of the ninth Year of his said late Majesty's Reign, were granted to him during his Life, and by the said Act of the first Year of her Majesty's Reign, are continued during her Majesty's Life, for or upon the same Goods and Merchandizes respectively, (except such Goods and other Merchandizes, as by the said Subsidy Acts made in the ninth Year of his said late Majesty's Reign, and in the first and second Years of her now Majesty's Reign, or any of them, are exempted from Payment of the said Subsidies thereby granted.)

II. And it is hereby enacted, That in all Cases where by the said Subsidy Act of the second Year of her Majesty's Reign, or by any general or particular Clauses therein contained, any Drawbacks or Abatements of the Whole, or any Part of the Duties thereby granted, or any other Allowances whatsoever, are appointed to be made or given in respect of the Subsidy thereby granted, there shall be in the like Cases respectively the same, or the like Drawbacks and Abatements of the Whole or Part of the Duties by this Act granted, and other Allowances made and given in respect of the Subsidy hereby imposed; and that the said several Subsidies and Duties by this Act payable, during the Continuance thereof, and all Arrearages of the same, shall be raised, levied, collected, secured and paid by the same Ways, Means and Methods, and under such Penalties and Forfeitures, and subject to such Rules and Directions as in and by the said Subsidy Acts of the ninth Year of his said late Majesty's Reign, and of the first and second Years of her now Majesty's Reign, or by any general, relative, or particular Clauses, or Words therein, or in any of them contained, and now in force, are prescribed or appointed, touching or concerning the said several Subsidies of Tonnage and Poundage, which were thereby respectively granted as aforesaid; and that so much of the said Subsidy Act of the second Year of her Majesty's Reign, and such of the Branches and Clauses therein contained, or thereby referred unto, as do concern only the Subsidy of Tonnage and Poundage thereby granted, (being one third Part of the Subsidies granted by the said former Acts as aforesaid) and are now in force, shall be used, exercised, put in Practice, and observed, in and for the raising, levying, collecting, and answering the Subsidies and Duties hereby before granted, as fully and effectually as if the same were again particularly and at large repeated and re-enacted in the Body of this present Act.

III. And it is hereby declared and enacted, That the Exception contained in the Act of the third Year of her Majesty's Reign, intituled, *An Act for granting to her Majesty a further Subsidy on Wines and Merchandizes imported*, whereby Currans imported in *English*-built Shipping, navigated according to the Laws then in force, are exempted from the Duties thereby granted, shall be extended to all such Currans as after the five and twentieth Day of *March* one thousand seven hundred and six, shall be imported in Ships belonging to any of the Subjects of the Republick of *Venice*, so that they also shall be exempted from Payment of the Subsidy granted by that Act; any thing therein contained to the contrary notwithstanding.

IV. And her Majesty's said dutiful and loyal Subjects, the Commons in Parliament assembled, do also humbly beseech her Majesty that it may be enacted; and be it enacted by the Authority aforesaid, That all such and the like Impositions, Rates and Duties whatsoever, as in and by an Act of Parliament made and passed in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, (intituled, *An Act for granting to his Majesty several Duties upon Coal and Culm*) were charged and imposed upon the several Sorts of Coals and Culm therein mentioned, for the Term of five Years, which commenced from the fifteenth Day of *May* in the Year of our Lord one thousand six hundred ninety-eight, and the Duty and Duties upon Cynders, which in and by an Act made and passed in the Parliament holden at *Westminster*, in the tenth and eleventh Years of his late Majesty's Reign (intituled, *An Act for laying further Duties upon Sweets, and for lessening the Duties as well upon Vinegar, as upon certain Low Wines, and Whale Fins, and the Duties upon Brandy imported, and for the more easy raising the Duties upon Leather, and for charging Cynders, and for permitting the Importation of Pearl Ashes, and for preventing Abuses in the brewing of Beer and Ale, and Frauds in Importation of Tobacco*) were charged or imposed upon such Cynders as are therein mentioned, for four Years, commencing from the fifteenth Day of *May* in the Year of our Lord one thousand six hundred ninety-nine; which several Duties upon Coals, Culm and Cynders were by an Act made in the first Year of her now Majesty's Reign, (intituled, *An Act for continuing the Duties upon Coals, Culm, and Cynders*) continued from the fourteenth Day of *May* in the Year of our Lord one thousand seven hundred and three, until the fifteenth Day of *May*, which shall be in the Year of our Lord one thousand seven hundred and eight (Charcoals made of Wood being always excepted) shall by force and virtue of this Act be further continued from the fourteenth Day of *May* in the Year of our Lord one thousand seven hundred and eight, until the thirtieth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and ten, for the Purposes in this Act expressed, and shall, during all that Time and Term, be raised, levied, collected, and paid, for and upon all such and the like Sorts of Coals, Culm, and Cynders, as by the said former Acts touching the same, or any of them, were chargeable, in such Manner and Form, and according to such Rules, and under such Penalties and Forfeitures, as by the same former Acts touching Coals, Culm, and Cynders, or the Duties thereof, or any of them, were prescribed for or concerning the Duties thereby granted or continued.

V. And it is hereby enacted, That the said Act (intituled, *An Act for granting to his Majesty several Duties upon Coals and Culm*) and so much of the said Act for laying Duties upon Sweets, and other Things, as concerns the said Duty upon Cynders, and all and every the Powers, Authorities, Rules, Directions, Penalties and Forfeitures, Clauses, Matters and Things therein contained, now being in

force, for governing, managing, raising, levying, securing, collecting, receiving, paying, and accounting for the Duties upon Coals, Culm, and Cynders, by the said former Acts granted or continued, during the said several Terms therein mentioned, shall be and are by force and virtue of this present Act revived, and shall be in full force, and be duly observed, practised, and put in Execution, in and for the governing, managing, raising, levying, securing, collecting, receiving, paying, and accounting for the Duties upon Coals, Culm, and Cynders by this Act granted, for and during the Term hereby granted of and in the same, and all Arrearages thereof, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities, Rules, Directions, Penalties and Forfeitures, Clauses, Matters and Things, were again expressed, and particularly repeated and re-enacted in the Body of this present Act.

VI. And whereas in and by a certain Act of Parliament made in the fifth Year of the Reign of their late Majesties King WILLIAM and Queen MARY, (intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France*) certain Rates and Duties of Excise therein mentioned, for and upon Beer, Ale, Vinegar, Vinegar Beer, Mum, Cyder, Perry, Brandy, Spirits, *Aqua Vitæ*, Metheglin, and other Liquors therein expressed, were granted or made payable to their said late Majesties, their Heirs and Successors, for and during the Term of sixteen Years, which commenced from the seventeenth Day of *May*, which was in the Year of our Lord one thousand six hundred ninety-seven, and several Annuities therein mentioned, were thereby made payable to such Persons as should contribute Monies upon the same Act, their Executors, Administrators and Assigns respectively, out of the Fund thereby provided, and charged upon the Duties of Salt and the said Duties of Excise, thereby granted for a certain Term of sixteen Years, which will expire at the Feast of *St. Michael* the Archangel, which shall be in the Year of our Lord one thousand seven hundred and ten, or at the End of twenty Days then next ensuing, as by the Act last before recited (Relation being thereunto had) may more fully appear: Now her Majesty's said dutiful and loyal Subjects, the Commons in Parliament assembled, do likewise humbly beseech your Majesty that it may be enacted; and be it enacted by the Authority aforesaid, That from and after the seventeenth Day of *May*, which shall be in the Year of our Lord one thousand seven hundred and thirteen, there shall be within and throughout her Majesty's Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, raised, levied, collected, and paid unto her Majesty, her Heirs and Successors, for and during the Space and Term of ninety-five Years, from thence next and immediately ensuing, and fully to be compleat and ended, for Beer, Ale, Cyder, and other Liquors herein after expressed, by way of Excise, over and above all Duties, Charges and Impositions, by any former Act or Acts of Parliament set or imposed, the several Rates and Duties of Excise herein after expressed: (That is to say)

VII. For every Barrel of Beer or Ale above six Shillings the Barrel, exclusive of the Duty of Excise brewed by the common Brewer, or any other Person or Persons, who doth or shall sell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by such other Person or Persons respectively, and so proportionably for a greater or lesser Quantity, over and above the Duties payable for the same, nine Pence.

5 & 6 W. & M. c. 7.
Excise on Beer, Ale, &c. to be paid from 17th May 1713, during 95 Years.
Made perpetual by 1 Geo. 1. stat. 2. c. 12. and Part of the Aggregate Fund.

For every Barrel of Beer or Ale above 6s. (Excise exclusive,) 9d.

VIII. For every Barrel of Beer or Ale of six Shillings the Barrel, or under, brewed by the common Brewer, or any other Person or Persons, who shall sell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by such other Person or Persons respectively as aforesaid, and so proportionably for a greater or lesser Quantity, over and above the Duties payable for the same, three Pence.

Every Barrel, &c. of 6s. or under, 3d.

IX. For every Barrel of Vinegar, or Vinegar Beer, or Liquors preparing for Vinegar, which shall be brewed or made of any *English* or foreign Materials, by any Person or Persons whatsoever, for Sale, and so in proportion for a greater or lesser Quantity (over and above the other Duties of Excise payable for the same) two Shillings and four Pence, to be paid by the Maker thereof.

Barrel of Vinegar, &c. 2s. 4d. Vinegar made for Pickles for Sale, is to pay Duty.

X. For every Barrel of Beer, Ale or Mum imported from beyond the Seas, or from the Islands of *Guernsey* or *Jersey*, and so proportionably for a greater or lesser Quantity, to be paid by the Importers before landing, over and above the Duties payable for the same, three Shillings.

8 Annæ, c. 7. f. 4. Barrel of Mum, Beer, Ale, &c. imported, 3s. Cyder, &c. imported, 4l. per Tun.

XI. For every Tun of Cyder or Perry imported from beyond the Seas, and so proportionably for a greater or lesser Quantity, to be paid by the Importer before landing, over and above the Duties payable for the same, four Pounds.

Single Brandy, Spirits, &c. imported, 2s. per Gallon.

XII. For every Gallon of single Brandy, Spirits or *Aqua Vitæ*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the same, two Shillings.

Brandy, Spirits, &c. above Proof, imported, 4s. per Gallon.

XIII. For every Gallon of Brandy, Spirits or *Aqua Vitæ*, above Proof, commonly called double Brandy, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the same, four Shillings.

Cyder, &c. sold by Retail, to pay 1s. 3d. per Hoghead.

XIV. For all Cyder and Perry made and sold by Retail, upon every Hoghead, to be paid by the Retailer thereof, over and above the Duties payable for the same, and so proportionably for a greater or lesser Measure, one Shilling and three Pence.

Metheglin, &c. 3d. per Gallon. Duties on Beer, Ale, &c. how levied.

XV. For all Metheglin or Mead made for Sale, whether by Retail or otherwise, to be paid by the Maker, for every Gallon, three Pence.

XVI. And be it enacted by the Authority aforesaid, That the said several Rates, Duties and Impositions upon Beer, Ale, Cyder, and other Liquors aforesaid, and all Arrearages thereof, be raised, levied, collected, and paid unto her Majesty, her Heirs and Successors, during the said Space and Term of

ninety-five

ninety-five Years, in the same Manner and Form, and by such Rules, Ways and Means, and under such Penalties and Forfeitures, and with such Power of Mitigation, and other Powers, as the like or the said Duties of Excise granted by the said Act of the fifth Year of their late Majesties Reign are thereby or by any other Act or Acts, or Law whatsoever, for or concerning any the Duties of Excise upon Beer, Ale, or other Liquors, now in force, enacted or appointed to be raised, levied, collected and paid, during the Remainder of the said Term of sixteen Years therein granted, and that so much of the said Act of the fifth Year of their late Majesties Reign, as concerns only the said Duties of Excise, and of the said other Laws of Excise relating therunto, as are now in force for the raising, levying, collecting, and answering the said Duties of Excise granted in the fifth Year of their late Majesties Reign, shall be continued, and revived, and be practised, put in Execution, and observed, in and for the raising, levying, collecting, and answering the said Duties of Excise by this Act granted, for and during the said Term of ninety-five Years, and all Arrearages thereof, for the Purposes in this Act expressed, as fully and effectually as if the same were particularly and at large re-enacted in the Body of this present Act.

5 & 6 W. & M.
c. 7.

For Payment of
the Annuities,
the Monies arising
by this Act.

to be paid into
the Exchequer.
5 & 6 W. & M.
c. 7.

Weekly.

And entered
apart.

Officers to be ap-
pointed for rais-
ing the Duties.

Penalties on
Neglect.

9 & 10 W. 3.
c. 44.

The Monies arising
by this Act,
to be the general
Fund, &c. and
not to be diverted,
under Pen-
alty.

XVII. And to the Intent that a good, sure, and lasting Security and Fund may be settled and established, for the constant Payment of all the Annuities to be purchased upon this Act; be it further enacted by the Authority aforesaid, That all the Monies arising from time to time, by or for the said Subsidies of Tonnage and Poundage upon Wines, Goods, and Merchandizes by this Act granted, and by or for the said several and respective Duties and Impositions by this Act continued, for or upon Coals, Culm, and Cynders, and by or for the said several Duties of Excise upon Beer, Ale, and other Liquors, or by or for any other Duties by this Act granted or continued, and every of them (the necessary Charges of managing, raising, levying, collecting, answering, paying, and accounting for the said several Subsidies, Rates, Impositions, and other Duties only excepted) shall, from time to time, from the respective Commencements of the said Subsidies, Rates, Impositions, and other Payments respectively, and for and during the several Terms or Times therein severally granted or intended to be granted by this Act, be brought and paid by the respective Commissioners, Receivers General, or such Persons as for the time being shall have the Receipt thereof, as the same shall be raised (who are hereby required and enjoined to bring and pay the same accordingly) into the Receipt of the Exchequer, for the Purposes in this Act expressed, distinctly and separately from all other Monies whatsoever, that are or shall be payable by them into the said Receipt; and that all the Monies to arise by virtue of the said Act of the fifth Year of their said late Majesties Reign, of or for the said Duties of Excise thereby granted, after the said Lottery Annuities therein mentioned shall be paid off, or sufficient Money shall be reserved in the Exchequer for paying off the same, shall in like Manner, from time to time, be brought and paid into the Receipt of Exchequer, for the Purposes in this Act expressed, distinctly and apart as aforesaid; and the respective Commissioners and Receivers General of the said several Impositions, Rates, Subsidies, and other Duties hereby required to be paid into the Receipt of Exchequer as aforesaid, shall make or cause to be made the Payments thereof into the said Receipt of Exchequer, according to the true Meaning of this Act weekly; to wit, on *Wednesday* in every Week, if it be not an Holyday; and if it be, then on the next Day after, that is not an Holyday

XVIII. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the Receipt of her Majesty's Exchequer, one or more Books, in which all the Monies hereby appointed to be paid in weekly as aforesaid, and which shall be brought to the said Receipt, shall be entered apart and distinct from all other Monies paid into the said Receipt, on any other Account whatsoever.

XIX. And to the End all the Monies by this Act appropriated for Payment of the Annuities to be purchased upon this Act, may be duly and certainly raised and brought into the Receipt of Exchequer for that Purpose; it is hereby further enacted, That from time to time, during the Continuance of this Act, there shall be continued or appointed Commissioners, Receivers General, Comptrollers, Collectors, and other proper Officers for raising the several Duties by this Act granted, and for keeping the Accounts of the same; and that the respective Commissioners or chief Managers thereof, shall from time to time weekly compute and ascertain the Monies of each Branch of the said Duties hereby granted or continued, which ought to be paid into the Exchequer on every *Wednesday*, or on the subsequent Day, not being an Holyday as aforesaid; and that all Commissioners, Receivers General, Comptrollers, Collectors, and other Officers, who are or shall be concerned in the managing, raising, levying, receiving, collecting, or paying the same, or in keeping the Accounts thereof, shall perform their several and respective Duties therein, as to them respectively shall appertain, under such and the like Penalties, Forfeitures and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the said Monies, as are prescribed, and to be inflicted by virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, (intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*) for the like Offence or Neglect in relation to the Duties upon Salt, and upon stampd Vellum, Parchment, and Paper, thereby granted, or for detaining, diverting, or misapplying any Part of the Monies which were granted by the Act last mentioned.

XX. And it is hereby enacted and declared by the Authority aforesaid, That all the Monies arising or for the said several Subsidies of Tonnage and Poundage, and of or for the said Duties of Coals, Culm, and Cynders, and the said several Rates and Duties of Excise by this Act appointed to be paid into the Receipt of the Exchequer, from time to time as aforesaid, together with the Sum of two hundred and eighty thousand Pounds, (Part of the Contribution-monies to be reserved and applied as is herein after mentioned)

mentioned) or so much of the said Subsidies, Rates, Impositions, Duties, and Contribution-money, as shall be sufficient for answering the full and due Payment of all the Annuities to be purchased upon this Act, from time to time, according to the true Meaning thereof, is, are, and shall be the general Fund for Payment of the same, and shall be charged therewith, and liable thereunto, and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever, under the Penalties, Forfeitures and Disabilities in this Act expressed.

XXI. And for the raising any Sum and Sums of Money, not exceeding in the whole the Sum of two millions eight hundred fifty-five thousand seven hundred sixty-one Pounds sixteen Shillings and two Pence, (that is to say) Two millions five hundred seventy-five thousand seven hundred sixty-one Pounds sixteen Shillings and two Pence thereof, for carrying on the present War, and other her Majesty's Occasions, and two hundred and eighty thousand Pounds, Residue thereof, to be applied, together with the Produce of the said Subsidy of Tonnage and Poundage, for or towards the making good or completing the quarterly Payments herein after mentioned, to incur and grow due on and before the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and eight; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance, and pay into the Receipt of her Majesty's Exchequer, for her Majesty's Use, at or before the respective Days and Times in this Act limited in that Behalf, any Sum or Sums of Money not exceeding in the whole, the said Sum of Two millions eight hundred fifty-five thousand seven hundred sixty-one Pounds sixteen Shillings and two Pence, for purchasing any Annuity or Annuities, to be paid and payable during the full Term of ninety-nine Years, to be reckoned from the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and six, at the Rate of fifteen Years and an Half's Purchase, which Rate doth amount to the Sum of one hundred fifty-five Pounds for every such Annuity of ten Pounds per Annum, and proportionably for any greater Annuity; and the same Rate or Consideration-money is hereby appointed to be paid into the said Receipt, at or before the respective Days and Times herein after mentioned, (that is to say) one fourth Part thereof, on or before the first Day of *May* in the Year of our Lord one thousand seven hundred and six; one other fourth Part thereof, on or before the first Day of *July* in the Year of our Lord one thousand seven hundred and six; one other fourth Part thereof, on or before the one and thirtieth Day of *August* in the Year of our Lord one thousand seven hundred and six; and the remaining fourth Part thereof, on or before the first Day of *November* in the Year of our Lord one thousand seven hundred and six: All which Annuities so to be purchased, shall not exceed in the whole, the Sum of one hundred eighty-four thousand two hundred forty-two Pounds fourteen Shillings per Annum, and shall be paid and payable at the four most usual Feasts, or Days of Payment in the Year; (that is to say) the Feast of the Nativity of Saint *John* Baptist, Saint *Michael* the Archangel, the Birth of our Lord Christ, and the Annunciation of the blessed Virgin *Mary*, by even and equal Portions; the first Payment thereof to be made at the Feast of the Nativity of Saint *John* Baptist, which shall be in the Year of our Lord one thousand seven hundred and six.

XXII. And it is hereby enacted, That in the Offices of the Auditor of the Receipt, and Clerk of the Pells in the Exchequer severally, there shall be provided and kept a Book or Books, in which there shall be fairly entred the Names of all who shall be Contributors, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the Sums so paid, and the Times when the same are respectively paid; to which Book it shall be lawful for the respective Contributors, their Executors, Administrators and Assigns, from time to time, and at all seasonable Times, to have Resort, and to inspect the same without Fee or Reward.

XXIII. And be it further enacted by the Authority aforesaid, That all and every the Annuities whatsoever, which shall be purchased upon, or in pursuance of this present Act, shall be, and are hereby charged upon, and shall be paid and payable from time to time in the first Place, and with Preference to all other Payments whatsoever, out of the Monies arising from time to time, of and for the said several Subsidies of Tonnage and Poundage, Impositions upon Coals, Culm, and Cynders, and the said several Rates and Duties of Excise, and all and every other Duty and Duties, Sum and Sums of Money whatsoever, by this Act appointed to be brought and paid into the Receipt of Exchequer as aforesaid, and every of them, and also out of the said Sum not exceeding two hundred and eighty thousand Pounds by this Act allowed to be contributed for or towards the making good or completing the quarterly Payments for the first two Years as aforesaid, and so much of the said several Subsidies, Duties, Impositions, Rates, Sum and Sums of Money so appointed by this Act, to be brought or paid into the Exchequer, and so much of the said Sum not exceeding two hundred and eighty thousand Pounds, allowed by this Act to be contributed for this Purpose as aforesaid, as are and shall be sufficient to satisfy and discharge all the Annuities to be purchased upon this Act, according to the Purport and true Meaning of the same, are and shall be, by virtue of this Act, appropriated and applied, to and for the satisfying and discharging of the same Annuities accordingly, and shall be issued, disposed, and applied to that Use, and to no other Use, Intent or Purpose whatsoever; any thing in this or any other Act of Parliament contained, or any other Matter or Thing whatsoever to the contrary notwithstanding.

XXIV. Provided always, That if at the End of the said first two Years of the said Term of ninety-nine Years, there shall be an Overplus remaining in the Receipt of the Exchequer of the said Duties and Contribution-monies, or any of them, by this Act appointed for the Payment of the said Annuities, which shall be more than what shall have been sufficient to discharge all the quarterly Payments of the said Annuities, until, and for the Quarter to end at *Lady Day* one thousand seven hundred and eight; or if at the End of any subsequent Year of the said Term of ninety-nine Years, the Monies brought into

Sum to be raised,

How applied.

Any Persons may advance the said Sum,

for purchasing Annuities for ninety-nine Years, from the twenty-fifth of *March* 1706, at fifteen Years and an Half Purchase. 155 l. for 10 l. per Annum. Purchase-money, how paid.

By 6 Geo. 1. c. 4. sect. 1. The South Sea Company may take in these Annuities. Annuities, not to exceed 184242 l. 14 s. per Annum. Times of Payment.

Contributors Names to be entered, &c.

and also the Sums paid.

The Annuities how charged.

Overplus-monies, if any, disposable by Parliament.

the Exchequer within such Year of the said several Subsidies, Impositions, Rates, Duties, and Monies by this Act appropriated for Payment of the said Annuities, pursuant to this Act, shall exceed all the Monies then due for or upon the said Annuities, and all Arrearages thereof, then or at any Time or Times before that Time incurred, so that there shall be an Overplus remaining in the Exchequer, such Overplus-monies shall be disposable from time to time for the publick Use and Service by Authority of Parliament, and not otherwise; any thing herein contained to the contrary notwithstanding.

Contributors to have sure Estates in the Annuities purchas'd by them free from Taxes.

XXV. And be it further enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money at the Rate aforesaid, at or before the respective Days and Times in this Act limited in that Behalf, for any such Annuity or Annuities as aforesaid, or such as he, she or they shall appoint, his, her, or their respective Executors, Administrators, Successors and Assigns, shall have, receive and enjoy, and be intitled, by virtue of this Act, to have, receive and enjoy the respective Annuity and Annuities so to be purchas'd out of the Monies by this Act appropriated or appointed for the Payment thereof, during the said whole Term of ninety-nine Years, as is above-mentioned; and that all and every such Purchasers, their Executors, Administrators and Assigns respectively, shall have good and sure Estates and Interests in the several Annuities so by them to be purchas'd, according to the Tenor and true Meaning of this Act; and that all the said Annuities to be purchas'd upon this Act, and every of them, during the Term aforesaid, shall be free from all Taxes, Charges, and Impositions whatsoever.

And to have Tallies, &c.

XXVI. And be it further enacted by the Authority aforesaid, That every Contributor upon this Act for any Annuity or Annuities as aforesaid; his, her, or their Executors, Administrators or Assigns, upon Payment of the Consideration or Purchase-money for the same, at the Rate aforesaid, or any Part or Proportion thereof, within the Time or Times in this Act limited in that Behalf, shall immediately have one or more Talley or Tallies levied, importing the Receipt of so much Consideration-money as shall be so paid, and upon Payment of all the Purchase-money for any such Annuity or Annuities at the Rate aforesaid, every such Contributor, his or her Executors, Administrators or Assigns respectively, shall have an Order for paying of the said Annuity and Annuities, for and during the said Term of ninety-nine Years; which Order shall be signed by the Treasurer and Under Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the time being, and after the signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act; and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office or Offices of them, or any of them; nor shall any Lord High Treasurer of *England*, Treasurer of the Exchequer, or any Commissioners of the Treasury now or for the time being, have Power to revoke, countermand or make void such Orders so signed as aforesaid, or any of them.

and Orders for Payment.

No Lord Treasurer, &c. to revoke the same.

6l. per Cent. allowed for prompt Payment, to 1 May 1706.

XXVII. And for the Encouragement of the Contributors to advance and pay forthwith into the Receipt of the Exchequer, the Sums by them intended to be advanced upon this Act, it is provided and enacted by the Authority aforesaid, That every such Contributor who shall advance and pay into the said Receipt of Exchequer, all or any Part of the Purchase-money payable for any such Annuity or Annuities as aforesaid, before the said first Day of *May* in the Year of our Lord one thousand seven hundred and six, his, her, or their Executors, Administrators or Assigns, shall be allowed and paid out of the Contribution-money arising by this Act, Interest after the Rate of six Pounds *per Centum per Annum*, for the prompt Payment of the Money so advanced, from the Time of the actual advancing and paying the same, until the said first Day of *May* one thousand seven hundred and six.

Annuities assignable,

and Entry to be made, &c.

Affidavits to be filed. In Default of Devise, Interest to go to Executors, &c.

Guardians may purchase for Infants, &c.

XXVIII. And be it further enacted, That it shall and may be lawful to and for any Contributor or Contributors, his, her, or their Executors, Administrators or Assigns, at any Time or Times, during the Continuance of his, her, or their Term, Estate, or Interest of and in any Annuity to be purchas'd upon this Act, by any Writing under Hand and Seal, or by his or her last Will in Writing, to assign or devise such Annuity, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*, and no such Assignment to be revocable, so as an Entry or Memorandum of such Assignment or Will be made in Books to be kept for that Purpose in the said Office of the Auditor of the Receipt, within the Space of three Months after such Assignment or Death of the Devisor, and that upon producing such Assignment or Will, or Probate thereof in the said Office of Receipt, to be entered as aforesaid, the Party so producing the same, shall bring therewith an Affidavit taken before one or more of her Majesty's Justices of the Peace of the due Execution of the said Assignment or Will; which Affidavit shall be severally filed in the said Office, which said Entry or Memorandum, the proper Officers in the said Receipt of Exchequer, are hereby required to make accordingly, and to file the said Affidavits; and in Default of such Assignment or Devise by Deed or Will, the Interest of such Contributor shall go to his or her Executors or Administrators.

Exchequer Officers to take no Fee, on Penalty, &c.

XXIX. And it is hereby enacted, That it shall and may be lawful for any Guardian or Trustee, having the Disposal of the Money of any Infant under the Age of one and twenty Years, for the Use and Benefit of such Infant, to advance and pay the Sum of one hundred fifty-five Pounds of the Money of such Infant, to purchase an Annuity upon this Act, for the Benefit of such Infant; and the said Guardian or Trustee, as to the said Sum of one hundred fifty-five Pounds, so advanced, is hereby discharged.

XXX. And be it further enacted, for the better Encouragement of Persons to advance the Monies on this Act, That all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done and performed by the Officers there, without demanding or receiving, directly

or indirectly, any Fee, Gratuity, or Reward for the same; and in case any of the Officers of the Exchequer shall take or Demand any such Fee or Reward, or shall divert or misapply any of the Monies of the said Duties, or Monies hereby appropriated, or any Part thereof, which should make good the Payment of the said Annuities, or shall pay or issue out the same otherwise than according to the Intent of this Act, or shall not keep Books and Registers, and make Entries, and do and perform all other Things, which by this Act they are required to perform, every such Officer shall forfeit his Office, and be for the future incapable of any Office or Place of Trust, and shall answer and pay Treble Damages, with Costs of Suit, to every Contributor or Person who shall be prejudiced thereby, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Effoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law, Injunction, Order of Restraint, or more than one Impar lance shall be granted or allowed; and in the said Action the Plaintiff, upon Recovery, shall have his full Costs; one third Part of which Sum, to be recovered for Damages, shall be to the Use of her Majesty, her Heirs and Successors; and the other two third Parts, with the Costs, shall be to the Use of the Prosecutor; and in case there shall be any Collusion, or faint Prosecution between the Plaintiff and Defendant in such Action, it shall be lawful for any other Contributor, his or her Executors, Administrators, or Assigns, to bring another Action, wherein he or she shall recover as aforesaid, to the like Uses as aforesaid.

Plaintiff to have full Costs.

In case of Collusion, any other Contributor may bring an Action.

XXXI. Provided always, That no Person or Persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain any Annuity whatsoever upon this Act, unless the Whole, or one fourth Part at least of the Consideration-money for the same, at such Rate as aforesaid, be advanced and paid into the said Receipt of Exchequer, on or before the said first Day of *May* one thousand seven hundred and six.

No Purchase, unless one fourth be paid by 1 May 1706.

XXXII. Provided also, That in case any such Contributor as aforesaid, who shall on or before the said first Day of *May* one thousand seven hundred and six have advanced one fourth Part of his or her Purchase-money, or his or her Executors, Administrators, or Assigns, do not advance and pay into the Receipt of the Exchequer, one other fourth Part of his or her Consideration-money so to be paid for such respective Annuity or Annuities as aforesaid, on or before the said first Day of *July* in the Year of our Lord one thousand seven hundred and six; and one other fourth Part thereof, on or before the said one and thirtieth Day of *August* one thousand seven hundred and six; and the remaining fourth Part thereof, on or before the said first Day of *November* in the Year of our Lord one thousand seven hundred and six; then and in every such Case respectively, no Order shall be drawn or signed for such respective Annuity, for which the Consideration-money shall not be fully paid as aforesaid; but so much of the Consideration-money as shall have been actually paid into the Receipt of the Exchequer for such respective Annuity, shall be forfeited to her Majesty, her Heirs and Successors, and be applied, together with other the Monies to be raised by this Act, for such publick Services as aforesaid; any thing in this Act contained to the contrary notwithstanding.

One fourth advanced, and the rest not paid as limited, forfeited.

XXXIII. Provided also, and it is hereby enacted, That it shall and may be lawful to and for the Lord Treasurer, or Commissioners of the Treasury, or any three or more of the said Commissioners of the Treasury for the Time being, out of any the Monies of the said weekly Payments hereby appointed to be paid into the Exchequer as aforesaid, to reward the Officers, Clerks, and others, to be employed in the Payment of the said Annuities, or the Accounts thereof, for their Labour, Pains, Charges, and Service therein respectively, and to defray all other the necessary Charges incident to the Payment of the said Annuities, as to the said Lord Treasurer, or Commissioners of the Treasury for the Time being, shall seem meet and reasonable in that Behalf; any thing in this Act contained to the contrary notwithstanding.

Officers, Clerks, &c. how to be paid.

XXXIV. Provided always, and be it enacted by the Authority aforesaid, That all strong Waters, Brandy, *Aqua Vitæ*, or Spirits, brought from the Islands of *Guernsey*, *Jersey*, *Sark*, or *Alderney*, shall continue to be charged with the Duty of eight Shillings for every Gallon, and no more, to be paid to the Collector or Officer of Excise before Landing; and that all other exciseable Liquors brought from the said Islands, or any of them (except Beer, Ale, and Mum) shall be charged and chargeable with such and the like Duties, as are or shall from Time to Time be charged or chargeable on the like Liquors made in this Kingdom, to be entred and paid as aforesaid; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Brandy, &c. brought from Guernsey, Jersey, Sark, or Alderney, how charged. (Except Beer, Ale, and Mum).

XXXV. And whereas several Bonds, pursuant to several Acts of Parliament in that Behalf have been entered into by several Merchants and others for the Customs, additional Duties, Impositions, and other Duties of Goods and Merchandizes imported into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, upon which Bonds the whole Monies or Part of the Monies specified in the Conditions of the same respectively, have, according to such Conditions, incurred or become payable at several Days or Times of Payment, before the sixth Day of *February* in the Year of our Lord one thousand seven hundred and five, and do remain unsatisfied, or such Bonds are not delivered up; Be it enacted by the Authority aforesaid, That in all and every Case and Cases where the Obligors in such Bonds (being Principals or Sureties) their Heirs, Executors, or Administrators, or any of them, have paid or shall have paid, before the first Day of *June* one thousand seven hundred and six, to the proper Officer or Officers, the principal Monies so incurred or grown due before the said sixth Day of *February* one thousand seven hundred and five, such Payment shall be of the same Force and Effect, as if the same had been made at or before the respective Day or Days in such Condition or Conditions mentioned for Payment thereof; and in all Cases where the whole principal Monies, due or to be due by the Conditions of such Bonds as are before-mentioned, are or shall be paid by the said first Day of *June* one thousand seven hundred and six, such Bond and Bonds respectively shall upon Demand be delivered up to the Party or Parties

Merchants Bonds for Customs, payable before the sixth of February 1705, and remain yet unsatisfied;

In case principal Money be paid by 1 June 1706, such Bonds to be delivered up.

If not paid, to be in Force.

Bristol Merchants provided for by 5 Annæ, c. 29. f. 13.

Lord Treasurer, &c. may remit Interest, &c.

Bonds for Companies Du es, not to be discharged.

Parties who hath or shall have so paid the same, his, her, or their Executors or Administrators, without any further or other Demand whatsoever; nevertheless it is hereby declared, That in case any of the Bonds before-mentioned shall not be satisfied within the Time by this Act limited as aforesaid, or in case any Payment to incur or grow due after the said sixth Day of February one thousand seven hundred and five, by the Condition of any Bond taken or to be taken for the Customs, additional Duties, Impositions, or other Duties of any Goods or Merchandizes imported, or hereafter to be imported as aforesaid, shall not be duly paid, according to Condition of every such Bond respectively: In all and every such Case and Cases, the Penalty of every such Bond shall not be discharged, either in Law or Equity, without the full Payment of the principal Monies, together with Interest, after the Rate of six Pounds *per Centum per Annum*, to be reckoned from the Day on which such principal Monies become due, until the actual Payment thereof, besides Costs of Suit, unless the Lord Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, upon any Representation of the Commissioners of the Customs for the Time being, or any three or more of them, shall judge it reasonable, in any particular Case or Cases, to remit the said Interest and Costs, or any Part thereof; this Act, or any other Law or Statute whatsoever to the contrary notwithstanding.

XXXVI. Provided always, That this Act, or any thing therein contained, shall not extend to discharge the Interest upon any Bond or Bonds, entred into for the Duties of any Goods or Merchandizes imported by any Corporation or Company of Merchants trading by any Charter upon a joint Stock; any thing herein to the contrary notwithstanding.

C A P. VII.

An Act for making the Town of *New Ross*, in the County of *Wexford* in the Kingdom of *Ireland*, a Port for the exporting Wool from *Ireland* into this Kingdom.

-be: 10 & 11 W. 3. c. 10.

12 Car. 2. c. 32. Town of New Ross made a Port for exporting Wool from Ireland.

10 & 11 W. 3. c. 10.

Burns, V. 2. 583. &c.

Further Provisions concerning Wool, 3 Geo. 1. c. 21. 4 Geo. 1. c. 11. 5 Geo. 1. c. 11. 12 Geo. 1. c. 34. 13 Geo. 1. c. 23. 5 Geo. 2. c. 21. 12 Geo. 2. c. 21. 15 Geo. 2. c. 27. 25 Geo. 2. c. 14. 26 Geo. 2. c. 8 & 11. 29 Geo. 2. c. 33. 30 Geo. 2. c. 12.

WHEREAS by an Act passed in this Kingdom in the tenth and eleventh Years of the Reign of his late Majesty King WILLIAM the third, intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of Ireland and England into foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of England*, it is, amongst other Things, enacted, That all the Wool and the Manufactures thereof, in the said Act particularly specified, as should, from Time to Time be exported from the said Kingdom of *Ireland* into the Ports of this Kingdom or Dominion of *Wales*, should be shipped off, and entred at the Ports of *Dublin, Waterford, Youghall, Kingsale, Cork, and Drogheda* in the said Kingdom of *Ireland*, and at or from no other Port or Place within the said Kingdom, under great Penalties to every Offender against the said Act: And whereas the Town of *New Ross*, in the County of *Wexford* in the said Kingdom *Ireland*, is in the same Harbour with the Port of the City of *Waterford*, and before the passing of the said Act hath always had Liberty to export the said Commodities directly into this Kingdom; but the said Town not being particularly named in the said Act, some Doubt hath arisen whether the said Commodities may be exported thence: Therefore to prevent all Doubt for the future concerning the same, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That at all Times from and after the four and twentieth Day of June one thousand seven hundred and six, it shall and may be lawful to and for all and every Person and Persons whomsoever, to ship off, enter, and export, from the said Town of *New Ross*, all the said Commodities in the said recited Act particularly mentioned, and to import the same into any of the Ports of *Biddeford, Barnstable, Minhead, Bridgwater, Bristol, Milford Haven, Chester, and Leverpoole*, in the same Manner, as if the said Town of *Ross* had been particularly named for Exportation of the said Commodities in the said former Act; any Law or Statute to the contrary thereof in any wise notwithstanding.

12 Geo. 1. c. 21. 4 Geo. 1. c. 11. 5 Geo. 1. c. 11. 12 Geo. 1. c. 34. 13 Geo. 1. c. 23. 5 Geo. 2. c. 21. 12 Geo. 2. c. 21. 15 Geo. 2. c. 27. 25 Geo. 2. c. 14. 26 Geo. 2. c. 8 & 11. 29 Geo. 2. c. 33. 30 Geo. 2. c. 12.

C A P. VIII.

An Act for the better Security of her Majesty's Person and Government, and of the Succession to the Crown of *England*, in the Protestant Line. Persons who by Writing, &c. shall declare, &c. That the Queen is not lawful Queen, or that the pretended Prince of *Wales* hath any Right to the Crown, &c. guilty of High Treason. Persons who by Preaching, &c. shall declare and affirm the Queen not lawful Queen, &c. to incur the Penalty of *Præmunire*. Parliament not dissolved by the Queen's Death, but to continue for six Months after, &c. Parliament to meet immediately after the Queen's Death. In case of no Parliament, the last preceding to meet. Not to abridge the Queen's Power to prorogue or dissolve Parliaments, &c. Privy Counsel not to be dissolved by the Queen's Death; nor the Places of the Great Officers; nor any Officers Civil or Military; but to continue for six Months, &c. The Great Seal, &c. to be used. Upon Queen's Death, Privy Council to cause the next Protestant Successor to be proclaimed, on Penalty of High Treason. In case the Successor be out of the Realm, at the Queen's Death, seven Lords Justices appointed. The Successor by three Instruments, may add seven others. The three Instruments to be transmitted into *England*, and to be severally sealed up, and deposited, &c. Persons opening any of the said Instruments, &c. guilty of a *Præmunire*. Any one of the Instruments produced to Privy Council, to be effectual. Lords Justices not to dissolve the Parliament without Direction, &c. Nor alter the Act 13 & 14 Car. 2. c. 4. on Penalty of High Treason.

1 W. & M. ff. 2. c. 2.

12 & 13 W. 3. c. 2.

16 R. 2. c. 5.

6 & 7 W. 3. c. 2.

6 Annæ, c. 7.

& 1 Geo. 2. stat. 1. c. 5. & stat. 2. c. 23.

1 W. & M. f. 1. c. 8.

1 Annæ, stat. 1. c. 22.

Lords Justices before they act to take the Oaths, &c. and also all Persons in Offices, &c. Lords Justices to be deemed as Officers in Trust. The Successor may use any Seal before her or his Arrival in England. Parliament called by Lords Justices, not to be dissolved by Arrival of Successor. 12 & 13 W. 3. c. 2.

‘ XXIV. And whereas in and by the said Act of Parliament made in the twelfth Year of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*; it was amongst other Things enacted, in the Words following, That from and after the Time that the further Limitation by this Act shall take effect, all Matters and Things relating to the well Government of this Kingdom, which are properly cognizable in the Privy Council by the Laws and Customs of this Realm, shall be transacted there, and all Resolutions taken thereupon, shall be signed by such of the Privy Council, as shall advise and consent to the same;’ Be it enacted by the Authority aforesaid, That the said recited Clause shall be, and the same is hereby annulled and repealed, as if the same Act had never been made. Clauses repealed.

‘ XXV. And whereas also in the said Act it was amongst other Things enacted in the Words following, That no Person who has an Office or Place of Profit under the King, or receives a Pension from the Crown, shall be capable of serving as a Member of the House of Commons; and it appearing reasonable that the said recited Clause should be repealed:’ Be it therefore enacted by the Authority aforesaid, That the said last recited Clause shall be, and is hereby annulled and repealed, as if the same Act had never been made.

“ Persons in new Offices disabled from being elected Members of the House of Commons. Members accepting of any Office of Profit, their Election void. But may be again elected. No Office to be executed by too great a Number of Commissioners. Not to extend to Officers in the Navy or Army. Persons disabled, and returned as Members, such Election and Return to be void. Penalty on Sitting.” [This Statute is re-enacted 6 Annæ, c. 7. and therefore is omitted here.]

C A P. IX.

An Act for repairing the Highways between *Barnhill* and *Hatton Heath* in the County of *Chester*. E X P.

C A P. X.

An Act for the better recruiting her Majesty’s Army and Marines. E X P.

C A P. XI.

An Act for continuing an Act made in the Session held in the third and fourth Years of her Majesty’s Reign, intituled, *An Act for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters*. E X P.

C A P. XII.

An Act for laying further Duties on Low Wines, and for preventing the Damage to her Majesty’s Revenue by Importation of foreign cut Whalebone, and for making some Provisions as to the Stamp Duties, and the Duties on Births, Burials, and Marriages, and the Salt Duties, and touching Million Lottery Tickets, and for enabling her Majesty to dispose the Effects of *William Kidd*, a notorious Pirate, to the Use of *Greenwich Hospital*, and for appropriating the publick Monies granted in this Session of Parliament.

‘ M A Y it please your most Excellent Majesty, Whereas by an Act of Parliament made in the twelfth Year of the Reign of your Majesty’s late Royal Brother King WILLIAM the Third, of glorious Memory, (intituled, *An Act for granting to his Majesty several Duties upon Low Wines, or Spirits of the first Extraction, and continuing several additional Duties upon Coffee, Tea, Chocolate, Spices, and Pictures, and certain Impositions upon Hawkers, Pedlars, and Petty Chapmen, and the Duty of fifteen per Centum upon Muslins, and for improving the Duties upon japanned and lacquered Goods, and for continuing the Coinage Duty for the several Terms and Purposes therein mentioned*) certain Duties upon Low Wines, or Spirits of the first Extraction, were granted for a Term to continue until the five and twentieth Day of *March* one thousand seven hundred and six; and by another Act made in the third Year of your Majesty’s Reign, (intituled, *An Act for continuing Duties upon Low Wines, and upon Coffee, Tea, Chocolate, Spices, and Pictures, and upon Hawkers, Pedlars, and Petty Chapmen, and upon Muslins, and for granting new Duties upon several of the said Commodities, and also upon Callicoes, China Ware and Drugs*) the said Duties upon Low Wines, or Spirits of the first Extraction, are continued from the twenty-fourth Day of *March* one thousand seven hundred and six, until the twenty-fourth Day of *June* one thousand seven hundred and ten, as by the said several Acts may appear:’ Now we your Majesty’s dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, have given and granted, and do by this Act give and grant to your Majesty the several Duties herein after mentioned, over and above all Duties already granted upon Low Wines or Spirits of the first Extraction; and do humbly beseech your Majesty, that it may be enacted: And be it enacted by the Queen’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 and every such or the like Duties for or upon all Low Wines 12 & 13 W. 3. c. 11. & 4 Annæ, c. 4. Duties on Low Wines, &c. continued.

12 & 13 W. 3.
c. 11.
Former Duties
continued to 25
March 1707.

Wines or Spirits of the first Extraction, as by the said Act of the said twelfth Year of his said late Majesty's Reign were continued or granted until the said twenty-fifth Day of *March* one thousand seven hundred and six, shall by Virtue of this Act be continued from the four and twentieth Day of *March* one thousand seven hundred and five, until the five and twentieth Day of *March* one thousand seven hundred and seven.

From 24 of
March 1705,
Low Wines, &c.
to pay 2d. per
Gallon.

II. And be it further enacted by the Authority aforesaid, That for every Gallon of Low Wines, or Spirits of the first Extraction, which at any Time or Times, during the Term of five Years, to commence from the said four and twentieth Day of *March* one thousand seven hundred and five, shall be made or drawn from any foreign or imported Materials, or any Mixture with foreign Materials, there shall be paid and payable to her Majesty, her Heirs and Successors, over and above all other Duties charged or chargeable thereupon, by this or any other Act or Acts of Parliament, the Sum of two Pence, to be paid by the Distillers or Makers thereof.

* Farther continued for 96 Years by 5 Annæ, c. 19. and made perpetual by 1 Geo. 1. stat. 2. c. 12. sect. 8. and part of the Aggregate Fund.

Duties, &c. how
to be raised.

III. And it is hereby enacted, That all the respective Duties on Low Wines, or Spirits of the first Extraction, by this Act granted or continued, shall, during the Continuance of the same respectively, be ascertained, secured, raised, levied, recovered, and paid, by such Rules and Methods, and under such Penalties and Forfeitures, and subject to such Drawbacks and Allowances, and under such Power of Mitigation, as the Duties upon the like Commodities by the said Act of the third Year of her Majesty's Reign, or any Law relating thereunto, are enacted or appointed to be ascertained, secured, raised, levied, recovered, and paid respectively, and are and shall be appropriated and applied to and for the same Uses and Purposes to which the Duties upon Low Wines by the said Act of the third Year of her Majesty's Reign are appropriated, and ought to be applied.

3 & 4 Annæ,
c. 4.

Distillers con-
cealing Spirits,
&c. from the
View of the
Gager.

IV. And whereas it is found by Experience, That any Quantity of Wash made of Drink brewed or made from malted Corn, or from unmalted Corn, will upon Distillation produce one fourth Part of the same Quantity into Low Wines, or Spirits of the first Extraction, and that such Low Wines or Spirits upon the second Distillation will produce three fifth Parts of the Quantity of the same Low Wines or Spirits into Proof Spirits, or Spirits of the second Extraction; and that any Quantity of Wash made of Cyder or Perry will produce one fifth Part of the same Quantity into Low Wines or Spirits of the first Extraction; and that the same Low Wines or Spirits, upon the second Distillation, will produce one half Part of the Quantity of the same Low Wines or Spirits into Proof Spirits, or Spirits of the second Extraction: And whereas many Distillers do hide and conceal great Quantities of such Low Wines and Spirits from the Sight and View of the Gager; before he can come to take an Account of the same, by Means whereof her Majesty may be very much defrauded in her Duties on such Low Wines and Proof Spirits, granted by this or any other Act or Acts of Parliament for the Duties on Low Wines and Spirits; Be it therefore enacted by the Authority aforesaid, That from and after the four and twentieth Day of *March* one thousand seven hundred and five, it shall and may be lawful to and for the Gagers and Officers of Excise, to keep an Account of all the said several Sorts of Wash, which shall, from Time to Time, be found by him or them in the Hands of any Distiller, and upon any Decrease of such Wash brewed or made from malted Corn, or Corn unmalted, to charge such Distiller with so much Low Wines or Spirits of the first Extraction, as one fourth Part of the same Wash so decreased shall amount unto, and also with so much Proof Spirits, or Spirits of the second Extraction, as three fifth Parts of the said Low Wines so charged as aforesaid, shall amount unto; and also upon any Decrease of Wash made from Cyder or Perry, to charge such Distiller, upon whom such Decrease should be found, with so much Low Wines or Spirits of the first Extraction, as one fifth Part of the same Wash so decreased shall amount unto; and likewise with so much Proof Spirits, or Spirits of the second Extraction, as one half Part of the same Low Wines or Spirits of the second Extraction shall amount unto; and such Distillers shall pay the Duties of the Low Wines and Spirits so charged, as by the Acts relating to the said Duties on Low Wines and Spirits, or any of them, are directed and appointed.

Gagers to keep
an Account of
Wash, &c.

On Decrease of
Wash, &c.
Distiller to pay
the Duty, &c.

Act not to lessen
the Power of
Officers of the
Excise.

9 & 10 W. 3.
c. 23.

V. Provided always, That nothing herein contained shall extend, or be construed to extend, to take away or lessen any of the Powers or Authorities heretofore given to any of the Officers of Excise by any Law or Laws now in force, touching or concerning the said Duties on Low Wines and Spirits.

Persons having
cut Whalebone

(other than in Fins only) found in their Custody after the 24 Day of March 1705, to forfeit 30l.

VI. And whereas, by an Act of Parliament made in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, (intituled, *An Act for granting to his Majesty a farther Subsidy of Tunnage and Poundage, towards raising the yearly Sum of seven hundred thousand Pounds for the Service of his Majesty's Household, and other Uses therein mentioned, during his Majesty's Life*) it is enacted, That if any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, shall import or bring into this Kingdom, Dominion of *Wales*, or Town of *Berwick upon Tweed*, any cut Whalebone, (other than in Fins only) he, she, or they shall forfeit the Goods, and double the Value of the cut Whalebone so imported; one Moiety thereof to his Majesty, his Heirs and Successors, and one other Moiety to him or them that shall seize or sue for the same, in any of his Majesty's Courts of Record; yet it is found by Practice and Experience, that the said Penalty is not sufficient to deter ill-designing Persons from continuing fraudulently to import great Quantities of Foreign cut Whalebone in short Lengths, and small Parcels, in Diminution of her Majesty's Revenue, and to the great Loss and Discouragement of the Manufactures employed in cutting of Fin Whalebone in this Kingdom; Be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *March* one thousand seven hundred and five, any Per-

Person or Persons whatsoever, trading or dealing in Whalebone, having in his, her, or their Custody, any such Foreign cut Whalebone, (other than in Fins regularly imported) shall forfeit the Sum of thirty Pounds, and also be subject to the like Penalties and forfeitures as the Importers thereof, by the aforesaid recited Act are liable unto; and also that the Masters of such Ships and Vessels, knowingly bringing or importing any foreign cut Whale-fins or Whalebone, as aforesaid, shall forfeit the Sum of fifty Pounds; one Moiety of the aforesaid Penalties to her Majesty, her Heirs and Successors, and the other Moiety to such Person or Persons as shall seize and sue for the same, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, or more than one Imparance shall be allowed; and if any Dispute, Question, or Doubt shall arise, whether any cut Whalebone found, seized, or received, as aforesaid, were cut in Parts beyond the Seas, the Proof shall be incumbent only upon the Importer, Claimer, Owner, Proprietor, or such Person or Persons, in whose Hands or Custody such cut Whalebone shall be found respectively, and not upon the Seizer, Informer, or Prosecutor; any thing to the contrary notwithstanding.

Penalty on Masters of Ships importing such.

Proof where cut to lie on Importer, &c.

VII. And whereas several Persons have, (since the double Duties upon stamp Vellum, Paper, and Parchment commenced) been admitted to their Freedoms in divers Corporations, and such their Admissions have meerly by Mistake or Misconstruction been entred upon Paper or Parchment stamp for a less Duty than ought to have been paid for the same: And whereas in other Cases several Persons Freedoms have been admitted, and their Admission entred upon Paper or Parchment without any Stamp at all, or any Thing paid or received for the same: And whereas divers other Persons, Clerks, Stewards, or Bailiffs, keeping or holding inferior Courts of Record, County Courts, Courts Baron, and Courts Leet, have through the like Mistake or Misconstruction of the Laws as aforesaid, omitted the issuing, entering, inrolling, or filing of divers Actions, Plaints, Bails, Appearances, and other Process and Proceedings upon double stamp Vellum, Paper, or Parchment; Wherefore for quieting the Minds of so many of her Majesty's good Subjects; be it enacted by the Authority aforesaid, That all and every the said Freedmen so admitted, and all and every the said Clerks, Stewards, and Bailiffs, and all other Person and Persons so concerned and forfeiting, as aforesaid, shall be, and they hereby are freed and discharged of and from all and every the Pains, Penalties, and Forfeitures not already recovered, and by them respectively incurred, for or in Respect of the Premises before the first Day of *December* one thousand seven hundred and five; provided that such Person or Persons forfeiting, as aforesaid, pay or cause to be paid, the several Duties directed to be paid, by the several Acts for granting Duties upon stamp Vellum, Paper, and Parchment, to the Receiver General of the Stamp Duties, before the nine and twentieth Day of *September* one thousand seven hundred and six; and in Default thereof, such Persons respectively shall lose the Benefit of the Indemnity granted by this Act.

Persons who thro' Misconstruction of the Law on stamp Paper, &c. have entred Admissions of Freedoms, &c. on Paper, &c. not duly stamped,

discharged from the Penalties, &c. on paying Duties before the 29 of Sept. 1706.

VIII. Provided also, That the Admissions of all such Freemen, as were admitted into any Corporation or Company, before the said first Day of *December* one thousand seven hundred and five, and all the said other Proceedings before that Time had, shall be good and valid in Law, notwithstanding any Neglect or Omission before that Time, with Relation to the said Stamp Duties; and that all Penalties and Forfeitures for any Offence committed, as aforesaid, which shall not be discharged by paying such Duties before the said nine and twentieth Day of *September* one thousand seven hundred and six, shall and may be sued for, prosecuted and recovered, so as the Prosecution be commenced at any Time within one Year after the said nine and twentieth Day of *September*.

Freemens Admissions, &c. good in Law.

Duties not discharged, Penalties to be sued for.

IX. And it is hereby further enacted and declared, That the Duties made payable by the said Acts, relating to stamp Vellum, Parchment, and Paper, for or in Respect of Appearances, and other the Matters in the said Acts, or any of them contained, relating thereto, shall be construed to extend to Appearances in such Actions wherein no Bail is filed, or put in, and not otherwise; any thing in the said Acts contained to the contrary notwithstanding.

How Duties on Appearances shall be construed to extend.

X. And whereas by several Acts of Parliament, relating to the Duties on Marriages, Births, and Burials, all Parsons, Vicars, Curates, and other Ecclesiastical Persons, are required to take an exact and true Account, and keep a Register in Writing of all and every Person or Persons, married, buried, christened, or born, in his or their respective Parishes or Precincts; and likewise in the same Registers, together with the Name of every Person so married, buried, christened, or born, to set down and express in Writing the respective Degree, Condition, and Quality, according to which the Duty to the Crown ought to be paid: And in Case of Burials, the Heirs, Executors, Administrators, Fathers, Mothers, Guardians, Church-wardens, or others, who by the said Acts ought to pay for the same, and where they dwell respectively: And in Case of Births, the Names of the Fathers, Mothers, or those that take on them the Guardianship, or Care of such Children so born, and where they live respectively: And in case of Marriages, the Place of Abode of the several Husbands, under the Penalty of one hundred Pounds for some of the said Omissions, and other great Penalties for the rest: And whereas several Parsons, Vicars, and Curates, and other Ecclesiastical Persons, not being sufficiently apprized of the full Import of the said Acts of Parliament, have not exactly observed the Directions therein, as aforesaid, given, and thereby incurred the Penalties in the said Acts respectively mentioned, and they and their Families remain therefore exposed to Ruin, although the said Duties have been duly answered to her Majesty; Be it therefore enacted by the Authority aforesaid, That all and every Person and Persons in Holy Orders, Parson, Vicar, and Curate, and his and their Substitute, having neglected to keep a Register in Writing, as aforesaid, of all and every, or any Person or Persons so married, buried, christened, or born, as aforesaid, or to set down and express, together with the Name of such Person so married, buried, christened, or born, the respective Degree, Condition, or Quality, according to which the said late King's, or her present Majesty's Duties ought to be paid, or the Name or Place of Abode of any Person

Duties on Marriages, Births, &c. 6 & 7 W. 3. c. 6. 7 & 8 W. 3. c. 35. 9 & 10 W. 3. c. 35.

Parsons &c. who have neglected to keep a Register of such Marriages &c. (in case the Duties are paid) to be indemnified.

Person or Persons, who ought to pay the same, in Case the said Duty for such Marriage, Birth, or Burial, be really answered and paid, or notified and brought in Charge to the Collector of the said Duties, shall be indemnified against, and discharged from all the Penalties and Forfeitures in the said Acts or any of them contained, for or upon Account of such Neglects only.

Frauds on Salt,
Sec. 1 Annæ,
Stat. 1. c. 21.

XI. And whereas by an Act made in the first Year of her present Majesty's Reign, intituled, *An Act for preventing Frauds in the Duties upon Salt, and for the better Payment of Debentures at the Custom House*, it is enacted, That no Debenture shall be made or granted, or Drawback allowed to be paid for or upon the Account of the Exportation of any Salt or Rock Salt for *Ireland*, unless the Exporter of the said Salt or Rock Salt shall produce to the Officer appointed to make such Debenture, a Certificate under the Hand of the Collector of the Customs of the Port in *Ireland*, where such Salt or Rock Salt shall be landed, or the Person executing his Office, of the particular Quantity of Salt or Rock Salt actually landed: And whereas 'tis equally reasonable, That for Salt and Rock Salt shipped in order for Exportation for *Ireland*, though the same perish by sinking of the Ship, or be taken by the Enemies, there should be made and allowed a Drawback as in the Case where Salt and Rock Salt is exported and landed; Be it enacted by the Authority aforesaid, That where any Salt or Rock Salt hath been or shall be shipped in order for Exportation to *Ireland*, and the same hath perished or shall perish by sinking of the Ship or Vessel on which the same was or shall be shipped, and laid on board, or is or shall be taken by the Enemies, then and in such Case the Exporter or Proprietor of such Salt or Rock Salt so perishing or lost, shall upon Proof made before the Justices of the Peace, at the General Quarter-Sessions of the Peace, to be held for the County, City, Riding, Division or Place from whence the same was so exported, of the loss of such Salt so shipped, or to be shipped, receive from the said Sessions a Certificate, that such Proof was made before them, and upon producing the said Certificate to the Officer of the Place where the Duty on such Salt shall have been paid or secured to be paid, such Security shall be discharged, and so much Money as was actually paid for the Duty of the said Salt, shall be repaid upon Demand by the said Officer, without Fee or Reward. Provided such Proof to be made, as aforesaid, as to all Salt lost or taken, before the twentieth Day of *February* one thousand seven hundred and five, shall be made by two credible Witnesses upon Oath, before the twentieth Day of *July* one thousand seven hundred and six; and as to all Salt which shall be lost after the said twentieth Day of *February* one thousand seven hundred and five, the like Proof shall be made within six Months after such Loss or Taking, as aforesaid.

Drawbacks &c.
allowed where
Salt is lost, or
taken by the
Enemy.

Proof to be made
within 6Months.

2 & 3 Annæ,
c. 14.

XII. And whereas in and by one Act of Parliament made in the second and third Year of the Reign of her present Majesty, intituled, *An Act for the better securing and regulating the Duties upon Salt*, it is amongst other Things provided, That nothing therein contained should extend to prohibit the importing and landing any Codfish, Ling, or Hake, which had been caught and cured at *Newfoundland*, or *Iseland*, upon making such Oath before the landing, of the catching and curing the same, and upon Tender thereof upon landing, and before the same be removed from the Shore, and under such Penalties for not tending the same, to have Part of the Tail cut off, as in and by the said Act is directed and appointed: And whereas *North Sea* Codfish, Ling, and Hake, are omitted in the said Act; Be it further enacted by the Authority aforesaid, That nothing therein contained shall extend to prohibit the importing and landing any Codfish, Ling, or Hake, which have been or shall be caught and cured at or in the *North Sea*, upon making the like Oath, and being subject to and under the same Restrictions and Penalties, as by the above recited Act is directed and appointed for Codfish, Ling, and Hake, caught and cured at *Newfoundland* or *Iseland*, and that no Allowance be granted, had or obtained upon Exportation thereof; any thing therein contained to the contrary thereof in any wise notwithstanding.

North Sea Cod-
fish, &c. may be
imported.

5 W. & M. c. 7.

XIII. And whereas in and by one Act made in the fifth Year of the Reign of their late Majesties King WILLIAM and Queen MARY, of blessed Memory, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards carrying on the War against France*, it is (amongst other Things) enacted, That the Sum of one hundred and forty thousand Pounds should be a yearly Fund for answering the Annuities therein mentioned: And whereas certain Tickets were issued out to the Proprietors of the said Annuities, many of which said Tickets are since burnt, lost, or otherwise destroyed, whereby the said Proprietors are in Danger of losing their Money contained in such Tickets; Be it enacted by the Authority aforesaid, That in all Cases where it shall happen, by Affidavit to be made on or before the first Day of *May* one thousand seven hundred and six, before any of the Barons of the *Exchequer*, that any Ticket or Tickets for any Payment or Payments on the said Annuities, is or are burnt, destroyed, or otherwise lost, it shall and may be lawful for the Officer or Officers appointed to pay and discharge the said Annuities, on producing a Certificate from the said Baron of such Affidavit made before him, which Affidavit the Barons, or any one of them, is and are hereby authorized to take, and which Certificate he or they are hereby required to grant without Fee or Reward, and on Security given to the said Officer, to his good liking, to indemnify him against all Persons whatsoever for or concerning the Monies contained or specified in such Ticket or Tickets, or which was, is, or shall be due thereon, he the said Officer is hereby required to pay and discharge the said Annuities by the said Tickets incurred and grown due, or which shall hereafter incur or grow due, as aforesaid, as if the said Tickets had been produced, and shall be allowed such Payments in his Accounts; any thing in this or any other Act contained to the contrary thereof in any wise notwithstanding.

Tickets for An-
nuities lost, &c.
on Affidavit and
Certificate, &c.
Officer to pay
the same.

Such Payments
to be allowed in
his Accounts.

XIV. And be it enacted by the Authority aforesaid, That it shall and may be lawful for her Majesty, if she pleaseth, to dispose as a Charity, to and for the Use and Benefit of the Royal Hospital for Seamen at *Greenwich*, the Sum of six thousand four hundred and seventy-two Pounds one Shilling, which was paid into the Receipt of the Exchequer, on or about the one and thirtieth Day of *January* one thousand seven hundred and four, for publick Uses, by *Richard Crawley* Esquire Receiver of the Goods of Pirates, and other Perquisites of the Admiralty, being Money or the Proceed of Goods and Merchandizes which were taken with *William Kidd* a notorious Pirate, who was taken and executed several Years since.

The Queen dispose of 6,472 l. 1 s. as a Charity to Greenwich Hospital.

XV. And be it further enacted by the Authority aforesaid, That all the Monies which shall be lent to her Majesty on two Acts of this Session of Parliament; the one, (intituled, *An Act for granting an Aid to her Majesty by a Land Tax, to be raised in the Year one thousand seven hundred and six*) and the other, (intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and six*) and so much of the several Taxes and Duties thereby granted, as shall remain, (after all the Loans made or to be made upon the said respective Acts, and the Interest thereof, and the Charges thereby allowable for raising the Taxes and Duties thereby granted, shall be satisfied, or Money sufficient shall be reserved to discharge the same) and all the Monies to be contributed or advanced upon another Act of this Session of Parliament, (intituled, *An Act for continuing an additional Subsidy of Tunnage and Poundage, and certain Duties upon Coals, Culm, Cynders, and additional Duties of Excise, and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and six*) except as therein is excepted and reserved, shall be appropriated, issued, and applied, and the same are hereby appropriated for or towards the several Uses and Purposes herein after expressed (that is to say) for or towards the defraying the Charges of the Ordinary of her Majesty's Navy, and for Victuals, Wear, Tear, and other Services of the Navy, and the Victualling thereof, performed and to be performed; and for the Sea Service in the Office of the Ordnance, performed and to be performed; and for or towards the making of a Wharf and Storehouse at *Portsmouth*; and for paying for Stores and Carriages for eight Ships new built, in lieu of those lost in the Great Storm; and for or towards the Land Services performed, and to be performed, by the Office of the Ordnance; and to and for Subsistence, Off- reckonings and Clearings for one Year, from the three and twentieth Day of *December* one thousand seven hundred and five, to her Majesty's Guards and Garrisons in *England*, and the Dominions thereunto belonging (*Ireland* excepted) and the contingent Charges of the same; and for Payment of Invalids for the said Year, beginning from the said three and twentieth Day of *December* one thousand seven hundred and five; and for or towards the defraying the Charges of her Majesty's Army, and such Forces as are or shall be added thereunto in the *Low Countries* or *Germany*, within or for one Year, to be reckoned from the said three and twentieth Day of *December* one thousand seven hundred and five, and the contingent Charges thereunto belonging; and for and towards the defraying her Majesty's Part of the Charge of the Forces acting or to act in Conjunction with the Forces of the King of *Portugal*, until or at any Time before the five and twentieth Day of *December* one thousand seven hundred and six; and for or towards the Pay of the five thousand Land Forces now in *Catalonia*, which are resolved to be continued for the Year one thousand seven hundred and six; and for or towards her Majesty's Proportion of the further Charges necessary to prosecute the Successes already gained by King *CHARLES* the Third, for Recovery of the Monarchy of *Spain* to the House of *Austria*; and for or towards the Payment of her Majesty's Proportion of the Subsidies due upon Treaties made or to be made with her Majesty's Allies, and other Charges for the Service of the War for any Time before, or until the said five and twentieth Day of *December* one thousand seven hundred and six; and for or towards the making good the Payment of her Majesty's Share of the Subsidies, payable to the King of *Prussia*, which was not provided for in the last Session of Parliament; and for or towards the making good the Payment of the Bounty-money bestowed by her Majesty on the Land Forces that served in the Campaign in *Germany*, in the Year one thousand seven hundred and four, pursuant to the Address of the House of Commons; and for making good an additional Charge to the Troops of *Hanover* and *Zell*, which was not provided for in the said last Session; and for making good the Charge of General Officers, and Contingencies in the Expedition to *Spain*, which was not provided for in the said last Session; and to answer the Levy-money to make good the Horses of the *English* Horse and Dragoons, that were killed and died of the common Distemper in the last Campaign in the *Low Countries*, between the first of *May* and the one and thirtieth Day of *October* one thousand seven hundred and five; and to make good the Horses that were lost by the Officers of the *English* Troops, during the last Campaign in the *Low Countries*; and for or towards the Transportation of Land Forces, performed and to be performed; and for or towards discharging of the Premiums and other Charges for circulating the Bills, commonly called Exchequer Bills; and for Payment of Interest after the Rate of five Pounds per Centum per Annum, for the unsatisfied Debentures charged on the *Irish* Forfeitures, and to no other Uses, Intents, and Purposes whatsoever.

Monies, &c. here appropriated.

4 Annæ, c. 20
4 Annæ, c. 50

4 Annæ, c. 6.

Charges of the Navy, &c.

Land Forces, &c.

Forces in Portugal.

Catalo na.

Treaties:

Prussia.
Bounty Money.

Troops of Hanover and Zell, &c.

To make good Horses killed, &c.

Transports, &c.

XVI. Provided always, That out of the Monies to be issued to the Guards and Garrisons, as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, towards the Charge of maintaining the Soldiers raised, and to be raised, for Sea Service, with their Officers, and the contingent Charges thereunto belonging, and out of the Monies to be issued for the Service of the Navy and Sea Services, as aforesaid, there shall be taken and applied such Sums, as together with the said Sum, not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, shall be necessary for the Charge of maintaining the

87125 l. 10 s. for the Marines, &c.

the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

C A P. XIII.

An Act for the better ordering and governing the Watermen and Lightermen upon the River of *Thames*.

1 Ja. 1. c. 16.

11 & 12 W. 3.
c. 21.

2 & 3 P. & M.
c. 16.

Clause repealed.
Rule for restraining
Watermen
from taking of
Apprentices re-
pealed.

2 Geo. 2. c. 26.
10 Geo. 2. c. 31.

Lord Mayor and
Aldermen of
London to re-
view and amend
the By-Laws of
the Watermens
Company, &c.

1 Harv. P. C.
cb. 6. §. 3.

Act not to lessen
the Right of
holding the *Curia
Cursus Aquæ*
at *Gravesend*.

Nor the Privi-
leges of the Ma-
yor and Jurats,
&c. of *Gravesend*.

WHEREAS by an Act of Parliament made in the first Year of the Reign of the late King JAMES the First, intituled *An Act concerning Wherryman and Watermen*, it is (amongst other Things) enacted, That no Wherryman or Waterman shall take any Apprentice, unless he shall be then of the Age of eighteen Years at the least, except the Son of a Waterman, who by the said Act may be taken Apprentice at the Age of sixteen Years: And whereas by one other Act of Parliament made in the eleventh and twelfth Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the Explanation and better Execution of former Acts made touching Watermen and Wherryman, rowing on the River of Thames, and for the better ordering and governing the said Watermen, Wherryman and Lightermen, upon the said River between Gravesend and Windsor*, the said Watermen, Wherryman and Lightermen are impowered to make reasonable and lawful Rules, Orders, and Constitutions, for their Government, in such Manner as in the same Act is mentioned: And whereas several of the Rules, Orders, and Constitutions which have been made under Colour of the said last-mentioned Act, especially the Fourth, which directs, that no Waterman shall have any more than one Apprentice at one Time, nor shall be capable of taking an Apprentice, until such Master hath been a Freeman seven Years, nor shall take a second Apprentice until his first be dead, or the Term expired; and that not any Lighterman shall take any Apprentice, until he is a real Owner of two Lighters, nor shall have more than one Apprentice at one Time, under the Penalties therein mentioned; have by Experience been found to be prejudicial and destructive to the breeding of Seafaring Men, and a great Burthen upon the Navigation and Trade of the said River of *Thames*, and of this Kingdom in general, and the same not being alterable otherwise than by the Authority of Parliament, or by the Consent of the said Company of Watermen and Lightermen, who have a long Time refused to give their Consent thereto; For Remedy whereof, and for the better Increase of Seamen for her Majesty's Service, and the Trade, the which is of so great Importance to this Kingdom; Be it enacted by the Queen's most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Clause or Clauses in the said first recited Act of Parliament, that restrain the taking of Apprentices, till they shall arrive to the several Ages of eighteen and sixteen Years, as aforesaid, and also the said recited Rule, Order, and Constitution, and all and every other Rule, Order, and Constitution made for restraining of any Waterman, Wherryman or Lighterman, that now are or hereafter shall be free of the said Company, from taking and breeding of Apprentices, shall be, and is hereby repealed, and declared to be void and of none Effect.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Court of Lord Mayor and Aldermen of the City of *London* for the Time being, and they are hereby authorized and impowered, from Time to Time, and at all Times hereafter, to review, or re-examine, alter, or amend all such Rules and By-Laws which relate to the Apprentices of Watermen and Lightermen, and all other Orders and Constitutions, which have been heretofore, or which shall hereafter be made for the Government of the said Company of Watermen and Lightermen; which said Alterations and Amendments shall be subject nevertheless to the Approbation of the Chief Justice of her Majesty's Court of *Queen's Bench* for the Time Being; and all such Rules, Orders, and Constitutions as shall be hereafter received, re-examined, altered, or amended by the said Court of Lord Mayor and Aldermen, shall, from Time to Time, and at all Times hereafter, be approved of, as aforesaid, and well and duly observed and put in Execution; the said recited Acts, or Rules, or any other Act, Clause, Rule, Order, or Constitution to the contrary thereof in any wise notwithstanding.

III. Provided always, That this Act, or any Thing therein contained, shall not extend or be construed to extend to the lessening, taking away, abridging, hindring, prejudicing, or otherwise howsoever impeaching of any Right belonging to or lawfully claimed by the late *Charles Duke of Richmond and Lenax*, Lord of the Manor of *Gravesend*, his Heirs, Executors, Administrators, or Assigns, for the holding a certain Court within the said Manor, called *Curia Cursus Aquæ*, or the Court of the Watercourse, for the better Government of Barges, Boats, and Vessels, using the Ferry or Passage from the Town of *Gravesend* to *London*, and of the Persons owning or working the same, or of any other Rights, Liberties, Powers, and Privileges whatsoever, belonging to the said late Duke, his Heirs, Executors Administrators, and Assigns, relating to the said Ferry or Passage, or to the Barges, Tilt-boats, or other Boats and Vessels using the said Ferry or Passage, or plying at the Bridge of the said Town of *Gravesend*, or the Persons owning or working the same, or otherwise howsoever.

IV. Provided always, That this Act, or any thing therein contained, shall not extend, or be construed to extend to the lessening, taking away, abridging, hindring, prejudicing, or impeaching of any Grants, Liberties, Franchises, Customs, Privileges, or Usages, now or heretofore lawfully used, held, or enjoyed by the Mayor, Jurats, and capital Inhabitants of the Villages and Parishes of *Gravesend* and *Milton* in the County of *Kent*, touching, concerning, or relating to the Passage and Ferry upon the said River of *Thames*,

Thames, from the said Villages and Parishes of *Gravesend* and *Milton*, to the said City of *London*, or touching or concerning the Government or Gubernation of the said Passage and Ferry; but that the said Mayor, Jurats, and Inhabitants, and their Successors, shall and may do and execute all and every such lawful Act and Acts, Powers and Authorities, touching the said Passage and Ferry, and the Government thereof, as they might or could have done, if this Act had not been made; any thing herein contained to the contrary thereof in any wise notwithstanding. 2 Geo. 2. c. 26.

Farther Provisions relating
hereto, 4 Geo. 2. c. 24. and
10 Geo. 2. c. 31.

C A P. XIV.

An Act for the better collecting Charity Money on Briefs by Letters Patents, and preventing Abuses in Relation to such Charities.

WHEREAS many Inconveniencies do arise, and Frauds are committed in the common Method of collecting Charity Money upon Briefs by Letters Patents, to the great Trouble and Prejudice of the Objects of such Charity, and to the great Discouragement of well disposed Persons: For Remedy whereof, be it enacted by the Queen'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 from and after the five and twentieth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and six, upon the issuing forth of Letters Patents for collecting of Charity Money, commonly called Briefs, Copies thereof, to the Number required by the Petitioners for such Briefs, or their Agents, and no more, shall be printed by the Printer of her Majesty, her Heirs or Successors only, at the usual Rates for printing, and by such Printer the whole Number of such Copies shall be delivered to such Person or Persons only, as shall, by and with the Consent of the Petitioners for such Brief, or the major Part of them, undertake the laying or disposing such printed Copies, in order to the Collection of the Monies to be received thereon, or to some or one of them, who, or one or more of them, shall give a Receipt for the same, expressing the Number thereof in such Receipt, which Receipt, or an attested Copy thereof, such Printer shall forthwith deliver to the Register of the Court of Chancery to be filed in the Register's Office, and thereupon the Person or Persons so undertaking such Collection, or some or one of them, shall cause all the said printed Copies to be indorsed or marked in some convenient Part of such printed Copy, with the Name of one or more of the Trustees or Commissioners named in such Letters Patents, written with his or their own Hand, and the Time of signing the same, and also cause the said printed Copies to be stamped in the Manner hereafter more particularly mentioned: And the said whole Number being so signed, shall be, with all convenient Speed, by the said Undertaker or Undertakers, sent and delivered to the respective Church-wardens, and Chapel-wardens of the respective Churches and Chapels, and to the respective Teachers and Preachers of every separate Congregation, and to any Person who hath taught or preached in any Meeting of the People called *Quakers*, in the Counties and Places to be comprized in such Letters Patents, to be read and published, and the Charity thereon to be collected in the several Churches, Chapels, or Places of Meeting to which they belong, who shall so receive the same; and that the said Church-wardens, Chapel-wardens, Preachers, Teachers, and *Quakers* having taught, as aforesaid, immediately after such Receipt, shall indorse the Time of his or their receiving the same, and set his or their Names thereto; and the said Church-wardens and Chapel-wardens shall forthwith deliver over the said printed Briefs by them received, to the several Ministers and Curates of the said Churches or Chapels, who shall receive the same; and the said respective Ministers and Curates shall on Receipt thereof indorse the Time they respectively received the same, and set their respective Names thereto; and the said respective Ministers and Curates, Teachers, Preachers, and Persons called *Quakers*, qualified as aforesaid, shall on some *Sunday*, within two Months after Receipt of such Copies, immediately before the Sermon, Preaching or Teaching shall begin, openly read or cause to be read such printed Briefs in their respective Churches, Chapels, and Places of Meeting, to the Congregation there assembled, and the respective Church-wardens, Chapel-wardens, and the Teachers of every such separate Congregation, and such Persons called *Quakers*, to whom the Briefs shall have been so delivered, as aforesaid, shall collect the Sums of Money that shall be freely thereon given, either in the said respective Assemblies, or by going from House to House of the Members of their respective Congregations, as the Briefs shall require in that Behalf; and on every such Collection made, the Sum that shall be collected, with the Place where, and Time when the same was collected, shall be indorsed, fairly written in Words at length on such respective printed Briefs, and signed by the Minister or Curate, and the Churchwardens in Churches and Chapels, and by the Teacher and two Elders, or two other substantial Persons of every separate Congregation; and that thereupon the said respective Church-wardens and Chapel-wardens, and the respective Teachers or Preachers, or other Persons required to make the Collection, as aforesaid, on Request of such Person or Persons as shall undertake to place and disperse the Briefs, as aforesaid, or of any Person by them, or any of them lawfully authorized, shall deliver to such Person or Persons, making such Request, the respective printed Briefs so indorsed, as aforesaid, and the Monies thereon collected, taking a Receipt for the same, from the Person so receiving such Monies, in some Book to be kept for that Purpose; on Pain that every the said Ministers, Curates, Teachers, Preachers, Church-wardens, Chapel-wardens, and *Quakers* qualified and required, as aforesaid, who shall refuse or neglect to do any of the Matters or Things before respectively required of them, shall forfeit the Sum of twenty Pounds, to be recovered and applied as

From 25 March 1706. all Copies of Briefs for collecting Charity Money shall be printed by the Queen's Printers.

Ministers, &c. on some Sunday within 2 Months after Receipt of Copy, &c. shall before Sermon, openly read the same.

Church-wardens, &c. to collect the Money.

Sum collected to be indorsed on such printed Brief, and signed by Minister, &c. and delivered to the Undertakers of the Brief, &c.

Penalty on Minister, &c. neglecting.

herein

Undertakers within six Months after Delivery, to demand the same from the Churchwardens, &c.

and the Monies received thereon,

and enter in a Book the Number of printed Briefs received, &c.

Printed Copies (when received back) to be deposited with the Register of the Court of Chancery.

Penalty on Undertaker not returning the whole Number, &c.

In each Parish, &c. a Register to be kept of all Monies collected.

Form of Indorsement to be printed on the back of every printed Brief, with proper Blanks, &c. and Stamp, &c.

Penalty on counterfeiting Stamp.

Undertakers to account for all Monies received within two Months after Receipt,

and be allowed for their Pains.

Undertakers, &c. found guilty of Frauds, to be fined.

herein after is directed; and the said Person or Persons who shall so undertake to Place, and disperse the said Briefs as aforesaid, shall within six Months next after the respective placing or delivering such Copies in the respective Parishes, as aforesaid, by themselves, or some or one of them, or by some Person or Persons by them or the major Part of them to be appointed, as aforesaid, demand from the respective Churchwardens and Chapelwardens of Churches and Chapels, and from the Preacher and Teacher of separate Congregations, or from such Teaching Quaker to whom the said printed Brief shall have been respectively delivered, as aforesaid, the printed Briefs so left with him or them respectively, and the Monies respectively by them received thereon; and on Delivery and Payment made shall give to them respectively, as aforesaid, a Receipt for the same, on pain to forfeit the Sum of twenty Pounds, to be recovered and disposed of as herein after is directed.

II. And to the Intent a speedy, regular, and satisfactory Account may be rendered of the Sums of Money collected by virtue of such Briefs, be it enacted by the Authority aforesaid, That the Person or Persons so undertaking to place or disperse the said printed Briefs, or the greater Part of them, shall make, or cause to be made, a fair Entry in a Book for that Purpose by them to be kept (to which all Persons concerned may at all Times resort) of the Number of the printed Briefs they so received, and also when signed and sent away, and to what Parishes and Places, and the time of their receiving the same back, and the Monies thereon collected; and the said printed Copies so received back, shall be deposited and left with the Register of the Court of Chancery, with whom the Receipt given to the Printer for the same as aforesaid, was registred, to the end it may appear that the whole Number received of the said Printer is duly returned, and that the same may be from time to time made use of, as well by the Sufferers and their Agents, as by the said Undertakers and their Agents or Solicitors, in passing the Accounts in the Method herein after prescribed; and if the whole Number of printed Copies of such Briefs so received of the Printer, shall not be duly returned as hereby required, the Undertaker or Undertakers shall, for every printed Copy, which shall be found wanting and not returned as aforesaid, by Default of them or their Agents, forfeit the Sum of fifty Pounds, to be recovered and applied as herein after mentioned; unless he or they shall make a sufficient Proof, to the Satisfaction of the Court of Chancery, of the said Briefs so wanting being lost or destroyed by inevitable Accident, and of what Money was really and truly collected thereon, and fully account for, and pay the same; and that in each Parish or Chapel, and separate Congregation, a Register shall be kept by the Minister or Teacher there, or by some Teaching Quaker, of all Monies collected by virtue of such Briefs, therein also inserting the Occasion of the Brief, and the Time when the same was collected, to which all Persons at all Times may resort without Fee.

III. And for the better indorsing what Money is collected on the back of the printed Briefs, and for the more regular Examination thereof, and for the preventing the Counterfeiting printed Copies of the Briefs, by which great Frauds have been put in Practice; Be it enacted by the Authority aforesaid, That on the back of every printed Copy of such Brief, there shall be printed the Form of Indorsement, with the necessary Blanks for Time, Place and Sum of Money, to be filled up by the respective Persons aforesaid; and each printed Copy of such Brief shall before it be carried to the respective Parishes wherein the Collection is to be made, be stamped or marked with a proper Stamp to be made for that Purpose, and kept by the Register of the Court of Chancery, who is to see that no greater Number of printed Copies be stampd or marked therewith, than is in the Receipts given to the Printer, and left with the Register as aforesaid, specified and declared; and if any Person or Persons shall forge or counterfeit such Stamp, such Person being thereof lawfully convicted, shall be publicly set on the Pillory for the Space of one whole Hour.

IV. And be it further enacted by the Authority aforesaid, That the said Undertaker or Undertakers, shall within two Months after the Monies respectively received, and after due Notice thereof to the Sufferers (who are to be admitted to controvert the same) account before one of the Masters of the Court of Chancery, to be for that Purpose appointed by the Lord Chancellor, Lord Keeper, or Commissioners for the Custody of the Great Seal of *England* for the time being, for all the Monies by them received on account of such Letters Patents and Briefs, and shall produce before him an exact Account of the respective printed Briefs by them delivered out, and received back, and left with the Register as aforesaid, and thereupon the said Master shall proceed to make his Report of what shall be found due on such Account; and the said Report being confirmed by the said Court of Chancery as usual, shall be a Charge on the said Undertaker or Undertakers, and shall be carried into Execution against him or them, as if decreed in a Suit there depending; in taking which Account such Master shall make all just Allowances to such Undertakers, for their Trouble and Pains of Management, over and besides the Charges to be expended for the said Letters Patents and Copies thereof; and such Master shall also have Power by the common Methods of the Court of Chancery, to examine into all Frauds and ill Practices that shall be committed by the said Undertakers or their Agents, or any others concerned for or under them in such Collection, and report the same to the Court; which Report being confirmed by the said Court, it shall be in the Power of the Lord Chancellor, Lord Keeper, or Commissioners aforesaid, for the time being, to impose such Fine and Costs on every such Offender, as the Nature of the Case shall require; which said Fine, and all other Forfeitures incurred by the said Undertakers or their Agents, shall be only for the Benefit of the Sufferers, for whose Benefit such Briefs shall be granted, and shall and may be recovered by the Order of the said Court of Chancery, founded on such Report so confirmed as aforesaid, and carried into Execution, as the Decrees of that Court usually are.

V. Provided always, That where any Penalties are by this Act inflicted on any Person or Persons, Provido concerning Penalties. other than the Undertakers, their Agents, Deputies, Substitutes, or Servants, such Penalties shall be recovered by Action of Debt, Bill, Plaint or Information.

VI. And whereas there hath been an evil Practice in farming and purchasing for a Sum of Money, the Charity-money that should or might be collected on such Briefs, to the very great Hindrance and Discouragement of Alms-giving on such Occasion; Be it therefore enacted by the Authority aforesaid, and it is hereby declared, That all farming and purchasing of such Charity-money is unlawful, and that from and after the aforesaid five and twentieth Day of *March*, if any Person or Persons shall purchase or agree for any Charity-money to be collected on any Briefs or Letters Patents, or by any Instrument of Covenant or Agreement, by way of Farming, shall or may pretend to appropriate such Charity-money, or any Part thereof to his or their Use, contrary to the Intent and Meaning of such Letters Patents, by which such Charity-money shall be collected, and contrary to the Intent and Meaning of this Act, such Purchase and Instrument of Covenant and Agreement, shall be void, and each Person agreeing to purchase the Benefit of such Brief, shall forfeit the Sum of five hundred Pounds, to be applied for the Benefit of the Sufferers in such Letters Patents mentioned, and to be recovered as before last mentioned. No Persons to farm or purchase Charity-money on Briefs, &c. on Penalty,

C A P. XV.

An Act for making the River *Stower* Navigable, from the Town of *Maningtree* in the County of *Essex*, to PR. the Town of *Sudbury* in the County of *Suffolk*. River *Stower* to be made Navigable from *Maningtree* in *Essex*, to *Sudbury* in *Suffolk*. Powers granted to the Undertakers. Commissioners appointed for determining Differences. Any nine of them impowered to act. Persons declining Commissioners Mediation, Sheriff of the County to impanel a Jury; who, on Oath, are to inquire and assess Damages, &c. Such Assessment to be binding. On Payment of Sum assessed, &c. Undertakers, &c. may act in pursuance of such final Order. No Commissioner to act in any Case where concerned. In case of Death of Commissioners, or Refusal to act, the Number shall be supplied. Undertakers to receive for Goods, Merchandizes, &c. viz. For every Chalders of Coals, 5 s. every Ton Weight of other Goods, &c. 5 s. On Nonpayment, Undertakers may sue or detain Goods. Watermen, &c. may use Winches. Owners of Barges, Boats, &c. responsible for Damages done by Barges, &c. Commissioners to have the sole Power of surveying the River, &c. and not to be under the Survey of any Commission of Sewers. Persons sued on this Act may plead the General Issue. Defendants to have full Costs. Act to be deemed a Publick Act. Rights of Fishing reserved. Owners of Lands may use Pleasure Boats, &c. Lawful to enter into any Boat, Vessel, &c. and seize Nets, &c. for taking Fish. Undertakers by the twenty-fourth of *June 1708*, to begin their Works, and finish the same by the twenty-fourth of *June 1713*. If Works be not finished by the Time limited, Commissioners may appoint others to perfect the same, &c. And so toties quoties. Mill-stones, Timber, Lime, &c. for the Use of the Mills, exempt from Toll. The Sea Walls and Banks, &c. belonging to *Lawford Hall* in *Essex*, shall be repaired and maintained. -Dr. *Dent* to pay 5 l. per Ann. to the Undertakers, on Penalty of Distress. No Duty to be paid for Dung, Muck, &c. used for manuring of Owners Lands, &c. Wharfage Duty for Coals, &c. payable at *Sudbury*. All Boats, Barges, &c. to be registred and marked. No Boat to be marked with another's Mark.

C A P. XVI.

An Act for the Amendment of the Law, and the better Advancement of Justice.

FOR the Amendment of the Law in several Particulars, and for the easier, speedier, and better Advancement of Justice, Be it enacted by the Queen'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 from and after the first Day of *Trinity* Term, which shall be in the Year of our Lord one thousand seven hundred and six, where any Demurrer shall be joined, and entered in any Action or Suit in any Court of Record within this Realm, the Judges shall proceed and give Judgment, according as the very Right of the Cause and Matter in Law shall appear unto them, without regarding any Imperfection, Omission, or Defect in any Writ, Return, Plaint, Declaration, or other Pleading, Process, or Course of Proceeding whatsoever, except those only which the Party demurring shall specially and particularly set down and express, together with his Demurrer, as Causes of the same, notwithstanding that such Imperfection, Omission, or Defect might have heretofore been taken to be Matter of Substance, and not aided by the Statute made in the twenty-seventh Year of Queen ELIZABETH, intituled, *An Act for the Furtherance of Justice in case of Demurrer and Pleadings*, so as sufficient Matter appear in the said Pleadings, upon which the Court may give Judgment according to the very Right of the Cause; and therefore from and after the said first Day of *Trinity* Term, no Advantage or Exception shall be taken of or for an immaterial Travers; or of or for the Default of entering Pledges upon any Bill or Declaration; or of or for the Default of alledging the bringing into Court any Bond, Bill, Indenture, or other Deed whatsoever mentioned in the Declaration or other Pleading; or of or for the Default of alledging of the bringing into Court Letters Testamentary, or Letters of Administration; or of or for the Omission of *Vi & Armis & contra pacem*, or either of them; or of or for the want of Averment of *Hoc paratus est verificare*, or, *Hoc paratus est verificare per Recordum*; or of or for not alledging *prout patet per Recordum*, but the Court shall give Judgment according to the very Right of the Cause as aforesaid, without regarding any such Imperfections, Omissions and Defects, or any other Matter of like Nature, except the same shall be specially and particularly set down and shewn for Cause of Demurrer.

II. And

By 9 Annæ, c. 20. sect. 7. This Statute is extended to Writs of Mandamus and Informations in nature of Quo Warranto. From Trinity Term 1706 Judges shall give Judgment on Demurrer, &c. without regarding any Defect in Writ, &c. Exception. 27 Eliz. cap. 5.

All Statutes of Jeofails to be extended to Judgments upon Nihil dicit, &c. No such Judgment to be reversed.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, all the Statutes of Jeofails shall be extended to Judgments which shall at any Time afterwards be entered upon Confession, *Nihil dicit*, or *Non sum informatus*, in any Court of Record; and no such Judgment shall be reversed, nor any Judgment upon any Writ of Enquiry of Damages executed thereon be staid or reversed, for or by reason of any Imperfection, Omission, Defect, Matter or Thing whatsoever, which would have been aided and cured by any of the said Statutes of Jeofails in case a Verdict of twelve Men had been given in the said Action or Suit, so as there be an original Writ or Bill, and Warrants of Attorney duly filed according to the Law as is now used.

When Warrants of Attorney shall be filed.

III. Provided always, and be it enacted by the Authority aforesaid, That the Attorney for the Plaintiff, or Demandant in any Action or Suit, shall file his Warrant of Attorney with the proper Officer of the Court where the Cause is depending the same Term he declares; and the Attorney for the Defendant or Tenant shall file his Warrant of Attorney as aforesaid, the same Term he appears, under the Penalties inflicted upon Attornies by any former Law for Default of filing their Warrants of Attorney.

Defendant, &c. may plead several Matters.

IV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term it shall and may be lawful for any Defendant or Tenant in any Action or Suit, or for any Plaintiff in Replevin, in any Court of Record, with the Leave of the same Court, to plead as many several Matters thereto, as he shall think necessary for his Defence.

Proviso touching Costs.

V. Provided nevertheless, That if any such Matter shall upon a Demurrer joined, be judged insufficient, Costs shall be given at the Discretion of the Court; or if a Verdict shall be found upon any Issue in the said Cause for the Plaintiff or Demandant, Costs shall be also given in like Manner, unless the Judge, who tried the said Issue, shall certify, that the said Defendant, or Tenant, or Plaintiff in Replevin, had a probable Cause to plead such Matter which upon the said Issue shall be found against him.

Venire facias how to be awarded.

VI. And whereas great Delays do frequently happen in Trials, by reason of Challenges to the Arrays of Panels of Jurors, and to the Polls, for Default of Hundredors: For Prevention thereof for the future, be it enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, every *Venire facias* for the Trial of any Issue, in any Action or Suit in any of her Majesty's Courts of Record at *Westminster*, shall be awarded of the Body of the proper County where such Issue is triable.

Not to extend to Writs of Appeal of Felony or Murder, &c.

VII. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act before contained, shall extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, or to any Indictment or Presentment of Treason, Felony or Murder, or other Matter, or to any Process upon any of them, or to any Writ, Bill, Action or Information upon any Penal Statute.

Where Jurors are to view Lands, &c. Court may order Special Writs of *Distringas* or *Habeas Corpora*.

VIII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term in any Actions brought in any of her Majesty's Courts of Record at *Westminster*, where it shall appear to the Court in which such Actions are depending, that it will be proper and necessary, that the Jurors who are to try the Issues in any such Actions, should have the view of the Messuages, Lands, or Place in Question, in order to their better understanding the Evidence that will be given upon the Trials of such Issues, in every such Case the respective Courts in which such Actions shall be depending, may order Special Writs of *Distringas* or *Habeas Corpora* to issue, by which the Sheriff, or such other Officer to whom the said Writs shall be directed, shall be commanded to have six out of the first twelve of the Jurors named in such Writs, or some greater Number of them, at the Place in Question, some convenient Time before the Trial, who then and there shall have the Matters in Question shewn to them by two Persons in the said Writs named, to be appointed by the Court; and the said Sheriff, or other Officer, who is to execute the said Writs, shall, by a special Return upon the same, certify that the View hath been had according to the Command of the said Writs.

All Grants and Conveyances, &c. to be good, without Attornment of Tenants.

IX. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, all Grants or Conveyances thereafter to be made, by Fine or otherwise, of any Manors or Rents, or of the Reversion or Remainder of any Messuages or Lands, shall be good and effectual, to all Intents and Purposes, without any Attornment of the Tenants of any such Manors, or of the Land out of which such Rent shall be issuing, or of the particular Tenants upon whose particular Estates any such Reversions or Remainders shall and may be expectant or depending, as if their Attornment had been had and made.

Proviso.

X. Provided nevertheless, That no such Tenant shall be prejudiced or damaged by Payment of any Rent to any such Grantor or Conufor, or by Breach of any Condition for Nonpayment of Rent, before Notice shall be given to him of such Grant by the Conufee or Grantee.

No dilatory Plea to be received unless on Affidavit.

XI. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, no dilatory Plea shall be received in any Court of Record, unless the Party offering such Plea, do, by Affidavit, prove the Truth thereof, or shew some probable Matter to the Court to induce them to believe that the Fact of such dilatory Plea is true.

Action of Debt brought on single Bill, or Judgment, after Money paid, such Payment may be pleaded in Bar.

XII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, where any Action of Debt shall be brought upon any single Bill, or where Action of Debt, or *Scire facias*, shall be brought upon any Judgment, if the Defendant hath paid the Money due upon such Bill or Judgment, such Payment shall and may be pleaded in Bar of such Action or Suit, and where an Action of Debt is brought upon any Bond which hath a Condition or Defeazance to make void the same upon Payment of a lesser Sum at a Day or Place certain, if the Obligor, his Heirs, Executors or Administrators, have, before the Action brought, paid to the Obligee, his Executors or Administrators, the Principal and Interest due by the Defeazance or Condition of such Bond, though such Payment was not made strictly according to the Condition or Defeazance; yet it shall and may nevertheless be pleaded in Bar of such Action, and shall be as effectual a Bar thereof, as if the Money had been paid at the Day and Place according to the Condition or Defeazance, and had been so pleaded.

The like on Bonds.

XIII. And

XIII. And be it further enacted by the Authority aforesaid, That if at any Time, pending an Action upon any such Bond with a Penalty, the Defendant shall bring into the Court where the Action shall be depending, all the Principal Money, and Interest due on such Bond, and also all such Costs as have been expended in any Suit or Suits in Law or Equity upon such Bond, the said Money so brought in shall be deemed and taken to be in full Satisfaction and Discharge of the said Bond, and the Court shall and may give Judgment to discharge every such Defendant of and from the same accordingly.

Principal and Interest on Bonds paid in Court, &c. Court may discharge Defendant.

XIV. And whereas by an Act of Parliament made in the twenty-ninth Year of King CHARLES the Second, intituled, *An Act for Prevention of Frauds and Perjuries*, it is enacted, That no Nuncupative Will shall be good, where the Estate thereby bequeathed shall exceed the Value of thirty Pounds, that is not proved by the Oaths of three Witnesses, at the least, that were present at the making thereof; it is hereby declared, That all such Witnesses as are and ought to be allowed to be good Witnesses upon Trials at Law, by the Laws and Customs of this Realm, shall be deemed good Witnesses to prove any Nuncupative Will, or any thing relating thereunto.

Nuncupative Wills. 29 Car. 2. c. 3.

XV. And whereas it hath been doubted, whether since the making of the said last mentioned Act of Parliament, the Declarations or Creations of Uses, Trusts, or Confidences, of any Fines or Common Recoveries manifested by Deed made after the levying or suffering of such Fines or Recoveries, are good and effectual in Law; It is hereby declared, That all Declarations, or Creations of Uses, Trusts, or Confidences, of any Fines or Common Recoveries of any Lands, Tenements, or Hereditaments, manifested and proved, or which hereafter shall be manifested and proved, by any Deed already made, or hereafter to be made, by the Party who is by Law enabled to declare such Uses or Trusts, after the levying or suffering of any such Fines or Recoveries, are and shall be as good and effectual in the Law, as if the said last mentioned Act had not been made.

Declarations of Uses, Trusts, &c. of Fines or Recoveries. 29 Car. 2. c. 3.

XVI. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity Term*, no Claim or Entry to be made of or upon any Lands, Tenements or Hereditaments, shall be of any Force or Effect to avoid any Fine levied or to be levied with Proclamations, according to the Form of the Statute in that Case made and provided in the Queen's Court of *Common Pleas at Westminster*, or in the Courts of Sessions in any of the Counties Palatine, or in Courts of Grand Sessions in *Wales*, of any Lands, Tenements or Hereditaments, or shall be a sufficient Entry or Claim within the Statute made in the twenty-first Year of King JAMES the First, intituled, *An Act for Limitation of Actions, and for avoiding of Suits in Law*, unless upon such Entry or Claim, an Action shall be commenced within one Year next after the making of such Entry or Claim, and prosecuted with Effect.

No Claim or Entry to be of Force to avoid Fine levied with Proclamations, &c. unless an Action be commenced in one Year after such Entry made. 21 Jac. 1. c. 16. Seamens Wages.

XVII. And be it further enacted by the Authority aforesaid, That all Suits and Actions in the Court of Admiralty for Seamens Wages, which shall become due after the said first Day of *Trinity Term*, shall be commenced and sued within six Years next after the Cause of such Suits or Actions shall accrue, and not after.

XVIII. Provided nevertheless, and be it further enacted, That if any Person or Persons, who is or shall be intituled to any such Suit or Action for Seamens Wages, be or shall be, at the Time of any such Cause of Suit or Action accrued, fallen or come, within the Age of twenty-one Years, Feme Covert, *Non compos mentis*, imprisoned, or beyond the Seas, that then such Person or Persons shall be at Liberty to bring the same Actions, so as they take the same within six Years next after their coming to, or being of full Age, Discover, of sane Memory, at large, and returned from beyond the Seas.

Proviso in case of Nonage, Feme Covert, or Non compos mentis, &c.

XIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons, against whom there is or shall be any such Cause of Suit or Action for Seamens Wages, or against whom there shall be any Cause of Action of Trespass, Detinue, Actions Sur Trover, or Replevin for taking away Goods or Cattle, or of Action of Account, or upon the Case, or of Debt grounded upon any Lending or Contract without Specialty, of Debt for Arrearages of Rent, or Assault, Menace, Battery, Wounding and Imprisonment, or any of them, be or shall be, at the Time of any such Cause of Suit or Action given or accrued, fallen, or come, beyond the Seas; that then such Person or Persons, who is or shall be intituled to any such Suit or Action, shall be at Liberty to bring the said Actions against such Person and Persons, after their Return from beyond the Seas, so as they take the same after their Return from beyond the Seas, within such Times as are respectively limited for the bringing of the said Actions before by this Act, and by the said other Act made in the one and twentieth Year of the Reign of King JAMES the First.

Action against Persons gone beyond the Seas, may be brought after their Return.

Proviso. 21 Jac. 1. c. 16.

XX. And be it enacted by the Authority aforesaid, That if any Person or Persons shall be arrested from and after the said first Day of *Trinity Term*, by any Writ, Bill, or Process, issuing out of any of her Majesty's Courts of Record at *Westminster*, at the Suit of any common Person, and the Sheriff or other Officer taketh Bail from such Person, against whom such Writ, Bill, or Process is taken out, the Sheriff or other Officer at the Request and Costs of the Plaintiff in such Action or Suit, or his lawful Attorney, shall assign to the Plaintiff in such Action the Bail Bond, or other Security taken from such Bail, by endorsing the same, and attesting it under his Hand and Seal in the Presence of two or more credible Witnesses, which may be done without any Stamp; provided the Assignment so endorsed be duly stampd before any Action be brought thereupon; and if the said Bail Bond or Assignment, or other Security taken for Bail be forfeited, the Plaintiff in such Action, after such Assignment made, may bring an Action and Suit thereupon in his own Name, and the Court where the Action is brought, may by Rule or Rules of the same Court, give such Relief to the Plaintiff and Defendant in the original Action, and to the Bail, upon the said Bond or other Security taken from such Bail, as is agreeable to Justice and Reason, and that such Rule or Rules of the said Court shall have the Nature and Effect of a Defeazance to such Bail Bond, or other Security for Bail.

Bail Bond taken by Sheriff, &c. may be assigned to Plaintiff.

Proviso.

XXI. And

Warranty by
Tenant for Life
void.

XXI. And be it further enacted by the Authority aforesaid, That all Warranties which shall be made after the said first Day of *Trinity* Term, by any Tenant for Life, of any Lands, Tenements or Hereditaments, the same descending or coming to any Person in Reversion or Remainder, shall be void and of none Effect; and likewise all collateral Warranties, which shall be made after the said first Day of *Trinity* Term, of any Lands, Tenements or Hereditaments, by any Ancestor who has no Estate of Inheritance in Possession in the same, shall be void against his Heir.

No Subpœna
to issue till after
Bill filed.
Exception.

XXII. And be it further enacted by the Authority aforesaid, That no *Subpœna*, or any other Process for Appearance, do issue out of any Court of Equity, till after the Bill is filed with the proper Officer in the respective Courts of Equity, except in Cases of Bills for Injunctions to stay Wastes, or stay Suits at Law commenced, and a Certificate thereof brought to the *Subpœna* Office, or to him who usually makes out *Subpœnas* or other Process in the several Courts of Equity, under the Hand of the Six Clerk, or other Clerk or Officer who usually files Bills in Equity, for which Certificate he shall receive no Fee.

On dismissing
Bills in Equity,
Plaintiff or De-
fendant to pay
full Costs.

XXIII. And for the better preventing vexatious Suits in Courts of Equity; be it further enacted, That upon the Plaintiff's dismissing his own Bill, or the Defendant's dismissing the same for want of Prosecution, the Plaintiff in such Suit shall pay to the Defendant or Defendants, his or their full Costs, to be taxed by a Master: And that no Copy, Abstract, or Tenor of any Bill in Equity, do go with the *Dedimus* or Commission for taking the Defendant's Answer; but in Lieu and Recompence thereof, the sworn Clerks of the Court of *Chancery* shall take to their own Use, in all Clauses, the whole Term Fee of three Shillings and four Pence, and also the whole Fee or Fees of and for all small Writs made by the said sworn Clerks.

A Ct. to extend to
all Suits for the
King's Debts,
&c.

XXIV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, this Act and all the Statutes of Jeofails shall extend to all Suits in any of her Majesty's Courts of Record at *Westminster*, for Recovery of any Debt immediately owing, or any Revenue belonging to her Majesty, her Heirs or Successors; and shall also extend to all Courts of Record in the Counties Palatine of *Lancaster*, *Chester*, and *Durham*, and the Principality of *Wales*, and to all other Courts of Record within this Kingdom.

Rex v. Phillips
in Scacc. Hil.
1746.

On quashing
Writ of Error
Defendant to
have Costs.

XXV. And for the preventing great Vexation from suing out defective Writs of Error; be it enacted by the Authority aforesaid, That upon the quashing any Writ of Error to be sued out after the said first Day of *Trinity* Term, for Variance from the original Record or other Defect, the Defendants in such Error shall recover against the Plaintiff or Plaintiffs, issuing out such Writ, his Costs, as he should have had if the Judgment had been affirmed, and to be recovered in the same Manner.

Probats of Wills
and Administra-
tions.

XXVI. And whereas great Trouble and Expence is frequently occasioned to the Widows and Orphans of Persons dying Intestate to Monies or Wages due for Work done in her Majesty's Yards and Docks, by Disputes happening about the Authority of granting Probate of the Wills, and Letters of Administration of the Goods and Chattels of such Persons, and for preventing such unnecessary Trouble and Expence; Be it therefore enacted by the Authority aforesaid, That the Power of granting Probats of the Wills, and Letters of Administration of the Goods and Chattels of such Person and Persons respectively is, and is hereby declared to be, in the ordinary of the Diocese, or such other Person, to whom the ordinary Power of Probate of Wills, or granting Letters of Administration do belong, where such Person and Persons shall respectively die; and that the Salary, Wages, or Pay due to such Person or Persons from the Queen's Majesty, her Heirs or Successors, for Work done in any of the Yards or Docks, shall not be taken or deemed to be *Bona notabilia*, whereby to found the Jurisdiction of the Prerogative Court.

Bona notabilia.

Actions of Ac-
count may be
brought against
Executors of
Guardian, Bai-
liff, &c.
Auditors to exa-
mine the Parties
on Oath.

XXVII. And be it enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, Actions of Account shall and may be brought and maintained against the Executors and Administrators of every Guardian, Bailiff, and Receiver; and also by one Joint-tenant, and Tenant in Common, his Executors and Administrators, against the other, as Bailiff for receiving more than comes to his just Share or Proportion, and against the Executor and Administrator of such Joint-tenant, or Tenant in Common; and the Auditors appointed by the Court, where such Action shall be depending, shall be, and are hereby empowered to administer an Oath, and examine the Parties touching the Matters in Question, and for their Pains and Trouble in auditing and taking such Account, have such Allowance as the Court shall adjudge to be reasonable, to be paid by the Party on whose Side the Balance of the Account shall appear to be.

C A P. XVII.

An Act to prevent Frauds frequently committed by Bankrupts. [Continued for five Years from April 1709: by 7 Annæ, c. 25. s. 4.] E X P. See 10 Ann. c. 15.

C A P. XVIII.

An Act for enlarging the Pier and Harbour of *Parton* in the County of *Cumberland*. Harbour to be enlarged. From 1 *May* 1706. for eleven Years to be paid to the Trustees, for enlarging and repairing the Pier and Harbour. For every 192 Gallons of Coals, 2*d.* by the Owner, and 2*d.* by the Master of the Ship. And after eleven Years, one Farthing only for every 192 Gallons for ever. Trustees to appoint Collectors of the Duties. Who are to pay the Monies to the Receivers. Trustees to take Security of the Receivers and Collectors. Collectors to be allowed 6*d.* in the Pound. If Duties be not paid, Collectors may distrain. And on Non-payment Distress may be sold. No Ship to be discharged until Master produce Collectors Receipt of Duties paid. Trustees may contract for repairing the Harbour: And assign the Place for building the Pier, &c. Trustees may borrow Money on Credit of the Duties, at 6*l.* per Cent. per

per Annum. Not exceeding 1500*l*. Trustees Accounts to be examined by Justices at Quarter-Sessions. On Death of Trustees, Survivors to choose others. No Ballast, Dust, &c. to be thrown into the Harbour. Persons sued may plead the General Issue. Act to be allowed a Publick Act. EXP.

C A P. XIX.

An Act for the Encouragement and Increase of Seamen, and for the better and speedier Manning her Majesty's Fleet.

X. AND for the Encouragement of all Seamen, who are or shall be in her Majesty's Service at Sea, it is hereby declared and enacted by the Authority aforesaid, That every Seaman who from and after the five and twentieth Day of *March* one thousand seven hundred and six, shall be turned over from one Ship to another in her Majesty's Service, or turned ashore, as not being fit for her Majesty's Service, shall be paid his Wages which shall appear to be due to him in the Ship from which he was turned over, before such Ship to which he shall be turned over do go to Sea, either in Money or by a Ticket, which shall entitle him or his Assigns to Payment within one Month after the said Ticket shall be presented to the Commissioners of the Navy at their Office.

How Seamen turned over from one to another, &c. shall be paid.

"No Mariner entred, and continuing in the Queen's Service, to be arrested during this War, for a Debt not exceeding 20*l*."

XVI. And whereas by an Act made in the second Year of her Majesty's Reign, intituled, *An Act for the Increase of Seamen, and better Encouragement of Navigation, and the Security of the Coal Trade*, Provision is made for putting out of Parish Children Apprentices to Masters of trading Ships and Vessels at the Age of ten Years; It is hereby enacted, That no such Master shall be obliged to take any such Apprentice under the Age of thirteen Years, or who shall not appear to be fitly qualified both as to Health and Strength of Body for that Service; and any Widow of the Master of such Ship or Vessel, or the Executor or Administrator of such Master, who shall have been obliged to take such Parish Boys Apprentices to them, shall have the same Power of assigning over such Apprentices to any other Masters of Ships or Vessels, who have not their Compliment of Apprentices required by the said recited Act, to be entertained by them, as is given by the said Act to such Persons, as have taken Children Apprentices in pursuance of the Statute made in the forty-third Year of Queen ELIZABETH.

2 & 3 Annæ, c. 6.

No Master of Ship to take Apprentices under 13 Years old.

43 Eliz. c. 2.

XVII. And whereas all such Persons, who in Pursuance of the said Act, have voluntarily bound, or hereafter shall so bind themselves Apprentices to such Masters or Owners, as therein is expressed, are exempted from her Majesty's Service for the Term of three Years, from the Date of their respective Indentures: And whereas such Exemptions from her Majesty's Sea Service for the Term of three Years, which was intended for the Encouragement of Landmen, to bind themselves Apprentices to the Sea Service, hath been manifestly abused for the exempting and protecting of Seamen from the said Service, who having bound themselves Apprentices, have claimed such Exemption, and demanded Protections accordingly, to the great Hindrance and Prejudice of her Majesty's Sea Service; Be it therefore further enacted and declared, That no Person or Persons of the Age of eighteen Years, shall have any Exemption or Protection from her Majesty's Sea Service, who shall have been in any Sea Service before the Time they bound themselves Apprentices; any Law or Statute to the contrary thereof in any wise notwithstanding.

No Apprentices to Sea Service of 18 Years old, exempt from the Queen's Service at Sea.

XVIII. And whereas by an Act of Parliament made in the second Year of the Reign of King PHILIP and Queen MARY, intituled, *An Act touching Watermen and Bargemen upon the River of Thames*, it was enacted, That if any Person or Persons, which from and after the Time therein mentioned, should use and exercise the Occupation of rowing betwixt *Gravesend* and *Windsor*, which in the Time of the Execution of any Commission of pressing, that should be had for the Service of the King and Queen's Majesty in their Affairs, should willingly, voluntarily, and obstinately withdraw, hide, or convey him or themselves in the same Time of pressing, into secret Places and out Corners, and after, when such Time of pressing is overpassed, should return and come again to the River of *Thames*, to row betwixt *Gravesend* and *Windsor* aforesaid, and that duly proved by two indifferent Witnesses before the Lord Mayor, and Court of Aldermen, or Justices of Peace, and two of the Rulers of the Company of Watermen, that then he or they so doing and offending, should suffer Imprisonment for the Space of two Weeks, and be banished any more to row from thenceforth upon the said River of *Thames*, by the Space of one whole Year and a Day then next following: And whereas by an Act made in the eleventh Year of his late Majesty King WILLIAM the Third, intituled, *An Act for Explanation and better Execution of former Acts made touching Watermen and Wherryemen, rowing on the River of Thames, and for the better ordering and governing the said Watermen, Wherryemen, and Lightermen upon the said River, between Gravesend and Windsor*, Persons who keep or work, or shall be employed in rowing or navigating any Lighter or Lighters, or other great Craft, (except, as in the said Act is excepted) shall be registered in the Company of Watermen: And whereas in this Time of War, divers Watermen, Bargemen, Lightermen, and Wherryemen, belonging to the said River, do abscond and not enter themselves into her Majesty's Service; and it being highly necessary that a convenient Number of such Watermen, Bargemen, Lightermen, and Wherryemen, should from Time to Time be obliged to serve on board her Majesty's Fleet; Be it enacted by the Authority aforesaid, That in case such Number of them as the Lord High Admiral,

2 & 3 Phil & Mar. c. 16. §. 8.

11 & 12 W. 3. c. 21.

Watermen, &c. summon'd by the Rulers of the

or any three or more of the Commissioners for executing the Office of Lord High Admiral of England for the Time being, shall from Time to Time give Notice to the said Company of Watermen, there shall be Occasion for to serve her Majesty, her Heirs and Successors, (being duly summoned by leaving Notice in Writing at the Place of their usual Abode by the Company) within ten Days after such Summons, shall not appear before the Rulers of the said Watermens Company, to be sent on board her Majesty's Fleet, such Person or Persons so summoned, and being duly convicted before the Lord Mayor and Court of Aldermen of the City of London, or two Justices of the Peace of the said City, and two of the said Rulers, that then he or they so doing and offending, shall suffer Imprisonment during the Space of one Month, and be disabled from rowing, or working upon the said River of Thames, and of enjoying any the Advantages or Privileges of the said Company for the Space of two Years.

EXP.

Farther Provisions concerning Seamen,

10 Ann. c. 17.

1 Geo. 1. c. 25.

2 Geo. 2. c. 7

6 Geo. 2. c. 25. f. 18.

8 Geo. 2. c. 29.

11 Geo. 2. c. 30.

13 Geo. 2. c. 3 & 17.

14 Geo. 2. c. 38.

18 Geo. 2. c. 31.

20 Geo. 2. c. 38.

22 Geo. 2. c. 52.

34 Geo. 2. c. 47. and 31 Geo. 2. c. 10.

“ Insolvent Debtors who shall before the first of May 1706. surrender their Effects to the Use of their Creditors; and take an Oath; and enter themselves on board the Navy to serve during the War; to be discharged from all Debts, &c. Any three Justices may go to any Prison, and examine what Prisoners are in for Debt, not exceeding 60*l.* and grant their Warrant for such who are able to serve, to be sent on board the Fleet. None to have benefit of Act, unless he continue in the Service during this War: Nor be discharged out of Prison if indebted more than 60*l.* Discharge of Prisoner, not to discharge his Debt, &c.”

C A P. XX.

An Act for the better enabling the Master, Wardens, and Assistants of *Trinity House*, to rebuild the Light House on the *Edystone Rock*.

8 Eliz. c. 13.

Edystone Rock.

WHEREAS in and by one Act of Parliament made in the eighth Year of the Reign of our late Sovereign Lady Queen ELIZABETH, intituled, *An Act to enable the Master, Wardens, and Assistants of Trinity House at Deptford Strand, to erect Sea Marks, &c.* They the said Master, Wardens, and Assistants are impowered to erect and set up Beacons, Marks, and Signs for the Sea, needful for avoiding the Dangers, and to renew, continue, and maintain the same, in such Manner as in the said Act is mentioned: And whereas there now is, and Time out of Mind hath been, a very dangerous Rock, called the *Edystone*, lying off of *Plymouth* in the County of *Devon*, upon which divers Ships and Vessels have been cast away, and the Lives and Goods of many Subjects of this Kingdom lost and destroyed: And whereas upon Application some Time since made to the said Master, Wardens, and Assistants, by great Numbers of Masters and Owners of Shipping, to have a Light House erected upon the said Rock, offering and agreeing, in Consideration of the great Charge, Difficulty, and Hazard of such an Undertaking, to pay to the said Master, Wardens, and Assistants, one Penny per Tun outwards, and the like inwards, for all Ships and Vessels which should pass by such Light House (Coasters excepted, who should pay twelve Pence only for each Voyage;) they the said Master, Wardens, and Assistants, having a due Regard to the Safety and Preservation of the Shipping and Navigation of this Kingdom, did in the Year of our Lord one thousand six hundred ninety-six, cause a Light House to be begun to be erected on the said Rock, and in three Years Time a Light was placed therein; and the said Light House in the Term of five Years was, with much Hazard and Difficulty, and a very great Expence, fully built and compleated, to the great Satisfaction of the Flag Officers and Commanders of the Fleet and Ships of War, and of all others concerned in Trade and Navigation, the same being not only useful for avoiding that dangerous Rock upon which it was built, but also a Guide and Direction to Ships passing through the Channel from and to all Parts of the World: And whereas the said Light House was preserved and kept up for several Years, notwithstanding the great Force and Violence of the Wind and Sea, (to which it was exposed) until the late dreadful Storm in *November* one thousand seven hundred and three, when the same was blown down and destroyed: And whereas it was found by Experience, That the said Light House (during the standing thereof) was of publick Use and Benefit to this Kingdom, a Means to preserve her Majesty's Ships of War, and the Shipping, Lives, and Estates of her Subjects, and was useful and beneficial to Navigation; and forasmuch as the speedy rebuilding the said Light House is absolutely necessary for avoiding the Dangers attending the Navigation and Trade of this Kingdom, and in Regard the same is a Work of great Charge, Hazard, and Expence, and all due and proper Encouragement ought to be given thereunto; to the end therefore that the said Master, Wardens, and Assistants, may be encouraged to new erect and build, or cause to be new erected and built, the said Light House, with all convenient Speed, and constantly to keep and maintain the same for the Benefit of the Navigation and Trade of this Kingdom; Be it enacted, &c.

P R.

Explained and enforced by 8 Annæ, c. 17. s. c. 1.

“ Master, Wardens, and Assistants of Trinity House, to new erect a Light House on the *Edystone Rock*. Duties to be paid by all Ships, &c. passing by the same, viz. All *English* Ships which shall pass by the said Light House (except Coasters) one Penny per Tun outward bound, and one Penny per Tun inward bound, of the Merchant one Moiety, and of the Owner the other Moiety; and Aliens Ships, two Pence per Ton; and every Coaster, two Shillings, for each Time.”

An Act for the Increase and better Preservation of Salmon and other Fish, in the Rivers within the Counties of Southampton and Wilts.

WHEREAS the Salmon and Salmon-kind of Fish resorting to spawn within the Rivers and Salmon Fisheries Freshes in the County of Southampton, and Southern Parts of Wiltshire, are in Danger of utter Decay, to the great Loss of this Kingdom, and the Royalties and Fisheries in the said Counties are in great Measure consumed and destroyed, by placing divers Engines and other Devices in and upon the main Rivers, and in the new Channels, Dykes, and Cuts, which now are or shall be cut out of the same Rivers, by Means whereof the Salmon Stripes or Kippers, as well as the young Fry or Smelts are taken and destroyed, and are prevented from returning to the Sea in Season: And whereas the Owners and Occupiers of the Salmon Fisheries within the said Counties, regarding only their private and greedy Profit, do destroy the Stock of the said Fisheries, by preventing the Breed of good Fish to pass in Season through their Fishing Wyres, and Fishing Hatchways, from the Sea into the said Rivers to spawn and by killing such as are under Size, and by fishing continually out of Season, at and in the said fishing Wyres and Creeks of the Rivers, with Nets and other Devices, whereby not only the Increase of the Species of the said Fish, but also the Growth thereof is in great Measure destroyed; and whereas notwithstanding the many good Laws before this Time made, and still in Force, with Intent to prohibit unlawful killing or otherwise destroying the Game of this Kingdom, divers sturdy and disorderly Persons (through Defect in the said Laws for sufficiently punishing of Offenders, and neglecting their lawful Employments) do poach with Nets and Angles, Gins, and other unlawful Engines, and by unlawful Means in the Night, and at other Times, do take, kill, and destroy the Fish, to the great Detriment of the Lords of Manors, and the other Owners and Occupiers of Fisheries in the said County of Southampton, and Southern Parts of Wiltshire; For Remedy whereof, be it enacted by the Queen'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 Statute made in the fourth and fifth Year of the Reign of King WILLIAM and Queen MARY, now in Force, for the better Preservation of the Game relating to Salmon Fishing, and every Article and Thing therein contained, shall be duly put in Execution, according to the Tenor of the same; and that the Statute made in the thirteenth Year of King EDWARD the first, whereby it is provided that the Waters of Humber, Ouse, Trent, Dover, Arre, Derwent, Wharfe, Niddore, Swale, Tese, Tine, Eden, and all other Waters wherein Salmon be taken, shall be in Defence from taking Salmon, from the Nativity of our Lady unto Saint Martin's Day; and likewise that young Salmon shall not be taken nor destroyed by Nets, nor by other Engines, at Mill Pools, from the Midst of April unto the Nativity of Saint John the Baptist, and in Places where fresh Waters be; shall extend and be in full Force, as well to all and every the Rivers, Creeks, and Waters in the County of Southampton, and Southern Parts of Wiltshire, as to the Waters in the last mentioned Act here above enumerated and contained, and in like Manner, and under the same Pains and Penalties as therein mentioned and expressed.

in the Counties of Southampton and Wilts.
 13 Ed. 1. c. 47.
 31 Ed. 3. f. 2.
 c. 1, 2 & 3.
 31 Ed. 3. f. 3.
 c. 1 & 2.
 13 R. 2. c. 19.
 17 R. 2. c. 9.
 2 H. 6. c. 15.
 22 Ed. 4. c. 2.
 31 H. 8. c. 2.
 1 El. c. 17.
 5 El. c. 5.
 39 El. c. 10.
 1 Jac. 1. c. 23.
 3 Jac. 1. c. 12.
 15 Car. 2. c. 7 & 16.
 Act 4 & 5 W. & M. c. 23. for the better Preservation of Salmon Fishing to be put in Execution; also Stat. 13 Edw. 1. c. 23. Stat. 1. c. 47.
 No young Salmon to be destroyed by Nets, &c.

II. And be it further enacted by the Authority aforesaid, That there shall be assigned Overseers of this Statute, by any two or more Justices of the Peace, residing within five Miles of the respective Rivers within the said Counties of Southampton and Wiltshire, under their Hands and Seals, from Time to Time, who being sworn before the said Justices of the Peace, shall often see and enquire after the Offenders against this Statute, and shall take and apprehend all and every such Offender and Offenders, and take and destroy all Nets and other Craft and Engines, where they shall find the same, being kept, used, or in being contrary to this or any other Act now in Force relating to Fishing; and all and every Offender and Offenders so taken or apprehended by the said Overseers, or any of them, or by any other lawful Means, shall be brought before some Justice of the Peace of the said Counties, to answer for every such Offence, and being convicted before any such Justice of the Peace for the said Counties, by one or more Witnesses upon Oath, which Oath the said Justice hath hereby Power to administer, or Confession of such Offender, shall for the first Trespas or Offence, forfeit a Sum to be ascertained by such Justice of the Peace, before whom such Conviction shall be made, not under twenty Shillings, nor more than five Pounds, and for the second Trespas or Offence, shall forfeit a Sum not under forty Shillings, to be ascertained as aforesaid, nor more than ten Pounds, and as the Trespas or Offence shall increase to double the Penalty, to be ascertained as aforesaid; one half thereof to be paid to the Informer, and the other half thereof to the Poor of the Parish where the said Offence or Offences shall be committed; and in case the Offender or Offenders shall not be able, or do not on Demand pay the said Penalty or Penalties, then he or they shall be sent by such Justice of the Peace, before whom such Conviction shall be made as aforesaid, to the House or Houses of Correction within the said respective Counties where such Offender or Offenders shall be taken, and there kept for the Space of three Months.

Overseers of this Act to be assigned by Justices.
 Who shall enquire after Offenders.
 Penalty on Offenders.
 No Person, qualified or not, shall take or kill Salmon until after the eleventh of November. This Clause repealed by 1 Geo. 1. stat. 2. c. 18. sect. 15. as to the Owners of these Fisheries; &c.

III. And be it further enacted by the Authority aforesaid, That no Person or Persons (not being by Law duly qualified) shall hereafter kill, destroy, or wilfully hurt any Salmon or Salmon-kind, or any other Fish, and that neither they, nor any other Person or Persons whatsoever, shall and may at any Time or Times after the thirtieth Day of June, which shall be in the Year of our Lord one thousand seven hundred and six, take, kill, or destroy any Salmon, Salmon-peale, or Salmon-kind, by Hawks, Racks, Gins, Nets, Angles, or other Devices whatsoever, until after the eleventh Day of November in every Year, or offer to Sale any of the said Fish so taken, under the like Pains, Penalties, Forfeitures, and Imprisonments, as are herein before mentioned.

Owners of Meadow Grounds to let Salmon go into the Dykes, pass into the main Rivers again.

IV. And be it further enacted by the Authority aforesaid, That if any Salmon or Salmon-kind shall go into any of the Dykes, Cuts, or Water Carriages, that then all Owners and Occupiers of Meadow Grounds in and upon the Banks of any Waters or Rivers in the said Counties within the Time limited and restrained by the said Act, shall permit the said Fish to pass or go out of the said Cuts, or Dykes, or Streams, into the main Rivers again, and not by any wilful Means to destroy them for Sale, or otherwise, under the like Pains, Penalties, Forfeitures and Imprisonment, as afore-mentioned.

Owners of Mills to keep open one Scuttle in the Waste-hatch for the Salmon to pass and repass, &c.

V. And be it enacted by the Authority aforesaid, That all Owners and Occupiers of Corn, Fulling and Paper Mills, and other Mills, upon any the Waters or Rivers in the said Counties, shall constantly keep open one Scuttle or small Hatch of a Foot Square in the Waste-hatch or Water-course in the direct Stream, wherein no Water-wheel standeth, sufficient for the Salmon to pass and repass freely up and down the said Rivers in the said Counties, from the eleventh Day of November to the one and thirtieth Day of May in every Year, during which Season, the old Salmon and the young Fry of the preceding Year retire to the Sea, and the breeding Salmon come from the Sea to spawn, and shall not make Use of any Nets, Pots; Racks; Hawks, Gins, or other Devices whatsoever to be placed in the said Scuttle or small Hatch of a Foot Square in the said Waste-hatch, in or about the said Mills respectively, during the said Term, to kill or destroy, or take any Salmon or Salmon-kind, upon the like Pains, Penalties, Forfeitures, and Imprisonment, as aforesaid; and in case they shall lay any Pots or Nets to catch Eels, after the first Day of January, to the tenth Day of March in every Year (which they may do) they shall set Racks before them, to keep out of the said Pots or Nets the old Salmon or Kippers, which, during that Season, are out of Kind, and returning to the Sea; and after the tenth Day of March, to the one and thirtieth Day of May in every Year, they shall lay no Pot, Net, or Engine, but what shall be wide enough to let the Fry of Salmon pass through to the Sea, or shall take, or keep, or offer to Sale any of the young Fry, that, during the Seasons aforesaid, are returning from the said Rivers to the Sea; upon the Pains, Penalties, Forfeitures, and Imprisonments, as aforesaid.

And not use Nets, &c.

Eel Pots to have Racks before them.

VI. And be it further enacted by the Authority aforesaid, That no Bouges, otherwise called Sea Trouts, shall be taken in any of the said Rivers, Creeks, or Arms of the Sea in the Counties before-mentioned, after the thirtieth Day of June, to the eleventh Day of November every Year, upon the like Pains, Penalties, Forfeitures, and Imprisonments, as aforesaid.

No Sea Trouts to be taken in the Rivers.

None to keep Nets, &c. other than what are allowed by 4 & 5 W. & M. c. 23. 3 & 4 W. & M. c. 10.

VII. And whereas divers disorderly, idle, and mean Persons, have and keep Nets, Angles, Leaps, Pitches, and other Engines for the taking and killing of Fish out of the Ponds, Waters, Rivers, and Fisheries in the said Counties, to the Damage of the Owners thereof; Be it therefore enacted by the Authority aforesaid, That no Person or Persons whatsoever shall have or keep any Net, Angle, Leap, Pitch, or other Engine for taking of Fish, other than as is provided for and allowed of by an Act made in the second Year of King WILLIAM and Queen MARY, intituled, *An Act for the more easy Discovery and Conviction of such as shall destroy the Game of this Kingdom*, and the subsequent Acts made in the third, fourth, and fifth Years of the said King WILLIAM and Queen MARY, for the more easy Conviction of such as shall destroy the Game of this Kingdom; none of which Acts, or any Part or Matter therein contained, or in any other Act relating to the Preservation of the Game of this Kingdom, is hereby intended or deemed to be repealed.

Here seems to be a Mistake in the Roll, there being no such Statute as is here referred to, in 2 W. & M. but only in 4 & 5 W. & M.

VIII. And be it enacted, That if any Person or Persons shall sell or expose to Sale any Salmon or Salmon-kind in the said Counties, from the thirtieth Day of June to the eleventh Day of November in every Year, such Person or Persons shall for every Salmon or Salmon-kind so sold or exposed to Sale, be subject to the Pains, Penalties, Forfeitures, and Imprisonments, as aforesaid.

Penalties on selling Salmon, &c. 1 Geo. 1. c. 18. §. 11.

IX. And be it further enacted by the Authority aforesaid, That all the Forfeitures and Penalties arising by Conviction of any Offender or Offenders against this Act, shall be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of the Justice before whom the Offender or Offenders shall be convicted, rendering the Overplus, if any be, and for want of Distress, the Offender or Offenders shall be committed to the House or Houses of Correction in the said Counties, as aforesaid.

Forfeitures of Offenders to be levied by Distress and Sale, &c.

Extent of the Act.

X. Provided always, That this Act, or any Thing herein contained, shall not extend, or be construed to extend to any County or Place in this Kingdom, save only to the said County of Southampton, and the Southern Parts of Wiltshire; any thing herein contained to the contrary notwithstanding.

Farther Provisions for the Preservation and Improvement of the Fishery, 9 Ann. c. 26. 1 Geo. 1. St. 2. c. 18. 5 Geo. 1. c. 18. 23 Geo. 2. c. 26. §. 7. 26 Geo. 2. c. 9. 30 Geo. 2. c. 27. §. 30. and 33 Geo. 2. c. 27.

C A P. XXII.

An Act to empower the Lord High Treasurer, or Commissioners of the Treasury, to issue out of the Monies arising by the Coinage-duty, any Sum not exceeding five hundred Pounds, over and above the Sum of three thousand Pounds yearly, for the Uses of the Mint.

18 Car. 2. c. 5. 25 Car. 2. c. 8. 1 Jac. 2. c. 7. 4 & 5 W. & M. c. 24. 12 W. 3. c. 11. §. 16.

WHEREAS in and by one Act of Parliament made in the eighteenth Year of the Reign of his Majesty King CHARLES the Second, intituled, *An Act for encouraging of Coinage*; it is, amongst other Things, enacted, That there should not be issued out of the Exchequer, of the Monies accruing by the said Act in any one Year, for the Fees and Salaries of the Officers of the Mint or Mints, and towards the providing, maintaining, and repairing of the Houses, Offices, and Buildings, and other Necessaries, for Assaying, Melting-down, and Coining, above the Sum of three thousand Pounds Sterling, which said Act hath been continued, and is still in Force: And whereas the said three thousand Pounds has been by Experience found not to be sufficient, and the Residue of the Monies arising by the said Coinage

‘Coinage Act is appropriated, as in the same Act is mentioned;’ Be it therefore enacted by the Queen’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 and may be lawful to and for the Lord Treasurer, and Under Treasurer, or Commissioners of the Treasury for the Time being, by Orders or Warrants, to issue out of the Exchequer, or dispose of the Monies arising by the said Coinage Duty yearly and every Year, from and after the twenty-fifth Day of *December* one thousand seven hundred and five, any Sum or Sums of Money, not exceeding the yearly Sum of five hundred Pounds, over and above the yearly Sum of three thousand Pounds abovementioned, for the Fees or Salaries of the Officers of the Mint or Mints, and towards the providing, maintaining, and repairing the said Houses, Offices, and Buildings, and other Necessaries before-mentioned; the said recited Act or Acts, or any other Law, Statute, or Usage to the contrary thereof in any wise notwithstanding.

After 25 Dec. 1705. Lord Treasurer to issue 500 l. yearly out of the Coinage Duties for the Salaries of the Officers of the Mint.

By 4 Geo. 2. c. 12. Coinage Duties are 27 Geo. 2. c. 11.

continued for 7 Years; and are farther continued by 19 Geo. 2. c. 14. and

C A P. XXIII.

An Act for raising the Militia for the Year one thousand seven hundred and six, notwithstanding the Month’s Pay formerly advanced, be not repaid; and for an Account to be made of Trophy Monies. EXP.

C A P. XXIV.

An Act to enlarge the Time for registering unsatisfied Debentures upon the forfeited Estates in *Ireland*, and for renewing of other Debentures, which have been lost, burnt, or destroyed. EXP.

C A P. XXV.

An Act for the paying and clearing the several Regiments commanded by Lieutenant General *Stewart*, Colonel *Hill*, and Brigadier *Holt*, and for supplying the Defect of the Muster-rolls of those and several other Regiments. EXP.

C A P. XXVI.

An Act for making effectual a Grant of their late Majesties King *WILLIAM* and Queen *MARY*, of the Town and Lands of *Seatown* to the Archbishoprick of *Dublin*, and for restoring the same to the said See.

WHEREAS by the Acts of Settlement and Explanation heretofore made and passed in the Kingdom of *Ireland*, it was enacted, That so much of the then forfeited Lands as were anciently the Right and Inheritance of the See of *Dublin*, but granted in Fee-farm by the former Archbishops of that See, in the Time of Popery, under a Reservation of Chief Rent, from the then forfeiting Persons, or those under whom they claimed, should be set out in Augmentation to the said See, as should complete the Revenue thereof to the Sum of two thousand Pounds *per Annum*; and pursuant therunto the late Commissioners for putting in Execution the said Acts, did set out to the then Archbishop of *Dublin*, and his Successors, several Lands; and as Part thereof, the Lands of *Seatown*, *Newtown*, *Blackhall*, *Gamble*, *Smithfield*, and several other Lands and Tenements in and about the Town of *Swords*, containing together four hundred thirty-seven Acres, lying in the Barony of *Nethercross*, in the County of *Dublin* (being formerly the Propriety of *Christopher Russell*, a forfeiting Person:) And whereas the said Archbishop and his Successors, remained in full and quiet Possession of the said Town and Lands, till the Year one thousand six hundred eighty and eight, when *Bartholomew Russell*, Son of the said *Christopher Russell*, set up a pretended Title to the said Town and Lands, and the late Earl of *Tirconnell*, being chief Governor of the Kingdom of *Ireland*, and the Judges being *Irish* Papists, Judgment was given against the then Archbishop of *Dublin*, in Favour of the said *Bartholomew Russell*, and he obtained Possession of the said Town and Lands, and continued in the Possession thereof, until the Reduction of the said Kingdom of *Ireland*, by his late Majesty King *WILLIAM* the Third, of glorious Memory: And whereas the said *Bartholomew Russell*, being actually engaged in the said Rebellion, he was indicted and attainted by Outlawry of Treason, and died so attainted: And whereas their late Majesties by their Letters Patent, bearing Date on or about the sixth Day of *September* in the sixth Year of their said late Majesties Reign, did give, grant, and confirm unto *Narcissus*, then Lord Archbishop of *Dublin*, and his Successors the Archbishops of *Dublin* for ever, all that and those the aforesaid Town and Lands, and also all the Estate, Right, Title, and Interest, which their said late Majesties then had, or might, or ought to have had of, in, and to the Premises, or any Part or Parcel thereof, by Force of the aforesaid several Acts of settlement or Explanation, or either of them, or otherwise howsoever; to hold unto the said *Narcissus* Archbishop of *Dublin*, and his Successors, Archbishops of *Dublin*, for ever, to the Use of the said Archbishop and his Successors for ever; paying therefore thereout yearly, unto their said late Majesties and their Successors, the several yearly Rents therein particularly mentioned, amounting in the whole to the Sum of nine Pounds eighteen Shillings and eleven Pence Halfpenny, to be paid into the Exchequer of the Kingdom of *Ireland*, at the Feast of Saint *Michael* the Archangel, and the Annunciation of the blessed Virgin *Mary*, half-yearly: And whereas by reason the late Archbishop of *Dublin* did not prosecute a Claim made of the said Premises in the Right of his Church, before the Persons nominated and appointed Trustees for the putting in Execution the Powers and Authorities relating to the forfeited and other Estates and Interests in *Ireland*, in and by an Act made in the eleventh Year of the Reign

Forfeited Lands anciently the Inheritance of the See of *Dublin*.

Seatown, *Newtown*, *Blackhall*, *Gamble*, *Smithfield*. *Christopher Russell* a forfeiting Person, *Bartholomew Russell* his Son,

attainted of Treason.

Seatown, &c. granted to the Archbishop of *Dublin*, and his Successors for ever.

Archbishop not prosecuting a Claim of the Premises before the Trustees in Right of his Church.

11 & 12 W. 3.
c. 2.

The same sold by
the Trustees to
Dr. William
King, Lord
Archbishop of
Dublin, and his
Heirs.

11 & 12 W. 3.
c. 2.

1 Annæ, stat. 2.
c. 21.

For 310 l. Ster-
ling.

of his late Majesty King WILLIAM the Third, intituled, *An Act for granting an Aid to his Majesty by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land-tax, for the several Purposes therein mentioned*, the said Archbishop of Dublin was put out of Possession of all and singular the said Premises, and the same were exposed and put to Sale by the said Trustees, as the Estate of the said Bartholomew Russel: And whereas by Indenture bearing Date on or about the twenty-third Day of June in the Year of our Lord one thousand seven hundred and three, made, or mentioned to be made, between Sir Ceryll Wych Knight, Francis Annesly Esq; John Baggs Esq; John Trenchard Esq; John Isham Esq; Henry Langford Esq; James Hooper Esq; John Cary Gentleman, Sir Henry Shere Knight, Thomas Harrison Esq; William Fellows Esq; and Thomas Rawlins Esq; surviving Trustees, nominated and appointed for putting in Execution the Powers and Authorities relating to the forfeited and other Estates and Interests in Ireland, enacted in and by the aforesaid Act, intituled, *An Act for granting an Aid to his Majesty by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land Tax, for the several Purposes therein mentioned*, of the one Part, and the most Reverend Father in God, Doctor William King, Lord Archbishop of Dublin, of the other Part, the said Sir Ceryll Wych, Francis Annesly, John Baggs, John Trenchard, John Isham, Henry Langford, James Hooper, John Cary, Sir Henry Shere, Thomas Harrison, William Fellows, and Thomas Rawlins, pursuant to the said Act of Parliament, and to another Act of Parliament then lately made, intituled, *An Act for advancing the Sale of the forfeited Estates in Ireland, and for vesting such as remained unsold by the then Trustees, in her Majesty, her Heirs and Successors, for such Uses as the same were before vested in the said Trustees, and for the more effectual selling and setting the said Estates in Protestants, and for explaining several Acts relating to the Lord Bophin and Sir Redmund Everard*, and in Execution of the Powers and Authorities to them thereby given, and in Consideration of the Sum of three thousand one hundred and five Pounds Sterling, paid and secured to be paid by the said Doctor William King, Lord Archbishop of Dublin, in such Manner as therein is mentioned, for the absolute Purchase of the Lands therein and herein after mentioned, they the said Trustees did bargain and sell unto the said Doctor William King, Archbishop of Dublin, all that and those the Town and Lands of Seatown, containing by Estimation two hundred thirty-four Acres, and thirty-two Perches profitable Land, Plantation Measure, more or less; Newtown containing one hundred and seventeen Acres, and like Land and Measure, more or less; Blackhall and Gamble, containing one hundred and seventy Acres, and like Land and Measure, more or less; and all those Lands known by the Name of Smith's Land, with the several Gardens, Plots, and Cabins in the Town of Swords; and all that Parcel of Land in Broad Meadow, containing two Acres, three Roods, and sixteen Perches profitable Land, Plantation Measure, be the same more or less; lately belonging to the same Bartholomew Russel, attainted as aforesaid; with all Messuages, Edifices, Ways, Waters, Watercourses, Woods, Underwoods, Commons, and all other Rights, Members, Appendances, and Appurtenances thereunto belonging, or in any wise appertaining, and the Reversions and Remainders thereof, to hold to the said Doctor William King, Lord Archbishop of Dublin, his Heirs and Assigns, subject to a yearly Quit Rent of nine Pounds eighteen Shillings eleven Pence Half-penny reserved to her Majesty, her Heir and Successors, as by the said recited Letters Patents, Deed and other Proceedings, Relation being thereunto had, may more at large appear: And whereas by virtue of the said last recited Indenture, the Inheritance of the said Town and Lands herein last-mentioned, was vested in the said Lord Archbishop of Dublin, and his Heirs, in his natural Capacity, the Benefit of which Grant and Conveyance (although the same is of very great Advantage) he the said William Lord Archbishop of Dublin is willing to quit, so that the said Lands may be restored to the Church: To the Intent therefore that the pious Intentions of their late Majesties King WILLIAM and Queen MARY, in granting the said Town, Lands, and Premises to the See of Dublin may take Effect, May it please your most Excellent Majesty, That it may be enacted, &c.

P R.

“Town and Lands, &c. sold by Trustees, &c. vested in the said Archbishop, and his Successors for ever, and annexed to the Revenues of the See. Subject to the yearly Rent to the Queen. Archbishop to be reimbursed his Purchase-money, by Army Debentures. Leases of Lands, &c. vested in Archbishop shall be made at the improved Rent, and to Protestants only. Leases made at less than full yearly Rent, Successor may avoid the same.

C A P. XXVII.

P R.

An Act for the impropriate Tithes of the Parish of Saint Bridget alias Brides, London.

Anno Regni ANNÆ Reginae quinto.

AT the Parliament summoned to be held at Westminster the fourteenth Day of June, Anno Dom. 1705. in the fourth Year of the Reign of our Sovereign Lady ANNE, by the Grace of God, of England, Scotland, France, and Ireland, Queen, Defender of the Faith, &c. And from thence continued by several Prorogations, to the five and twentieth Day of October 1705; and then begun and holden, being the first Session of this present Parliament. And from thence continued by several Prorogations to the third Day of December 1706, * being the second Session of this present Parliament.

* In the Roll it is added, and further continued by Adjournments till the eighth Day of April in the sixth Year of her Majesty's Reign.

C A P. I.

C A P. I.

An Act for granting an Aid to her Majesty by a Land Tax to be raised in the Year one thousand seven hundred and seven: 4 s. in the Pound. EXP. See 5 Ann. c. 27. f. 18.

C A P. II.

An Act for continuing the Duties upon Malt, Munn, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seven. EXP. See 5 Ann. c. 27. f. 18.

C A P. III.

An Act for the settling of the Honours and Dignities of *John Duke of Marlborough* upon his Posterity, and annexing the Honor and Manor of *Woodstock*, and House of *Blenheim*, to go along with the said Honours.

WHEREAS the Lords Spiritual and Temporal in Parliament assembled, having with much Satisfaction considered the many great Actions which *John Duke of Marlborough* has performed in her Majesty's Service, to the Honour of his Country, and for the Good of the common Cause of Europe (such Actions as the wisest and greatest People have rewarded with Statues and Triumphs) and being extremely desirous to express the just Sense they have of his Merit in a peculiar and distinguishing Manner, and in order to perpetuate the Memory thereof, that his Titles and Honours, with his Right of Precedence, might be settled and continued in his Posterity by Act of Parliament, as the Method most effectual for that End, and best suiting so great an Occasion: Yet having always a just Regard for the Prerogatives of the Crown (her Majesty being the sole Fountain of Honour) thought it their Duty, in the first Place, by their humble Address, to have Recourse to her Majesty for her royal Allowance, before any Order given for bringing in a Bill of such a Nature; and by their said Address did humbly desire, her Majesty would be graciously pleased to let them know, in what Manner it would be most acceptable to her Majesty, the said Titles and Honours should be limited: In answer whereto, her Majesty hath been pleased most graciously to declare, That nothing could be more acceptable to her than the said Address, and that she was entirely satisfied with the Services of the Duke of *Marlborough*, and therefore could not but be pleased they had so just a Sense of them; and did thereby declare her royal Intention to be, That after the Determination of the Estate which the Duke of *Marlborough* now has in his Titles and Honours, the same should be limited in such Manner as is herein after declared and enacted; and her Majesty was pleased in her most gracious Answer to the said Address, further to declare, That she thought it would be proper that the Honour and Manor of *Woodstock*, and the House of *Blenheim*, should always go along with the Titles, and did therefore recommend that Matter to their Consideration: And the Duke of *Marlborough* thereupon declaring, that he had made it his humble Request to her Majesty, and did now desire, That the Manor and Park of *Woodstock*, and the House of *Blenheim*, after the Decease of the Duchess of *Marlborough*, should go along, and be enjoyed with the Titles: And whereas the said *John Duke of Marlborough*, was by several Letters Patents, created Baron *Churchill* of *Sandridge*, and Earl of *Marlborough*, to him and the Heirs Males of his Body: And by Letters Patents, bearing Date the fourteenth Day of *December* in the first Year of her now Majesty's Reign, was created Marquess of *Blandford*, and Duke of *Marlborough*, to him and the Heirs Males of his Body: Therefore for perpetuating the Memory of the several great Actions performed by the said Duke, and for settling and continuing the Titles and Honours aforesaid, and the Right of Precedence, in his Posterity; may it please your most Excellent Majesty, that it may be enacted; and be it enacted by the Queen'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 in Default of Heirs Males of the Body of the said Duke of *Marlborough* issuing, the States, Degree, Stiles, Titles, Dignities and Honours aforesaid, shall continue, remain, be vested in, and shall be held and enjoyed by the Lady *Harriot*, eldest Daughter of the said Duke of *Marlborough*, and Wife of *Francis Godolphin* Esquire, Son and Heir Apparent of *Sidney Lord Godolphin*, Lord High Treasurer of *England*, and the Heirs Males of her Body begotten: And for Default of such Issue, shall continue, remain, be vested in, and held and enjoyed by *Anne* Countess of *Sunderland*, second Daughter of the said Duke of *Marlborough*, and Wife of *Charles* Earl of *Sunderland*, and the Heirs Males of her Body begotten: And for Default of such Issue, shall continue, remain, be vested in, and held and enjoyed by *Elizabeth* Countess of *Bridgewater*, third Daughter of the said Duke of *Marlborough*, and Wife of *Scroope* Earl of *Bridgewater*, and the Heirs Males of her Body begotten: And for Default of such Issue, shall continue, remain, be vested in, and held and enjoyed by the Lady *Mary*, youngest Daughter of the said Duke of *Marlborough*, and Wife of *John Montagu* Esquire, called Marquess of *Montbermer*, Son and Heir Apparent of *Ralph* Duke of *Montagu*, and the Heirs Males of her Body begotten: And for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the said Duke of *Marlborough*, to be begotten, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters, and the Heirs Males of her Body, to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body: And for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said Lady *Harriot Godolphin* begotten, and the Heirs Males of the Body of such first

3 & 4 Ann. c. 6.

Honour and Manor of *Woodstock* and House of *Blenheim*. Baron *Churchill* of *Sandridge*, and Earl of *Marlborough*, Marquess of *Blandford*, and Duke of *Marlborough*.

Duke of *Marlborough*'s Titles, &c. to be enjoyed by the Lady *Harriot Godolphin*, and her Heirs Male, &c.

Remainders to *Anne* Countess of *Sunderland*, *Elizabeth* Countess of *Bridgewater*, *Lady Mary* *Montbermer*.

Daughter

Daughter begotten: And for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said Lady *Harriott Godolphin*, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters, and the Heirs Males of her Body, to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body: And for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said *Anne* Countess of *Sunderland* begotten, and the Heirs Males of the Body of such first Daughter begotten: And for want of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said *Anne* Countess of *Sunderland* begotten, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters, and the Heirs Males of her Body to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body: And for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said *Elizabeth* Countess of *Bridgewater* begotten, and the Heirs Males of the Body of such first Daughter begotten: And for want of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said *Elizabeth* Countess of *Bridgewater* begotten, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters, and the Heirs Males of her Body to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body: And for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said Lady *Mary Montagu* begotten, and the Heirs Males of the Body of such first Daughter begotten: And for want of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said Lady *Mary Montagu* begotten, severally and successively, one after the other, as they shall be in Priority of Birth; the elder of such Daughters, and the Heirs Males of her Body to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body: And for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every Daughter and Daughters of every other Daughter of the said Duke of *Marlborough* to be begotten, severally and successively, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder Daughter of every such Daughter, and the Heirs Males of her Body to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body; the Daughter and Daughters of the elder of such hereafter to be born Daughters, and the Heirs Males of her and their respective Bodies issuing, to be preferred and take in Manner aforesaid, before the Daughter and Daughters of the younger of such after-born Daughters: And for Default of such Issue, to all and every other the Issue Male and Female lineally descending off or from the said Duke of *Marlborough*, in such Manner, and for such Estate, as the same are before limited to the before-mentioned Issue of the said Duke; it being intended, and hereby enacted, That the said Honours shall continue, remain, and be vested in all the Issue of the said Duke, so long as any such Issue Male or Female shall continue, and be held and enjoyed by them severally and successively, in Manner and Form aforesaid; the elder and the Descendants of every elder Issue to be preferred before the younger of such Issue.

Dukes Daughters to whom the said Honours shall come, to have the same Place and Precedence, &c.

Entail of the Honor of Woodstock, Blenheim House, and the Hundred of Wootton.

II. And be it further enacted by the Authority aforesaid, That all and every the Daughters of the said Duke of *Marlborough*, and the Heirs Males of their respective Bodies, and all and every the Daughters of each and every Daughter of the said Duke of *Marlborough*, and the Heirs Males of their respective Bodies, and all other Persons, to whom the said Honours, Titles and Dignities shall come, and when, and as the same shall come unto them respectively, according to the Limitations in this Act, shall in all Assemblies and Places, have and enjoy the same Place and Precedence as the said Duke of *Marlborough*, or any the Heirs Males of his Body hath or ought to have or enjoy, by virtue of the said Letters Patents bearing Date the said fourteenth Day of *December* in the first Year of her Majesty's Reign.

III. And to the Intent that the Honor, Manor, and Park of *Woodstock* in the County of *Oxford*, and the House now erecting there, called *Blenheim*, and the Hundred of *Wootton* in the said County, and all other the Manors, Messuages, Lands, Tenements and Hereditaments, which in and by certain Letters Patents under the Great Seal of *England*, bearing Date the fifth Day of *May* in the fourth Year of her Majesty's Reign, were by her Majesty, pursuant to an Act of Parliament passed in the then last Session of Parliament, granted to the said Duke of *Marlborough* and his Heirs, and the Advowsons thereby granted, may always go along and be enjoyed with the Titles, Honours and Dignities aforesaid, as hereafter is mentioned; Be it further enacted by the Authority aforesaid, That the said Duke of *Marlborough* shall stand and be seized of all the said Honor, Manor, and Park of *Woodstock*, Manors, House and Premises, granted by the said last mentioned Letters Patents, for and during the Term of his natural Life, without Impachment of Waste; and from and after his Decease the same shall be and remain unto, and be held and enjoyed by *Sarah* Duchess of *Marlborough*, Wife of the said Duke, for and during the Term of her natural Life; and from and after her Decease the same shall be and remain unto, and be held and enjoyed by the Heirs Males of the Body of the said Duke of *Marlborough* begotten: and for Default of such Issue, then the same shall be and remain unto, and be held and enjoyed by all and every the Daughters of the said Duke of *Marlborough*, and the Heirs Males of their respective Bodies issuing, and all others severally and successively, in such Manner as the said Titles, Honours and Dignities aforesaid are herein before expressed and limited to go, and be enjoyed,

IV. And be it further enacted by the Authority aforesaid, That the said Duke of *Marlborough*, and after his Decease, the said Duchefs of *Marlborough*, shall have full Power and Authority, by Deed indented, to make any Lease or Leases in Possession, of all or any of the said Manors, Hundred, Messuages, Lands, Tenements and Hereditaments aforesaid (other than and except the Houfe called *Bleinheim*, and the Park of *Woodstock*) for any Number of Years, not exceeding one and twenty Years, or for any Number of Years determinable upon one, two, or three Lives, reserving the best and most improved Rent that can then be had for the same, without taking any Fine.

Duke may grant Leases of any the Manors, &c. except of the House and Park, for 21 Years.

V. Provided always, and be it further enacted by the Authority aforesaid, That neither the said Duke of *Marlborough*, or the Heirs Males of his Body, nor any of his Daughters, or the Heirs Males of their Bodies, or any other Person to whom the Premisses shall come or descend by virtue of the Limitations aforesaid, shall have any Power by Fine or Recovery, or any other Act, Assurance or Conveyance in the Law, to hinder, bar, or disinherit any the Person or Persons to or upon whom the said Manors, Houfe, Lands, Tenements, Hereditaments or Premisses, are hereby vested or limited, from holding or enjoying the same, according to the Limitations before in this Act mentioned, other than and except such Leases as the said Duke and Duchefs may make, by virtue of the Powers herein before-mentioned, and such other Leases as Tenants in Tail may and are enabled to make, by virtue of the Statute made in the two and thirtieth Year of the Reign of King HENRY the Eighth, and Grants of Lands or Tenements held by Copy of Court Roll, according to the Customs of the respective Manors aforesaid; but all such Fines, Recoveries, Act, Assurances and Conveyances, other than such Leases, and Grants by Copy, as aforesaid, shall be, and are hereby declared and enacted to be void.

Neither the Duke nor his Heirs, &c. shall bar any Person on whom the Premisses are limited from enjoying the same, &c.

32 H. 8. c. 28.

VI. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken, in all Cases, and in all Courts and Places, a publick Act.

Act to be a publick Act. See the next Chapter for settling an Annuity on the Duke, and 1 Geo. 1. st. 2. c. 12. for paying the Arrears due for building *Bleinheim House*.

Chapter for settling an Annuity on the Duke, and 1 Geo. 1. st. 2. c. 12. for paying the Arrears due for building *Bleinheim House*.

C A P. IV.

An Act for settling upon *John Duke of Marlborough* and his Posterity, a Pension of five thousand Pounds per Annum, for the more honourable Support of their Dignities, in like Manner as his Honors and Dignities, and the Honor and Manor of *Woodstock*, and House of *Bleinheim*, are already limited and settled.

MOST gracious Sovereign, Whereas the most noble *John Duke of Marlborough*, was by several Letters Patents, created Baron *Churchill of Sandridge*, and Earl of *Marlborough*, to him and the Heirs Males of his Body: And by other Letters Patents, bearing Date the fourteenth Day of *December* in the first Year of your Majesty's Reign, in Consideration of his great and eminent Services to your Majesty and your Allies, as well by his prudent Negotiations as your Majesty's Plenipotentiary at the *Hague*, where to the mutual Advantage of your Majesty and the States General of the United Provinces, he settled an intire Confidence between your Majesty and the States General, as by his Valour and good Conduct in the Command of the Confederate Armies abroad, was created Marquis of *Blandford*, and Duke of *Marlborough*, to him and the Heirs Males of his Body: And whereas by other Letters Patents under the Great Seal of *England*, bearing Date the two and twentieth Day of *December* in the first Year of your Majesty's Reign, your Majesty was graciously pleased, as a further Mark of your royal Favour and Satisfaction with his Services aforesaid, and for the better Support of his said Dignity, to give and grant unto the said *John Duke of Marlborough*, one Annuity or yearly Pension of five thousand Pounds of lawful *English Money*, to be issuing and payable out of the Rents, Issues, Profits, Incomes, Revenues, Sum and Sums of Money whatsoever, due and payable, or which should from time to time arise, grow due, or be payable out of, by, or in respect of your Majesty's General Letter Office, Post Office, or Office of Post Master General, or for or by reason of the Postage or Carriage of Letters, Packets, or other things within your Majesty's Kingdom of *England*, or elsewhere, to have, receive and enjoy the said Annuity or yearly Pension of five thousand Pounds, unto the said *John Duke of Marlborough*, and the Heirs Males of his Body, for and during your Majesty's natural Life, the same to be computed from the Feast of *St. Michael* the Archangel then last past, and to be paid quarterly at the four most usual Feasts or Terms in the Year (that is to say) the Feast of the Birth of our Lord *Christ*, the Annunciation of the blessed *Virgin Mary*, the Nativity of *Saint John* the Baptist, and *Saint Michael* the Archangel, by even and equal Portions: And whereas an Act passed in the third Year of your Majesty's Reign, intituled, *An Act for the better enabling her Majesty to grant the Honor and Manor of Woodstock, with the Hundred of Wootton, to the Duke of Marlborough and his Heirs, in Consideration of the eminent Services by him performed to her Majesty and the Publick*, wherein 'tis mentioned and recited, That the eminent and unparalleled Services of the said Duke to your Majesty and the Crown of *England*, were well known, not only to your Majesty, and all your Subjects, but to all *Europe*; and that the Alliances which your Majesty's royal Brother King *WILLIAM* the Third, of glorious Memory, had, in a little Time before his Death, contracted, by the Ministry of the said Duke, as his Majesty's Ambassa or extraordinary and Plenipotentiary to the States General of the United Provinces; for preserving the Liberties of *Europe* against the Ambition of *France*, were immediately after your Majesty's happy Accession to the Throne, by the said Duke, then employed by your Majesty in the same Character, confirmed and improved, and that others were contracted, whereby the Confederacy, which had been dissolved at the End of the last War, was re-united in a stricter and firmer League; and that

3 & 4 Ann. c. 6. 5 Ann. c. 3.

5000 l. per Annum granted to the Duke of Marlborough, out of the Post Office,

during the Queen's Life.

3 & 4 Annæ, c. 6.

Preamble of the Act.

The Duke of Marlborough's Services.

in the first Year of your Majesty's Reign, the said Duke of *Marlborough* had so well executed his Commission of Captain General and Commander in Chief of your Majesty's Forces, that he not only secured and extended the Frontier of *Holland*, by taking the Towns and Fortresses of *Venlo*, *Ruremond*, *Steuenswart* and *Liege*, but soon obliged the Enemy, (who had been at the Gates of *Nemeghen*) to seek Shelter behind their Lines; and in the next Campaign, by taking *Bon*, *Huy*, and *Limburg*, added all the Country between the *Rhine* and the *Maes* to the Conquests of the preceding Year; and that in the memorable Year one thousand seven hundred and four, when your Majesty was generously pleased to take the Resolution of rescuing the Empire from that immediate Ruin, to which, by the Defection of the Elector of *Bavaria*, it was exposed, the Measures, which by your Majesty's Wisdom and Goodness had been devised and concerted, were pursued by the said Duke with the utmost Diligence, Secrecy, and good Conduct, in leading the Forces of your Majesty and your Allies, by a long and difficult March, to the Banks of the *Danube*; where the said Duke immediately upon his Arrival did attack and force the *Bavarians*, (assisted by the *French*) in their strong Intrenchments at *Schellenbergh*, passed the *Danube*, distressed the Country of *Bavaria*, and a second Time fought the Enemy, who had been reinforced by a Royal Army of the *French King's* best Troops, commanded by a Marshal of *France*, and on the second Day of *August* one thousand seven hundred and four, after a bloody Battle at *Bleinheim*, (although the Enemy had the Advantage of Number and Situation) gain'd the most absolute and glorious Victory as had been recorded in the History of any Age, by which *Bavaria* being intirely reduced, and *Ratisbon*, *Augsbourgh*, *Ulm*, *Memminghen*, and other Imperial Towns recovered, the Liberty of the Diet and the Peace of the Empire were restored, and *Landau*, *Treves*, and *Traarbach* being taken, the War was carried into the Dominions of *France*; all which happy Achievements of the said Duke apparently tended, not only to the Honour and Safety of your Majesty and your Subjects, and of their Posterity, but also towards the future Tranquillity of *Europe*; and that your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, thought themselves thereupon obliged in an humble Address to your Majesty, to express their Sense of the said glorious Victories, and humbly to desire your Majesty, That you would be graciously pleased to consider of some proper Means to perpetuate the Memory of such signal Services; and that your Majesty was thereupon pleased to signify your Intention to grant the Interest of the Crown in the Honour and Manor of *Woodstock* and Hundred of *Wootton* to the said Duke and his Heirs; whereupon at the humble Petition of your Majesty's most dutiful and loyal Commons, it was enacted, That it should and might be lawful to and for your Majesty by any Letters Patents, under the Great Seal of *England*, to give and grant unto the said *John Duke of Marlborough*, and his Heirs and Assigns for ever, all that the said Honour and Manor of *Woodstock*, and the Hundred of *Wootton*, and the Park of *Woodstock* in the County of *Oxon*, and divers other Manors, Messuages, Lands, Tenements, and Hereditaments, in the said recited Act particularly mentioned or described; to be held of your Majesty, your Heirs and Successors, as of your Castle of *Windsor*, in free and common Soccage, by Fealty, rendring to your Majesty, your Heirs and Successors, on the second Day of *August* yearly for ever, at your said Castle of *Windsor*, one Standard or Colours with three Flower de Luces painted thereupon, for all Manner of Rents, Services, Exactions, and Demands whatsoever: In pursuance of which said Act of Parliament, your Majesty by your Letters Patents, bearing Date the fifth Day of *May* in the fourth Year of your Majesty's Reign, was graciously pleased to grant all that the said Honour and Manor of *Woodstock* and Hundred of *Wootton*, and divers other Manors, Messuages, Lands, Tenements, and Hereditaments, in the said Letters Patents particularly mentioned, or described, to the said Duke of *Marlborough*, his Heirs and Assigns for ever: And whereas in the Beginning of the Year one thousand seven hundred and five, the said Duke of *Marlborough* led your Majesty's Forces, and those of the Allies, to the *Moselle*, where, by the Progress made in the preceding Year, a fair Prospect was afforded of removing the War from the Countries of your Allies, into the Enemy's own Territories, but that great Design, through unforeseen Accidents, was rendred impracticable; and the Enemy taking Advantage of the Remoteness of our said General, and the Troops under his Command, press'd the Armies of the States General, which were left for the Defence of their Frontiers, with a superior Force: On this extraordinary Occasion, the Duke shew'd all the Parts of a great Captain, and at the same Time the Zeal he had for your Majesty's Service, and true Regard to your Allies; by a speedy March he returned to the *Maes*, where a new Face of Affairs immediately appeared, and your Majesty's good Allies the States General were delivered from the Uneasiness they were under, *Leige* was relieved, *Huy* retaken, and the Enemies obliged to retire behind their Lines, which they thought impregnable: But the said Duke, with a surprizing Conduct and Bravery, on the seventh Day of *July* one thousand seven hundred and five, with an inconsiderable Loss, forced the same, defeated great Part of the Enemy's Forces, and obliged their whole Army to a precipitate Retreat; and although all the Advantages were not obtained which the Duke had propos'd to himself from that Success, yet it confirm'd the Minds of your Majesty's Allies, and produced that happy Consequence of the Duke's being intrusted with such a Power, as gave him an Opportunity of performing those great Actions, which were executed in the last glorious Campaign; in which the Enemy confiding in the Superiority of their Army, compos'd of their choicest Troops, gave the Duke of *Marlborough* an Opportunity of attacking them, which he did at *Ramellies*, on the twelfth Day of *May* one thousand seven hundred and six, with such Resolution and Conduct, that in two Hours Time he obtained a most compleat and glorious Victory, and prosecuted his Advantage without any Intermission during the whole Campaign: The Battle of *Ramellies* was followed by the immediate Surrender of *Lowain*, *Brussels*, *Malines*, *Liere*, *Gant*, *Oudenard*, *Antwerp*, *Dam*, *Bruges*, and *Courtray*, and the taking of *Ostend*, *Menin*, *Dendermond*, and

Battle of Schellenbergh.

Battle of Bleinheim.

Honour of Woodstock, &c.

Tenure.

Lines forced.

Battle of Ramellies.

and *Aeth*; most of which Places had heretofore employed the greatest Generals whole Campaigns in their Sieges: And thus almost the entire *Spanish Netherlands*, which had been contended for so many Ages, were conquered in one Summer: And whereas by an Act passed in this present Session of Parliament, intituled, *An Act for the settling of the Honours and Dignities of John Duke of Marlborough upon his Posterity, and annexing the Honour and Manor of Woodstock, and House of Bleinheim, to go along with the said Honours*, it was for perpetuating the Memory of the several great Actions performed by the said Duke, and for settling and continuing the above mentioned several Titles and Honours, and the Right of Precedence, in his Posterity, amongst divers other Things therein contained, enacted, That in Default of Heirs Males of the Body of the said Duke of *Marlborough* issuing, the States, Degree, Stiles, Titles, Dignities, and Honours aforesaid, should continue, remain, be vested in, and should be held and enjoyed by the Lady *Harriott*, eldest Daughter of the said Duke of *Marlborough*, and Wife of *Francis Godolphin* Esquire, Son and Heir Apparent of *Sidney* Lord *Godolphin*, Lord High Treasurer of *England*, and the Heirs Males of her Body begotten; and for Default of such Issue, should continue, remain, be vested in, and held and enjoyed by *Anne* Countess of *Sunderland*, second Daughter of the said Duke of *Marlborough*, and Wife of *Charles* Earl of *Sunderland*, and the Heirs Males of her Body begotten; and for Default of such Issue, should continue, remain, be vested in, and held and enjoyed by *Elizabeth* Countess of *Bridgewater*, third Daughter of the said Duke of *Marlborough*, and Wife of *Scroope* Earl of *Bridgewater*, and the Heirs Males of her Body begotten; and for Default of such Issue, should continue, remain, be vested in, and held and enjoyed by the Lady *Mary*, youngest Daughter of the said Duke of *Marlborough*, and Wife of *John* Montagu, Esq; called Marquis of *Monthemer*, Son and Heir Apparent of *Ralph* Duke of *Montagu*, and the Heirs Males of her Body begotten; and for Default of such Issue, then to continue, remain, and be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the said Duke of *Marlborough* to be begotten, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters and the Heirs Males of her Body, to be preferred, and take before the younger of such Daughters, and the Heirs Males of her Body; and for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said Lady *Harriott* *Godolphin* begotten, and the Heirs Males of the Body of such first Daughter begotten; and for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said Lady *Harriott* *Godolphin*, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters and the Heirs Males of her Body, to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body; and for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said *Anne* Countess of *Sunderland* begotten, and the Heirs Males of the Body of such first Daughter begotten; and for want of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said *Anne* Countess of *Sunderland* begotten, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters, and the Heirs Males of her Body, to be preferred, and take before the younger of such Daughters, and the Heirs Males of her Body; and for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said *Elizabeth* Countess of *Bridgewater* begotten, and the Heirs Males of the Body of such first Daughter begotten; and for want of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said *Elizabeth* Countess of *Bridgewater* begotten, severally and successively one after the other, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder of such Daughters, and the Heirs Males of her Body, to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body; and for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by the first Daughter of the Body of the said Lady *Mary* *Montagu* begotten, and the Heirs Males of the Body of such first Daughter begotten; and for want of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every other the Daughter and Daughters of the Body of the said Lady *Mary* *Montagu* begotten, severally and successively one after the other, as they shall be in Priority of Birth; the elder of such Daughters, and the Heirs Males of her Body, to be preferred, and take before the younger of such Daughters, and the Heirs Males of her Body; and for Default of such Issue, then to continue, remain, be vested in, and held and enjoyed by all and every Daughter and Daughters of every other Daughter of the said Duke of *Marlborough* to be begotten, severally and successively, as they shall be in Priority of Birth, and the Heirs Males of their respective Bodies issuing; the elder Daughter of every such Daughter, and the Heirs Males of her Body, to be preferred and take before the younger of such Daughters, and the Heirs Males of her Body; the Daughter and Daughters of the elder of such then after to be born Daughters, and the Heirs Males of her and their respective Bodies issuing, to be preferred and take in Manner aforesaid, before the Daughter and Daughters of the younger of such after born Daughters; and for Default of such Issue, to all and every other the Issue Male and Female lineally descending of or from the said Duke of *Marlborough*, in such Manner, and for such Estate, as the same are by the said Act limited to the before mentioned Issue of the said Duke; it being intended, and thereby enacted, That the said Honours should continue, remain, and be vested in all the Issue of the said Duke, so long as any such Issue Male or Female shall continue, and be held and enjoyed by them severally and successively, in Manner and Form aforesaid; the elder and the De-

Entail of the Duke of Marlborough's Honours.

Intail of Wood-
stock, Bleinheim,
and Wootton.

‘scendants of every elder Issue to be preferred before the younger of such Issue: And to the Intent that
‘the said Honour, Manor, and Park of *Woodstock*, and the House erecting there, called *Bleinheim*, and
‘the Hundred of *Wootton*, and all other the Manors, Messuages, Lands, Tenements, and Hereditaments,
‘which in and by the said Letters Patents under the Great Seal of *England*, bearing Date the said fifth Day
‘of *May* in the fourth Year of your Majesty’s Reign, were by your Majesty, pursuant to the said Act of
‘Parliament passed in the third Year of your Majesty’s Reign, granted to the said Duke of *Marlborough*,
‘and his Heirs, and the Advowsons by the said Letters Patents also granted, might always go along, and
‘be enjoyed with the Titles, Honours, and Dignities as aforesaid, as therein after is mentioned, it was
‘thereby further enacted, That the said Duke of *Marlborough* should stand and be seized of all the said
‘Honour, Manor, and Park of *Woodstock*, Manors, House, and Premises, granted by the said last men-
‘tioned Letters Patents, during his Life, without Impeachment of Waste; and from and after his De-
‘cease, that the same should be and remain unto, and be held and enjoyed by *Sarah* Dutcheffs of *Marl-*
‘*borough*, Wife of the said Duke, for and during the Term of her natural Life; and from and after her
‘Decease, the same should be and remain unto, and be held and enjoyed by the Heirs Males of the Body
‘of the said Duke of *Marlborough* begotten; and for Default of such Issue, that then the same should be
‘and remain unto, and be held and enjoyed by all and every the Daughters of the said Duke of *Marlbo-*
‘*rough*, and the Heirs Male of their respective Bodies issuing, and all others severally and successively, in
‘such Manner as the said Titles, Honours and Dignities aforesaid are therein before expressed and limited
‘to go, and be enjoyed: And ’twas thereby provided and enacted, That neither the said Duke of *Marlbo-*
‘*rough*, or the Heirs Male of his Body, nor any of his Daughters, or the Heirs Males of their Bodies, or
‘any other Person to whom the Premises should come or descend by Virtue of the Limitations aforesaid,
‘should have any Power, by Fine or Recovery, or any other Act, Assurance, or Conveyance in the Law,
‘to hinder, bar or disinherit any the Person or Persons to or upon whom the said Manors, House, Lands,
‘Tenements, Hereditaments, or Premises, were thereby vested or limited, from holding or enjoying the
‘same, according to the Limitations in the said Act mentioned (other than and except such Leases as the
‘said Duke and Dutcheffs might make, by Virtue of the Powers therein before mentioned, and such other
‘Leases as Tenants in Tail might and were enabled to make, by Virtue of the Statute made in the two
‘and thirtieth Year of the Reign of King *HENRY* the Eighth, and Grants of Lands or Tenements held
‘by Copy of Court-roll, according to the Customs of the respective Manors aforesaid) but that all such
‘Fines, Recoveries, Act, Assurances, and Conveyances, other than such Leases and Grants by Copy, as
‘aforesaid, should be, and were thereby declared and enacted to be void. And whereas we your Majesty’s
‘most dutiful and loyal Commons, taking into our Consideration the many eminent Services of the said
‘Duke of *Marlborough*, whereby the Glory of your Majesty’s Government, the Honour and Safety of
‘your Kingdoms, and the Interest of the common Cause have been so highly advanced, did with all Sub-
‘mission address ourselves to your Majesty’s most sacred Person, humbly to desire, That as your Majes-
‘ty is, at your Expence, graciously pleased to erect the House of *Bleinheim* as a Monument of his glori-
‘ous Actions, and the House of Peers, by your Majesty’s Permission, have given Rise to the said Act
‘passed in this present Session for continuing his Honours to his Posterity, we your Majesty’s most obedi-
‘ent Commons might be permitted to express our Sense of so distinguishing a Merit, and our ready Dis-
‘position to enable your Majesty to make some Provision for the more honourable Support of his Digni-
‘ties in his Posterity, in such Manner as should be most agreeable to your Majesty, whereby the Grati-
‘tude of this whole Kingdom might remain upon Record to After-Ages, and encourage others to follow
‘his great Example; to which Address your Majesty was pleased to return this most gracious Answer,
‘That your Majesty, in Consideration of the great and eminent Services performed by the said Duke in
‘the first Year of your Reign, as well by his prudent Negotiations as your Majesty’s Plenipotentiary at
‘the *Hague*, as by his Valour and good Conduct in the Command of the confederate Armies abroad,
‘thought fit to grant to him and the Heirs Male of his Body, the Title of a Duke of this Realm; and
‘as a further Mark of your Favour and Satisfaction with his Services, and for the better Support of his
‘Dignity, your Majesty had granted to the said Duke and the Heirs Male of his Body, during your Ma-
‘jesty’s Life, a Pension of five thousand Pounds *per Annum* out of the Revenue of the Post Office; and
‘that an Act having passed this Session for settling the Honours and Dignities of the said Duke upon his
‘Posterity, and annexing the Honour and Manor of *Woodstock* and House of *Bleinheim* to go along with
‘the said Honours; it would be very agreeable to your Majesty, if the Pension of five thousand Pounds
‘*per Annum* be continued and limited by Act of Parliament to his Posterity, for the more honourable
‘Support of their Dignities, in like Manner, as his Honours and the Honour and Manor of *Woodstock*
‘and House of *Bleinheim* are already limited and settled: We your Majesty’s most dutiful and loyal Sub-
‘jects, the Commons of *England* in Parliament assembled, duly considering your Majesty’s most gracious
‘Answer, and also the wise Provision made by your Majesty, through your Majesty’s abundant Grace
‘and Goodness to your People, by an Act passed in the first Year of your Majesty’s Reign, for preserv-
‘ing the Inheritance of the several Revenues of the Crown, think ourselves obliged to transmit to all suc-
‘ceeding Times the Memory of so many glorious Actions, together with the just Sense of the Kingdom,
‘after what Manner such transcendent Merit ought to be rewarded; And thereupon do most humbly be-
‘seech your Majesty that it may be enacted; and be it enacted by the Queen’s most Excellent Majesty,
‘by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this
‘present Parliament assembled, and by the Authority of the same, That in lieu of the said Annuity or
‘yearly Pension of five thousand Pounds by the said Letters Patents, bearing Date the two and twentieth
‘Day of *December* in the first Year of your Majesty’s Reign, granted to the said Duke of *Marlborough*, and
‘the Heirs Males of his Body, during your Majesty’s Life as aforesaid, which said Pension is from hence-
‘forth

32 H. 8. c. 28.

Address of the
House of Com-
mons.
Arrears due for
this Work pro-
vided for by 1
Geo. 1. stat. 2.
c. 12. f. 34.

The Queen’s
Answer.

In lieu of the
5000 l. per An-
num granted to
the Duke during
the Queen’s
Life,

forth to cease and determine, one Annuity or yearly Pension of five thousand Pounds of lawful Money of England, shall be issuing and payable out of, and charged and chargeable upon all the Revenues and Monies arising, due and payable, or which shall arise, grow due, or be payable by virtue or in pursuance of an Act of Parliament made in the twelfth Year of the Reign of her Majesty's Royal Uncle King CHARLES the Second, of blessed Memory, intituled, *An Act for erecting and Establishing a Post Office*, or by virtue, or in pursuance of any other Act or Acts of Parliament whatsoever, for establishing, vesting, or settling the Revenue of the General Letter Office, or Post Office, or Office of Post Master General in the Crown, or any other Act or Acts of Parliament relating to the said Office or Revenue: And the same shall from time to time be paid quarterly, at the four most usual Feasts, or Days of Payment in the Year, (that is to say) the Annunciation of the blessed Virgin *Mary*, the Nativity of Saint *John* the Baptist, the Feast of Saint *Michael* the Archangel, and the Feast of the Birth of our Lord Christ, in Manner and Form following, (that is to say) to the said Duke of *Marlborough*, for and during the Term of his natural Life, and from and after his Decease to *Sarah* Duchess of *Marlborough*, Wife of the said Duke, for and during the Term of her natural Life; and from and after her Decease, to the Heirs Male of the Body of the said Duke of *Marlborough* begotten; and for Default of such Issue, to all and every the Daughters of the said Duke of *Marlborough*, and the Heirs Male of their respective Bodies issuing, and to all others severally and successively, in such Manner as the said Titles, Honours, and Dignities aforesaid, are by the said Act made in this present Session of Parliament, expressed and limited to go and be enjoyed.

5000 l. per Annum to be paid out of the Post Office.
12 Car. 2. c. 35.

quarterly,

to the Duke, &c. and all others, &c. in the same Manner as his Titles, &c. are limited.

II. And be it further enacted by the Authority aforesaid, That the said Annuity, or yearly Pension of five thousand Pounds hereby enacted to be paid, as aforesaid, shall be paid by the immediate Hands of all and every the Commissioners, Post Masters, Farmers, Treasurers, Receivers, and Collectors for the Time being of the said Revenues respectively, by Authority of this Act, without any further or other Warrant, Order, or Direction to be obtained for that Purpose, and without any Fees or Charges to be demanded or taken for paying the same, or any Part thereof, unto the said *John* Duke of *Marlborough*, and to all others severally and successively to whom the same shall, after the Decease of the said Duke, come, descend, remain, or belong by virtue of this Act, when and as they shall respectively become entitled to receive the same, at the aforesaid four most usual Feasts or Days of Payment in the Year; the first of the said Payments to be made on the Feast of the Annunciation of the blessed Virgin *Mary* now next ensuing, and the Payment of the said Annuity, or yearly Pension of five thousand Pounds herein before enacted to be paid, as aforesaid, shall not at any Time hereafter be stopped or delayed by any Order or Direction whatsoever: And if the said Commissioners, Post Masters, Farmers, Treasurers, Receivers, and Collectors for the Time being of the said Revenues, or any of them shall refuse or neglect to pay the said Annuity, or yearly Pension of five thousand Pounds hereby enacted to be paid, as aforesaid, or any Part thereof, to the said Duke of *Marlborough*, or any other Person to whom the same after the Decease of the said Duke shall come, descend, remain, or belong, by virtue of this Act, then the said Duke and every other Person respectively, being intituled to receive the same, as aforesaid, may sue, prosecute, and implead the said Commissioners, Post Masters, Farmers, Treasurers, Receivers General, and Collectors, or any of them, and all or any of their Securities, Heirs, Executors, and Administrators, by Bill, Plaint, or Action of Debt, and shall and may recover Judgments, and sue out Executions thereupon, against the said Commissioners, Post Masters, Farmers, Treasurers, Receivers, and Collectors respectively, and their respective Securities, Heirs, Executors, and Administrators, for such Sum and Sums of Money then due and owing upon the said Annuity or yearly Pension, as shall be in the Hands of the said Commissioners, Post Masters, Farmers, Treasurers, Receivers, and Collectors respectively of the said Revenue, at the Time when Demand shall be made of the Payment of the said Annuity or yearly Pension, or any Part thereof, or of any Arrears thereof.

How and by whom the said Annuity shall be paid.

III. And 'tis hereby further enacted, That the Acquittance or Acquittances of the said Duke, and of every other Person to whom the said Annuity or yearly Pension of five thousand Pounds, after the Decease of the said Duke, shall come, descend, remain, or belong, by virtue of this Act, expressing the Receipt of any Sum or Sums of Money in pursuance of this Act, shall be a good and sufficient Voucher and discharge for the Payment thereof, and every such Payment shall be allowed upon the respective Account and Accounts of the aforesaid Officer and Officers, Person or Persons paying the same, without any further or other Warrant or Authority whatsoever to be had or obtained for that Purpose.

Duke's Acquittance a sufficient Discharge.

IV. Provided always, and be it further enacted by the Authority aforesaid, That neither the said Duke of *Marlborough*, or any other Person to whom the said Annuity or yearly Pension of five thousand Pounds hereby enacted to be paid, as aforesaid, shall come, descend, remain, or belong, by virtue of the Limitations aforesaid, shall have Power by any Act, Assurance or Conveyance in the Law whatsoever, to hinder, bar, or disinherit any the Person or Persons, to whom the said Annuity or yearly Pension is by virtue of this Act limited or appointed to come, descend or remain, from holding, enjoying receiving, or taking the same according to the Limitations thereof made by this Act, but that every such Act, Assurance, or Conveyance, shall be, and is hereby declared and enacted to be void.

Neither the Duke nor his Heirs, &c. to bar any any Person to whom the Annuity is limited from receiving the same.

V. Provided always, That nothing in this present Act contained, shall extend, or be construed to take away, interrupt or prejudice the Payment of any Annuity, Pension, or yearly Sum of Money whatsoever, issuing or payable out of, or charged or chargeable upon the said Revenue of the Post Office, granted or confirmed by or in pursuance of any Act or Acts of Parliament, or by any Letters Patents under the Great Seal of *England*, to any Person or Persons whatsoever, (except the said yearly Pension of five thousand Pounds granted by the said Letters Patents, bearing Date the said two and twentieth Day of

Not to prejudice the Payment of any Annuity payable out of the Post Office, &c.

December

December in the first Year of her Majesty's Reign, to the said Duke and the Heirs Males of his Body during her Majesty's Life, as aforesaid) but that every such Annuity Pension, or yearly Sum (except before excepted) shall continue, remain, and be payable as if this Act had never been made; any thing herein before contained to the contrary thereof, in any wise notwithstanding.

Act to be a publick Act.

VI. And be it declared and enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken in all Cases, and in all Courts, and Places, to be a Publick Act.

See 1 Geo. 1.

St. 2. c. 12. §. 34. for satisfying Arrears for Work, &c. at Blenheim.

C A P. V.

EXP. An Act for securing the Church of *England* as by Law established. Acts 13 Eliz. c. 12. and 13 and 14 Car. 2. c. 4. &c. to be in Force for ever. Queen's Successors at their Coronation to take an Oath to maintain the Church of *England*, &c. This Act to be for ever an essential Part of any Treaty of Union, &c.

' This Act is inserted in the Act of the Union, c. 8. and is therefore omitted here.'

C A P. VI.

An Act for repealing a Clause in an Act, intituled, *An Act for the better apprehending, prosecuting, and punishing Felons that commit Burglaries, House-breaking, or Robberies in Shops, Ware-houses, Coach-houses, or Stables, or that steal Horses.*

10 & 11 W. 3. c. 23.

WHEREAS by an Act made in the tenth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the better apprehending, prosecuting, and punishing Felons that commit Burglaries, House-breaking, or Robbery in Shops, Ware-houses, Coach-houses, or Stables, or that steal Horses*; it is (amongst other Things) enacted, That from and after the twentieth Day of *May* one thousand six hundred ninety-nine, all and every Person and Persons, who should be convicted of or for any Theft or Larceny, and should have the Benefit of the Clergy allowed thereupon, or ought to be burnt in the Hand for such Offence, instead of being burnt in the Hand, should be burnt in the most visible Part of the left Cheek nearest the Nose: And whereas it hath been found by Experience, that the said Punishment hath not had its desired Effect, by deterring such Offenders from the further committing such Crimes and Offences, but on the contrary, such Offenders being rendered thereby unfit to be intrusted in any Service or Employment to get their Livelihood in any honest and lawful Way, become the more desperate; Be it enacted by the Queen'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 from and after the fourteenth Day of *February* which shall be in the Year of our Lord one thousand seven hundred and six, so much of the said Act as inflicts or concerns the inflicting the said Punishment of burning in the Cheek, shall be and is hereby repealed.

Clause for burning of Offenders in Cheek repealed.

Offenders to be burnt in the Hand as formerly:

And committed to Workhouse, &c. for 6 Months, &c.

Penalty on such as refuse to work.

If Offenders escape and be retaken, to be committed to Workhouse for twelve Months, &c.

and kept at hard Labour,

II. And be it further enacted by the Authority aforesaid, That in all Cases where any Person or Persons shall, from and after the said fourteenth Day of *February*, be convicted of any Theft or Larceny, and shall have the Benefit of this Act allowed thereupon, or ought by the Laws in Force before the making the said Act, to be burned in the Hand for such Offence, shall be burnt in the Hand, as formerly they should or ought to have been before the making of the said Act; and the Judge or Justices before whom such Offender or Offenders shall be tried and convicted, shall also, at his or their Discretion, award and give Judgment, That such Offender and Offenders shall be committed to some House of Correction or publick Work-house within the County, City, Town, or Place where such Conviction shall be, there to be, remain, and be kept, without Bail or Mainprize, for such Time as such Judge or Justices shall then judge and award, not less than six Months, and not exceeding two Years, to be accounted from the Time of such Conviction, and an entry thereof shall be made of Record, pursuant to such Judgment and Award, and such Offender and Offenders so judged and awarded to remain and be kept in such House of Correction or publick Workhouse, shall be there set at Work, and kept at hard Labour for and during such Time as shall be so adjudged and recorded; and in case such Person or Persons shall refuse or neglect to work and Labour as they ought to do, the Master or Keeper of such House of Correction or publick Work-house respectively, is hereby required to give such Persons such due Correction as shall be fit and necessary in that Behalf.

III. And be it further enacted by the Authority aforesaid, That in case any such Offender or Offenders shall, after such Judgment given, escape out of Prison, or out of such House of Correction or publick Workhouse, as he, she, or they shall be committed unto, as aforesaid, such Person or Persons, being afterwards retaken, shall be brought before some or one of her Majesty's Judges, or before two or more Justices of the Peace (whereof one to be of the *Quorum*) of such County, City, Town, or Place, where such Offender or Offenders shall be so retaken; which Judge or Justices are hereby required to commit such Offender and Offenders to some House of Correction or publick Workhouse, within such County, City, Town, or Place, where he, she, or they shall be so retaken, there to remain without Bail or Mainprize for any Time not less than twelve Months, and not exceeding four Years, to be accounted from the Time of such retaking, and there be set at work and kept at hard Labour, and receive such due Correction,

rection, as aforesaid; and in Case any Master or Keeper of any House of Correction, or publick Work-house, shall neglect to do his Duty, as above directed, any Judge or Justice of Assize or Gaol Delivery, upon Complaint, and due Proof thereof upon the Oath of one or more Witnesses to him made, shall be and is hereby impowered to remove every such Person from his said Office.

‘ IV. And forasmuch as when any Person is convicted for any Felony within the Benefit of Clergy, upon his Prayer to have the Benefit thereof allowed to him, it hath been used to administer a Book to him to try whether he can read as a Clerk, which by Experience is found to be of no Use; Be it therefore enacted by the Authority aforesaid, That from and after the said fourteenth Day of February, if any Person be convicted of any such Felony, for which he ought to have had the Benefit of his Clergy if this Act had not been made, and shall pray to have the Benefit of this Act, he shall not be required to read, but without any reading, shall be allowed, taken, and reputed to be, and punished as, a Clerk convicted, which shall be as effectual to all Intents and Purposes, and be as advantageous to him, as if he had read as a Clerk; any Thing in this Act, or any other Law or Statute to the contrary notwithstanding.

Felons convict, to have Benefit of this Act, without being required to read, &c. For farther Provisions relating hereto, see 5 Ann. c. 31. 12 Ann. St. 1. c. 7. 4 Geo. 1. c. 11. and 6 Geo. 1. c. 23.

C A P. VII.

An Act for regulating and ascertaining the Duties to be paid by the unfreemen Importers of Coals into the Port and Borough of *Great Yarmouth*, in the County of *Norfolk*. From 25 March 1707, Persons not Freemen of Corporation of *Great Yarmouth*, may import and sell Coals there, paying 6 d. per Chalders, and 6 d. ob. per Chalders, for Ballast. On paying Rate, Corporation to furnish Importers with Ballast. Importers, &c. not Freemen, to pay 4 s. 6 d. for Pilotage, &c. besides a Halfpenny per Chalders Coal Tunnage. All Persons except Freemen to pay the Duties, &c. Ships Tackle, &c. may be detained for Duties not paid, and Distress sold, &c. Not to impeach Duties granted by 10 & 11 W. 3. c. 5. Sixty Pounds yearly payable out of Duties, &c. to Chamberlain of *Norwich*, for cleansing and deepning the Rivers *Yarr*, *Waveney*, and the North River, &c. 10 & 11 W. 3. c. 5. Mayor, &c. of *Norwich* in Common Council to dispose of the Monies, &c. Mayor, &c. of *Norwich* may levy Money by Warrant, &c. Proviso for cleansing the River to *Dilham*. Not to alter 16 Car. 2. Saving of Right to all Persons, &c.

C A P. VIII.

An Act for an Union of the two Kingdoms of *England* and *Scotland*.

Most Gracious Sovereign,

‘ W H E R E A S Articles of Union were agreed on, the twenty-second Day of July in the fifth Year of your Majesty’s Reign, by the Commissioners nominated on Behalf of the Kingdom of *England*, under your Majesty’s great Seal of *England*, bearing Date at *Westminster* the tenth Day of April then last past, in pursuance of an Act of Parliament made in *England*, in the third Year of your Majesty’s Reign, and the Commissioners nominated on the Behalf of the Kingdom of *Scotland*, under your Majesty’s Great Seal of *Scotland*, bearing Date the twenty-seventh Day of February in the fourth Year of your Majesty’s Reign, in pursuance of the fourth Act of the third Session of the present Parliament of *Scotland*, to treat of and concerning an union of the said Kingdoms: And whereas an Act hath passed in the Parliament of *Scotland*, at *Edinburgh*, the sixteenth Day of January in the fifth Year of your Majesty’s Reign, wherein ’tis mentioned, That the Estates of Parliament considering the said Articles of Union of the two Kingdoms, had agreed to and approved of the said Articles of Union, with some Additions and Explanations, and that your Majesty, with the Advice and Consent of the Estates of Parliament, for establishing the Protestant Religion and Presbyterian Church Government within the Kingdom of *Scotland*, had passed in the same Session of Parliament an Act, intituled, *An Act for the securing of the Protestant Religion and Presbyterian Church Government*, which by the Tenor thereof was appointed to be inserted in any Act ratifying the Treaty, and expressly declared to be a Fundamental and Essential Condition of the said Treaty or Union in all Times coming: The Tenor of which Articles, as ratified and approved of, with Additions and Explanations by the said Act of Parliament of *Scotland*, follows:

A R T I C L E I.

‘ T H A T the two Kingdoms of *England* and *Scotland* shall upon the first Day of May which shall be in the Year one thousand seven hundred and seven, and for ever after, be united into one Kingdom by the Name of *Great Britain*; and that the Ensigns Armorial of the said united Kingdom be such as her Majesty shall appoint, and the Crosses of *St. George* and *St. Andrew* be conjoined in such Manner as her Majesty shall think fit, and used in all Flags, Banners, Standards and Ensigns, both at Sea and Land.

A R T I C L E II.

‘ That the Succession of the Monarchy to the united Kingdom of *Great Britain*, and of the Dominions thereto belonging, after her most sacred Majesty, and in Default of Issue of her Majesty, be, remain, and continue to the most Excellent Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Heirs of her Body being Protestants, upon whom the Crown of *England* is settled by an Act of Parliament made in *England* in the twelfth Year of the Reign of his late Majesty King *WILLIAM* the Third, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*: And that all Papists, and Persons marrying Papists, shall be excluded from, and for ever incapable

Succession to the Monarchy.

12 & 13 W. 3. c. 2. Papists excluded.

ble to inherit, possess, or enjoy the Imperial Crown of *Great Britain*, and the Dominions thereunto belonging, or any Part thereof; and in every such Case the Crown and Government shall from time to time descend to, and be enjoyed by such Person being a Protestant, as should have inherited and enjoyed the same in case such Papist or Person marrying a Papist, was naturally Dead according to the Provision for the Descent of the Crown of *England*, made by another Act of Parliament in *England* in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown.*

1 W. & M. st. c. 2.

ARTICLE III.

One Parliament. That the united Kingdom of *Great Britain* be represented by one and the same Parliament, to be stiled, *The Parliament of Great Britain.*

ARTICLE IV.

Freedom of Trade, and of all other Rights, &c.

That all the Subjects of the united Kingdom of *Great Britain* shall, from and after the Union, have full Freedom and Intercourse of Trade and Navigation to and from any Port or Place within the said united Kingdom, and the Dominions and Plantations thereunto belonging; and that there be a Communication of all other Rights Privileges, and Advantages, which do or may belong to the Subjects of either Kingdom; except where it is otherwise expressly agreed in these Articles.

ARTICLE V.

Scots Ships to be British Ships.

That all Ships or Vessels belonging to her Majesty's Subjects of *Scotland*, at the Time of ratifying the Treaty of Union of the two Kingdoms in the Parliament of *Scotland*, though foreign built, be deemed, and pass as Ships of the Built of *Great Britain*; the Owner, or where there are more Owners, one or more of the Owners, within twelve Months after the first of *May* next, making Oath, That at the Time of ratifying the Treaty of Union in the Parliament of *Scotland*, the same did, in Whole or in Part, belong to him or them, or to some other Subject or Subjects in *Scotland*, to be particularly named, with the Place of their respective Abodes; and that the same doth then, at the Time of the said Deposition, wholly belong to him or them; and that no Foreigner directly or indirectly, hath any Share, Part, or Interest therein; which Oath shall be made before the chief Officer or Officers of the Customs, in the Port next to the Abode of the said Owner or Owners; and the said Officer or Officers shall be impowered to administer the said Oath; and the Oath being so administered shall be attested by the Officer or Officers, who administered the same; and being registred by the said Officer or Officers, shall be delivered to the Master of the Ship for Security of her Navigation; and a Duplicate thereof shall be transmitted by the said Officer or Officers, to the chief Officer or Officers of the Customs in the Port of *Edinburgh*, to be there entered in a Register, and from thence to be sent to the Port of *London* to be there entered in the General Register of all Trading Ships belonging to *Great Britain*.

ARTICLE VI.

Trade. See 5 Geo. 1. c. 20. & 9 Geo. 1. c. 21.

That all Parts of the united Kingdom for ever, from and after the Union, shall have the same Allowances, Encouragements, and Drawbacks, and be under the same Prohibitions, Restrictions, and Regulations of Trade, and liable to the same Customs and Duties on Import and Export; and that the Allowances, Encouragements, and Drawbacks, Prohibitions, Restrictions, and Regulations of Trade, and the Customs and Duties on Import and Export, settled in *England* when the Union commences, shall, from and after the Union, take Place throughout the whole united Kingdom; excepting and reserving the Duties upon Export and Import of such particular Commodities, from which any Persons, the Subjects of either Kingdom, are specially liberated and exempted by their private Rights, which, after the Union, are to remain safe and entire to them in all Respects, as before the same. And that from and after the Union, no *Scots* Cattle carried into *England*, shall be liable to any other Duties, either on the publick or private Accounts, than those Duties to which the Cattle of *England* are or shall be liable within the said Kingdom. And seeing by the Laws of *England*, there are Rewards granted upon the Exportation of certain Kinds of Grain, wherein Oats grinded or ungrinded are not expressed; that from and after the Union, when Oats shall be sold at fifteen Shillings Sterling per Quarter, or under, there shall be paid two Shillings and six Pence Sterling for every Quarter of the Oatmeal exported in the Terms of the Law, whereby and so long as Rewards are granted for Exportation of other Grains, and that the Bear of *Scotland* have the same Rewards as Barley: And in Respect the Importation of Victual into *Scotland* from any Place beyond Sea, would prove a Discouragement to Tillage, therefore that the Prohibition as now in Force by the Law of *Scotland*, against Importation of Victuals from *Ireland*, or any other Place beyond Sea into *Scotland*, do, after the Union, remain in the same Force as now it is, until more proper and effectual Ways be provided by the Parliament of *Great Britain*, for discouraging the Importation of the said Victuals from beyond Sea.

Scots Cattle.

Importation of Victuals. Altered by 14 Geo. 2. c. 7. for licensing the importation in Cases of Disturb.

ARTICLE VII.

Excises. See 5 Geo. 1. c. 20. Explained by 12 Geo. 1. c. 4. sect. 62.

That all Parts of the united Kingdom be for ever, from and after the Union, liable to the same Excises upon all exciseable Liquors, excepting only that the thirty-four Gallons *English* Barrel of Beer or Ale, amounting to twelve Gallons *Scots* present Measure, sold in *Scotland* by the Brewer at nine Shillings six Pence Sterling, excluding all Duties, and retailed, including Duties and the Retailers Profit, at two Pence

Pence the *Scots* Pint, or eighth Part of the *Scots* Gallon, be not after the Union liable, on account of the present Excise upon exciseable Liquors in *England*, to any higher Imposition than two Shillings Sterling upon the aforesaid thirty-four Gallons, *English* Barrel, being twelve Gallons the present *Scots* Measure: And that the Excise settled in *England* on all other Liquors, when the Union commences; take place throughout the whole united Kingdom.

ARTICLE VIII.

That from and after the Union, all foreign Salt which shall be imported into *Scotland*, shall be charged at the Importation there, with the same Duties as the like Salt is now charged with being imported into *England*, and to be levied and secured in the same Manner: But in regard the Duties of great Quantities of foreign Salt imported may be very heavy upon the Merchants Importers, that therefore all foreign Salt imported into *Scotland*, shall be cellar'd and locked up under the Custody of the Merchants Importers, and the Officers employed for levying the Duties upon Salt, and that the Merchant may have what Quantity thereof his Occasion may require, not under a Wey or forty Bushels at a Time, giving Security for the Duty of what Quantity he receives, payable in six Months. But *Scotland* shall, for the Space of seven Years from the said Union, be exempted from paying in *Scotland*, for Salt made there, the Duty or Excise now payable for Salt made in *England*; but from the Expiration of the said seven Years, shall be subject and liable to the same Duties for Salt made in *Scotland* as shall be then payable for Salt made in *England*, to be levied and secured in the same Manner, and with proportionable Drawbacks and Allowances as in *England*, with this Exception, That *Scotland* shall, after the said seven Years, remain exempted from the Duty of two Shillings four Pence a Bushel on Home Salt, imposed by an Act made in *England* in the Ninth and Tenth of King WILLIAM the Third of *England*; and if the Parliament of *Great Britain* shall, at or before the expiring of the said seven Years, substitute any other Fund in Place of the said two Shillings four Pence of Excise on the Bushel of Home Salt, *Scotland* shall, after the said seven Years, bear a Proportion of the said Fund, and have an Equivalent in the Terms of this Treaty; and that during the said seven Years, there shall be paid in *England*, for all Salt made in *Scotland*, and imported from thence into *England*, the same Duties upon the Importation, as shall be payable for Salt made in *England*, to be levied and secured in the same Manner as the Duties on foreign Salt are to be levied and secured in *England*; and that after the said seven Years, as long as the said Duty of two Shillings four Pence a Bushel upon Salt is continued in *England*, the said two Shillings and four Pence a Bushel shall be payable for all Salt made in *Scotland*, and imported into *England*, to be levied and secured in the same Manner; and that during the Continuance of the Duty of two Shillings four Pence a Bushel upon Salt made in *England*, no Salt whatsoever be brought from *Scotland* to *England* by Land in any Manner, under the Penalty of forfeiting the Salt, and the Cattle and Carriages made use of in bringing the same, and paying twenty Shillings for every Bushel of such Salt, and proportionably for a greater or lesser Quantity, for which the Carrier as well as the Owner shall be liable, jointly and severally, and the Persons bringing or carrying the same to be imprisoned by any one Justice of the Peace, by the Space of six Months without Bail, and until the Penalty be paid. And for establishing an Equality in Trade, that all Flesh exported from *Scotland* to *England*, and put on Board in *Scotland* to be exported to Parts beyond the Seas, and Provisions for Ships in *Scotland*, and for foreign Voyages, may be salted with *Scots* Salt, paying the same Duty for what Salt is so employed as the like Quantity of such Salt pays in *England*, and under the same Penalties, Forfeitures, and Provisions for preventing of Frauds as are mentioned in the Laws of *England*; and that from and after the Union, the Laws and Acts of Parliament in *Scotland*, for pining, curing, and packing of Herrings, white Fish and Salmon for Exportation with foreign Salt only, without any Mixture of *British* or *Irish* Salt, and for preventing of Frauds in curing and packing of Fish, be continued in Force in *Scotland*, subject to such Alterations as shall be made by the Parliament of *Great Britain*; and that all Fish exported from *Scotland* to Parts beyond the Seas, which shall be cured with foreign Salt only, and without Mixture of *British* or *Irish* Salt, shall have the same Eases, Premiums, and Drawbacks, as are or shall be allowed to such Persons as export the like Fish from *England*; and that for Encouragement of the Herring Fishing, there shall be allowed and paid to the Subjects, Inhabitants of *Great Britain*, during the present Allowances for other Fish, ten Shillings five Pence Sterling for every Barrel of White Herrings which shall be exported from *Scotland*; and that there shall be allowed five Shillings Sterling for every Barrel of Beef or Pork salted with foreign Salt, without Mixture of *British* or *Irish* Salt, and exported for Sale from *Scotland* to Parts beyond Sea, alterable by the Parliament of *Great Britain*; and if any Matters of Fraud relating to the said Duties on Salt shall hereafter appear, which are not sufficiently provided against by this Article, the same shall be subject to such further Provisions as shall be thought fit by the Parliament of *Great Britain*.

ARTICLE IX.

That whensoever the Sum of one million nine hundred ninety-seven thousand seven hundred and sixty-three Pounds eight Shillings and four Pence Halfpenny, shall be enacted by the Parliament of *Great Britain* to be raised in that Part of the united Kingdom now called *England*, on Land and other Things usually charged in Acts of Parliament there, for granting an Aid to the Crown by a Land Tax; that Part of the united Kingdom now called *Scotland*, shall be charged by the same Act, with a further Sum of forty-eight thousand Pounds, free of all Charges, as the Quota of *Scotland*, to such Tax, and so proportionably for any greater or lesser Sum raised in *England* by any Tax on Land, and other Things usually charged together with the Land; and that such Quota for *Scotland*, in the Cases aforesaid, be raised and collected

Foreign Salt.

Scotch Salt.

Home Salt:
9 & 10 W. 3.
c. 44.Repealed by
3 Geo. 2. c. 20.
f. 3. as to Salt
imported.Flesh exported
from Scotland.Coring of
Herrings.

Fish exported.

These Duties
revived for
three Years, by
5 Geo. 2. c. 6.

Land Tax.

Quota of Scot-
land.

collected in the same Manner as the Cels now is in *Scotland*; but subject to such Regulations in the Manner of collecting, as shall be made by the Parliament of *Great Britain*.

ARTICLE X.

Stamp Vellum. That during the Continuance of the respective Duties on stamp Paper, Vellum, and Parchment, by the several Acts now in Force in *England*, *Scotland* shall not be charged with the same respective Duties.

ARTICLE XI.

Window Tax. That during the Continuance of the Duties payable in *England* on Windows and Lights, which determine on the first Day of *August* one thousand seven hundred and ten, *Scotland* shall not be charged with the same Duties.

ARTICLE XII.

Coals, Culm, and Cynders. That during the Continuance of the Duties payable in *England* on Coals, Culm, and Cynders, which determine the thirtieth Day of *September* one thousand seven hundred and ten, *Scotland* shall not be charged therewith for Coals, Culm, and Cynders consumed there; but shall be charged with the same Duties as in *England* for all Coals, Culm, and Cynders not consumed in *Scotland*.

ARTICLE XIII.

Malt. That during the Continuance of the Duty payable in *England* upon Malt, which determines the twenty-fourth Day of *June* one thousand seven hundred and seven, *Scotland* shall not be charged with that Duty.

ARTICLE XIV.

Scotland not chargeable with any other Duties before the Union, except these consented to. See 5 Geo. 1. c. 20.
Proviso. That the Kingdom of *Scotland* be not charged with any other Duties laid on by the Parliament of *England* before the Union, except these consented to in this Treaty; in regard it is agreed, That all necessary Provision shall be made by the Parliament of *Scotland* for the publick Charge and Service of that Kingdom, for the Year one thousand seven hundred and seven. Provided nevertheless, That if the Parliament of *England* shall think fit to lay any further Impositions by way of Customs, or such Excises, with which by virtue of this Treaty, *Scotland* is to be charged equally with *England*, in such Case *Scotland* shall be liable to the same Customs and Excises, and have an Equivalent to be settled by the Parliament of *Great Britain*; with this further Provision, That any Malt to be made and consumed in that Part of the united Kingdom now called *Scotland*, shall not be charged with any Imposition on Malt, during this present War. And seeing it cannot be supposed that the Parliament of *Great Britain* will ever lay any sort of Burthens upon the united Kingdom, but what they shall find of Necessity at that Time for the Preservation and Good of the Whole, and with due regard to the Circumstances and Abilities of every Part of the united Kingdom; therefore it is agreed, That there be no further Exemption insisted upon for any Part of the united Kingdom, but that the Consideration of any Exemptions beyond what are already agreed on in this Treaty, shall be left to the Determination of the Parliament of *Great Britain*.

ARTICLE XV.

Equivalent. 12 Ann. ft. 2. c. 13. and See 1 Geo. 1. stat. 2. c. 27. & 5 Geo. 1. c. 20. That whereas by the Terms of this Treaty, the Subjects of *Scotland*, for preserving an Equality of Trade throughout the united Kingdom, will be liable to several Customs and Excises now payable in *England*, which will be applicable towards Payment of the Debts of *England*, contracted before the Union; it is agreed, That *Scotland* shall have an Equivalent for what the Subjects thereof shall be so charged towards Payment of the said Debts of *England*, in all Particulars whatsoever, in Manner following, viz. That before the Union of the said Kingdoms, the Sum of three hundred ninety-eight thousand and eighty-five Pounds ten Shillings, be granted to her Majesty by the Parliament of *England*, for the Uses after mentioned, being the Equivalent to be answered to *Scotland* for such Parts of the said Customs and Excises upon all exciseable Liquors with which that Kingdom is to be charged upon the Union, as will be applicable to the Payment of the said Debts of *England*, according to the Proportions which the present Customs in *Scotland*, being thirty thousand Pounds per Annum, do bear to the Customs in *England*, computed at one million three hundred forty-one thousand five hundred and fifty-nine Pounds per Annum; and which the present Excises on exciseable Liquors in *Scotland*, being thirty-three thousand and five hundred Pounds per Annum, do bear to the Excises on exciseable Liquors in *England*, computed at nine hundred forty-seven thousand six hundred and two Pounds per Annum: Which Sum of three hundred ninety-eight thousand eighty-five Pounds ten Shillings, shall be due and payable from the Time of the Union. And in regard that after the Union *Scotland* becoming liable to the same Customs and Duties payable on Import and Export, and to the same Excises on all exciseable Liquors as in *England*, as well upon that Account, as upon the Account of the Increase of Trade and People, (which will be the happy Consequence of the Union) the said Revenues will much improve beyond the before-mentioned annual Values thereof, of which no present Estimate can be made; yet nevertheless, for the Reasons aforesaid, there ought to be a proportionable Equivalent answered to *Scotland*; it is agreed, That after the Union there shall be an Account kept of the said Duties arising in *Scotland*, to the End it may appear what ought to be answered to *Scotland* as an Equivalent for such Proportion of the said Increase as shall be applicable to the Payment of the Debts of *England*. And for the further and more effectual answering the several Ends hereafter mentioned, it is agreed, That from and after the Union, the whole Increase of the Revenues of Customs, and Duties on Import and Export, and Excises upon exciseable Liquors in *Scotland*, over and above the annual Produce of the said respective Duties, as above stated, shall go and be applied, for

for the Term of seven Years, to the Uses hereafter mentioned; and that, upon the said Account there shall be answered to *Scotland* annually from the End of seven Years after the Union, an Equivalent in Proportion to such Part of the said Increase, as shall be applicable to the Debts of *England*; and generally, that an Equivalent shall be answered to *Scotland* for such Parts of the *English* Debts, as *Scotland* may hereafter become liable to pay by reason of the Union, other than such for which Appropriations have been made by Parliament in *England*, of the Customs, or other Duties on Export and Import, Excises on all exciseable Liquors, in respect of which Debts, Equivalents are herein before provided. And as for the Uses to which the said Sum of three hundred ninety-eight thousand eighty-five Pounds ten Shillings, to be granted as aforesaid, and all other Monies which are to be answered or allowed to *Scotland* as aforesaid, are to be applied, it is agreed, That in the first Place, out of the aforesaid Sum, what Consideration shall be found necessary to be had for any Losses, which private Persons may sustain by reducing the Coin of *Scotland* to the Standard and Value of the Coin of *England*, may be made good; in the next Place, that the Capital Stock, or Fund of the *African* and *Indian* Company of *Scotland* advanced, together with Interest for the said Capital Stock, after the Rate of five *per Centum per Annum*, from the respective Times of the Payment thereof, shall be paid: Upon Payment of which Capital Stock and Interest, it is agreed, the said Company be dissolved and cease, and also, that from the Time of passing the Act of Parliament in *England*, for raising the said Sum of three hundred ninety-eight thousand eighty-five Pounds ten Shillings, the said Company shall neither trade, nor grant Licence to trade; providing, that if the said Stock and Interest shall not be paid in twelve Months after the Commencement of the Union, that then the said Company may from thenceforward trade, or give licence to trade, until the said whole Capital Stock and Interest shall be paid. And as to the Overplus of the said Sum of three hundred ninety-eight thousand eighty-five Pounds ten Shillings, after Payment of what Consideration shall be had for Losses in repairing the Coin, and paying the said Capital Stock and Interest, and also the whole Increase of the said Revenues of Customs, Duties and Excises, above the present Value, which shall arise in *Scotland* during the said Term of seven Years, together with the Equivalent which shall become due upon the Improvement thereof in *Scotland* after the said Term; and also, as to all other Sums, which, according to the Agreements aforesaid, may become payable to *Scotland* by way of Equivalent, for what that Kingdom shall hereafter become liable towards Payment of the Debts of *England*; it is agreed, That the same be applied in the Manner following, *viz.* That all the publick Debts of the Kingdom of *Scotland*, as shall be adjusted by this present Parliament, shall be paid: And that two thousand Pounds *per Annum* for the Space of seven Years, shall be applied towards encouraging and promoting the Manufacture of coarse Wool within those Shires which produce the Wool; and that the first two thousand Pounds Sterling be paid at *Martinmas* next, and so yearly at *Martinmas*, during the Space aforesaid; and afterwards, the same shall be wholly applied towards the encouraging and promoting the Fisheries, and such other Manufactures and Improvements in *Scotland*, as may most conduce to the general Good of the united Kingdom. And it is agreed, That her Majesty be empowered to appoint Commissioners, who shall be accountable to the Parliament of *Great Britain*, for disposing the said Sum of three hundred ninety-eight thousand and eighty-five Pounds ten Shillings, and all other Monies which shall arise to *Scotland*, upon the Agreements aforesaid, to the Purposes before-mentioned: Which Commissioners shall be empowered to call for; receive, and dispose of the said Monies, in Manner aforesaid, and to inspect the Books of the several Collectors of the said Revenues, and of all other Duties, from whence an Equivalent may arise: And that the Collectors and Managers of the said Revenues and Duties be obliged to give to the said Commissioners subscribed authentick Abbreviates of the Produce of such Revenues and Duties arising in their respective Districts: And that the said Commissioners shall have their Office within the Limits of *Scotland*, and shall in such Office keep Books containing Accounts of the Amount of the Equivalents, and how the same shall have been disposed of from time to time, which may be inspected by any of the Subjects, who shall desire the same.

Uses to which
Equivalent Mo-
ney is applied.

Coin of *Scotland*.
African Com-
pany.

Overplus.

Publick Debts.

Manufacture of
coarse Wool.

Fisheries.
See 1; Geo. 1.
c. 30. sect. 1.
& 1 Geo. 2.
stat. 2. c. 1.
sect. 8.
Commissioners
for the Equiva-
lent.

ARTICLE XVI.

That from and after the Union, the Coin shall be of the same Standard and Value throughout the united Kingdom, as now in *England*, and a Mint shall be continued in *Scotland*, under the same Rules as the Mint in *England*, and the present Officers of the Mint continued, subject to such Regulations and Alterations as her Majesty, her Heirs or Successors, or the Parliament of *Great Britain* shall think fit.

ARTICLE XVII.

That from and after the Union, the same Weights and Measures shall be used throughout the united Kingdom, as are now established in *England*, and Standards of Weights and Measures shall be kept by those Burghs in *Scotland*, to whom the keeping the Standards of Weights and Measures, now in Use there, does of special Right belong: All which Standards shall be sent down to such respective Burghs, from the Standards kept in the Exchequer at *Westminster*, subject nevertheless to such Regulations as the Parliament of *Great Britain* shall think fit.

ARTICLE XVIII.

That the Laws concerning Regulation of Trade, Customs, and such Excises to which *Scotland* is, by virtue of this Treaty, to be liable, be the same in *Scotland*, from and after the Union, as in *England*; and that all other Laws in Use within the Kingdom of *Scotland*, do after the Union, and notwithstanding thereof, remain in the same Force as before, (except such as are contrary to, or inconsistent with this Treaty)

Treaty) but alterable by the Parliament of *Great Britain*; with this Difference betwixt the Laws concerning publick Right, Policy, and Civil Government, and those which concern private Right, that the Laws which concern publick Right, Policy, and Civil Government, may be made the same throughout the whole united Kingdom; but that no Alteration be made in Laws which concern private Right, except for evident Utility of the Subjects within *Scotland*.

ARTICLE XIX.

College of Justice.
By 7 Geo. 2. c. 16. sect. 4. Judges of Session, &c. are incapable of being elected Members of the House of Commons.

Court of Justiciary.

Admiralty Jurisdictions.

Other Courts.

Court of Exchequer established for ever, by 6 Annæ, c. 26. sect. 1.

Privy Council. September 6. Annæ, c. 6. for the Regulation of the Privy Council.

Heretable Offices.

Royal Burghs.

Sixteen Peers of Scotland to sit in the House of Lords.

That the Court of Session, or College of Justice, do after the Union, and notwithstanding thereof, remain in all Time coming within *Scotland*, as it is now constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union, subject nevertheless to such Regulations for the better Administration of Justice, as shall be made by the Parliament of *Great Britain*; and that hereafter none shall be named by her Majesty, or her royal Successors, to be ordinary Lords of Session, but such who have served in the College of Justice as Advocates, or principal Clerks of Session for the Space of five Years; or as Writers to the Signet for the Space of ten Years; with this Provision, That no Writer to the Signet be capable to be admitted a Lord of the Session, unless he undergo a private and publick Trial on the Civil Law, before the Faculty of Advocates, and be found by them qualified for the said Office, two Years before he be named to be a Lord of the Session; yet so as the Qualifications made, or to be made, for capacitating Persons to be named ordinary Lords of Session, may be altered by the Parliament of *Great Britain*. And that the Court of Justiciary do also after the Union, and notwithstanding thereof, remain in all Time coming within *Scotland*, as it is now constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union, subject nevertheless to such Regulations as shall be made by the Parliament of *Great Britain*, and without Prejudice of other Rights of Justiciary; and that all Admiralty Jurisdictions be under the Lord High Admiral or Commissioners for the Admiralty of *Great Britain* for the time being; and that the Court of Admiralty now established in *Scotland* be continued, and that all Reviews, Reductions, or Suspensions of the Sentences in maritime Cases, competent to the Jurisdiction of that Court, remain in the same Manner after the Union, as now in *Scotland*, until the Parliament of *Great Britain* shall make such Regulations and Alterations, as shall be judged expedient for the whole united Kingdom, so as there be always continued in *Scotland* a Court of Admiralty, such as in *England*, for Determination of all maritime Cases relating to private Rights in *Scotland*, competent to the Jurisdiction of the Admiralty Court, subject nevertheless to such Regulations and Alterations as shall be thought proper to be made by the Parliament of *Great Britain*; and that the heretable Rights of Admiralty and Vice Admiralties in *Scotland* be reserved to the respective Proprietors as Rights of Property, subject nevertheless, as to the Manner of exercising such heretable Rights, to such Regulations and Alterations, as shall be thought proper to be made by the Parliament of *Great Britain*; and that all other Courts now in being within the Kingdom of *Scotland* do remain, but subject to Alterations by the Parliament of *Great Britain*; and that all inferior Courts within the said Limits do remain subordinate, as they are now, to the supreme Courts of Justice within the same, in all Time coming; and that no Causes in *Scotland* be cognoscible by the Courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or any other Court in *Westminster Hall*; and that the said Courts, or any other of the like Nature, after the Union, shall have no Power to cognosce, review, or alter the Acts or Sentences of the Judicatures within *Scotland*, or stop the Execution of the same; and that there be a Court of *Exchequer* in *Scotland* after the Union, for deciding Questions concerning the Revenues of Customs and Excises there, having the same Power and Authority in such Cases, as the Court of *Exchequer* has in *England*; and that the said Court of *Exchequer* in *Scotland* have Power of passing Signatures, Gifts, Tutories, and in other Things, as the Court of *Exchequer* at present in *Scotland* hath; and that the Court of *Exchequer* that now is in *Scotland* do remain, until a new Court of *Exchequer* be settled by the Parliament of *Great Britain* in *Scotland* after the Union; and that after the Union, the Queen's Majesty, and her royal Successors, may continue a Privy Council in *Scotland*, for preserving of publick Peace and Order, until the Parliament of *Great Britain* shall think fit to alter it, or establish any other effectual Method for that End.

ARTICLE XX.

That all heritable Offices, Superiorities, heretable Jurisdictions, Offices for Life, and Jurisdictions for Life, be reserved to the Owners thereof, as Rights of Property, in the same Manner as they are now enjoyed by the Laws of *Scotland*, notwithstanding this Treaty.

ARTICLE XXI.

That the Rights and Privileges of the royal Burghs in *Scotland*, as they now are, do remain entire after the Union, and notwithstanding thereof.

ARTICLE XXII.

That by virtue of this Treaty, of the Peers of *Scotland*, at the Time of the Union, sixteen shall be the Number to sit and vote in the House of Lords, and forty-five the Number of the Representatives of *Scotland* in the House of Commons of the Parliament of *Great Britain*; and that when her Majesty, her Heirs or Successors, shall declare her or their Pleasure for holding the first or any subsequent Parliament of *Great Britain*, until the Parliament of *Great Britain* shall make further Provision therein, a Writ do issue under the Great Seal of the united Kingdom, directed to the Privy Council of *Scotland*, commanding them to cause sixteen Peers, who are to sit in the House of Lords, to be summoned to Parliament,

liament, and forty-five Members to be elected to sit in the House of Commons of the Parliament of Great Britain, according to the Agreement of this Treaty, in such Manner as by an Act of this present Session of the Parliament of Scotland is or shall be settled; which Act is hereby declared to be as valid as if it were a Part of, and ingrossed in this Treaty. And that the Names of the Persons so summoned and elected shall be returned by the Privy Council of Scotland into the Court from whence the said Writ did issue. And that if her Majesty, on or before the first Day of May next, on which Day the Union is to take Place, shall declare under the Great Seal of England, That it is expedient that the Lords of Parliament of England, and Commons of the present Parliament of England, should be the Members of the respective Houses of the first Parliament of Great Britain, for and on the Part of England, then the said Lords of Parliament of England, and Commons of the present Parliament of England, shall be the Members of the respective Houses of the first Parliament of Great Britain, for and on the Part of England: And her Majesty may by her Royal Proclamation, under the Great Seal of Great Britain, appoint the said first Parliament of Great Britain to meet at such Time and Place as her Majesty shall think fit; which Time shall not be less than fifty Days after the Date of such Proclamation; and the Time and Place of the Meeting of such Parliament being so appointed, a Writ shall be immediately issued under the Great Seal of Great Britain, directed to the Privy Council of Scotland, for the summoning the sixteen Peers, and for electing forty-five Members, by whom Scotland is to be represented in the Parliament of Great Britain. And the Lords of Parliament of England, and the sixteen Peers of Scotland, such sixteen Peers being summoned and returned in the Manner agreed in this Treaty, and the Members of the House of Commons of the said Parliament of England, and the forty-five Members for Scotland, such forty-five Members being elected and returned in the Manner agreed in this Treaty, shall assemble and meet respectively, in the respective Houses of the Parliament of Great Britain, at such Time and Place as shall be so appointed by her Majesty, and shall be the two Houses of the first Parliament of Great Britain; and that Parliament may continue for such Time only, as the present Parliament of England might have continued if the Union of the two Kingdoms had not been made, unless sooner dissolved by her Majesty. And that every one of the Lords of Parliament of Great Britain, and every Member of the House of Commons of the Parliament of Great Britain, in the first and all succeeding Parliaments of Great Britain, until the Parliament of Great Britain shall otherwise direct, shall take the respective Oaths appointed to be taken in Stead of the Oaths of Allegiance and Supremacy, by an Act of Parliament made in England in the first Year of the Reign of the late King WILLIAM and QUEEN MARY, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, and make, subscribe, and audibly repeat the Declaration mentioned in an Act of Parliament made in England in the thirtieth Year of the Reign of King CHARLES the Second, intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*; and shall take and subscribe the Oath mentioned in an Act of Parliament made in England in the first Year of her Majesty's Reign, intituled, *An Act to declare the Alterations in the Oath appointed to be taken by the Act*, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors, and for declaring the Association to be determined*; at such Time, and in such Manner as the Members of both Houses of Parliament of England are by the said respective Acts directed to take, make, and subscribe the same, upon the Penalties and Disabilities in the said respective Acts contained. And it is declared and agreed, That these Words, *This Realm, The Crown of this Realm, and The Queen of this Realm*, mentioned in the Oaths and Declaration contained in the aforesaid Acts, which were intended to signify the Crown and Realm of England, shall be understood of the Crown and Realm of Great Britain; and that in that Sense the said Oaths and Declaration be taken and subscribed by the Members of both Houses of the Parliament of Great Britain.

ARTICLE XXIII.

That the aforesaid sixteen Peers of Scotland mentioned in the last preceding Article, to sit in the House of Lords of the Parliament of Great Britain, shall have all Privileges of Parliament, which the Peers of England now have, and which they, or any Peers of Great Britain shall have after the Union, and particularly the Right of sitting upon the Trials of Peers: And in case of the Trial of any Peer, in Time of Adjournment, or Prorogation of Parliament, the said sixteen Peers shall be summoned in the same Manner, and have the same Powers and Privileges at such Trial, as any other Peers of Great Britain. And that in case any Trials of Peers shall hereafter happen, when there is no Parliament in Being, the sixteen Peers of Scotland, who sat in the last preceding Parliament, shall be summoned in the same Manner, and have the same Powers and Privileges at such Trials, as any other Peers of Great Britain; and that all Peers of Scotland, and their Successors to their Honours and Dignities, shall from and after the Union, be Peers of Great Britain, and have Rank and Precedency next and immediately after the Peers of the like Orders and Degrees in England at the Time of the Union, and before all Peers of Great Britain of the like Orders and Degrees, who may be created after the Union, and shall be tried as Peers of Great Britain, and shall enjoy all Privileges of Peers, as fully as the Peers of England do now, or as they, or any other Peers of Great Britain may hereafter enjoy the same, except the Right and Privilege of sitting in the House of Lords, and the Privileges depending thereon, and particularly the Right of sitting upon the Trials of Peers.

ARTICLE XXIV.

That from and after the Union, there be one Great Seal for the united Kingdom of Great Britain, which shall be different from the Great Seal now used in either Kingdom: And that the quartering the Arms,

Forty-five Members to sit in the House of Commons.
Farther Provisions relating hereto,
6 Annæ, c. 23. sect. 1.

First Parliament of Great Britain.

Members to take the Oaths, &c.

1 W. & M. s. 2. c. 3.

30 Car. 2. stat. 2. c. 1.

1 Annæ, stat. 3. c. 22.

Privileges of the sixteen Peers;

and of all the Peers of Scotland.

One Great Seal.

Arms, and the Rank and Precedency of the Lyon King of Arms of the Kingdom of *Scotland*, as may best suit the Union, be left to her Majesty: And that in the mean Time, the Great Seal of *England* be used as the Great Seal of the united Kingdom, and that the Great Seal of the united Kingdom be used for sealing Writs to elect and summon the Parliament of *Great Britain*, and for sealing all Treaties with foreign Princes and States, and all Publick Acts, Instruments and Orders of State, which concern the whole united Kingdom, and in all other Matters relating to *England*, as the Great Seal of *England* is now used: And that a Seal in *Scotland* after the Union be always kept and made use of in all Things relating to private Rights or Grants, which have usually passed the Great Seal of *Scotland*, and which only concern Offices, Grants, Commissions, and private Rights within that Kingdom; and that until such Seal shall be appointed by her Majesty, the present Great Seal of *Scotland* shall be used for such Purposes: And that the Privy Seal, Signet, Casset, Signet of the Justiciary Court, Quarter Seal, and Seals of Courts now used in *Scotland* be continued; but that the said Seals be altered and adapted to the State of the Union, as her Majesty shall think fit; and the said Seals, and all of them, and the Keepers of them, shall be subject to such Regulations as the Parliament of *Great Britain* shall hereafter make. And that the Crown, Scepter, and Sword of State, the Records of Parliament, and all other Records, Rolls and Registers whatsoever, both publick and private, general and particular, and Warrants thereof, continue to be kept as they are within that Part of the united Kingdom now called *Scotland*; and that they shall so remain in all Time coming, notwithstanding the Union.

Seal in Scotland.

Privy Seal, &c. continued.

Regalia, Records of Parliament, &c.

ARTICLE XXV.

Laws inconsistent, void.

That all Laws and Statutes in either Kingdom, so far as they are contrary to, or inconsistent with the Terms of these Articles, or any of them, shall, from and after the Union, cease and become void, and shall be so declared to be, by the respective Parliaments of the said Kingdoms.

As by the said Articles of Union, ratified and approved by the said Act of Parliament of *Scotland*, Relation being thereunto had, may appear. And the Tenor of the aforesaid Act for securing the Protestant Religion and Presbyterian Church Government within the Kingdom of *Scotland*, is as follows:

Act for securing the Protestant Religion, and Presbyterian Church Government in Scotland.

II. OUR Sovereign Lady, and the Estates of Parliament, considering that by the late Act of Parliament, for a Treaty with *England* for an Union of both Kingdoms, it is provided, That the Commissioners for that Treaty should not treat of or concerning any Alteration of the Worship, Discipline, and Government of the Church of this Kingdom as now by Law established: Which Treaty being now reported to the Parliament, and it being reasonable and necessary that the true Protestant Religion, as presently professed within this Kingdom, with the Worship, Discipline, and Government of this Church, should be effectually and unalterably secured: Therefore her Majesty, with Advice and Consent of the said Estates of Parliament, doth hereby establish and confirm the said true Protestant Religion, and the Worship, Discipline, and Government of this Church, to continue without any Alteration to the People of this Land in all succeeding Generations; and more especially her Majesty, with Advice and Consent aforesaid, ratifies, approves, and for ever confirms the fifth Act of the first Parliament of King WILLIAM and Queen MARY, intituled, *Act ratifying the Confession of Faith, and settling Presbyterian Church Government*; with all other Acts of Parliament relating thereto, in Prosecution of the Declaration of the Estates of this Kingdom, containing the Claim of Right, bearing Date the eleventh of *April* one thousand six hundred and eighty-nine: And her Majesty, with Advice and Consent aforesaid, expressly provides and declares, That the foresaid true Protestant Religion, contained in the above-mentioned Confession of Faith, with the Form and Purity of Worship presently in use within this Church, and its Presbyterian Church Government and Discipline (that is to say) the Government of the Church by Kirk Sessions, Presbyteries, Provincial Synods, and General Assemblies, all established by the foresaid Acts of Parliament, pursuant to the Claim of Right, shall remain and continue unalterable, and that the said Presbyterian Government shall be the only Government of the Church within the Kingdom of *Scotland*.

Universities and Colleges to continue.

III. And further, for the greater Security of the foresaid Protestant Religion, and of the Worship, Discipline, and Government of this Church, as above established, her Majesty, with Advice and Consent foresaid, statutes and ordains, That the Universities and Colleges of *Saint Andrews*, *Glasgow*, *Aberdeen*, and *Edinburgh*, as now established by Law, shall continue within this Kingdom for ever; and that in all Time coming, no Professors, Principals, Regents, Masters, or others, bearing Office in any University, College, or School within this Kingdom, be capable to be admitted, or allowed to continue in the Exercise of their said Functions, but such as shall own and acknowledge the Civil Government in Manner prescribed or to be prescribed by the Acts of Parliament; as also, that before, or at their Admissions, they do and shall acknowledge and profess, and shall subscribe to the foresaid Confession of Faith, as the Confession of their Faith, and that they will practise and confirm themselves to the Worship presently in Use in this Church, and submit themselves to the Government and Discipline thereof, and never endeavour directly or indirectly the Prejudice or Subversion of the same, and that before the respective Presbyteries of their Bounds, by whatsoever Gift, Presentation or Provision they may be thereto provided.

Subjects not liable to any Oath inconsistent with the said Church Government.

IV. And further, her Majesty, with Advice aforesaid, expressly declares, and statutes, That none of the Subjects of this Kingdom shall be liable to, but all and every one of them for ever free of any Oath, Test or Subscription within this Kingdom, contrary to, or inconsistent with the foresaid true Protestant Religion, and Presbyterian Church Government, Worship, and Discipline, as above established; and that

‘ that the same within the Bounds of this Church and Kingdom, shall never be imposed upon, or required of them, in any Sort. And lastly, That after the Decease of her present Majesty, (whom God long preserve) the Sovereign succeeding to her in the Royal Government of the Kingdom of *Great Britain*, shall in all Time coming at his or her Accession to the Crown, swear and subscribe, that they shall inviolably maintain and preserve the foresaid Settlement of the true Protestant Religion, with the Government, Worship, Discipline, Right, and Privileges of this Church, as above established by the Laws of this Kingdom in Prosecution of the Claim of Right.’

Queen's Successors to maintain the same.

‘ V. And it is hereby statuted and ordain'd, That this Act of Parliament, with the Establishment therein contained, shall be held and observed in all Time coming, as a fundamental and essential Condition of any Treaty or Union to be concluded betwixt the two Kingdoms, without any Alteration thereof, or Derogation thereto in any Sort for ever: As also, That this Act of Parliament, and Settlement therein contain'd, shall be insert and repeated in any Act of Parliament that shall pass for agreeing and concluding the foresaid Treaty or Union betwixt the two Kingdoms; and that the same shall be therein expressly declared to be a fundamental and essential Condition of the said Treaty or Union in all Time coming: Which Articles of Union, and Act immediately above-written, her Majesty, with Advice and Consent aforesaid, statutes, enacts, and ordains to be and continue, in all Time coming, the sure and perpetual Foundation of a compleat and entire Union of the two Kingdoms of *Scotland* and *England*, under the exprefs Condition and Provision, that this Approbation and Ratification of the foresaid Articles and Act shall be no ways binding on this Kingdom, until the said Articles and Act be ratified, approved, and confirmed by her Majesty, with and by the Authority of the Parliament of *England*, as they are now agreed to, approved and confirmed by her Majesty, with and by the Authority of the Parliament of *Scotland*; declaring nevertheless, that the Parliament of *England* may provide for the Security of the Church of *England* as they think expedient, to take Place within the Bounds of the said Kingdom of *England*, and not derogating from the Security above provided for establishing of the Church of *Scotland* within the Bounds of this Kingdom; as also the said Parliament of *England* may extend the Additions and other Provisions contained in the Articles of Union, as above insert, in Favours of the Subjects of *Scotland*, to and in Favours of the Subjects of *England*; which shall not suspend or derogate from the Force and Effect of this present Ratification, but shall be understood as herein included, without the Necessity of any new Ratification in the Parliament of *Scotland*.’

Act to be for ever observed as an essential Part of any Treaty, &c. between the Kingdoms.

‘ VI. And lastly, her Majesty enacts and declares, That all Laws and Statutes in this Kingdom, so far as they are contrary to, or inconsistent with, the Terms of these Articles, as above-mentioned, shall from and after the Union cease and become void.’

Parliament of England may provide for Security of Church of England, &c.

All Laws, &c. inconsistent with Articles of Union, to cease.

‘ VII. And whereas an Act hath passed in this present Session of Parliament, intituled, *An Act for securing the Church of England as by Law established*; the Tenor whereof follows:’

5 Annæ, c. 5.

WHEREAS by an Act made in the Session of Parliament held in the third and fourth Year of her Majesty's Reign, whereby her Majesty was impowered to appoint Commissioners, under the Great Seal of *England*, to treat with Commissioners to be authorized by the Parliament of *Scotland*, concerning an Union of the Kingdoms of *England* and *Scotland*, it is provided and enacted, That the Commissioners to be named in pursuance of the said Act should not treat of or concerning any Alteration of the Liturgy, Rights, Ceremonies, Discipline, or Government of the Church as by Law established within this Realm: And whereas certain Commissioners appointed by her Majesty in pursuance of the said Act, and also other Commissioners nominated by her Majesty by the Authority of the Parliament of *Scotland*, have met and agreed upon a Treaty of Union of the said Kingdoms; which Treaty is now under the Consideration of this present Parliament: And whereas the said Treaty (with some Alterations therein made) is ratified and approved by Act of Parliament in *Scotland*; and the said Act of Ratification is, by her Majesty's Royal Command, laid before the Parliament of this Kingdom: And whereas it is reasonable and necessary, that the true Protestant Religion professed and established by Law in the Church of *England*, and the Doctrine, Worship, Discipline, and Government thereof, should be effectually and unalterably secured; Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That an Act made in the thirteenth Year of the Reign of Queen ELIZABETH, of famous Memory, intituled, *An Act for the Ministers of the Church to be of sound Religion*; and also another Act made in the thirteenth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for the Uniformity of the Publick Prayers and Administration of Sacraments, and other Rites and Ceremonies, and for establishing the Form of making, ordaining, and consecrating Bishops, Priests, and Deacons in the Church of England* (other than such Clauses in the said Acts, or either of them, as have been repealed or altered by any subsequent Act or Acts of Parliament) and all and singular other Acts of Parliament now in Force for the Establishment and Preservation of the Church of *England*, and the Doctrine, Worship, Discipline, and Government thereof, shall remain and be in full Force for ever.

Act for securing the Church of England, recited.

13 Eliz. c. 12.
13 & 14 Car. 2.
c. 4.

‘ VIII. And be it further enacted by the Authority aforesaid, That after the Demise of her Majesty (whom God long preserve) the Sovereign next succeeding to her Majesty in the Royal Government of the Kingdom of *Great Britain*, and so for ever hereafter, every King or Queen succeeding and coming to the Royal Government of the Kingdom of *Great Britain*, at his or her Coronation, shall in the Presence of all Persons who shall be attending, assisting, or otherwise then and there present, take and subscribe an Oath to maintain and preserve inviolably the said Settlement of the Church of *England*, and the

Queen's Successors to take an Oath, to maintain the Church of England.

Act to be an essential Part of any Treaty, &c.

the Doctrine, Worship, Discipline, and Government thereof, as by Law established within the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, and the Territories thereunto belonging.

IX. And be it further enacted by the Authority aforesaid, That this Act, and all and every the Matters and Things therein contained, be, and shall for ever be holden and adjudged to be a fundamental and essential Part of any Treaty of Union to be concluded between the said two Kingdoms; and also that this Act shall be inserted in express Terms in any Act of Parliament which shall be made for settling and ratifying any such Treaty of Union, and shall be therein declared to be an essential and fundamental Part thereof.

Articles of Union, and the Act for establishing Presbyterian Church Government, &c. ratified and confirmed.

X. May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the Queen'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 and every the said Articles of Union as ratified and approved by the said Act of Parliament of *Scotland*, as aforesaid, and herein before particularly mentioned and inserted; and also the said Act of Parliament of *Scotland* for establishing the Protestant Religion and Presbyterian Church Government within that Kingdom, intituled, *Act for securing the Protestant Religion, and Presbyterian Church Government*, and every Clause, Matter, and Thing in the said Articles and Act contained, shall be, and the said Articles and Act are hereby for ever ratified, approved, and confirmed.

5 Annæ, c. 5. Acts for settling the Church Governments in England and Scotland, &c. declared essential Parts of the Union.

XI. And it is hereby further enacted by the Authority aforesaid, That the said Act passed in this present Session of Parliament, intituled, *An Act for securing the Church of England as by Law established*, and all and every the Matters and Things therein contained, and also the said Act of Parliament of *Scotland*, intituled, *An Act for securing the Protestant Religion, and Presbyterian Church Government*, with the Establishment in the said Act contained, be and shall for ever be held and adjudged to be, and observed as fundamental and essential Conditions of the said Union; and shall in all Times coming be taken to be, and are hereby declared to be essential and fundamental Parts of the said Articles and Union; and the said Articles of Union so as aforesaid ratified, approved and confirmed by Act of Parliament of *Scotland*, and by this present Act, and the said Act passed in this present Session of Parliament, intituled, *An Act for securing the Church of England as by Law established*, and also the said Act passed in the Parliament of *Scotland*, intituled, *An Act for securing the Protestant Religion, and Presbyterian Church Government*, are hereby enacted and ordained to be and continue in all Times coming the compleat and intire Union of the two Kingdoms of *England* and *Scotland*.

5 Annæ, c. 5.

Act settling the Manner of electing the Representatives of Scotland.

XII. And whereas since the passing the said Act in the Parliament of *Scotland*, for ratifying the said Articles of Union, one other Act, intituled, *An Act settling the Manner of electing the sixteen Peers, and forty-five Members to represent Scotland in the Parliament of Great Britain*, hath likewise passed in the said Parliament of *Scotland* at *Edinburgh*, the fifth Day of *February* one thousand seven hundred and seven, the Tenor whereof follows:

Tenor of the Act.

OUR Sovereign Lady considering, That by the twenty-second Article of the Treaty of Union, as the same is ratified by an Act passed in this Session of Parliament, upon the sixteenth of *January* last, it is provided, That by virtue of the said Treaty, of the Peers of *Scotland*, at the Time of the Union, sixteen shall be of the Number to sit and vote in the House of Lords, and forty-five the Number of the Representatives of *Scotland* in the House of Commons of the Parliament of *Great Britain*; and that the said sixteen Peers, and forty-five Members in the House of Commons, be named and chosen in such Manner as by a subsequent Act in this present Session of Parliament in *Scotland*, should be settled; which Act is thereby declared to be as valid, as if it were a Part of, and ingrossed in the said Treaty: Therefore her Majesty, with the Advice and Consent of the Estates of Parliament, statutes, enacts, and ordains, That the said sixteen Peers, who shall have Right to sit in the House of Peers in the Parliament of *Great Britain*, on the Part of *Scotland*, by virtue of this Treaty, shall be named by the said Peers of *Scotland*, whom they represent, their Heirs or Successors to their Dignities and Honours, out of their Own Number, and that by open Election and Plurality of Voices of the Peers present, and of the Proxies for such as shall be absent, the said Proxies being Peers, and producing a Mandate in Writing duly signed before Witnesses, and both the Constituent and Proxy being qualified according to Law; declaring also, That such Peers as are absent, being qualified as aforesaid, may send to all such Meetings Lists of the Peers whom they judge fittest, validly signed by the said absent Peers, which shall be reckoned in the same Manner as if the Parties had been present, and given in the said List; and in case of the Death, or legal Incapacity of any of the said sixteen Peers, that the aforesaid Peers of *Scotland* shall nominate another of their own Number, in Place of the said Peer or Peers, in Manner before and after mentioned: And that of the said forty-five Representatives of *Scotland* in the House of Commons in the Parliament of *Great Britain*, thirty shall be chosen by the Shires or Steuaries, and fifteen by the Royal Burrows as follows, viz. One for every Shire and Steuarry, excepting the Shires of *Bute* and *Cathness*, which shall choose one by Turns, *Bute* having the first Election; the Shires of *Nairn* and *Cronarty*, which shall also choose by Turns, *Nairn* having the first Election; and in like Manner the Shires of *Clackmanan* and *Kinross*, shall choose by Turns, *Clackmanan* having the first Election; and in case of the Death or legal Incapacity of any of the said Members from the respective Shires or Steuaries above-mentioned, to sit in the House of Commons, it is enacted and ordained, That the Shire or Steuarry, who elected the said Member, shall elect another Member in his Place; and that the said fifteen Representatives for the Royal Burrows be chosen as follows, viz. That the Town of *Edinburgh* shall have

How the sixteen Peers shall be elected.

And also the forty-five Representatives.

Right to elect and send one Member to the Parliament of *Great Britain*; and that each of the other Burghs shall elect a Commissioner in the same Manner as they are now in Use to elect Commissioners to the Parliament of *Scotland*, which Commissioners and Burghs (*Edinburgh* excepted) being divided in fourteen Classes or Districts, shall meet at such Time and Burghs within their respective Districts, as her Majesty, her Heirs or Successors shall appoint, and elect one for each District, viz. The Burghs of *Kirkwall, Wick, Dornock, Dingwall, and Taine*, one; the Burghs of *Fortrose, Inverness, Nairn, and Forres*, one; the Burghs of *Elgin, Cullen, Bamff, Inverury, and Kintore*, one; the Burghs of *Aberdeen, Inverhervey, Montrose, Aberbrothock, and Brochline*, one; the Burghs of *Forfar, Perth, Dundee, Coupar, and Saint Andrews*, one; the Burghs of *Craill, Kibrennie, Anstruther Easter, Anstruther Wester, and Pittenweem*, one; the Burghs of *Dysart, Kirkaldie, Kinghorn, and Bruntisland*, one; the Burghs of *Inncr-kithen, Dumfermline, Queensferry, Culross, and Sterling*, one; the Burghs of *Glasgow, Renfrew, Ruglen, and Dumbartan*, one; the Burghs of *Haddington, Dunbarr, North Berwick, Lauder, and Jedburgh*, one; the Burghs of *Selkirk, Peebles, Linlithgow, and Lanerk*, one; the Burghs of *Dumfries, Sanquhar, Annan, Locknaben, and Kirkudbright*, one; the Burghs of *Wigtoun, New Galloway, Stranraver, and Whiteburn*, one; and the Burghs of *Air, Irvin, Rothefay, Cambletoun, and Inverary*, one: And it is hereby declared and ordained, That where the Votes of the Commissioners for the said Burghs, met to choose Representatives from their several Districts to the Parliament of *Great Britain*, shall be equal, in that Case the President of the Meeting shall have a casting or decisive Vote, and that by and according to his Vote as a Commissioner from the Burgh from which he is sent; the Commissioner from the eldest Burgh presiding in the first Meeting, and the Commissioners from the other Burghs in their respective Districts presiding afterwards by Turns, in the Order as the said Burghs are now called in the Rolls of the Parliament of *Scotland*; and that in case any of the said fifteen Commissioners from Burghs shall decease or become legally incapable to sit in the House of Commons, then the Town of *Edinburgh*, or the District which chose the said Member, shall elect a Member in his or their Place: It is always hereby expressly provided and declared, That none shall be capable to elect or be elected for any of the said Estates, but such as are twenty-one Years of Age compleat, and Protestant, excluding all Papists, or such who being suspect of Popery, and required, refuse to swear and subscribe the *Formula* contained in the third Act made in the eighth and ninth Sessions of King *WILLIAM*'s Parliament, intituled, *Act for preventing the Growth of Popery*; and also declaring, that none shall be capable to elect, or be elected, to represent a Shire or Burgh in the Parliament of *Great Britain*, for this Part of the united Kingdom, except such as are now capable by the Laws of this Kingdom, to elect, or be elected as Commissioners for Shires or Burghs to the Parliament of *Scotland*: And further her Majesty, with Advice and Consent aforesaid, for the effectual and orderly Election of the Persons to be chosen to sit, vote, and serve in the respective Houses of the Parliament of *Great Britain*, when her Majesty, her Heirs and Successors, shall declare her or their Pleasure for holding the first or any subsequent Parliament of *Great Britain*, and when for that Effect a Writ shall be issued out under the Great Seal of the united Kingdom, directed to the Privy Council of *Scotland*, conform to the said twenty-second Article, statutes, enacts, and ordains, That until the Parliament of *Great Britain* shall make further Provision therein, the said Writ shall contain a Warrant and Command to the said Privy Council, to issue out a Proclamation in her Majesty's Name, requiring the Peers of *Scotland*, for the Time, to meet and assemble at such Time and Place within *Scotland*, as her Majesty and royal Successors shall think fit, to make Election of the said sixteen Peers, and requiring the Lord Clerk Register, or two of the Clerks of Session, to attend all such Meetings, and to administer the Oaths that are or shall be by Law required, and to ask the Votes; and having made up the List in the presence of the Meeting, to return the Names of the sixteen Peers chosen (certified under the Subscription of the said Lord Clerk Register, Clerk or Clerks of Session attending) to the Clerk of the Privy Council of *Scotland*, and in like Manner requiring and ordaining the several Freeholders in the respective Shires and Steuartries, to meet and convene at the head Burghs of their several Shires and Steuartries, to elect their Commissioners, conform to the Order above set down, and ordaining the Clerks of the said Meetings immediately after the said Elections are over, respectively to return the Names of the Persons elected to the Clerks of the Privy Council: And lastly, ordaining the City of *Edinburgh* to elect their Commissioner, and the other Royal Burrows to elect each of them a Commissioner, as they have been in use to elect Commissioners to the Parliament, and to send the said respective Commissioners at such Times, to such Burghs, within their respective Districts, as her Majesty and Successors by such Proclamation shall appoint; requiring and ordaining the Common Clerk of the respective Burghs, where such election shall be appointed to be made, to attend the said Meetings, and immediately after the Election to return the Name of the Person so elected (certified under his Hand) to the Clerk of Privy Council, to the end that the Names of the sixteen Peers, thirty Commissioners for Shires, and fifteen Commissioners for Burghs, being so returned to the Privy Council, may be returned to the Court from whence the Writ did issue under the Great Seal of the united Kingdom, conform to the said twenty-second Article: And whereas by the said twenty second Article it is agreed, That if her Majesty shall on or before the first Day of *May* next declare, that it is expedient the Lords and Commons of the present Parliament of *England*, should be the Members of the respective Houses of the first Parliament of *Great Britain*, for and on the Part of *England*, they shall accordingly be the Members of the said respective Houses, for and on the Part of *England*; her Majesty, with Advice and Consent aforesaid, in that Case only, doth hereby statute and ordain, that the sixteen Peers, and forty-five Commissioners for Shires and Burghs, who shall be chosen by the Peers, Barons and Burghs respectively, in this present Session of Parliament, and out of the Members thereof, in the same Manner as Committees of Parliament are usually now chosen, shall be the Members of the respective Houses of the

16 Geo. 2. c. 11.

‘ said first Parliament of *Great Britain*, for and on the Part of *Scotland*. Which Nomination and Election being certified by a Writ under the Lord Clerk Register’s Hand, the Persons so nominated and elected shall have Right to sit and vote in the House of Lords, and in the House of Commons, of the said first Parliament of *Great Britain*.

Act aforesaid declared valid.

Farther Provisions for improving the Union, see 6 Ann. c. 6.

7 Ann. c. 21.

and see 21 Geo. 2. c. 19. and 22

Geo. 2. c. 48. for regulating Trials in High Treason in Scotland.

‘ XIII. As by the said Act passed in *Scotland*, for settling the Manner of electing the sixteen Peers, and forty-five Members, to represent *Scotland* in the Parliament of *Great Britain*, may appear;’ Be it therefore further enacted and declared by the Authority aforesaid, That the said last-mentioned Act passed in *Scotland* for settling the Manner of electing the sixteen Peers, and forty-five Members, to represent *Scotland* in the Parliament of *Great Britain*, as aforesaid, shall be, and the same is hereby declared to be as valid as if the same had been Part of, and engrossed in the said Articles of Union ratified and approved by the said Act of Parliament of *Scotland*, and by this Act, as aforesaid.

C A P. IX.

An Act for rendring more effectual an Act passed in the first Year of her Majesty’s Reign, intituled, *An Act for the better preventing Escapes out of the Queen’s Bench and Fleet Prisons.*

1 Annæ, stat. 2. c. 6.

Persons taken by virtue of 1 Annæ, c. 6. to be committed to Prison where Sheriff keeps Prisoners for Debt, and remain in Sheriffs Custody.

Sheriff answerable for Escape.

Escape Warrant may be granted upon Affidavit made in the Country.

Persons may be apprehended by Warrant on a Sunday.

Person in Custody of Sheriff on a Decree, and making his Escape, Sheriff liable to pay, &c.

Act to be a general Law.

For farther Provisions concerning Prisoners, see 9

Geo. 1. c. 28. 11 Geo. 1. c. 22. 11 Geo. 2. c. 20. 16 Geo. 2. c. 31. 27 Geo. 2. c. 3 & 17. and 32 Geo. 2. c. 28.

‘ **W**HEREAS the Inheritance and Custody of several County Gaols are in private Persons, by Means whereof the good Intent of a certain Act made in the first Year of her Majesty’s Reign, intituled, *An Act for the better preventing Escapes out of the Queen’s Bench and Fleet Prisons*, may be in some Counties defeated and eluded:’ To the end therefore that the said Act may be rendred more effectual; Be it enacted by the Queen’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 and every Person and Persons, who from and after the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and seven, shall be seized or taken by Virtue or Authority of the said Act, shall instead of being committed to the Common Gaol of the County wherein such Person or Persons shall be taken, be conveyed and committed to the Prison or Place where the Sheriff of such County detains or keeps the Debtors or Prisoners for Debt or Damage, there to remain in the Custody of the Sheriff of such County, subject to the same Rules and Directions, and under the same Restrictions, Regulations, and Penalties, and in such Manner and Form in all and every Respect, as if the said Person or Persons had been committed to the Common Gaol of the County; and if any Person or Persons so taken and committed as aforesaid, shall at any Time make any Escape out of the said Prison or Place to which he, she, or they be so committed, as aforesaid, the Sheriff in whose Custody he, she, or they was or were, shall be answerable for such Escape to the Party grieved, in like Manner as in the Case of any other Escape.

II. And to the Intent that the Benefit of the said former Act may the more easily be had, in case the Person or Persons escaping shall be seen in Places distant from the City of *London*; Be it further enacted, That it shall and may be lawful to and for any one of the Judges of the respective Courts in the said former Act mentioned, to grant like Warrant and Warrants, upon Oath in Writing to be made before any Person commisionated under the Seal of the same Court to take Affidavits in the Country, (the same Oath being first duly filed) as by the said former Act he is impowered to do upon like Oath made before himself.

III. And be it declared and enacted, That it is and shall be lawful to apprehend and take, upon the Lord’s Day, any Person or Persons by virtue of any Warrant or Warrants granted in pursuance of this or of the said former Act.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons is, are or shall be in Custody of any Sheriff or other Officer, either by virtue of the said Act, or of this present Act, or otherwise, for not performing any Decree of the High Court of *Chancery*, or Court of *Exchequer*, whereby any Sum or Sums of Money is ordered or decreed to be paid, and shall afterwards make any Escape from the said Sheriff or other Officer, that then and in such Case the Person and Persons, their Executors or Administrators, to whom the Money was to be paid by the said Decree, shall have the same Remedy against the said Sheriff, as if such Person or Persons so escaping had been in Custody upon an Execution at Law, and shall and may recover the several Sum and Sums of Money decreed to be paid to him, her, or them in and by such Decree, against such Sheriff or other Officer, together with his, her, or their Costs of Suit, in any Action or Actions of Debt, or upon the Case, to be brought or commenced against such Sheriff or other Officer in any of her Majesty’s Courts of Record at *Westminster*, wherein no Protection or Wager of Law shall be admitted, or any more than one Impar lance; any Law, Usage, or Custom to the contrary in any wise notwithstanding.

V. And for the Prevention of Disputes touching this present Act; Be it enacted by the Authority aforesaid, That the same and every Clause and Thing therein contained, shall be adjudged and taken to be a general Law, and that it shall not be needful to set forth the same in pleading, or any Part thereof.

C A P. X.

An Act for repairing the Highway between *Hockliffe* and *Woborne* in the County of *Bedford*. E X P.

C A P. XI.

An Act for continuing the Acts formerly made for repairing of the Highways in the County of *Hertford*. ^{15 Car. 2. c. 1.} For Repair of the Highways in the County of *Hertford*. Moiety of the Toll taken at *Wades Mill*, con- ^{16 & 17 Car.} tinued for 15 Years. If Highways be before sufficiently repaired, Toll to cease. Power of Officers, ^{2. c. 10.} &c. in the former Acts continued. [Repealed as to the County of *Hertford*, by 6 Geo. 2. c. 24.] P R. ^{4 & 5 W. & M.} c. 9. ^{6 Geo. 1. c. 20.}

C A P. XII.

An Act for the enlarging the Passage leading to *New Palace Yard* through the Gatehouse, *Westminster*. P R. E X P.

C A P. XIII.

An Act for continuing the Duties upon Houses to secure a yearly Fund for circulating Exchequer Bills, ^{1 Annæ, stat. 1.} whereby a Sum not exceeding fifteen hundred thousand Pounds is intended to be raised for carrying on ^{c. 13.} the War and other her Majesty's Occasions. Duties on Houses granted by 7 & 8 W. 3. c. 18. &c. con- ^{9 & 10 W. 3.} tinued for ever. Subject to Redemption. Former Powers revived. Farther Provisions relating hereto, ^{c. 44.} 7 Annæ, c. 7. Duties after last July 1710. appropriated for a yearly Fund for circulating Exchequer ^{1 Annæ, stat. 1.} Bills. Exchequer Bills to be made forth for any Sum not exceeding 1,500,000*l.* Bills so issued to be ^{c. 13.} taken for Taxes, &c. Bank to have 4*l.* 10*s.* per Cent. for circulating Exchequer Bills, in Proportion ^{See 5 Annæ, c. 27.} as the same shall be issued, &c. Lord Treasurer, &c. on the four quarterly Feast Days of the Year, ^{sect. 13.} from the first issuing of the Bills until *Michaelmas*, 1710. to compute the Sum due to Bank on every such Feast Day, &c. and make out new Bills, &c. Officers, &c. to be appointed for managing and levying the Duties. Account of Monies to be kept in Auditor's Office. Allowance to be paid at the Exchequer weekly. Penalty on Officer misapplying Monies, &c. Surplus of Duties, &c. disposable to publick Use. Bank to exchange Exchequer Bills for ready Money, with Interest due, and remain a Corporation until Bills be cancelled. Bank refusing to pay Bill, Person demanding may bring his Action. No Interest to run after Bill is paid into Exchequer, &c. Interest Bills paid to Collector of Taxes, &c. to be signed, and Day of the Month wrote when paid, &c. On one Year's Notice, and Payment of the Principal and Interest, Bills to be cancelled, and the Fund to cease, &c. Forging or counterfeiting Bill, &c. Felony. Bank to have one Part of the Checques of all such Bills. Govern- nor, &c. may call in any Sums necessary for circulating Bills. Member neglecting to pay his Share, Dividend to be stopt. Fund not liable to foreign Attachment. Exempt from Taxes, and to be deemed a personal Estate, and go to Executors. Until Bills be cancelled no other Exchequer Bills to be issued. Not to hinder Redemption of original Fund of 100,000*l.* per Annum granted to Bank. Lottery Tickets, Exchequer Bills, &c. burnt or lost before 6 February 1706. Officers, &c. on Certificate and Affidavit, &c. to make forth new ones. [Repealed, and other Duties granted, by 20 Geo. 2. c. 3.]

C A P. XIV.

An Act for the better Preservation of the Game.

WHEREAS several Laws have been already enacted for the better Preservation of the Game, ^{13 R. 2. ft. 1.} and by Experience been found not sufficient to prevent destroying the Game, by reason of the ^{c. 13. 11 H. 7.} Multitude of Higlars and other Chapmen, which give great Encouragement to idle loose Persons to ^{c. 17. 19 H. 7.} neglect their lawful Employments, to follow and destroy the same; For Remedy whereof, and the ^{c. 11. 32 H. 8.} more effectual Preservation of the Game, be it enacted by the Queen's most Excellent Majesty, by and ^{c. 8. 5 El.} with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parlia- ^{c. 21. 23 El.} ment assembled, and by the Authority of the same, That all and every of the Laws now in being for the ^{c. 10. 1 Jac. 1.} better Preservation of the Game, shall continue, remain, and be in the same Force, not hereby repealed ^{c. 27. 22 G.} or altered. ^{23 Car. 2. c. 25.} ^{4 & 5 W. & M.} ^{M. c. 23. All}

Laws for Preservation of the Game to continue in Force, &c.

II. And be it further enacted by the Authority aforesaid, That if any Higlars, Chapman, Carrier, Inn-keeper, Victualler, or Alehouse-keeper, shall from and after the first Day of *May* one thousand seven hundred and seven, have in his or their Custody or Possession any Hare, Pheasant, Partridge, Moor, Heath-game, or Grouse, or shall buy, sell, or offer to sell any Hare, Pheasant, Partridge, Moor, Heath-game, or Grouse, every such Higlars, Chapman, Inn-keeper, Victualler, Alehouse-keeper, or Carrier (unless such Game in the Hands of such Carrier be sent up by Person or Persons qualified to kill the Game) shall upon every such Offence be carried before some Justice of the Peace for the County, Riding, City, or Town Corporate, or Liberties where the said Offence is committed; and upon View, or upon the Oath of one or more credible Witnesses, shall be convicted of the same, shall forfeit for every Hare, Pheasant, Partridge, Moor, Heath-game, or Grouse, the Sum of five Pounds, one Half to the Informer, and the other Half to the Poor of the Parish where the Offence was committed; the same to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of the Justice or Justices ^{to be levied by} ^{Distress, &c.}

of the Peace before whom such Offender or Offenders shall be convicted, rendering the Overplus (if any be) the Charge of distraining being first deducted; and for want of Distress, the Offender or Offenders be committed to the House of Correction for the first Offence, for the Space of three Months, without Bail or Mainprize, and for every such other Offence, for the Space of four Months; provided, that such Conviction be made within three Months after such Offence committed; and that if any *Certiorari* shall be allowed to remove any Conviction made, or other Proceedings of or concerning any Matter or Thing in this Act, into any of the Courts at *Westminster*, upon any Pretence whatsoever, unless the Party or Parties, against whom such Conviction shall be made, shall, before the Allowance of such *Certiorari*, become bound to the Person or Persons prosecuting the same, in the Sum of fifty Pounds, with such sufficient Securities as the Justice or Justices of the Peace, before whom such Offender shall be convicted, shall think fit, with Condition to pay unto the Prosecutors, within fourteen Days after such Conviction or *Procedendo* granted, their full Costs and Charges, to be ascertained upon their Oaths; and that in Default thereof, it shall be lawful for the said Justice or Justices, or others, to proceed for the due Execution of such Conviction, in such Manner as if no such *Certiorari* had been awarded.

Encouragement to Destroyers of the Game, to make Discoveries.

III. And for the better Discovery of such Higlar, Chapman, Carrier, Inn-keeper, Alehouse-keeper, and Victualler, as shall offer to buy or sell any Hare, Pheasant, Partridge, Moor, Heath-game, or Grouse; be it further enacted by the Authority aforesaid, That from and after the said first Day of *May*, any Person that shall destroy, sell, or buy any Hare, Pheasant, Moor, Heath-game, or Grouse, and shall within three Months make Discovery of any Higlar, Chapman, Carrier, Inn-keeper, Alehouse-keeper, or Victualler, that hath bought or sold, or offered to buy or sell, or had in their Possession any Hare, Pheasant, Partridge, Moor, Heath-game, or Grouse, so as any one shall be convicted of such Offence, in Manner as aforesaid, such discoverer to be discharged of the Pains and Penalties hereby enacted for killing or selling such Game as aforesaid, shall receive the same Benefit or Advantage as any other Informer shall be entitled to, by virtue of this Act, for such Discovery and Information.

Persons not qualified to keep Greyhounds, &c. and destroy the Game, to forfeit 5l. to be levied by Distress and Sale, &c.

Justices, or Lords of Manors, &c. may take away any Hare, &c. from Higlar, or Person not qualified: And also their Dogs, Nets, &c. by 3 Geo. 1. c. 1. None shall be made Game-keepers but Persons qualified or the Lords Servants. Penalty on Game-keeper, killing the Game, and selling it without Consent of Lord of Manor, &c. This Act made perpetual by 9 Annæ, c. 25. as altered by that Act. *Burn V. 1. 458. c. sequent.*

IV. And be it enacted by the Authority aforesaid, That if any Person or Persons, not qualified by the Laws of this Realm so to do, shall keep or use any Grey Hounds, Setting Dogs, Hayes, Lurchers, Tunnells, or any other Engines to kill and destroy the Game, and shall be thereof convicted upon the Oath of one or two credible Witnesses, by the Justice or Justices of the Peace where such Offence is committed as aforesaid, the Person or Persons so convicted, shall forfeit the Sum of five Pounds; one Half to be paid to the Informer, and the other Half to the Poor of the Parish where the same was committed; the same to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of such Justice or Justices, before whom such Person or Persons shall be convicted as aforesaid; and for want of such Distress, the Offender or Offenders shall be sent to the House of Correction for the Space of three Months for the first Offence, and for every such other Offence, four Months; and that it shall and may be lawful to and for any of her Majesty's Justices of the Peace, in their respective Counties, Ridings, Citics, Towns Corporate, or Liberty, and the Lords and Ladies of his, her, their, or any of their respective Manors, within the said Manors, to take away any such Hare, Pheasant, Partridge, Moor, Heath-game, or Grouse, or any other Game, from any such Higlar, Chapman, Inn-keeper, Victualler, or Carrier, or any other Person or Persons not qualified to kill the same, and shall be found in their Custody or Possession; and likewise to take away such Dogs, Nets, or other Engines, which shall be in the Power or Custody of any Person or Persons not qualified by the Laws to keep the same, to their own proper Use, without being accountable to any Person or Persons for the same; and that it shall and may be lawful for any Lord or Lady of his or her respective Lordship or Manor, by writing under his or her Hand and Seal, to empower his or her Game-keeper or Game-keepers, upon his or her own Lordship or Manor as aforesaid, to kill Hare, Pheasant, Partridge, or any other Game whatsoever; but if the said Game-keeper shall, under Colour or Pretence of the said Power and Authority to kill or take the same for the Use of such Lord or Lady, and afterwards sell and dispose thereof to any Person or Persons whatsoever, without the Consent or Knowledge of the Lord or Lady of such Manor or Manors that hath given such Power or Authority, in Manner as aforesaid, and shall be thereof convicted upon the Complaint of such Lord or Lady of any Manor, and upon the Oath of one or more credible Witnesses, before any one or more of her Majesty's Justices of the Peace as aforesaid, upon such Conviction such Game-keeper shall be committed to the House of Correction for the Space of three Months, and there to be kept to hard Labour. And this Act shall remain and be in force for the Space of three Years, from the first Day of *May* one thousand seven hundred and seven, and from thence to the End of the next Sessions of Parliament, and no longer.

V. And whereas the burning of Heath, Ling and Brakes or Fern upon the Forest of *Sherwood* in the County of *Nottingham*, and in the Parts thereunto adjacent, as it is frequently used by divers disorderly and dissolute Persons, doth not only destroy the Breed of Game, but hath also very frequently been the Occasion of burning, damaging, and destroying, of great Quantities of Wood, Timber, and Fences within the said Forest, and Places thereunto adjacent, to the great Damage and Prejudice of the Owners thereof; Be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time after the said first Day of *May*, set fire to any Ling, Heath, or Brakes growing upon any Part of the said Forest, or on any other Waste, Common, or Land within the said County of *Nottingham*, or shall cut any Ling, Heath, or Brakes, in order to be burnt to Ashes upon the Ground, or shall burn the same to Ashes upon the Ground, in any Part of the said Forest, or in any Waste, Common, or Land, lying within the said County, without Licence from the Owner of the Soil where such Offence shall be committed, shall forfeit to the Owner of the Soil where such Offence shall be committed, ten Shillings, and all the Ashes which shall be so burnt; and every Person and Persons who shall buy Fern Ashes of any

No Heath, Ling, or Brakes to be burnt in Forest of *Sherwood*, without Licence of Owner, on Penalty.

None to buy Fern Ashes on Penalty.

any such unlicensed Person or Persons within the said County, shall forfeit for every Peck of such Ashes, which shall be so bought, the Sum of ten Shillings; one Moiety thereof to the Poor of the Parish where such Offence shall be committed, and the other Moiety thereof to such Person or Persons as shall give Information of the said Offence; and it shall be lawful for the Keepers and Officers of such Parts of the said Forest, and for the Owners of the Land or Soil where any the said Offences shall be committed, their Servants and Agents, to take away, for his and their own Use, the Scithes, Rakes, and other Instruments to be used for any the Purposes aforesaid, of every Person and Persons who they shall find so offending; and it shall be lawful for any one or more of her Majesty's Justices of the Peace, upon Complaint made to him or them against any Person or Persons for any the said Offences, to send forth his or their Warrant or Warrants to bring the Person or Persons so complained of before him or them; and if the Person or Persons so complained of, shall be convicted of any of the said Offences before such Justice or Justices, by the Oath or Oaths of one or more Witnesses or Witnessesses, then and in such Case the Party so convicted, shall immediately after such Conviction, pay such Penalties and Forfeitures as are hereby before imposed for the said Offences respectively, to such Person and Persons as the same Penalties and Forfeitures are hereby appointed to be paid; and in Default thereof shall be committed by such Justice or Justices to the House of Correction, there to be kept to hard Labour for the Space of one Month, unless the said Penalties and Forfeitures shall be in the mean Time paid.

Justices to issue
their Warrants
for Offenders.

Further Provi-
sions relating to
Game, 9 Ann.
c. 25. 3 Geo. 1.
c. 12. 28 Geo. 2. c. 12.

c. 11. 8 Geo. 1. c. 19. 10 Geo. 2. c. 32. 26 Geo. 2. c. 2. and 28 Geo. 2. c. 12.

C A P. XV.

An Act for the better recruiting of her Majesty's Land Forces and the Marines, for the Year one thousand seven hundred and seven. E X P.

C A P. XVI.

An Act for continuing an Act made in the third and fourth Years of her Majesty's Reign, intituled, *An Act for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters.* E X P.

C A P. XVII.

An Act to repeal all the Laws prohibiting the Importation of foreign Lace made of Thread.

WHEREAS it is by Experience found, That an Act passed in the Parliament holden at *Westminster*, in the thirteenth and fourteenth Years of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act prohibiting the Importation of foreign Bone Lace, Cut Work, Embroidery, Fringe, Band Strings, Buttons, and Needle Work*, as also divers other Acts heretofore made, prohibiting or restraining the Importation of foreign Lace, or for rendering the Laws more effectual for preventing the Importation of foreign Lace, have obstructed the Exportation and Vending or Selling of the Woollen Manufactures of *England* in the *Spanish Low Countries*, and other Places Abroad: Now for the Remedy thereof, be it enacted, and it is hereby enacted by the Queen'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 aforesaid Act of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, and also all and every other Act and Acts of Parliament whatsoever which prohibit or restrain the Importation, Vending, or Selling of foreign Lace, be henceforth repealed so far forth as the said Acts relate to foreign Lace made of Thread in the said *Spanish Low Countries*, or in any other Place not within the Dominions of the *French King*; and that the aforesaid Acts, and any other Clause, Matter and Thing in them contained, so far as they relate to such foreign Lace made of Thread (except as is before excepted) be and are hereby repealed and made void.

All Acts which
prohibit the Im-
portation of fo-
reign Lace, re-
pealed.

II. Provided nevertheless, That nothing in this Act contained shall any ways extend, or be construed to extend to permit or allow of the Importation of Lace made in any the Dominions of the *French King*, or in any of the Lands, Towns, or Countries in the Possession of the Duke of *Anjou*, so long as they shall remain or continue in the Possession of the said *French King* or Duke respectively.

Not to extend to
Lace made in
French King's,
or Duke of *An-
jou's* Dominions.

C A P. XVIII.

An Act for Inrollments of Bargains and Sales within the West Riding of the County of *York*, in the Register Office there lately provided, and for making the said Register more effectual.

WHEREAS by an Act of Parliament made in the twenty-seventh Year of the Reign of King HENRY the Eighth, intituled, *For Inrollments of Bargains and Sales*, it is enacted, That no Manors, Lands, Tenements, or other Hereditaments shall pass, alter, or change from one to another, whereby any Estate of Inheritance or Freehold shall be made, or take effect in any Person or Persons, or any Use thereof to be made, by reason only of any Bargain and Sale thereof, except the said Bargain and Sale be made by Writing indented, sealed, and inrolled in one of the King's Courts of Record at *Westminster*, or else within the same County or Counties where the same Manors, Lands, or Tenements so bargained and sold lie or be, before the *Custos Rotulorum*, and two Justices of the Peace, and the Clerk of the Peace of the same County or Counties, or two of them at the least; whereof the Clerk of the Peace to be one; which Act hath been found by Experience to be of little or no Use within the West Riding of the County of *York*, as to the Inrollments of Bargains and Sales within the said West Riding,

27 H. 8. c. 16.
Further Provi-
sions relating
hereto.
6 Annæ, c. 35.
sect. 34.

2 & 3 Annæ, c. 4.
 Register Office at Wakefield.
 From 24 June 1707, all Bargains and Sales of Lands, &c. in West Riding of Yorkshire, inrolled in Register's Office at Wakefield, to be good in Law, as if inrolled at Westminster. Inrollments to be in Parchment,

‘ Riding, for that the Clerk of the Peace thereof for the time being, who hath the keeping of the said Inrollments within the said West Riding, is not by the said Act enjoined to give any Security for the safe keeping, nor under any Penalty for the negligent keeping of the said Inrollments, nor is there by the said Act any certain Place appointed for keeping thereof: And whereas by an Act of Parliament made in the second Year of her present Majesty's Reign, intituled, *An Act for the publick registering of all Deeds, Conveyances, and Wills, that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments within the West Riding of the County of York, after the nine and twentieth Day of September one thousand seven hundred and four*; a publick Office hath been created and established at *Wakefield* within the said West Riding, at the publick Charge thereof, for registering and safe keeping of Memorials of all Deeds, Conveyances, and Wills within the said Riding, and a publick Register hath been chosen, who hath, according to the Direction of the same Act, given sufficient Security for the due Execution of the said Office: For the rendering therefore the aforesaid Act, made in the twenty-seventh Year of the Reign of King HENRY the Eighth, more effectual and beneficial to the Inhabitants of the said West Riding, as to all Inrollments of Bargains and Sales within the said West Riding; may it please your most Excellent Majesty that it may be enacted, and be it enacted by the Queen'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 from and after the four and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and seven, all Bargains and Sales of any Manors, Lands, Tenements and Hereditaments, situate, lying, and being within the said West Riding, which shall be inrolled before the said Register, or his Deputy for the time being, in the said publick Office at *Wakefield*, shall be as good, effectual, and available, to all Intents and Purposes whatsoever, as if the same had been inrolled in one of the Queen's Courts of Record at *Westminster*, or before the *Custos Rotulorum*, and two Justices of the Peace, and the Clerk of the Peace of the said West Riding, or two of them, according to the aforesaid Act made in the twenty-seventh Year of the Reign of King HENRY the Eighth; and the said Register, or his Deputy, for the time being (together with one or more Justice or Justices of the Peace of the said Riding) shall have Power to take and enter the Acknowledgement of the Bargainer, if but one, or of one of the Bargainers, if more, in such Bargains and Sales; and shall well and sufficiently inroll, by ingrossing in Parchment Rolls or Parchment Books, all such Bargains and Sales as shall for that Purpose be acknowledged before him as aforesaid; and shall endorse a Certificate on such Bargains and Sales, of the Times of inrolling thereof, and sign the same; and the Rolls or Books thereof shall safely keep in the said publick Office, there to remain upon Record amongst the Memorials of Deeds there registred.

and allowed in all Courts.

Such Inrollment deemed entering a Memorial thereof.

No Judgment, &c. to affect any Manors, &c. in West Riding, but from Time that a Memorial thereof be entered in Register's Office.

Manner of making Entry.

Register to enter such Memorials.

II. And be it further enacted, That all Deeds of Bargain and Sale so inrolled in the said Publick of Register Office as aforesaid, which shall appear to be so inrolled by an Indorsement or Certificate on the said Deeds of Bargain and Sale signed by the said Register, or his Deputy, and that all Copies of the Inrollments thereof remaining on Record in the said Register Office, shall be allowed in all Courts where such Bargains and Sales, or Copies shall be produced, to be as good and sufficient Evidence as any Bargains and Sales inrolled in any of the Courts at *Westminster*, and the Copies of the Inrollments thereof.

III. And be it further enacted, That every such Inrollment of every such Deed in the said Register Office as aforesaid, shall be deemed and adjudged to be the entering of a Memorial thereof, pursuant to the said Act made in the second Year of her present Majesty's Reign, and shall have the same Force and Effect upon the Estate therein mentioned, in relation to all subsequent Deeds, Conveyances, and Wills, and to all other Intents and Purposes, as if a Memorial of such inrolled Deed had been entered in the said Register Office, pursuant to the said Act.

IV. And be it further enacted by the Authority aforesaid, That no Judgment, Statute, or Recognizance (other than such as shall be entered into in the Name, and upon the proper Account of her Majesty, her Heirs and Successors) which shall be obtained, or entered into, after the said four and twentieth Day of *June* in the said Year of our Lord one thousand seven hundred and seven, shall affect or bind any Manors, Lands, Tenements, or Hereditaments, situate, lying, and being in the said West Riding, but only from the Time that a Memorial of such Judgment, Statute, or Recognizance shall be entered at the said Register Office, expressing and containing, in case of such Judgment, the Names of the Plaintiffs, and the Names and Additions therein of the Defendants, the Sums thereby recovered, and the Time of the signing thereof; and in case of Statutes and Recognizances, expressing and containing the Date of such Statute or Recognizance, the Names and Additions of the Cognizers and Cognizees therein, and for what Sums, and before whom the same were acknowledged; and that in order to the making an Entry of such Memorials of Judgments, Statutes and Recognizances as aforesaid, the Party and Parties desiring the same, shall produce to, and leave with the said Register, or his Deputy, to be filed in the said Publick or Register Office, a Memorial of such Judgment, Statute or Recognizance, signed by the proper Officer, who shall sign such Judgment, or his Successor in the same Office, or by the proper Officer in whose Office such Statute or Recognizance shall be inrolled, together with an Affidavit sworn before one of the Judges at *Westminster*, or a Master in Chancery, that such Memorial was duly signed by the Officer whose Name shall appear to be thereunto set; which Memorial such respective Officer is hereby required to give such Plaintiff or Plaintiffs, Cognizee or Cognizees, or his, her, or their Executors or Administrators, or Attorney, or any of them, he, she, or they paying for the same the Sum of one Shilling, and no more.

V. And be it further enacted, That the said Register, or his Deputy, shall make an Entry, and likewise, if required, shall give a Certificate in Writing under his Hand, testified by two credible Witnesses, of every such Memorial of any Judgment, Statute, or Recognizance brought to him to be so registred

as aforesaid, and therein mention the certain Day on which such Memorial is so registred or entred, expressing also in what Book, Page and Number the same is entred.

VI. And be it further enacted by the Authority aforesaid, That the Recognizance entred into by the present Register, and hereafter to be entred into by the Register for the time being, at the Time of his being sworn into the said Office of Register, conditioned for the true and faithful Performance of his Duty in the Execution of his said Office, shall be deemed, adjudged, and taken to stand and be to all Intents and Purposes a Security, as well for the due Inrollment, and safe keeping when inrolled, of the said Inrollments of all Bargains and Sales that shall be inrolled before the said Register, or his Deputy, for the time being, by virtue of this present Act, and for all other Duties appointed by him to be done by this Act, as for the true and faithful Performance of his Duty in the Execution of his said Office of Register; and that the said Register and his Deputy for the time being, shall be liable to the like Breaches and Forfeitures of the said Recognizance, for and in respect of any Neglect or Breach of his Duty required of him by this present Act, as for any Neglect or Breach of his Duty in the Execution of his said Office of Register.

Condition of Register's Recognizance.

VII. And be it further enacted, That the said Register for the time being, shall be allowed for inrolling every such Bargain and Sale, and Memorial as aforesaid, and for Certificates, Copies and Searches respectively, the like respective Fees that are, by the aforesaid Act made in the second Year of her present Majesty's Reign, appointed for the entering Memorials of Deeds, Conveyances, and Wills, and for Certificates, Copies, and Searches respectively, and no more.

The same Fees as by 2 Annæ, c. 4.

VIII. And be it further enacted, That if any Person or Persons shall at any Time forge or counterfeit any Entry of the Acknowledgment of any Bargainer in any such Bargain and Sale as aforesaid, or any such Memorial, Certificate, or Indorsement as are herein mentioned or directed, and be thereof lawfully convicted, such Person or Persons shall incur, and be liable to such Pains and Penalties as in and by an Act of Parliament made in the fifth Year of Queen ELIZABETH, intituled, *An Act against Forgers of false Deeds and Writings*, are imposed upon Persons so forging or publishing of false Deeds, Charters, or Writings sealed Court Rolls or Wills, whereby the Freehold or Inheritance of any Person or Persons of, in or to any Lands, Tenements or Hereditaments, shall or may be molested, troubled or charged: And that if any Person or Persons shall at any Time forswear himself before the said Register, or his Deputy, or before any Judge or Master in Chancery, in any of the Cases herein mentioned, and be thereof lawfully convicted, such Person or Persons shall incur, and be liable to the same Penalties, as if the same Oath had been made in any of the Courts of Record at *Westminster*.

Penalty on forging or counterfeiting Entry.

5 Eliz. c. 14.

And on Person forswearing himself.

IX. And be it further enacted, That all Certificates required by this Act, or by the said Act made in the second Year of her present Majesty's Reign to be given by the said Register, or his Deputy, in case of Searches in the said Publick or Register Office, shall be signed by the said Register, or his Deputy, in the Presence of two credible Persons, who shall set their Names thereto as Witnesses to the signing thereof.

Certificates to be signed by Register.

X. And be it further enacted by the Authority aforesaid, That in case of Mortgages that shall be inrolled in the said Register Office, pursuant to this Act; or whereof Memorials have been, or shall be entred, pursuant to the said Act made in the second Year of her present Majesty's Reign; and also in case of Judgments, Statutes and Recognizances, whereof Memorials shall be entred in the said Register Office, pursuant to this Act; if at any Time afterwards, a Certificate shall be brought to the said Register, or his Deputy, signed by the respective Mortgagors and Mortgagees in such Mortgage, Plaintiffs and Defendants in such Judgment, Cognizor and Cognizees in such Statute or Recognizance respectively, their respective Executors, Administrators or Assigns, and attested by two Witnesses, whereby it shall appear, that all Monies due upon such Mortgage, Judgment, Statute or Recognizance respectively, have been paid or satisfied in discharge thereof; which Witnesses shall upon their Oath before the said Register, or his Deputy, (who are hereby respectively impowered to administer such Oath) prove such Monies to be satisfied or paid accordingly, and that they saw such Certificate signed by the said Mortgagors and Mortgagees, Plaintiffs and Defendants, Cognizors and Cognizees respectively, their respective Executors, Administrators or Assigns; that then and in every such Case the said Register, or his Deputy, shall make an Entry in the Margents of the said Register Books, against the Inrollment of such Mortgage or Registry of the Memorial thereof, and against the Registry of such Judgment, Statute or Recognizance respectively, that such Mortgage, Judgment, Statute or Recognizance respectively, was satisfied and discharged according to such Certificate, to which the same Entry shall refer; and shall after file such Certificate, to remain upon Record in the said Register Office.

On Certificate that Money due on Mortgage, &c. is paid, Register to make an Entry thereof, &c. 2 & 3 Annæ, c. 4.

XI. Provided nevertheless, and be it enacted, That if any Judgment, Statute or Recognizance, be registred in the said Register Office, within thirty Days after the Acknowledgment or signing thereof, all the Lands that the Defendant or Cognizor had at the Time of such Acknowledgment or signing, shall be bound thereby.

Proviso in case of Judgment entred in 30 Days after signed.

XII. And be it further enacted, That this Act shall be taken and allowed in all Courts within this Kingdom as a publick Act, and all Judges, Justices, and other Persons therein concerned, are hereby required, as such, to take Notice thereof, without special pleading the same.

Act to be a publick Act. See 7 Ann. c. 20. appointing a Register for Middlesex, and 8 Geo. 2. c. 6. appointing a Register for the North Riding of Yorkshire.

Register for Middlesex, and 8 Geo. 2. c. 6. appointing a Register for the North Riding of Yorkshire.

C A P. XIX.

An Act for continuing the Duties on Low Wines and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars, and Petty Chapmen, and Part of the Duties on stampd Vellum, Parchment, and Paper, and the late Duties on Sweets, and the one third Subsidy of Tunnage and Poundage, and for settling and establishing a Fund thereby, and by the Application of certain Overplus Monies, and otherwise, for Payment of Annuities to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and seven, and other Uses therein expressed.

Most Gracious Sovereign,

For the Application of 40000 l. per Ann. out of the Surplus arising from this Act.
See 6 Annæ, c. 5. §. 1, 2.
120000 l. and 35000 l. to be raised.
Duties on Low Wines, Hawkers, Vellum, &c. granted.
See 5 Annæ, c. 27. s. 18.

Low Wines, & 4 Annæ, c. 4. made perpetual by 1 Geo. 1. stat. 2. c. 12. §. 8. 1 Geo. 2. c. 16.

further continued for 96 Years; made perpetual by 1 Geo. 1. stat. 2. c. 12. §. 8. Hawkers and Pedlars.
9 & 10 W. 3. c. 27.

3 & 4 Annæ, c. 4. further continued; made perpetual by 1 Geo. 1. stat. 2. c. 12. §. 8.

In what Manner Duties shall be levied.

3 & 4 Annæ, c. 4.

WE your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, considering the great Charges necessary for carrying on the War, and how far your Majesty's Subjects are at present burthened with Taxes already laid for that Purpose; and being therefore willing, by such easy and effectual Ways and Means as in this Act are expressed and intended, to raise a Sum of Money not exceeding one Million and one hundred and twenty thousand Pounds, Part of the Money necessary to be provided in this Session of Parliament for your Majesty's Supply, and a further Sum not exceeding thirty-five thousand Pounds, to be applied in such Manner as is herein after mentioned, towards making good the Payment of the Annuities to be purchased upon this Act, have for that End and Purpose cheerfully and unanimously given and granted, and do by this Act give and grant unto your Majesty the Rates and Duties upon Low Wines, and Spirits of the first Extraction, and the Duties to be paid by Hawkers, Pedlars, and Petty Chapmen, and the Rates and Duties upon Vellum, Parchment, and Paper, and the Duties upon Sweets, and the additional Subsidies of Tonnage and Poundage, and other Duties hereafter in this Act expressed or referred unto, for and during such Term and Terms of Years respectively as are in this Act mentioned in that Behalf; and do most humbly beseech your Majesty to accept thereof, and that it may be enacted; and be it enacted by the Queen'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 and every such or the like Duties for and upon all Low Wines, or Spirits of the first Extraction, as by the Act of Parliament made and passed in the third Year of her Majesty's Reign, intituled, *An Act for continuing Duties upon Low Wines, and upon Coffee, Tea, Chocolate, Spices, and Pictures, and upon Hawkers, Pedlars, and Petty Chapmen, and upon Muslins, and for granting new Duties upon several of the said Commodities, and also upon Callicoos, China Wares and Drugs*, were continued or granted until the four and twentieth Day of *June* one thousand seven hundred and ten, shall, by Virtue of this Act, be further continued and be paid and payable to her Majesty, her Heirs and Successors, for and upon all Low Wines, and Spirits of the first Extraction, to be made or drawn by any Distiller, or other Persons making or drawing Spirits or Strong Waters for Sale or Exportation, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, from the three and twentieth Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and ten, for the Term of ninety-six Years, from thence next and immediately ensuing, for the Uses and Purposes in this Act expressed: And that all and every such and the like several Duties, Impositions, and Sums of Money, to be paid by every Hawker, Pedlar, Petty Chapman, and such other Persons as are described in one Act of the ninth Year of the Reign of his late Majesty King *WILLIAM* the Third, of glorious Memory, for licensing Hawkers and Pedlars, and all the Powers for granting Licences, and other Powers, and all Clauses, Directions, Allowances, Penalties, Forfeitures, Articles, Matters, and Things therein contained, relating to the said Duties payable by Hawkers, Pedlars, Petty Chapmen, and other Persons described in the said Act, which by the said Act of the third Year of her Majesty's Reign hath Continuance until the said four and twentieth Day of *June* one thousand seven hundred and ten, shall be further continued, and be paid and payable, and be practised, observed, and put in Execution, by Virtue of this Act, from the three and twentieth Day of *June* which shall be in the Year of our Lord one thousand seven hundred and ten, for the like Term of ninety-six Years from thence next and immediately ensuing: The said several Duties, Impositions, and Sums of Money, for and upon all Low Wines, Spirits of the first Extraction, and upon all Hawkers, Pedlars, Petty Chapmen, and all other Persons described as aforesaid, to be paid during the said respective Terms of ninety-six Years, and to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, to the Uses and Purposes in this Act expressed, by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and with such Power of Mitigation, and subject to such Drawbracks, Allowances, and Repayments, and in such Manner and Form in all Respects, as the like Duties, Impositions, and Sums of Money respectively granted or continued by the said Act of the third Year of her Majesty's Reign are thereby, or by any other Act of Parliament whereunto the said Act hath Reference, or by any other Law now in Force, prescribed, enacted, or appointed to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for during the Continuance thereof respectively.

II. And it is hereby enacted by the Authority aforesaid, That all such of the Powers, Directions, Penalties, and Forfeitures, Clauses, Matters, and Things provided, settled, or established by the said Acts, or any of them, or by any other Act now in Force, whereunto the same, or any of them have or hath Relation,

Relation, for the better raising, levying, recovering, answering, or paying the said respective Duties upon Low Wines and Spirits of the first Extraction, and upon Hawkers, Pedlars, Petty Chapmen, and other Persons described as aforesaid, thereby granted, or for making any Drawbacks, Repayments, or Allowances out of any of the said several and respective Duties upon Exportations, shall be revived, and be continued, and be in Force and Virtue, during the Continuance of this Act, and further, for the Recovery of all the Arrearages and Sums of Money, which shall become due or payable to her Majesty, her Heirs or Successors, upon this Act, in as full and ample Manner, to all Intents and Purposes, as if the said Powers, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, and every of them, were again repeated and re-enacted in the Body of this present Act.

Former Powers revived.

III. And be it further enacted by the Authority aforesaid, That such of the Rates and Duties upon Vellum, Parchment, and Paper, as were granted to their said late Majesties King WILLIAM and Queen MARY, by an Act made in the Parliament holden at *Westminster*, in the fifth and sixth Years of their Reigns, intituled, *An Act for granting to their Majesties, several Duties upon Vellum, Parchment, and Paper for four Years, towards carrying on the War against France*, and which by an Act of Parliament made in the eighth Year of the Reign of his said late Majesty King WILLIAM, were continued until the first Day of *August* one thousand seven hundred and six, and which by an Act of the first Year of her now Majesty's Reign, intituled, *An Act for making good Deficiencies, and preserving the publick Credit*, were continued from the last Day of *July* one thousand seven hundred and six, to the first Day of *August* which shall be in the Year of our Lord one thousand seven hundred and ten, shall by Virtue of this Act be further continued, and be due and payable to her Majesty, her Heirs and Successors, from the last Day of *July* which shall be in the Year of our Lord one thousand seven hundred and ten, for the Term of ninety-six Years from thence next and immediately ensuing, for the Uses and Purposes in this Act expressed; and that the said Act for granting the said Duties upon Vellum, Parchment, and Paper, and all Powers, Provisions, Penalties, and Forfeitures, Articles, and Clauses therein, or in any other Act or Acts of Parliament now in Force, concerning the said Duties upon Vellum, Parchment, and Paper, shall continue and be in full Force and Effect, and shall be applied, practised, and put in Execution, for the raising, levying collecting, answering, and paying, the said Duties upon Vellum, Parchment, and Paper, hereby continued, during the said Term of ninety-six Years, and all Arrears thereof, according to the Tenor and Intent of this Act.

5 & 6 W. & M. c. 21.

3 & 9 W. 3. c. 20.

1 Annæ, stat. 1. c. 13.

Rates on Vellum, &c. for 96 Years;

Made perpetual by 1 Geo. 1. stat. 2. c. 12. §. 8.

IV. Provided always, and it is hereby further enacted, That in all Cases, where any further or other Provision or Alteration is made by any other Act or Acts of Parliament now in being, in relation to the said Duties upon Low Wines and Spirits of the first Extraction, and the said Duties payable by Hawkers, Pedlars, Petty Chapmen, and others, and the said Duties upon Vellum, Parchment, and Paper, or any of them, such other Provisions, or Alterations shall be observed and complied with, during the Continuance of the respective Terms hereby granted in the same Duties respectively; any thing herein contained to the contrary notwithstanding.

Alterations to be observed.

V. And be it enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid to her Majesty, her Heirs and Successors, (for the Purposes in this Act expressed) for every Barrel of Sweets made, which shall be for Sale, from and after the four and twentieth Day of *March* one thousand seven hundred and six, within or during the Space of ninety-nine Years, from thence next and immediately ensuing, the Sum of thirty and six Shillings, the same Duty to be paid by the Maker and Makers of the said Sweets, and so in Proportion for any greater or lesser Quantity.

Sweets to pay 36 s. per Barrel, for 99 Years.

Made perpetual by 1 Geo. 1. stat. 2. c. 12. §. 8.

Reduced to 12 s. by 10 Geo. 2. c. 17.

VI. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauses, Matters, and Things, which in and by an Act of Parliament made in the twelfth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*, or by any other Law now in Force relating to the Duties of Excise upon Beer, Ale and other Liquors; and which in and by another Act made in the tenth Year of the Reign of his late Majesty, King WILLIAM the Third (of glorious Memory) intituled, *An Act for laying further Duties upon Sweets, and for lessening the Duties as well upon Vinegar as upon certain Low Wines and Whale-fins, and the Duties upon Brandy imported, and for the more easy raising the Duties upon Leather, and for charging Cynders, and for permitting the Importation of Pearl Ashes, and for preventing Abuses in brewing Beer and Ale, and Frands in the Importation of Tobacco*, or by any other Law then in force relating to the Duties on Sweets, granted by the last mentioned Act, are provided, settled, or established, for raising, levying, collecting, recovering, adjudging, or ascertaining the Duties thereby granted, or any of them, shall be exercised, practised, applied, used, levied, recovered, and put in Execution, for the raising, levying, collecting, recovering, and paying the Duties on Sweets hereby granted, during the Continuance of the same, as fully and effectually to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters, and Things, were particularly repeated, and again enacted in the Body of this present Act.

12 & 13 Car. 2. c. 24.

10 & 11 W. 3. c. 21.

Former Powers in force for collecting Duties on Sweets.

VII. And for the better, and more sure Payment of all the Annuities to be purchased on this Act, be it further enacted by the Authority aforesaid, That all the Monies arising, from Time to Time, by or for the said Duties upon Low Wines, and Spirits of the first Extraction, and by or for the said Duties payable by Hawkers, Pedlars, Petty Chapmen, and others as aforesaid, and by or for the said several Rates and Duties upon Vellum, Parchment and Paper, and by and for the said Duties upon Sweets respectively, by this Act granted and continued, and every of them, (the necessary Charges of managing, raising, levying, collecting, answering, paying, and accounting for the said several Rates, and other Duties only excepted) shall, from Time to Time, from and after the respective Commencements thereof,

Receivers General to pay the Monies into the Exchequer.

2 Annæ, stat. 1. c. 13.

Weekly.

Additional Subsidies, Tunnage, Coals, &c. 4 Annæ, c. 6.

Further continued.

Out of the Overplus Money arising 4 Annæ, c. 6.

5 W. & M. c. 7.

4 Annæ, c. 6.

Lord Treasurer to make good the quarterly Payments, &c.

4 Annæ, c. 6.

for and during the said several Terms of Years therein granted, or intended to be granted by this Act, be brought and paid by the respective Receivers General, or such Persons as for the Time being shall have the Receipt thereof, as the same shall be raised (who are hereby required and enjoined to bring and pay the same accordingly) into the Receipt of Exchequer, for the Purposes in this Act expressed, distinctly and separately from all other Monies whatsoever that are or shall be payable by them into the said Receipt: And that from and immediately after the Time that all the Principal and Interest Monies, which by the said Act of the first Year of her Majesty's Reign, are charged upon the afore said Rates and Duties upon Vellum, Parchment, and Paper thereby granted, shall be satisfied and paid off, or that Money shall be reserved in the Exchequer sufficient for that Purpose, then the afore said Duties upon Vellum, Parchment, and Paper, to arise by the said Act of the first Year of her Majesty's Reign, for the Remainder of the Term thereby granted, and therein then to come and unexpired, (except the necessary Charges of raising, collecting, levying, and accounting for the same) shall in like Manner from Time to Time be brought and paid into the Receipt of the Exchequer, for the Purposes in this Act expressed, distinctly and apart as afore said: And the respective Commissioners and Receivers General of the said several Rates and Duties hereby required to be paid into the Receipt of the Exchequer as afore said, shall make or cause to be made Payments thereof into the said Receipt of the Exchequer, according to the true Meaning of this Act, weekly, to wit, on *Wednesday* in every Week, if it be not an Holy-day; and if it be, then on the next Day after that is not an Holy-day.

VIII. And be it enacted by the Authority afore said, That the additional Subsidies of Tonnage and Poundage, and other Duties, which in and by the Act of the fourth Year of her Majesty's Reign, intitled, *An Act for continuing an additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Culm, and Cynders, and additional Duties of Excise, and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned*, were granted and continued to be paid for and upon all Wines, which from and after the eighth Day of *March* one thousand seven hundred and six, during the Term of ninety-eight Years from thence next ensuing, should be imported or brought into the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, and for and upon all Manner of Goods and Merchandizes, which from and after the said eighth Day of *March* one thousand seven hundred and six, during the said Term of ninety-eight Years, should be imported or brought into this Realm, or any of her Majesty's Dominions to the same belonging, by Way of Merchandize (except as therein is excepted) shall, by Virtue of this Act, be further continued, and be due and payable to her Majesty, her Heirs and Successors, from the Expiration of the said several Terms of ninety-eight Years, for the Term of one whole Year, from thence next and immediately ensuing, for the Uses and Purposes in this Act expressed; which additional Subsidies and Duties so continued for one Year, and all Arrears thereof, shall be raised, levied, and paid by the same Rules, and with such Drawbacks and Allowances, and subject to such Penalties and Forfeitures, and in such Manner and Form, as by the said Act of the fourth Year of her said Majesty's Reign, are prescribed and enacted in relation to the like Subsidies or Duties thereby granted.

IX. And whereas the said additional Subsidy of Tunnage and Poundage (which is commonly called the one third Subsidy) and other Duties upon Wines, Goods, and Merchandizes, granted by the said Act of the fourth Year of her Majesty's Reign, for the Term of ninety-eight Years as afore said, and the Duties upon Coals, Culm, and Cynders, by the same Act granted or continued from the fourteenth Day of *May* one thousand seven hundred and eight, until the thirtieth Day of *September* one thousand seven hundred and ten, and the particular Rates and Duties of Excise by the same Act granted for the Term of ninety-five Years, from the seventeenth Day of *May* one thousand seven hundred and thirteen, and all the Monies to arise by Virtue of an Act of the fifth Year of their said late Majesties Reign, or for the Duties of Excise thereby granted, after paying off, or reserving sufficient to pay off the Lottery Annuities therein mentioned, together with other Monies mentioned in the said Act of the fourth Year of her Majesty's Reign, are thereby made liable to the Payment of certain Annuities purchased thereupon, not exceeding one hundred eighty-four thousand two hundred forty-two Pounds and fourteen Shillings *per Annum*, at the Receipt of the Exchequer, which Subsidies, Rates, Duties, and other Funds or Provisions charged by the said Act with the Annuities last mentioned, will by Estimation produce annually a considerable Sum more than will be sufficient to discharge all the same Annuities, and the necessary Charges of paying and accounting for the same, and the Overplus Monies thereby arising do belong to her Majesty, for the publick Use and Service; Be it further enacted, by the Authority afore said, That the Lord High Treasurer of *England*, or any three or more of the Commissioners of the Treasury for the Time being, shall, from Time to Time, during the Continuance of the said Subsidies, Rates, Duties, and other Funds settled by the said Act of the fourth Year of her Majesty's Reign as afore said, and every or any of them, cause all the said Overplus Monies of the same Subsidies, Rates, Duties, and other Funds contained in the Act last mentioned, to be justly and duly computed, at the Feast of the Annunciation of the Blessed Virgin *Mary* in every Year, or within six Days after, the first Computation thereof to be made at the Feast of the Annunciation of the Blessed Virgin *Mary* one thousand seven hundred and eight, or within six Days after; and after paying, or reserving sufficient to pay so much as shall be incurred or grown due upon the said Annuities, by Virtue of the said Act of the fourth Year of her Majesty's Reign, at or before every such Feast of the Annunciation of the Blessed Virgin *Mary* respectively, the same Overplus Monies (except the necessary Charges of paying and accounting for the said Annuities, purchased on the said Act of the fourth Year of her Majesty's Reign) or so much of the Overplus last mentioned, as shall be sufficient for this Purpose, shall be applied for and towards the making good,

good, paying and satisfying the quarterly Payments of all and every, or any the Annuities to be purchased by virtue of this Act, during the whole Term of ninety-nine Years by this Act intended to be granted of and in such Annuities respectively.

X. And for the better securing the quarterly Payments which shall grow due on or before Michaelmas one thousand seven hundred and ten, upon the Annuities to be purchased in pursuance of this Act, Be it enacted by the Authority aforesaid, that the said Sum not exceeding thirty-five thousand Pounds, Part of the Contribution Monies to be raised by Sale of Annuities upon this Act, or so much thereof as shall be sufficient in this Behalf, shall and may be reserved and applied for and towards the discharging the quarterly Payments last-mentioned.

35000 l. reserved for quarterly Payments till Michaelmas 1710.

XI. And whereas by and in pursuance of several former Acts of Parliament, sundry other Annuities payable at the Receipt of Exchequer have been purchased, and are charged upon the several other Branches of the publick Revenues or Funds herein after particularly expressed, which Revenues or Funds do also annually produce more than sufficient to discharge the said Annuities charged thereupon respectively, and the necessary Charges of paying and accounting for the same, and the Overplus Monies thereby arising do belong to her Majesty for the publick Use and Service, that is to say, The Rates and Duties of Excise which were granted to their late Majesties King WILLIAM and Queen MARY, by an Act of the fourth Year of their Reign, for the Term of ninety-nine Years then intended, and are liable to the Payment of several Annuities, with Benefit of Survivorship, and other Annuities; and Overplus of which Rates and Duties hath been, and is to be computed on the four and twentieth Day of June yearly: The Rates and Duties of Excise which were granted to their said late Majesties, their Heirs and Successors for ever, by an Act of the fifth Year of their Majesties Reign; the Overplus whereof hath been and is to be computed as followeth, that is to say, As to five seventh Parts thereof (being appropriated to make good the Fund of the Governor and Company of the Bank of England) the same have been and are to be computed on the first Day of June yearly; and as to the other two seventh Parts thereof, being for Payment of several other Annuities, the same have been and are to be computed on the five and twentieth Day of March yearly: The Rates and Duties of Excise which were granted to their said late Majesties by another Act of the fifth Year of their Reign, for the Term of sixteen Years, for Payment of the Lottery Annuities therein mentioned; the Overplus whereof, when the same shall arise, is to be computed on the five and twentieth Day of March yearly: And the particular Rates and Duties upon Salt, and the particular Duties upon stamp Vellum, Parchment, and Paper, which were granted to his said late Majesty King WILLIAM, his Heirs and Successors by several Acts of the ninth Year of his Reign, and are charged with several Annuities amounting to one hundred and sixty thousand Pounds per Annum to the Companies or Persons entitled to the Trade to the East Indies; the Overplus of which several Rates and Duties last mentioned hath been and is to be computed on the nine and twentieth Day of September yearly: Now it is hereby further enacted by the Authority aforesaid, That the Lord High Treasurer of England, or any three or more of the Commissioners of the Treasury for the Time being, shall from time to time cause all the said Overplus Monies of the said several Rates, Duties, and Funds so charged with the said Annuities, formerly purchased, as aforesaid, to be justly and duly computed at such respective Days and Times as are before mentioned in that Behalf; and after paying or reserving sufficient to pay all the Payments then incurred thereupon respectively, the said Overplus Monies last-mentioned, so to be computed at any Day or Time, between the four and twentieth Day of March one thousand seven hundred and six, and the thirtieth Day of September one thousand seven hundred and ten (except the necessary Charges of paying and accounting for the said Annuities formerly purchased, as aforesaid) or so much of the Overplus Monies last-mentioned, as shall be sufficient for this Purpose, shall be reserved and applied for or towards the making good such quarterly Payments of the Annuities to be purchased on this Act, as shall incur or grow due at or before the Feast of Saint Michael the Archangel, which shall be in the Year of our Lord one thousand seven hundred and ten.

Sundry Annuities purchased and charged, &c.

Overplus Monies thereby arising to be computed, &c. 4 & 5 W. & M. c. 3.

5 W. & M. c. 7.

9 & 10 W. 3. c. 25. 9 & 10 W. 3. c. 44.

Lord Treasurer, &c. to apply the same, &c.

to make good the quarterly Payments on this Act.

XII. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the Receipt of her Majesty's Exchequer one or more Books, in which all the Monies of the said several Rates and Duties hereby appointed to be paid in Weekly, as aforesaid, and which shall be brought to the said Receipt for that Purpose, and the said Sum, not exceeding thirty-five thousand Pounds, hereby directed to be reserved out the said Contribution-money, and also the said Overplus Monies of the said former Annuity Funds hereby directed to be computed and applied, as aforesaid, shall be entred apart and distinct from all other Monies paid into the said Receipt on any other Account whatsoever.

Auditors to keep Books for entering all Monies paid in.

XIII. And to the end all the Monies by this Act appropriated for the Payment of the Annuities to be purchased on this Act, may be duly and certainly raised and brought into the Receipt of the Exchequer for that Purpose; it is hereby further enacted, That from time to time, during the continuance of this Act, there shall be continued or appointed Commissioners, Receivers General, Comptrollers, Collectors, and other proper Officers, for raising the several Rates and Duties by this Act intended for the Payment of the Annuities to be purchased thereupon, and for keeping the Accounts of the same; and that the respective Commissioners or chief Managers thereof, shall from time to time, weekly, compute and ascertain the Monies of each Branch of the said Rates and Duties, which ought to be paid into the Exchequer on every Wednesday, or on the subsequent Day, not being an Holy Day, as aforesaid; and that all Commissioners, Receivers General, Comptrollers, Collectors, and other Officers, who are or shall be concerned in the managing, raising, levying, receiving, collecting, or paying the same, or in keeping the Accounts thereof, shall perform their several and respective Duties therein, as to them respectively shall appertain, under such and the like Penalties, Forfeitures, and Disabilities, for any Offence or Neglect

Commissioners, &c. to be appointed.

and compute Weekly, and perform their Duties,

on Penalties.

g & to W. 3.
c. 44.

glect therein, or for detaining, diverting, or misapplying any Part of the said Monies, as are prescribed and to be inflicted by virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*, for the like Offence or Neglect in Relation to the Duties upon Salt, and other Duties upon Stampd Vellum, Parchment, and Paper thereby granted, or for detaining, diverting, or misapplying any Part of the Monies which were granted by the Act last-mentioned.

Monies arising
to be a General
Fund.

XIV. An it is hereby enacted and declared, That all the Monies arising, as aforesaid, of or for the said several and respective Rates and Duties upon Low Wines and Spirits of the first Extraction, and the said Duties payable by Hawkers, Pedlars, Petty Chapmen, and others, as aforesaid, and the Duties upon Sweets, and the said Duties upon stampd Vellum, Parchment, and Paper, hereby appointed to be paid weekly into the Exchequer, as aforesaid, and the said additional Subsidy, and the said Sum not exceeding thirty-five thousand Pounds hereby directed to be reserved out of the Contribution-money, as aforesaid, and the said respective Overplus Monies of the said former Annuity Funds, hereby appointed to be computed and applied for such several and respective Times, and in such Manner as are before-mentioned, and every of them, or so much of the said several Rates, Subsidies, and Duties, Contribution-money, and Overplus-money, as shall be sufficient for answering the full and due Payment of all the Annuities to be purchased on this Act, and all Arrearages thereof from time to time incurred according to the true Meaning of this Act, are, and shall be the general Fund for Payment of the same, and are and shall be liable thereunto, and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever, under the Penalties, Forfeitures, and Disabilities in this Act expressed.

For purchase of
Annuities for 99
Years, Persons
may advance
1,155,000l. By
6 Geo. 1. c. 4. s. 1.
the South Sea
Company may
purchase these
Annuities.

XV. And for the raising any Sum and Sums of Money, not exceeding in the Whole the Sum of eleven hundred and fifty-five thousand Pounds, that is to say, The Sum not exceeding one Million one hundred and twenty thousand Pounds thereof, for carrying on the present War and other her Majesty's Occasions, and the said Sum not exceeding thirty-five thousand Pounds, Residue thereof, to be applied for or towards the making good the quarterly Payments to be incurred on the Annuities to be purchased in pursuance of this Act; It is hereby further enacted, by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance, and pay into the Receipt of her Majesty's Exchequer, for her Majesty's Use, at or before the respective Days and Times in this Act limited in that Behalf, any Sum or Sums of Money, not exceeding in the Whole the Sum of one Million one hundred fifty-five thousand Pounds, for purchasing any Annuity or Annuities, to be paid and payable during the full Term of ninety-nine Years, to be reckoned from the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and seven, at the Rate of sixteen Years Purchase, which Rate doth amount to the Sum of one hundred and sixty Pounds for every such Annuity of ten Pounds *per Annum*, and proportionably for any greater Annuity; and the same Rate or Consideration-money is hereby appointed to be paid into the said Receipt, at or before the respective Days and Times herein after-mentioned (that is to say) One fourth Part thereof on or before the tenth Day of *May* in the Year of our Lord one thousand seven hundred and seven; one other fourth Part thereof on or before the tenth Day of *July* in the Year of our Lord one thousand seven hundred and seven; one other fourth Part thereof on or before the tenth Day of *September* in the Year of our Lord one thousand seven hundred and seven; and the remaining fourth Part thereof on or before the tenth Day of *November* in the Year of our Lord one thousand seven hundred and seven: All which Annuities so to be purchased, shall not exceed in the whole, the Sum of seventy-two thousand one hundred eighty-seven Pounds and ten Shillings *per Annum*, and shall be paid and payable at the four most usual Feasts or Days of Payment in the Year; that is to say, the Feasts of the Nativity of Saint *John Baptist*, Saint *Michael the Archangel*, the Birth of our Lord *Christ*, and the Annunciation of the blessed Virgin *Mary*, by even and equal Portions; the first Payment thereof to be made at the Feast of the Nativity of Saint *John Baptist*, which shall be in the Year of our Lord one thousand seven hundred and seven.

At 16 Years
Purchase, from
25 March 1707.
To be paid in 4
Parts, 10 May,
10 July, 10 Sep-
tember, and 10
November 1707.

Annuities not to
exceed 72,187 l.
10 s. per An-
num, payable
quarterly.

Contributors
Names, &c. to
be entred.

XVI. And it is hereby enacted, That in the Offices of the Auditor of the Receipt, and Clerk of the Pells in the Exchequer, severally, there shall be provided and kept a Book or Books in which there shall be fairly entred the Names of all who shall be Contributors, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the Sums so paid, and the Times when the same are respectively paid; to which Book it shall be lawful for the respective Contributors, their Executors, Administrators, and Assigns, from time to time, and at all reasonable Times, to have Resort, and to inspect the same without Fee or Reward.

Annuities to be
paid with Prefer-
ence to all other
Payments.

XVII. And be it further enacted by the Authority aforesaid, That all and every the Annuities whatsoever which shall be purchased upon or in pursuance of this present Act, shall be and are hereby charged upon, and shall be paid and payable from time to time, in the first Place, and with Preference to all other Payments whatsoever, out of the Monies arising from time to time, as aforesaid, of or for the said several and respective Duties upon Low Wines and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars, Petty Chapmen and others, as aforesaid, and the said Duties upon Sweets, and the said Duties upon stampd Vellum, Parchment and Paper, hereby appointed to be brought and paid weekly into the Exchequer, as aforesaid, and out of the said Subsidies, and every of them, and also out of the said Sum not exceeding thirty-five thousand Pounds, hereby directed to be reserved out of the said Contribution-money, as aforesaid, and also out of the said Overplus Monies of the said former Annuity Funds hereby appointed to be computed and applied for such several and respective Times, and in the Manner

before-mentioned, and every of them; and so much of the said several and respective Rates, Subsidies, and Duties appointed by this Act to be brought and paid into the Exchequer, and so much of the said Sum of thirty-five thousand Pounds, and of the said several and respective Overplus Monies of the said former Annuity Funds, as are and shall be sufficient to satisfy and discharge all the Annuities to be purchased upon this Act, and all the Arrearages thereof, at any Time due or owing, are and shall be, by virtue of this Act, appropriated and applied to and for satisfying and discharging of the same Annuities, and such Arrearages thereof accordingly, and shall be issued, disposed, and applied to that Use, and to none other Use, Intent, or Purpose whatsoever; any thing herein contained, or any other Matter or Thing whatsoever to the contrary notwithstanding.

XVIII. Provided always, That if at the End of any Year of the said Term of ninety-nine Years, for which the said Annuities are to be purchased, the first Computation to be made at *Lady Day* one thousand seven hundred and eight, or within six Days after, the Monies arising at the Exchequer within such Year, by the said Rates, Duties, Subsidies, Overplus Monies, and other Monies hereby appropriated for Payment of the said Annuities, pursuant to this Act, shall exceed all the Monies then due for or upon the same Annuities, and all Arrearages thereof, then or at any Time or Times before that Time incurred, so that there shall be an Excess or Surplus remaining in the Exchequer, such Excess or Surplus shall be disposable from time to time for the publick Use and Service, and not otherwise; any thing herein contained to the contrary notwithstanding.

XIX. And be it further enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money, at the Rate aforesaid, at or before the respective Days or Times in this Act limited in that Behalf, for any such Annuity or Annuities, as aforesaid, or such as he, she, or they shall appoint, his, her, or their respective Executors, Administrators, Successors, and Assigns, shall have, receive, and enjoy, and be entitled, by virtue of this Act, to have, receive, and enjoy the respective Annuity and Annuities so to be purchased, out of the Monies by this Act appropriated or appointed for the Payment thereof, during the said whole Term of ninety-nine Years, as is above-mentioned; and that all and every such Purchasers, their Executors, Administrators, and Assigns respectively, shall have good and sure Estates and Interests in the several Annuities, so by them to be purchased according to the Tenor and true Meaning of this Act, and that all the said Annuities to be purchased upon this Act, and every of them, during the Term aforesaid, shall be free from all Taxes, Charges, and Impositions whatsoever.

XX. And be it further enacted by the Authority aforesaid, That every Contributor upon this Act, for any Annuity or Annuities, as aforesaid, his, her, or their Executors, Administrators, or Assigns, upon Payment of the Consideration or Purchase-money for the same, at the Rate aforesaid, or any Part or Proportion thereof, within the Time or Times in this Act limited in that Behalf, shall immediately have one or more Tally or Tallies levied, importing the Receipt of so much Consideration-money as shall be so paid; and upon Payment of all the Purchase-money for any such Annuity or Annuities, at the Rate aforesaid, every such Contributor, his, her, or their Executors, Administrators, Successors, or Assigns respectively, shall have an Order for paying of the said Annuity and Annuities, for and during the said Term of ninety-nine Years; which Order shall be signed by the Treasurer and under Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being, and after the signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office, or Offices of them, or any of them, nor shall any Lord High Treasurer of *England*, Treasurer of the Exchequer, or any Commissioners of the Treasury now or for the Time being, have Power to revoke, countermand, or make void such Orders so signed, as aforesaid, or any of them.

XXI. And for the Encouragement of the Contributors to advance and pay forthwith into the Receipt of the Exchequer, the Sums by them intended to be advanced upon this Act, it is provided and enacted by the Authority aforesaid, That every such Contributor who shall advance and pay into the said Receipt of Exchequer all or any Part of the Purchase-money, payable for any such Annuity, or Annuities as aforesaid, before the said tenth Day of *May* in the Year of our Lord one thousand seven hundred and seven, his, her, or their Executors, Administrators, or Assigns, shall be allowed and paid out of the Contribution-money arising by this Act, Interest after the Rate of six Pounds *per Centum per Annum*, for the prompt Payment of the Money so advanced, from the Time of the actual advancing and paying the same, until the said tenth Day of *May* one thousand seven hundred and seven.

XXII. And be it further enacted, That it shall and may be lawful to and for any Contributor or Contributors, his, her, or their Executors, Administrators, Successors, or Assigns, at any Time or Times during the Continuance of his, her, or their Term, Estate, or Interest of and in any Annuity to be purchased upon this Act, by any Writing under his, her, or their Hands and Seals, or under the Common Seal of the Corporation, or by his or her last Will in Writing, to assign or devise such Annuity, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties* and no such Assignment to be revokable, so as an Entry or Memorandum of such Assignment or Will be made in Books to be kept for that Purpose in the said Office of the Auditor of the Receipt, within the Space of three Months, after such Assignment or Death of the Devisor; and that upon producing such Assignment or Will, or Probat thereof, in the said Office of Receipt, to be entred as aforesaid, the Party so producing the same shall bring therewith an Affidavit, taken before one or more of her Majesty's Justices of the Peace, of the due Execution of the said Assignment or Will; which Affidavit, shall be severally filed in

Surplus disposable to publick Uses.
Farther Provision relating hereto,
1 Geo. 1. stat. 2.
c. 12. §. 7.

Contributors paying, &c. to enjoy sure Estates in Annuities purchased.

Tax-free; and have Tallies and Orders, &c. Mistakes in these Orders rectified by 8 Annæ, c. 7. §. 64.

6 per Cent. for prompt Payment before 10 May 1707.

Annuities assignable, &c.

in the said Office; which said Entry or Memorandum the proper Officers in the said Receipt of Exchequer are hereby required to make accordingly, and to file the said Affidavits: And in Default of such Assignment or Devise by Deed or Will, the Interest of such Contributor shall go to his or her Executors or Administrators.

Guardians to Infants may advance 160l. &c.

XXIII. And it is hereby further enacted, That it shall and may be lawful for any Guardian, or Trustee, having the Disposal of the Money of any Infant under the Age of one and twenty Years, for the Use and Benefit of such Infant, to advance and pay the Sum of one hundred and sixty Pounds of the Money of such Infant, to purchase an Annuity upon this Act for the Benefit of such Infant; and the said Guardian or Trustee, as to the said Sum of one hundred and sixty Pounds so advanced, is hereby discharged.

Penalty on Officers taking Fees, or diverting Monies, &c.

XXIV. And be it further enacted, for the better Encouragement of Persons to advance the Monies on this Act, That all Receipts and Issues, and all other things directed by this Act to be performed in the Exchequer, shall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Gratuity or Reward for the same; and in case any of the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall divert or misapply any of the Monies of the said Duties, or Monies hereby appropriated, or any Part thereof, which should make good the Payment of the said Annuities, or shall pay or issue out the same otherwise than according to the Intent of this Act, or shall not keep Books and Registers, and make Entries, and do and perform all other things which by this Act they are required to perform; every such Officer shall forfeit his Office, and be for the future incapable of any Office or Place of Trust, and shall answer and pay treble Damages to every Contributor or Person who shall be prejudiced thereby, to be recovered by Action of Debt, Bill, Plaint or Information in any of her Majesty's Courts of Record at *Westminster*, wherein no Effoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law, Injunction, Order of Restraint, or more than one Impar lance shall be granted or allowed; and in the said Action the Plaintiff upon Recovery shall have full Costs; one third Part of which Sum to be recovered for Damages, shall be to the Use of her Majesty, her Heirs and Successors, and the other two third Parts, with the Costs, shall be to the Use of the Prosecutor; and in case there shall be any Collusion, or faint Prosecution, between the Plaintiff and Defendant in such Action, it shall be lawful for any other Contributor, his or her Executors, Administrators or Assigns, to bring another Action, wherein he or she shall recover as aforesaid, to the like Uses as aforesaid.

No Purchase unless one fourth Part paid before 10 May 1707.

XXV. Provided always, That no Person or Persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any Annuity whatsoever upon this Act, unless the whole or one fourth Part at least of the Consideration-money for the same, at such Rate as aforesaid, be advanced and paid into the said Receipt of Exchequer, on or before the said tenth Day of *May* one thousand seven hundred and seven.

Contributors paying one fourth Part, and not the Remainder, such Payment forfeited.

XXVI. Provided also, That in case any such Contributor as aforesaid, who shall, on or before the said tenth Day of *May* one thousand seven hundred and seven, have advanced one fourth Part of his or her Purchase-money, or his, her, or their Executors, Administrators, Successors or Assigns, do not advance and pay into the Receipt of the Exchequer, one other fourth Part of his or her Consideration-money so to be paid for such respective Annuity or Annuities as aforesaid, on or before the said tenth Day of *July* in the Year of our Lord one thousand seven hundred and seven, and one other fourth Part thereof on or before the said tenth Day of *September* one thousand seven hundred and seven, and the remaining fourth Part thereof on or before the said tenth Day of *November* in the Year of our Lord one thousand seven hundred and seven; then and in every such Case respectively, no Order shall be drawn or signed for such respective Annuity, for which the Consideration-money shall not be fully paid as aforesaid; but so much of the Consideration-money as shall have been actually paid into the Receipt of the Exchequer for such respective Annuity, shall be forfeited to her Majesty, her Heirs and Successors, and be applied together with other the Monies to be raised by this Act for such publick Services as aforesaid; any thing in this Act contained to the contrary notwithstanding.

Lord Treasurer to reward Officers, Clerks, &c.

XXVII. Provided also, and it is hereby enacted, That it shall and may be lawful to and for the Lord Treasurer, or any three or more of the Commissioners of the Treasury for the time being, out of any the Monies of the said weekly Payments, hereby appointed to be paid into the Exchequer as aforesaid, or out of any the said Overplus Monies of the former Annuity Funds, to reward the Officers, Clerks, and others to be employed in the Payments of the said Annuities, or the Accounts thereof, for their Labour, Pains, Charges, and Service therein respectively, and to defray all other the necessary Charges incident to the Payment of the said Annuities, as to the said Lord Treasurer, or Commissioners of the Treasury for the time being, shall seem meet and reasonable in that Behalf; any thing in this Act contained to the contrary notwithstanding.

Attornies, &c. who by Mistake, &c. have omitted to enter Actions, &c. on stamp Vellum, &c. such Persons freed from Forfeitures incurred before 20 March 1706, paying the Duties, &c.

XXVIII. And whereas divers Persons, Clerks, Stewards, Mayors, and Bailiffs, keeping and holding inferior Courts of Record, and other Persons concerned in inferior Courts, and Corporations, and divers Officers, Attornies, and Clerks of the Courts at *Westminster*, have through Inadvertency, Mistake or Misconstruction of the Law, or by Neglect, omitted the issuing, entering, enrolling, or filing of divers Actions, Plaints, Bails, Appearances, Pledges, Declarations, and other Procces and Proceedings, upon stamp Vellum, Parchment, and Paper, as by several Acts of Parliament made in that Behalf they ought to have done, and have delivered Declarations where no Bail or Appearance have been filed or entered, and proceeded further thereon; Be it enacted by the Authority aforesaid, That all and every the said Clerks, Stewards, Bailiffs, Officers, Attornies, and other Persons so concerned as aforesaid, shall be, and they are hereby freed and discharged of and from all and every the Pains, Penalties and Forfeitures not already

already recovered, and by them respectively incurred, for or in respect of the Premises, before the twentieth Day of *March* one thousand seven hundred and six: Provided, that such Person or Persons having so neglected and offended as aforesaid, do before the three and twentieth Day of *November* one thousand seven hundred and seven, pay or cause to be paid to the Treasurer or Receiver General of the Stamp Duties, the several Duties which by him or them respectively ought to have been paid by virtue of the said several Acts; and in Default thereof, such Person or Persons respectively shall lose the Benefit of the Indemnity granted by this Act; and that all Penalties and Forfeitures for any Offence committed as aforesaid, which shall not be discharged by paying such Duties before the said three and twentieth Day of *November*, shall and may be sued for, prosecuted and recovered, so as the Prosecution be commenced at any Time within one Year after the said three and twentieth Day of *November*, and not afterwards.

In Default to lose the Benefit, &c.

XXIX. And forasmuch as by the doubtful wording of the Statute made in the first Year of her Majesty's Reign, intituled, *An Act for preventing Frauds in her Majesty's Duties upon Stamp Vellum, Parchment, and Paper*, the Attornies and Clerks of the several Courts of Record at *Westminster* may be in Danger of incurring the Penalties, Forfeitures, and Disabilities mentioned in the said Act, and other former Acts relating to the said Duties, by reason of their proceeding in any Actions or Suits in any of the said Courts, before the Attorney or Clerk of the adverse Part hath entred, filed, or recorded such Bail, Appearance, or other Matter or Thing, as he or they ought to have entred, filed, or recorded in the said respective Courts: For the explaining whereof, be it declared and enacted by the Authority aforesaid, That no Person or Persons shall forfeit, incur, or be prosecuted for any Penalty, Forfeiture, or Disability mentioned in the said Act made in the said first Year of her Majesty, for or by reason of his or their transacting, entring, recording, or filing, or having transacted, entred, recorded, or filed any further or other Proceeding, Matter or Thing, subsequent or relating to any Action, Plaint, Bail, or Appearance, which by any other Person or Persons whatsoever ought to have been, or is to be first entred, filed, or recorded in any of her said Majesty's Courts of Record at *Westminster*, before the same hath been or shall be duly entred, filed, or recorded; any thing in the said several Acts, or any of them, or in this present Act, to the contrary thereof in any wise notwithstanding.

1 Annæ, stat. 2. c. 22.

Attornies, &c. not to incur Penalties for proceeding before the other Party hath filed Bail, &c.

Further Provisions concerning Stamp Duties,

8 Ann. c. 9. 9 Ann. c. 11 & 23. 10 Ann. c. 19 & 26. 12 Ann. St. 1. c. 2. 12 Ann. St. 2. c. 9. 5 Geo. 1. c. 19. 6 Geo. 1. c. 21. 11 Geo. 1. c. 8. 12 Geo. 1. c. 33. 9 Geo. 2. c. 32. 16 Geo. 2. c. 26. 29 Geo. 2. c. 12 & 13. 30 Geo. 2. c. 19. and 32 Geo. 2. c. 35.

C A P. XX.

An Act for the better Encouragement of the Royal Lustring Company.

WHEREAS by an Act of Parliament made in the third and fourth Years of the Reign of our most gracious Sovereign Queen ANNE, intituled, *An Act for prohibiting all Trade and Commerce with France*; it is declared (amongst other Things) That all Silks of the Manufacture of *France*, imported into this Kingdom, shall be seized and condemned, one Moiety to her Majesty, her Heirs and Successors, and the other Moiety to the Informer: And whereas divers of her Majesty's Subjects, under Colour of the said Act, have taken upon them to sell and dispose of *French* Lustrings and Alamodes so seized and forfeited, as if they were allowed to be used and worn in *England*, which is contrary to the true Intent and Meaning of the said Act, which was designed more effectually to prevent the Importation and Use of the said Silks, and also to the manifest Prejudice of so profitable a Manufacture set up in this Kingdom by the Royal Lustring Company, and thereby evading the Force of several Acts of Parliament past for the Encouragement of the said Manufacture: For Remedy whereof, be it enacted by the Queen'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 neither the before recited Act for prohibiting all Trade and Commerce with *France*, nor any thing therein contained, shall be construed to extend to countenance the using and wearing any *French* Alamodes or Lustrings in this Kingdom, but that the same shall be seized, condemned and exported in like Manner and Form, and under the like Penalties, as they are or ought to have been before the passing the said Act.

3 & 4 Annæ, c. 13.

II. And be it further enacted by the Authority aforesaid, That the several Acts of Parliament heretofore made for the Encouragement of the Manufactures aforesaid, shall remain in full Force and Virtue, as if the said Act for prohibiting all Trade and Commerce with *France* had never been made; any thing therein contained to the contrary in any wise notwithstanding.

19 H. 7. c. 21.

Not to countenance wearing *French* Alamodes or Lustrings, &c.

III. And whereas great Trouble has been occasioned to Shopkeepers and others, by common Informers, who are Persons of mean Reputation; Be it enacted by the Authority aforesaid, That only such Person or Persons who is or are Officer or Officers belonging to the Customs, or who shall be deputed by the Royal Lustring Company, and shall have Writs of Assistance from her Majesty's Court of Exchequer, and no others, shall and may seize any Lustrings or Alamodes within the Cities of *London* and *Westminster* and the Bills of Mortality; any thing herein or in any former Act to the contrary notwithstanding.

Acts to be in force.

None but Officers of the Customs, &c. to seize Lustrings or Alamodes.

IV. And whereas by an Act made in the ninth and tenth Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the better Encouragement of the Royal Lustring Company*, and the more effectual preventing the fraudulent Importations of Lustrings and Alamodes; it is amongst other things enacted, That before any Person or Persons shall be admitted to claim any of the said Silks, they shall give good Security by Recognizance, in the Court where such Claim shall be entred, not only to pay the Costs of Suit, in case such Claimer or Claimers shall be cast; but also to answer and pay the Penalties

9 & 10 W. 3. c. 43.

Penalties

Claimers of seized Alamodes to give Security only to pay Costs if nonsuited, &c.

33 Pieces of foreign Lustrings condemned, &c. may be sold in England.

3 & 4 Annæ, c. 13. Proviso.

Farther Provisions concerning

Silks, 6 Annæ, c. 19.

1 Geo. 1. c. 36.

8 Geo. 1. c. 15.

9 Geo. 1. c. 8.

1 Geo. 2. c. 17.

23 Geo. 2. c. 9.

20. and 26 Geo.

2. c. 21.

EXP.

nalties and Forfeitures incurred by the said Act: And the Security on such Claim cannot be discharged by yielding the Claimer's Body to Prison, which is found a great Discouragement to fair Traders dealing in *English Alamodes and Lustrings*: For Remedy whereof, be it enacted by the Authority aforesaid, That when any Person or Persons claim any Alamodes or Lustrings seized, it shall be sufficient that such Person or Persons give good Security in the Court where such Claims shall be made, to answer and pay the full Costs of Suit only, in case a Verdict shall pass against him, her or them, or the Claimer shall be nonsuited, or a Judgment pass by Default.

V. And whereas since the making the said Act of Prohibition of Trade and Commerce with *France*, thirty-three Pieces of foreign Lustrings have been seized and condemned, being imported contrary to the said Act, and sold to Mr. *David Martin*, Merchant, to be used in *England*, and have not been sealed and marked with the Custom-house Seal and Mark; it is hereby further enacted, That the said thirty-three Pieces of foreign Lustrings may be used in *England*, and that the same shall not be seized or forfeited; provided that the Possessors thereof respectively do on or before the first Day of *May* one thousand seven hundred and seven, bring the said thirty-three Pieces of Lustrings, or such Part thereof as remain undisposed of, to be sealed and marked at the Custom-house with the Seal and Mark used for sealing Alamodes and Lustrings imported, and Oath being made, that such Silks are the same individual thirty-three Pieces of Silks, or Part thereof, so sold at the Custom-house, and the Commissioners of her Majesty's Customs are hereby impowered and required (such Oath being made) to cause the said Silks to be sealed and marked accordingly; any Law to the contrary in any wise notwithstanding.

C A P. XXI.

An Act for repairing the Highway between *Fornbill* in the County of *Bedford*, and the Town of *Stony Stratford* in the County of *Buckingham*.

C A P. XXII.

EXP.
4 Annæ, c. 17.

An Act to explain and amend an Act of the last Session of Parliament, for preventing Frauds frequently committed by Bankrupts.

C A P. XXIII.

PR.
3 & 4 Annæ,
c. 12.

An Act to subject the Estate of *Thomas Breewood* to the Creditors of *Thomas Pitkin*, notwithstanding any Agreement or Composition made with the Creditors of the said *Thomas Pitkin*.

C A P. XXIV.

An Act for discharging small Livings from their First Fruits and Tenths, and all Arrears thereof.

2 & 3 Annæ,
c. 11.

Corporation of the Bounty of Queen Anne.

26 H. 8. c. 3.
1 Eliz. c. 4.

Ecclesiastical Benefices not exceeding 50 l. per Annum, discharged from Payment of First Fruits, &c. for ever. Enforced by 6 Annæ, c. 27. & 1 Geo. 1. stat. 2. c. 10.

I. WHEREAS pursuant to an Act of Parliament made in the second Year of her Majesty's Reign, intituled, *An Act for the making more effectual her Majesty's gracious Intentions for the Augmentation of the Maintenance of the poor Clergy, by enabling her Majesty to grant in Perpetuity the Revenues of the First Fruits and Tenths, and also for enabling any other Persons to make Grants for the same Purpose*; the Queen's most Excellent Majesty, by Letters Patent, bearing Date the third Day of *November* in the third Year of her Majesty's Reign, did make, appoint, nominate, constitute and establish certain Persons and Officers therein named, to be one Body Politick and Corporate, by the Name of *The Brunt of Queen ANNE, for the Augmentation of the Maintenance of the poor Clergy*; and did thereby give and grant to the said Governors all the Revenues of First Fruits and yearly perpetual Tenths of all Dignities, Offices, Benefices, and Promotions spiritual whatsoever, payable to her Majesty, her Heirs and Successors, by virtue of an Act of Parliament made in the twenty-sixth Year of the Reign of King *HENRY* the Eighth, or by virtue of an Act of Parliament made in the first Year of the Reign of the late Queen *ELIZABETH*, for Restitution of First Fruits and Tenths to the Crown, or by virtue of any other Act or Acts of Parliament whatsoever, and all Arrears of the said First Fruits and Tenths then due and undischarged (except as therein is excepted) to be applied and disposed of to and for the Augmentation of the Maintenance of such Parsons, Vicars, Curates, and Ministers, officiating in any Church or Chapel within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, where the Liturgy and Rites of the Church of *England*, as now by Law established, shall be used and observed, under such Rules, Restrictions and Directions, and in such Manner and Form, as should be established pursuant to those Letters Patents: And whereas it is thought that the Payment of First Fruits and Tenths for small Livings with Cure of Souls, is a very heavy Burden upon the poorer Clergy, for whom her Majesty's unparalleled Bounty was designed; and that the immediate discharging of the said First Fruits and Tenths, and the Arrears thereof, of the said small Livings, will be a present proper Augmentation of the same (several whereof by reason of the said Charges are now held in Sequestration by temporary Curates, without being regularly filled with Institution and Induction) Be it therefore enacted by the Queen'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 Ecclesiastical Benefices with Cure of Souls, not exceeding the clear yearly Value of fifty Pounds by the improved Valuations of the same (the Tenths whereof are by the said recited Charter vested in the said Corporation) and the Incumbents thereof for the time being, and every of them, their respective Heirs, Executors, Administrators, Successors, and Sureties, shall be free and clearly

clearly discharged and acquitted for ever of and from the said First Fruits and Tenths, and of and from all Arrears of the same.

II. And for the ascertaining of the clear improved yearly Valuations of the said Ecclesiastical Benefices with Cure of Souls, intended by this Act to be discharged from Payment of First Fruits and Tenths; Be it further enacted by the Authority aforesaid, That the respective Bishops of every Diocese, or the Guardians of the Spiritualities *sede Vacante*, and the Ordinaries of Peculiars, and Places of exempt Jurisdictions, shall and are hereby impowered and required, as well by Oaths of two or more credible Witnesses (which they or others duly commissioned by them, under their Hands and Seals, are hereby impowered to administer) as by all other lawful Ways and Means, to inform themselves of the clear improved yearly Value of every Benefice with Cure of Souls within their respective Dioceses and Jurisdictions, the clear improved yearly Value whereof doth not exceed fifty Pounds; and on or before the five and twentieth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and eight, under their respective Hands and Seals, or Seals of their respective Offices, to certify into her Majesty's Court of *Exchequer* at *Westminster*, the clear improved yearly Value of every such Benefice with Cure of Souls, the clear improved yearly Value whereof doth not exceed fifty Pounds, and such Certificate being made, and filed in the said Court of *Exchequer*, shall ascertain the clear yearly Value of the Benefice with Cure of Souls, intended by this Act to be discharged from First Fruits and Tenths.

Bishops, &c. before 25 March 1708, to certify into Exchequer the clear yearly Value of small Benefices with Cure of Souls within their Dioceses, &c.

III. Provided always, and it is hereby declared, That this Act, or any thing herein contained, shall not extend to discharge any Benefices with Cure of Souls, the Tenths whereof were granted away by any of her Majesty's Predecessors to any Person or Persons, Bodies Politick or Corporate, in Perpetuity, before the said third Day of *November* in the third Year of her Majesty's Reign.

Not to discharge Tenth of Benefices granted for ever.

IV. And whereas the said former Act was intended for the Augmentation of the Maintenance, not only of Parsons and Vicars, but also of Curates, and other Ministers officiating in Churches or Chapels, as is therein mentioned; now for the preventing all Doubts touching the Capacity of such Ministers to take any certain Estate to them and their Successors of or in any Part or Portion of the First Fruits and Tenths, as shall to them be allotted or applied; Be it enacted and declared by the Authority aforesaid, That when any Part or Portion of the First Fruits or Tenths remaining to be applied or disposed of by virtue of the said former Act, shall be annually, or otherwise applied or disposed of, for or towards the Maintenance of any Minister officiating in any Church or Chapel as aforesaid, such Part or Portion shall from thenceforth for ever be in like Manner continued to the Minister from time to time so officiating in the same Church or Chapel; and every such Minister, whether Parson, Vicar, Curate, or other Minister for the time being, so officiating in such Church or Chapel, shall and may from time to time take and receive, and by virtue hereof is and shall be intitled to have and enjoy the same for ever.

First Fruits once applied, &c. to continue so for ever.

Minister, &c. to receive the same.

V. And be it further enacted and declared by the Authority aforesaid, That this Act shall be taken and accepted in all Courts and Places whatsoever, as a publick Act.

Act to be a publick Act.

VI. Provided nevertheless, That this Act, or any thing herein contained, shall not extend or be construed to extend to avoid or diminish any annual Sum, Stipend, Pension, or Annuity now in Being, which hath heretofore been granted to any Person or Persons, Body Politick or Corporate, and charged upon the said Revenues of First Fruits and Tenths, or any Part thereof; but in case it shall so happen that by discharging such small Livings, or Benefices with Cure of Souls, as afore-mentioned, of the Payment of First Fruits and Tenths, and all Arrears thereof, the First Fruits and Tenths which hereafter shall be collected in any Diocese or Dioceses, shall not be sufficient to pay and satisfy such annual Sums as they now stand respectively charged with, then the whole Revenues arising from the First Fruits and Tenths, throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, shall be liable to make good all such Deficiencies, and the said Deficiencies shall, out of the said Revenues (during the Continuance of such Grants, from time to time as any such annual Payments shall become due) be paid and satisfied to all such Person and Persons as shall in any wise be intitled to receive the same, in such Proportions as are limited and appointed in such respective Grants.

Not to diminish Pensions, &c. heretofore granted out of First Fruits.

Whole Revenues, &c. liable to Payment of such, &c. See farther 3 Geo. 1. c. 10. which appoints a Collector of the perpetual yearly Tenths.

C A P. XXV.

An Act for making the Acts more effectual for appropriating the forfeited Improvements in *Ireland*, for the building of Churches, and augmenting poor Vicaridges there.

I. **W**HEREAS by an Act of Parliament made in the eleventh and twelfth Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for granting an Aid to his Majesty by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land Tax in England, for the several Purposes therein mentioned*, the said forfeited and other Estates and Interests were vested in the Trustees therein named for the Purposes in the said Act mentioned: And whereas by the said Act it was provided and enacted, That the said Trustees, or any seven or more of them, should and might, and they were thereby required, as soon as conveniently might be, after the twenty-fifth Day of *March* one thousand seven hundred and one, by Bargain and Sale, to be inrolled as therein mentioned, to convey all and every the Rectories impropriate, with the Tythes, Oblations, Obventions, Glebes, Advowsons of Vicaridges, and other things thereunto severally and respectively belonging or appertaining, forfeited by reason of the said Rebellion, and therein before vested in the said Trustees, to such Person or Persons, and their Heirs, as the Bishop of each respective Diocese, wherein such Rectories impropriate respectively were, should nominate, upon Trust nevertheless, and to the Intent and Purpose that the Profits thereof should be disposed and employed, from the second Day of *November* one thousand six hundred

11 & 12 W. 3. c. 2.

Recital of Act.

1 Annæ, stat. 1.
c. 31.

Irish Rectories
impropriate con-
veyed to William
Neave, &c.

11 & 12 W. 3.
c. 2.

31 & 12 W. 3.
c. 2.
1 Annæ, stat. 1.
c. 31.

All Rectories
impropriate with
the Tythes, &c.
vested in Trus-
tees by 11 & 12
W. 3. c. 2. and
since restored to
any Persons, &c.
contrary to In-
tent of Act of
Parliament, such
Persons to be di-
vested thereof,
&c. and the same
settled in Wil-
liam Neave, &c.

hundred and ninety-nine, for the Space of twenty Years thence next ensuing, in rebuilding or repairing such Parish Churches within the said Kingdom of Ireland, as the Lords Justices, Lieutenant General, or other chief Governor or Governors of the said Kingdom for the time being, by and with the Advice and Consent of the Bishop of each respective Diocese for the time being, should direct or appoint; and after the Expiration of the said Term of twenty Years, for the perpetual Augmentation of such small Rectories and Vicaridges within the said Kingdom of Ireland, as the said Lords Justices, or other chief Governors of the said Kingdom, by any Writing under his or their Hands and Seals, with Consent of the Bishop of each Diocese, wherein any such Augmentation should be made, should direct or appoint; which Appointments should before the twenty-fifth Day of March one thousand seven hundred and three, be made and inrolled in the Court of Chancery in Ireland, as a perpetual Memorial thereof: And for making the same more effectual and beneficial for the pious Ends and Purposes aforesaid, one other Act passed in the first Year of her Majesty's Reign, intituled, *An Act for making more effectual the Provision out of the forfeited Estates in Ireland, for the building of Churches, and augmenting small Vicaridges in Ireland*; whereby it is enacted, That where any such Rectories impropriate, Tythes, Advowsons, or other Things so vested in the said Trustees, and directed to be conveyed in Trust as aforesaid, were charged with, or liable to any Debts, Charges or Incumbrances, jointly with any other Lands, Tenements or Hereditaments, by the said Act vested in the said Trustees, such other Lands, Tenements or Hereditaments in the first Place should be liable to, and should answer and satisfy such Debts, Charges and Incumbrances; and the said Trustees, or any seven of them, were thereby authorized and required to make Sale of such other Lands, Tenements or Hereditaments, or of a competent Part thereof, for or towards the paying off, clearing and discharging such Debts, Charges and Incumbrances; and as soon as conveniently might be, from and after such Sale, and the clearing and discharging such Debts and Incumbrances, such Rectories impropriate, Tythes, Advowsons, and other Things so vested in the said Trustees, and directed to be conveyed in Trust as aforesaid, as were, together with such other Lands, Tenements or Hereditaments, jointly charged or incumbered, should be conveyed, and the said Trustees, or any seven of them, were thereby authorized and required to convey the same to such Person and Persons, and in such Manner, and to such Uses, Intents and Purposes, as in the said first recited Act is directed and appointed, freed and discharged of and from all such Debts, Charges and Incumbrances, be the same by Matter of Record, Mortgage, or otherwise: And whereas the said Trustees, according to the Powers given to them, did convey the said Rectories impropriate, with the Tythes, Oblations, Obventions, Glebes, Advowsons, Vicaridges, and other things thereunto severally and respectively belonging or appertaining as aforesaid, to *William Neave* Esquire, one of her Majesty's Serjeants at Law in Ireland, *Marmaduke Coghill* and *Morley Saunders*, Doctors of Law, *Samuel Dopping*, *John Usher* and *Stephen Ludlow* Esquires, their Heirs, Executors, Administrators and Assigns, for the Purposes in the said first Act mentioned: And whereas by several subsequent Acts of Parliament passed since the making the said first recited Act, divers Parts of the said forfeited and other Estates and Interests by the said first Act vested in the said Trustees, have been given, granted, or restored to several Persons, and for several Uses, Intents and Purposes in such subsequent Acts mentioned, in the passing of all which subsequent Acts it was intended that no Person or Persons was or were, by any such subsequent Act of Parliament, in which any Clause or Provision was made or inserted for or in favour of the said Church of Ireland, to be restored, or to have, by any such Act of Parliament, any Right, Title or Interest into or out of any of the said Rectories impropriate, Tythes, Oblations, Obventions, Glebes, Advowsons, Vicaridges, or other things thereunto respectively belonging or appertaining, as aforesaid, but that they should remain, continue, and be in the said Trustees in the said first recited Act named, to and for the Uses and Purposes therein mentioned: And whereas it was likewise intended that sufficient Provision should be made in every such subsequent Act of Parliament for that Purpose, and several Clauses and Provisoes were respectively inserted in every such subsequent Act and Acts; nevertheless several Doubts, Suits and Controversies relating thereunto have arisen, whereby the Church reaps little or no Benefit by the said first recited Acts; For Remedy whereof, and for making the said intended Gift of Parliament more effectual for the pious Ends and Purposes mentioned in the said first recited Act, be it declared and enacted by the Queen'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 and every the Rectories impropriate, with the Tythes, Oblations, Obventions, Glebes, and Advowsons of Vicaridges, and other things thereunto severally and respectively belonging or appertaining, which in and by the said first recited Act were vested in the said Trustees therein mentioned as aforesaid, and which in and by any of the said subsequent Act or Acts of Parliament passed in favour of any Person or Persons, in which any express Provision or Clause is contained in favour of the said Church of Ireland, were any ways given, granted or restored, contrary to the Uses, Intents and Purposes in the said first recited Acts mentioned, be, and is, and are hereby divested out of such Person and Persons, and of and from all the Uses, Intents and Purposes in such subsequent Acts mentioned, in which any such Provision is made in favour of the said Church of Ireland, and be and are hereby vested and settled in the said *William Neave*, *Marmaduke Coghill*, *Morley Saunders*, *Samuel Dopping*, *John Usher*, and *Stephen Ludlow*, their Heirs, Executors, Administrators and Assigns, according to the several Estates and Interests vested in the said Trustees by the said first recited Act appointed, to such Uses, Intents and Purposes, as therein mentioned, as fully and amply as if the same had been reserved out of, or not given, granted, or restored by the said subsequent Act or Acts of Parliament, or as if such subsequent Act or Acts of Parliament, in which any Clause or Provision in favour of the Church of Ireland is inserted, and not otherwise, had never been made and enacted.

II. And be it enacted by the Authority aforesaid, That all Bonds taken in the Names of the Trustees in the first recited Act mentioned, or in the Name or Names of any other Person or Persons, for any Sum or Sums of Money due since the passing the said first recited Act, for Tythes or other Profits issuing out of any the said Rectories impropriate, Advowsons, and other Things so intended for the building and repairing of the said Churches, and not already paid and discharged, shall be and are hereby made recoverable in the Name or Names of the respective Obligees, and shall be paid and payable by the respective Obligees, their Heirs, Executors, Administrators, or Assigns, to the said *William Neave, Marmaduke Coghill, Morley Saunders, Samuel Dopping, John Usher, and Stephen Ludlow*, their Executors, Administrators, and Assigns, for repairing and building decayed and ruined Churches in the said Kingdom of Ireland; any Judgment, Decree, or other Thing to the contrary notwithstanding.

Bonds taken in Trustees Names for Monies due for Tythes, &c. and not discharged, recoverable,

and payable to the said William Neave, &c.

III. And whereas several of the said forfeited Tythes in the said Kingdom have been set to several Persons with Lands at a Rent in gros, before they became forfeited, and the Leases thereof claimed and allowed by the said Trustees, pursuant to the said first recited Act, Be it enacted by the Authority aforesaid, That in all such Cases the said *William Neave, Marmaduke Coghill, Morley Saunders, Samuel Dopping, John Usher, and Stephen Ludlow*, their Heirs, Executors, Administrators, and Assigns, shall have, hold, and receive the tenth Part of the said Rent in Lieu and full Satisfaction of the said Tythes, during the Continuance of the said Lease or Leases thereof, and after Expiration of such Lease or Leases respectively, the full Tythes in Kind, or such *Modus* as have or hath been legally settled in Lieu thereof; in Trust nevertheless for and to the Uses, Intents, and Purposes in the said first recited Act mentioned.

Where Tythes have been leased with Lands at a Rent in Gros, &c. the said William Neave, &c. to receive a tenth Part of the Rent, &c.

IV. And be it hereby declared and enacted, That as well the said first recited Act, as all other Acts or Clauses in any Act made subsequent to the said first recited Act, relating to the said forfeited or other Estates and Interests in *Ireland*, vested in the said Trustees, be, and is, and are hereby declared and enacted to be in all Courts and Places publick Acts of Parliament.

Acts declared Publick Acts.

V. Provided always, That nothing herein contained shall be construed, or extend to alter or repeal the Act of Parliament made and passed in the second Year of the Reign of our late Sovereign Lord and Lady King WILLIAM and Queen MARY, intituled, *An Act to bar a Remainder limited to Dudley Bagenall, Esquire, in the Estate of Nicholas Bagenall, Esquire in Ireland*; or to alter or repeal an Act made and passed in the first Year of her Majesty's Reign, intituled, *An Act for the Relief of Nicholas Bagenall Esquire, with relation to the forfeited Estates in Ireland*; or to annul, alter, or repeal any Clauses or Provisions in either of the said Acts contained, or any Ways to affect the Estate and Interest of the said *Nicholas Bagenall*, in the said Acts mentioned; but that the Right, Title, Estate, and Interest of the said *Nicholas Bagenall*, of, in, and unto the several Tenements, Improvements, Right of Patronage, Advowsons, Tythes, and Hereditaments in the said Acts mentioned, shall be, remain, and continue in the same Sort, Manner, and Form, as they were before the passing of this Act, and as if this Act had never been made.

Not to alter Acts, &c. made in Favour of Dudley Bagenall or Nicholas Bagenall. 1 W. & M. f. 1. c. 17. a Private Act. 1 Annæ, stat. 1. c. 27. a Private Act. Or affect the Estate of Nicholas, &c.

C A P. XXVI.

An Act for repairing the Highways between *Sheppards Shord* and the *Devizes*, and between the Top of *PR. Ashlington Hill* and *Rowd Ford* in the County of *Wilts*. [Continued and enlarged by 11 Geo. 1. c. 27. & 18 Geo. 2. c. 14.]

C A P. XXVII.

An Act for continuing several Subsidies, Impositions, and Duties, and for making Provisions therein mentioned to raise Money by Way of Loan for the Service of the War, and other her Majesty's necessary and important Occasions, and for ascertaining the Wine Measure.

Most Gracious Sovereign,

I. WE your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, duly considering how necessary it is that a full and ample Provision be made for enabling your Majesty to carry on the present War with Success, and that your Majesty's Supply for that Purpose, and for other your Majesty's necessary and important Occasions, be sufficient and compleat, have cheerfully and unanimously given and granted, and do by this Act give and grant unto your Majesty the Subsidies, Impositions, and Duties herein after mentioned, for the Terms herein after expressed; and do most humbly beseech your Majesty to accept thereof, and that it may be enacted; and be it enacted by the Queen'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 Subsidies of Tunnage and Poundage, and other Duties and Sums of Money payable upon Wines, Goods and Merchandizes imported, which were given and granted unto his late Majesty King CHARLES the Second for his Life, by an Act of Parliament made in the twelfth Year of his Reign, (intituled, *A Subsidy granted to the King of Tunnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported*) and which by several subsequent Acts of Parliament were continued until the first Day of August one thousand seven hundred and six, and by an Act of the first Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and for preserving the publick Credit*, are granted to continue until the first Day of August one thousand seven hundred and ten, shall by Virtue of this Act, be further continued and be paid and payable to her Majesty, her Heirs and Successors, for and upon all Wines, Goods and Merchandizes whatsoever, which shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, at any Time or Times between the last Day of July one thousand

Tunnage and Poundage inwards continued, 12 Car. 2. c. 4.

1 Annæ, stat. 1. c. 13.

to 1 Aug. 1712. fand seven hundred and ten and the first Day of *August* one thousand seven hundred and twelve; and that
 1 Geo. 1. c. 12. the said Act made in the twelfth Year of the Reign of King CHARLES the Second, and every Article,
 12 Car. 2. c. 4. Rule, and Clause therein mentioned, or thereby referred to, shall be of full Force and Effect, for raising,
 Duties how le- levying, and recovering the said Subsidies and Duties hereby granted and continued, for and upon all
 vied. Wines, Goods, and Merchandizes imported, and all Arrears thereof, according to the true Meaning of
 6 Annæ, c. 11. this Act, as fully and in like Manner as if the same were particularly and at large recited and set down in
 the Body of this Act.

Acts continued. II. Provided always, and be it further enacted by the Authority aforesaid, That an Act of Parliament
 12 Car. 2. c. 19. made in the twelfth Year of the Reign of the said King CHARLES the Second, intituled, *An Act to prevent
 Frauds and Concealments of his Majesty's Customs and Subsidies*; as also an Act made in the fourteenth Year
 13 & 14 Car. 2. of the Reign of the said late King CHARLES the Second, intituled, *An Act for preventing Frauds and Abuses
 c. 11. in his Majesty's Customs*; and also an Act made in the two and twentieth Year of the Reign of the said late
 22 Car. 2. c. 13. King CHARLES the Second, intituled, *An Act for the Improvement of Tillage, and the Breed of Cattle*; and
 25 Car. 2. c. 6. also one other Act made in the five and twentieth Year of the Reign of the said late King CHARLES the
 Second, intituled, *An Act for taking off Aliens Duties upon Commodities of the Growth, Product and Manu-
 facture of the Nation*; and also one other Act made in the said five and twentieth Year of the Reign of the
 25 Car. 2. c. 7. said late King CHARLES the Second, intituled, *An Act for the Encouragement of the Greenland and Eastland
 Traders, and for the better securing the Plantation Trade*; and also one other Act made in the first Year of
 the Reign of King JAMES the Second, intituled, *An additional Act for the Improvement of Tillage*; and one
 1 Jac. 2. c. 19. Act made in the eighth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An
 8 & 9 W. 3. c. 34. Act for the lessening the Duty upon Tin and Pewter exported, and granting an Equivalent for the same by a Duty
 upon Drugs*; and another Act of the ninth Year of his Reign, *For encreasing his Majesty's Duties upon Lu-
 9 & 10 W. 3. c. 30. strings and Alamodes*; and one Act made in the eleventh Year of his Reign, intituled, *An Act for taking
 11 & 12 W. 3. c. 20. away the Duties upon the Woollen Manufactures, Corn, Grain, Bread, Biscuit, and Meal exported*; and all
 Clauses and Directions whatsoever contained therein, or in any other Act or Acts of Parliament now in
 12 Car. 2. c. 4. force concerning the said Subsidy of Tunnage and Poundage, and other Sums of Money upon Merchan-
 dize imported, which were granted in the twelfth Year of the Reign of King CHARLES the Second as
 aforesaid, shall be of full Force and Effect until the said first Day of *August*, which shall be in the Year of
 our Lord one thousand seven hundred and twelve.

Except Clauses intended to be perpetual. III. Provided nevertheless, and be it declared and enacted, That nothing herein contained shall be con-
 strued or taken to determine any Articles or Clauses in any of the last mentioned Acts, hereby enacted to
 be in force until the said first Day of *August* one thousand seven hundred and twelve, which were appoint-
 ed and intended to be perpetual, or which were continued by any Act of Parliament for any Time which
 will not expire by or before the said first Day of *August* one thousand seven hundred and twelve: But that
 the same, and every of them, shall continue and remain in Force as if this present Act had not been
 made: But such of the said Acts, and such Clauses in any of them, as would otherwise determine before
 the said first Day of *August* one thousand seven hundred and twelve, shall hereby be revived, and stand,
 continue, and be in Force until the said first Day of *August* one thousand seven hundred and twelve, and
 no longer.

Duties on Wines and Vinegar, to continue to 1 Aug. 1712. IV. And be it further enacted by the Authority aforesaid, That the several Impositions and Duties upon
 1 Jac. 2. c. 3. Wines and Vinegar, granted by an Act made in the first Year of the Reign of his said late Majesty King
 JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Wines and Vinegar
 imported between the four and twentieth Day of June one thousand six hundred eighty and five and the four and
 twentieth Day of June one thousand six hundred ninety and three*: Which said Act, by several subsequent Acts
 of Parliament, was continued until the first Day of *August* one thousand seven hundred and six; and by
 1 Annæ, stat. 1. c. 13. the said Act of the first Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and
 preserving the publick Credit*, are granted to continue until the first Day of *August* one thousand seven hun-
 dred and ten, shall by Virtue of this Act, be further continued to her Majesty, her Heirs and Successors,
 from the last Day of *July* one thousand seven hundred and ten, to the first Day of *August* one thousand
 seven hundred and twelve, and no longer; and that the said Act so made in the first Year of the Reign of
 1 Jac. 2. c. 3. the said late King JAMES the Second, and all Powers, Provisions, Penalties, Articles, and Clauses therein
 contained, for or concerning the said Impositions on Wines and Vinegar, shall continue and be in full
 Force and Effect until the said first Day of *August* one thousand seven hundred and twelve, and shall be
 applied, practised, and executed for raising, levying, collecting, answering, and paying the said Duties
 upon Wine and Vinegar, hereby continued, and all Arrears thereof, according to the Tenor and Intent
 of this present Act, as fully, to all Intents and Purposes, as if all and every the Clauses, Matters, and
 Things in the said Act of the first Year of the Reign of the said King JAMES the Second contained, had
 been again repeated in this Act, and particularly enacted.

Duties on Tobacco continued to 1 Aug. 1712. V. And be it further enacted by the Authority aforesaid, That the Rates, Duties, and Impositions
 1 Jac. 2. c. 4. upon all Sorts of Tobacco, granted by an Act made in the first Year of the Reign of the said late King
 JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Tobacco and Sugar
 imported between the four and twentieth Day of June one thousand six hundred eighty and five, and the twenty-
 fourth Day of June one thousand six hundred ninety and three*: Which said Act, as for and concerning the said
 Duties and Impositions upon Tobacco only, by several subsequent Acts of Parliament, was continued un-
 til the first Day of *August* one thousand seven hundred and six, and by the said Act of the first Year of her
 1 Annæ, stat. 1. c. 13. Majesty's Reign, intituled, *An Act for making good Deficiencies, and preserving the publick Credit*, are grant-
 ed to continue until the first Day of *August* one thousand seven hundred and ten, shall by Virtue of this

Farther continued by 3 Annæ c. 13. & made perpetual by 9 Annæ c. 21.

Act be further continued and paid to her Majesty, her Heirs and Successors, from the last Day of July one thousand seven hundred and ten, to the first Day of August one thousand seven hundred and twelve, and no longer.

VI. Provided always, and be it enacted and declared by the Authority aforesaid, That the said Duty upon Tobacco, which shall be imported during the Term hereby granted, and all Arrears thereof, shall be secured, collected, raised, levied, answered, and paid to her Majesty, in such Method, and with such Discount and Allowances, and according to such Rules and Directions as are mentioned, referred to, or prescribed as to the Duties or Impositions upon Tobacco, in and by the Act made in the Parliament holden in the seventh and eighth Years of the Reign of King WILLIAM the Third, intituled, *An Act for continuing several Duties granted by former Acts upon Wine, Vinegar, and upon Tobacco, and East India Goods, and other Merchandizes imported, for carrying on the War against France, and not otherwise.*

VII. And be it further enacted by the Authority aforesaid, That the several additional and other Rates Impositions, Duties, and Charges upon the several Sorts of Goods and Merchandizes, granted by an Act made in the second Year of the Reign of King WILLIAM the Third, and Queen MARY, intituled, *An Act for granting to their Majesties certain Impositions upon all East India Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandizes, to be imported after the five and twentieth Day of December one thousand six hundred and ninety, and which thereby, and by several subsequent Acts of Parliament, were continued until the first Day of August one thousand seven hundred and six, and by the said Act of the first Year of her Majesty's Reign, intituled, An Act for making good Deficiencies and preserving the publick Credit, are granted to continue until the first Day of August one thousand seven hundred and ten, shall be further continued to her Majesty, her Heirs and Successors, from the last Day of July one thousand seven hundred and ten, to the first Day of August one thousand seven hundred and twelve, and no longer; and that the said Act made in the second Year of their said late Majesties Reign, concerning East India Goods and other Things therein charged, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, shall continue, and be of full Force and Effect, until the said first Day of August one thousand seven hundred and twelve, and shall be applied, practised, and executed for the raising, levying, collecting, answering and paying the said respective Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully, to all Intents and Purposes, as if the said last mentioned Act, and all and every the Clauses, Matters, and Things therein contained, had been again repeated, and particularly enacted; except only as to such Part of the said Acts concerning the said Impositions on Wines, Vinegar, Tobacco, East India Goods, and other Merchandizes imported, touching which other Provisions or Alterations are made by any Act or Acts of Parliament now in being; which other Provisions or Alterations are to be observed, and to continue during the Continuance of this present Act, and the said Act, intituled, *An Act for continuing several Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco, and East India Goods and other Merchandizes imported, for carrying on the War against France; and every Article, Clause, Matter, and Thing therein contained, for the raising, levying, securing, answering, and paying the Impositions and Duties on the Merchandizes, and Commodities thereby charged, and which are by this Act continued, shall be of full Force and Effect until the said first Day of August one thousand seven hundred and twelve.**

VIII. And be it further enacted by the Authority aforesaid, That the additional and other Rates, Duties, Impositions, and Charges upon the several Sorts of Goods and Merchandizes granted by an Act of Parliament made in the fourth Year of their said late Majesties Reign, intituled, *An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandizes, for the prosecuting of the present War against France, which by several subsequent Acts of Parliament were continued until the first Day of August one thousand seven hundred and six, and by the said Act of the first Year of her Majesty's Reign, intituled, An Act for making good Deficiencies, and preserving the publick Credit, are granted to continue until the first Day of August one thousand seven hundred and ten, shall by Virtue of this Act be further continued, and be paid and payable to her Majesty, her Heirs and Successors, from the last Day of July one thousand seven hundred and ten to the first Day of August one thousand seven hundred and twelve, and no longer; and that the said Act last mentioned, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, (except as herein after is excepted and provided) as for and concerning the said Rates, Duties, and Impositions, shall continue and be of full Force and Effect until the said first Day of August one thousand seven hundred and twelve, and shall be applied, practised, and executed for the raising, levying, collecting, answering, and paying the said Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as if the said last mentioned Act, and all and every the Clauses, Matters and Things therein contained, had been again repeated, and particularly enacted in this present Act.*

IX. Provided also, That in all Cases where any other Provision or Alteration is made by any Act or Acts of Parliament now in being, in or about any other Matter or Thing contained in the said Act of Parliament for the Impositions last mentioned, such other Provisions or Alterations shall be observed, during the Continuance of the Term hereby granted; any Thing herein contained to the contrary notwithstanding.

X. And it is hereby further enacted, That the several Impositions and Duties for and upon all Whale-fins imported, which by an Act of Parliament in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for taking away half the Duties imposed on Glass Wares, and the whole Duties laid on Stone and Earthen Wares, and Tobacco Pipes, and for granting in Lieu thereof New Duties on Whale-fins and Scotch Linens, were granted to his said late Majesty King WILLIAM, and by an Act of the first Year of her Majesty's Reign were continued until the first Day of August one thousand*

To be levied as by 7 & 8 W. 3. c. 10.

Duties on East India Goods, &c. continued to 1 Aug. 1712. 2 W. & M. ff. 2. c. 4.

1 Annæ, stat. 1. c. 13.

Except where Alterations are made.

7 & 8 W. 3. c. 10. Farther continued by 8 Ann. c. 13. & made perpetual by 9 Ann. c. 21.

New Impositions continued to 1 Aug. 1712.

4 W. & M. c. 5. Which is made perpetual by 9 Ann. c. 21. but is repealed in Part as to rating Goods ad Valorem by 11 Geo. 1. c. 7.

1 Annæ, stat. 1. c. 13. Exception.

Alterations made by Acts to observed.

Duties on Whale-fins, &c. 9 & 10 W. 3. c. 45.

Continued to
1 Aug. 1712.
1 Annæ, stat. 1.
c. 13.

The Duty as to
Whale-fins only
farther continued,
by 8 Ann. c. 13.
and made perpetual
by 9 Ann.
c. 21.

12 Car. 2. c. 4.

1 Jac. 2. c. 3.

1 Jac. 2. c. 4.

2 W. & M. II. 2.

c. 4.

4 & 5 W. & M.

c. 5.

9 & 10 W. 3.

c. 45.

1 Annæ, stat. 1.

c. 13.

After Principal
and Interest Mo-
nies by 1 Annæ,
stat. 1. c. 13.
are paid off, Re-
mainder to be
paid into the Ex-
chequer for Uses
in this Act.

Clause of Loan
for eight hundred
twenty-two
thousand three
hundred eighty-
one Pounds fifty-
teen Shillings
and eight Pence
Farthing.

1 Annæ, stat. 1.
c. 13.

See 8 Ann. c. 13.
§. 12.

1 Annæ, stat. 1.
c. 13.

at 6 per Cent.
Tax-free.

Lenders to have
Tallies and Or-
ders, &c.

seven hundred and ten, shall be, and are hereby continued to her Majesty, her Heirs and Successors, from the last Day of July one thousand seven hundred and ten to the first Day of August one thousand seven hundred and twelve, and no longer; and shall be raised, levied, collected, and paid, in such Manner and Form, and by such Ways and Means, and under such Penalties as are mentioned in the said Act for granting the said Impositions on Whale-fins and Scotch Lincens; which Act, with all the Powers, Provisoos, Penalties, Articles, and Clauses therein contained, or thereby referred to, shall continue and be in full Force, until the said first Day of August one thousand seven hundred and twelve, and shall be applied, practised, and put in Execution for raising and levying the said Duties on Whale-fins, hereby continued, and all Arrears thereof as fully and effectually as if all the Clauses, Matters, and Things therein contained, concerning the said Duties on Whale-fins were repeated, and again enacted in the Body of this present Act.

XI. And whereas the said Subsidies of Tunnage and Poundage, and the said other Duties granted therewith, in the twelfth Year of King CHARLES the Second, as aforesaid; and the said Impositions on Wines, Vinegar, and Tobacco, which were first granted to King JAMES the Second, in the first Year of his Reign; and the said Impositions on East India Goods, and other Goods charged therewith, which were first granted to their late Majesties King WILLIAM and Queen MARY, in the second Year of their Reign; and the said additional Impositions which were first granted to them in the fourth Year of their Reign; and the said Duties on Whale-fins imported, which were granted to his said late Majesty King WILLIAM, in the ninth Year of his Reign, whereby the said Act of the first Year of her Majesty's Reign, intituled *An Act for making good Deficiencies, and preserving the publick Credit*, continued as aforesaid, until the said first Day of August one thousand seven hundred and ten, in the Manner therein mentioned; and the said Subsidies, Impositions, and Duties arising by the said Act of the first Year of her Majesty's Reign, are thereby made subject and liable to the Satisfaction of the Principal and Interest Monies therein mentioned, great Part of which Principal Monies do still remain unsatisfied, and are (together with all the Interest due, and to grow due thereupon) to be paid and discharged in the first Place out of the Subsidies, Impositions, and Duties granted or continued by the Act last-mentioned: Now it is hereby further declared and enacted by the Authority aforesaid, That from and immediately after the Time that all the Principal and Interest Monies, which by the said Act of the first Year of her Majesty's Reign, for making good Deficiencies, and preserving the publick Credit, are charged upon the several Subsidies Duties, and Impositions last-mentioned, shall be fully paid off and satisfied, or that sufficient Money shall be reserved in the Exchequer for that Purpose, then the aforesaid Subsidies, Duties, and Impositions last-mentioned, to arise by the said Act of the first Year of her Majesty's Reign, for the Remainder of the several Terms thereby granted, and therein then to come and unexpired (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall from time to time be paid into the Receipt of the Exchequer distinctly, for the Purposes in this present Act expressed, and for no other Use, Intent, or Purpose whatsoever.

XII. Provided also, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives, or Foreigners, Bodies Politick or Corporate, to advance and lend to her Majesty at the Receipt of her Majesty's Exchequer, as well upon Credit of the several Subsidies, Impositions, and Duties by this Act granted or continued, as also upon Credit of the Monies which by the said Act of the first Year of her Majesty's Reign, after Satisfaction of the Principal and Interest thereupon, as aforesaid, shall arise by the Subsidies, Impositions, and Duties thereby granted, any Sums which shall not exceed in the whole the Sum of eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing, for the Service of the War, and other her Majesty's Occasions; and moreover the Lord High Treasurer of England for the Time being, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and directed to cause the Officers of the said Receipt of the Exchequer to receive from time to time by way of Loan, from any Person or Persons, Bodies Politick or Corporate, willing to make the same at the said Receipt, any further Sum and Sums of Money, over and above the said Sum of eight hundred twenty-two thousand three hundred eighty-one Pounds, fifteen Shillings and six Pence Farthing, as shall be sufficient to make good the Payment of all the Interest Monies appointed or allowed by this Act, every three Months, until the said Subsidies, Impositions, and Duties arising by this or the said Act of the first Year of her Majesty's Reign, or either of them first happening, shall come into the Exchequer, and be sufficient for that Purpose, pursuant to the Intent and true Meaning of this Act; and that all the Lenders, as well of the said Sum not exceeding eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing, as of the said further Sums for making good the Payment of the intermediate Interest as aforesaid, shall have and receive Interest for the Forbearance thereof, after the Rate of six Pounds per Centum per Annum; and that no Money to be lent upon the Security of this Act, shall be taxed, rated or assessed by any Act of Parliament whatsoever.

XIII. And it is hereby further enacted, That all and every Person or Persons who shall lend any Money upon such Credits as aforesaid, and pay the same into the said Receipt of Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her, or their Tallies, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof at the Rate aforesaid, to be paid every three Months until the Re-payment of the Principal; and that all such Orders for Repayment of Money to be lent, shall be registred in course, according to the Dates respectively, without other Preference of one before another; and that all and every Person and Persons shall be paid in course, according as their Orders shall stand registred in the said Register Books, so as the said Person, Native or Foreigner, his or her Executors,

Executors, Administrators, or Assigns, who shall have his or her Order or Orders first entred in the said respective Books of Register, shall be taken and accounted the first Person to be paid out of the Monies to come in by this Act; and he, she, or they who shall have his or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively, and in course; and that the Monies to come in, of or for the several Subsidies, Impositions, and Duties by this Act granted or continued as aforesaid, and also the Monies which by the said Act of the first Year of her Majesty's Reign (after Satisfaction of the Principal and Interest thereupon as aforesaid) shall arise by the Subsidies, Impositions, and Duties thereby granted as aforesaid, shall be in the same Order liable to the Satisfaction of the Monies to be lent as aforesaid, to the respective Parties, their Executors, Administrators, Successors and Assigns respectively, without undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, to be demanded or taken of any her Majesty's Subjects, for providing or making of any such Books or Registers, of any Entries, Views, or Search in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of her Majesty's Officer or Officers, their Clerks or Deputies; on Pain of Payment of Treble Damages to the Party grieved by the Party offending, with Treble Costs of Suit, or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in Point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, with Damages and Costs to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privy of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever incapable of his Place or Office; and in Case the Auditor of the Receipt shall not direct, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Place and Order, as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages, and Costs to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Escoign, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint shall be in any wise granted or allowed.

Monies not divertible.
1 Annæ Stat. 1. c. 13.

No Fee to be taken on Penalty.

Or under Preference made, &c.

Penalties how recoverable.

XIV. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt, to be registred, then it shall be interpreted no undue Preference, which of those be entred first, so as he enters them all the same Day.

No undue Preference, &c.

XV. Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells Record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in their Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them, Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Subsequent Orders.

XVI. And be it further enacted, That all and every Person and Persons, to whom any Money shall be due for Loans to be registred by virtue of this Act, after Order entred in the Book of Register as aforesaid, his Executors, Administrators, or Assigns, by proper Words of Assignment, to be endorsed and written upon his Order, may assign or transfer his Right, Title, Interest, and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders, which the Officers shall upon Request without Fee or Charge accordingly make, shall entitle such Assignee, his Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may in like Manner assign again, and so *toties quoties*, and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release, and discharge the same, or any the Monies thereby due, or any Part thereof.

Orders assignable.

XVII. And to the End the Contents of the Wine Gallon, whereby the Duties hereby granted are to be levied, may be ascertained and known to all her Majesty's Subjects, and that all Disputes and Controversies touching the Wine Measures, according to which any Customs, Subsidies, or other Duties, are, from and after the first Day of *May* one thousand seven hundred and seven, to be paid or payable to her Majesty, her Heirs or Successors, may be settled, Be it further enacted and declared by the Authority aforesaid, That any round Vessel (commonly called a Cylinder) having an even Bottom, and being seven Inches Diameter throughout, and six Inches deep from the Top of the Inside to the Bottom, or any Vessel containing two hundred thirty-one cubical Inches, and no more, shall be deemed and taken to be a lawful Wine Gallon; and it is hereby declared, That two hundred fifty-two Gallons, consisting each of two hundred thirty-one cubical Inches, shall be deemed a Ton of Wine, and that one hundred twenty-six such Gallons shall be deemed a Butt or Pipe of Wine, and that sixty-three such Gallons shall be deemed a Hoghead of Wine.

Wine Gallon ascertained.

See further 6
Geo. 1. c. 12.
8 Geo. 1. c. 18.
12 Geo. 1. c. 28.
18 Geo. 2. c. 9.
26 Geo. 2. c. 12.
30 Geo. 2. c. 19.
32 Geo. 2. c. 19.
A Cylinder.

252 Gallons a
Ton of Wine. 126 a Butt or Pipe.
63 a Hoghead;

XVIII. And

Monies remain-
 ing after Loans
 satisfied how ap-
 propriated.
 5 Annæ, c. 1.

5 Annæ, c. 2.

5 Annæ, c. 13.

5 Annæ, c. 19.

Ordinary of the
 Navy and Ord-
 nance.

Warf at Portf-
 mouth, &c.

Guards and Gar-
 risons.

Armies in the
 Low Countries,
 &c.

Proportions of
 the Charge of
 8000 Men in
 Savoy.
 Forces in Spain
 and Portugal.
 Garrison of
 Gibraltar.

Recovery of
 Spain.

Treaties with
 Allies.

Unsatisfied De-
 bentures.

Exchequer Bills.
 Duke of Savoy.

Loan to the
 Emperor.

Expedition under
 Earl Rivers.

Troops of Por-
 tugal.

Palatine Troops.

XVIII. And be it further enacted by the Authority aforesaid, That all the Monies lent and to be lent unto her Majesty on one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty by a Land Tax, to be raised in the Year one thousand seven hundred and seven*, and so much Money (if any such be) of the Tax thereby granted, as shall arise and remain (after all the Loans made, or to be made upon that Act, and the Interest thereof, and the Charges thereby allowable for raising the said Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same) and all the Monies lent and to be lent unto her Majesty upon one other Act of this Session of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and seven*, and so much Money of the said Duties on Malt, Mum, Cyder, and Perry, thereby granted, as shall arise and remain (after all the Loans made or to be made upon that Act, or thereby transferred or directed to be transferred thereunto, and the Interest thereof, and the Charges thereby allowable for raising the said Duties thereby granted, shall be satisfied, or Monies sufficient shall be reserved to discharge the same) and the Sum not exceeding fifteen hundred thousand Pounds to be issued in Exchequer Bills, pursuant to another Act of this Session of Parliament, intituled, *An Act for continuing the Duties on Houses, to secure a yearly Fund for circulating Exchequer Bills*, whereby a Sum not exceeding fifteen hundred thousand Pounds is intended to be raised for carrying on the War, and other her Majesty's Occasions; and the Sum not exceeding eleven hundred and twenty thousand Pounds, mentioned and intended to be raised by another Act of this Session of Parliament, intituled, *An Act for continuing the Duties on Low Wines, and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars, and Petty Chapmen, and Part of the Duties on stamp'd Vellum, Parchment, and Paper, and the late Duties on Sweets, and the one third Subsidy of Tunnage and Poundage, and for settling and establishing a Fund thereby, and by the Application of certain overplus Monies, and otherwise, for Payment of Annuities to be sold for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and seven*; and the Sum not exceeding eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing, intended to be raised upon this present Act, shall be appropriated, issued, and applied, and the same are hereby appropriated for or towards the several Uses and Purposes herein after expressed (that is to say) for or towards the defraying the Charges of the Ordinary of her Majesty's Navy, and for Victuals, Wages, Wear, Tear, and other Services of the Navy, and the Victualling thereof performed, and to be performed; and for or towards the making of a Wharf and Storehouse at *Portsmouth*; and for or towards the Land Services performed, and to be performed, by the Office of Ordnance; and to and for Subsistence, Off-reckonings, and Clearings for one Year, from the three and twentieth Day of *December* one thousand seven hundred and six, to her Majesty's Guards and Garrisons in *England*, and the Dominions thereunto belonging (*Ireland* excepted) and the Contingent Charges of the same, and for Payment of Invalids for the said Year, beginning from the said three and twentieth Day of *December* one thousand seven hundred and six; and for or towards the defraying the Charges of her Majesty's Army, and such Forces as are or shall be added thereunto, in the *Low Countries* or *Germany*, within or for one Year, to be reckoned from the said three and twentieth Day of *December* one thousand seven hundred and six, and the contingent Charges therunto belonging; and for or towards her Majesty's Proportion of the Charge of eight thousand Men sent to the Assistance of the Duke of *Savoy*, for the Service of the Year one thousand seven hundred and seven; and for or towards the defraying the Charge of her Majesty's Forces, and additional Forces to be employed in *Spain* or *Portugal*, and for the General Officers, Contingencies, Hospitals, Forrage, and Waggon Money there, and for the Garrison at *Gibraltar*, and for General Officers serving the King of *Portugal*, for the said Year one thousand seven hundred and seven; and for or towards her Majesty's Proportion of the further Charges necessary to prosecute the Successes already gained by King CHARLES the Third, for the Recovery of the Monarchy of *Spain* to the House of *Austria*; and for or towards the Payment of her Majesty's Proportion of the Subsidies due upon Treaties made or to be made with her Majesty's Allies, and other Charges for the Service of the War, for any Time before or until the said five and twentieth Day of *December* one thousand seven hundred and seven; and for the Payment of another Year's Interest on the unsatisfied Debentures charged upon the *Irish* Forfeitures; and for or towards the Transportation of Land Forces performed, and to be performed; and for or towards discharging the *Premiums* and other Charges for circulating for another Year the Bills commonly called the Exchequer Bills, which were issued before this Session of Parliament; and for or towards the making good the Sum of fifty thousand Pounds which was advanced by her Majesty to the Duke of *Savoy*, for the better Defence of *Turin*, and for the Service of the War in *Italy*, in the Year one thousand seven hundred and six; and for or towards the making good the Sum of forty-seven thousand five hundred Pounds, being her Majesty's Share of a Loan to the Emperor of *Germany*, for the Service of the War in *Italy*, in the said Year one thousand seven hundred and six; and for or towards the making good the Sum of sixty-three thousand six hundred sixty-one Pounds thirteen Shillings and six Pence, computed for Levy-money, Pay, and Contingencies of the Forces sent on the Expedition under the command of Earl *Rivers*; and for and towards making good a Sum not exceeding three thousand and fourteen Pounds, for defraying her Majesty's Expence for the Pay of the General Officers of a Body of thirteen thousand Men of the Troops of the King of *Portugal*, pursuant to the Treaty in that Behalf, until the three and twentieth Day of *December* one thousand seven hundred and six; and for or towards making good a Sum not exceeding twenty-six thousand six hundred ninety-two Pounds thirteen Shillings and ten Pence three Farthings; for defraying her Majesty's Share of the Pay of three thousand *Palatine* Troops, pursuant to the Treaty with the Elector *Palatine*, from the seventeenth Day of *March* one thousand seven hundred and five to the three and twentieth Day of *December* following; and for or towards a Sum not exceeding thirty-seven thousand

thousand and twelve Pounds seven Shillings and six Pence, for defraying her Majesty's Share of the Agio Bread and Forrage, for twelve thousand *Prussians* employed in her Majesty's Service in the *Netherlands*; Prussian Troops. and for or towards a Sum not exceeding twenty thousand Pounds, for an additional Subsidy to the Landgrave of *Hesse Cassel* for augmenting his Troops, and marching them into *Italy*, and for defraying their Landgrave of Hesse Cassel. Expence of Bread, Waggon, and Carriages, and of Hospitals for their Sick and Wounded, for the Service of the Year one thousand seven hundred and seven; and for or towards the making good a Sum not exceeding nineteen thousand seven hundred fifty-five Pounds nine Shillings and six Pence, for defraying her Majesty's Proportion of the Agio Bread and Forrage for the said twelve thousand *Prussians*, from their Prussians. coming into her Majesty's Service, until the said three and twentieth Day of *December* one thousand seven hundred and six, and for or towards the making good a Sum not exceeding eleven thousand seven hundred and eighty Pounds and eighteen Shillings, for defraying her Majesty's Proportion of the extraordinary Charge for the Augmentation Troops of the Landgrave of *Hesse Cassel* employed in *Italy*, from the Augmentation Troops of Hesse. twentieth Day of *May* one thousand seven hundred and six; and for or towards the making good a Sum not exceeding thirty-four thousand six hundred and seven Pounds thirteen Shillings and five Pence Half Penny, for Levy-money to recruit several Horfes of the Foreign Troops in her Majesty's Pay, that were killed or died of the common Distemper in *Flanders*, in the Year one thousand seven hundred and five; and for or towards the making good a Sum not exceeding eleven hundred forty-six Pounds, for a further Allowance of Levy-money for recruiting the Horfes of the *English* Horfe and Dragoons lost in the same Campaign in *Flanders*; and for or towards the making good a Sum not exceeding seven thousand five hundred seventy-three Pounds, for Levy-money to recruit other Horfes of the *English* Horfe and Dragoons, and for Officers Horfes which died of the common Distemper after the said Campaign there, between the one and thirtieth Day of *October* one thousand seven hundred and five and the latter End of *February* following; and for or towards the making good a Sum not exceeding eleven thousand two hundred ninety-eight Pounds, for Levy-money for recruiting the Horfes of the *English* Horfe and Dragoons, which were killed and died of the common Distemper in the *Low Countries*, between the first Day of *May* one thousand seven hundred and six and the one and thirtieth Day of *December* following; and for or towards the making good a Sum not exceeding sixteen thousand fifty-five Pounds twelve Shillings and six Pence, for defraying her Majesty's Share of the Levy-money for recruiting the Horfes of the *Danish* Troops in the Pay of *England* and *Holland*, that were lost in the same Manner between the first Day of *January* one thousand seven hundred and five and the last Day of *October* one thousand seven hundred and six; and for or towards the making good a Sum not exceeding one thousand seven hundred seventy-five Pounds, for the like Loss sustained by the Troops of *Hanover* in her Majesty's Pay during the last Campaign in *Flanders*; and for satisfying and discharging the Sum of three hundred ninety-eight thousand eighty five Pounds ten Shillings, mentioned in the fifteenth Article of the Treaty of Union between *England* and *Scotland* confirmed by Acts of Parliament in both Kingdoms, being the Equivalent to be answered by the said Article to *Scotland*, for such Customs and Excise which *Scotland* is to be charged with, and will be applicable to the Debts of *England*, and for enabling her Majesty to make a Recompence not exceeding two thousand six hundred forty-one Pounds, to the Mayor, Aldermen, and Citizens of the City of *Carlisle*, for such Tolls as they are to be deprived of by the sixth Article of the said Treaty of Union: Which Recompence is to go to and for the same Uses and Purposes to which the said Tolls ought to have been applied; and for enabling her Majesty to make a Recompence, not exceeding five thousand Pounds to *Joseph Musgrave*, *Thomas Musgrave*, and *George Musgrave*, Sons of Sir *Christopher Musgrave* Baronet, deceased, in full discharge of all Tolls in *Westmoreland* and *Cumberland*, that were granted to Sir *Philip Musgrave* Baronet, by King *CHARLES* the Second, and which are specified in the Grants of King *JAMES* the Second, and King *WILLIAM* the Third, to the late Sir *Christopher Musgrave*; and for enabling her Majesty to apply what may be convenient for the better securing the Islands of *Nevis* and *St. Christophers*, and supplying them with Necessaries in order to a Re-settlement; and to no other Uses, Intents or Purposes whatsoever.

XIX. Provided always, That out of the Monies to be issued to the Guards and Garrisons, as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, towards the Charge of maintaining the Soldiers raised, and to be raised, for Sea-Service, with their Officers, and the contingent Charges thereunto belonging; and out of the Monies to be issued for the Service of the Navy and Sea Services, as aforesaid, there shall be taken and applied such Sums as, together with the said Sum, not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding. For Maintenance of Marines.

C A P. XXVIII.

An Act for raising the Militia for the Year one thousand seven hundred and seven, notwithstanding the Month's Pay formerly advanced be not repaid; and for an Account to be made of Trophy EXP. Money.

C A P. XXIX.

An Act for Ease of her Majesty's Subjects in relation to the Duties upon Salt, and for making the like Allowances upon the Exportation of white Herrings, Flesh, Oatmeal, and Grain called Beer *alias* Bigg, as are to be made upon Exportation of the like from *Scotland*.

5 Annæ, c. 8.

Article 3.

For preserving an Equality of Trade.

5 IV & M. c. 7.

2 & 3 Ann. c. 14.

4 Ann. c. 12.

Foreign Salt imported after 1

May 1707, to be

weighed, cellar-

ed, and locked

up.

Merchant to

have any Quan-

tity, &c. not

under forty

Bushels, paying

Duty in six

Months.

Penalty on land-

ing foreign Salt

not so secured,

or removing

it without

Permit.

Proviso if Quan-

tity amount not

to forty Bushels.

Allowances for

Salt carried

Coastwise.

This Clause ex-

plained by 6

Annæ, c. 12.

sect. 1.

12 Months al-

lowed for Pay-

ment of Duties

on Rock Salt.

9 Months on o-

ther English Salt.

WHEREAS by the Articles of Union between the Kingdoms of *England* and *Scotland*, which are agreed upon and confirmed by an Act of this present Parliament, there are certain Concessions made for the Advantage of her Majesty's Subjects of that Part of *Great Britain* called *Scotland*, in Matters relating to the Duties upon Salt, and other Goods and Merchandizes, as are herein after-mentioned, whereby her Majesty's Subjects in *England*, trading in Salt and other the Commodities herein after particularly expressed, will be liable to great Disadvantages, unless Provision be likewise made for their Ease in the said Trade: We your Majesties most dutiful and loyal Subjects the Commons, in Parliament assembled, being desirous that there may be as great an Equality of Trade as is possible among all your Majesty's Subjects, do beseech your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That all foreign Salt that shall be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, from and after the first Day of *May* one thousand seven hundred and seven, shall, upon the landing thereof, be weighed, cellared, and locked up in the Presence of an Officer for the Duties on Salt, under the Custody of the Merchant or Importer (who is to be at the Charge of the Cellarage or Store-house) and such Officer as the Commissioners for the Duties on Salt for the time being, shall appoint, in the Port or Place where the same shall be so imported and landed; and that it shall and may be lawful to and for the Merchant or Importer of the said Salt, from time to time, in the Presence of an Officer for the Duties on Salt, and by Warrant or Permit, under such Officer's Hand and Seal, to have what Quantity thereof his Occasions may require, not under a Weigh or forty Bushels at a time, giving Security for the Duty of what Quantity he receives, payable in six Months time after the Delivery of any such Salt; and in case such Merchant or Importer shall pay ready Money upon the Delivery of the Salt, he shall have after the Rate of ten Pounds *per Centum per Annum* out of the said Duties abated him.

II. And be it further enacted by the Authority aforesaid, That if such foreign Salt imported, shall not, upon the landing thereof, be secured, as aforesaid, the same shall be liable to Payment of Duties, and to such Penalties and Forfeitures, for not paying or securing such Duties, as if this Act had not been made; and that no Salt so cellared and locked upon, as aforesaid, shall be removed from any such Cellar or Place, without Notice first given to the Officer appointed for that Purpose, and without a Warrant or Permit for conveying the same, as aforesaid; upon Pain of forfeiting such Salt, and also upon Pain of forfeiting ten Shillings *per Bushel*, and also the Sum of twenty Pounds for every such Offence, to be recovered from the Person or Persons who imported the same; and that every Carrier, or Person who shall carry, convey, or remove any such Salt without Notice first given to the Officer, and without a Warrant or Permit for conveying the same, shall be liable to the like Forfeitures of ten Shillings *per Bushel*, and also twenty Pounds for every such Offence.

III. Provided nevertheless, That where the whole Quantity of foreign Salt, liable to Duty, imported in any Ship or Vessel, does not amount to forty Bushels, the Duties shall be paid and secured, according to the Provisions made by former Laws; any thing herein to the contrary notwithstanding.

IV. And whereas Salt carried Coastwise is or may be liable to Waste, Be it enacted by the Authority aforesaid, That any Merchant or Person who, from and after the said first Day of *May* one thousand seven hundred and seven, shall ship any *English* Salt, or Rock Salt, to be carried Coastwise (*viz.*) from one Port of *England* or *Wales*, or the Port of *Berwick* upon *Tweed*, to any Port of *England* or *Wales*, or *Berwick* upon *Tweed*, the Duties having been paid, or secured to be paid, according to former Laws, shall have an Allowance made to him, after the Rate of three Bushels for every forty Bushels of *English* white Salt, and after the Rate of one Bushel and an Half for every forty Bushels of *English* Rock Salt so shipped to be carried Coastwise, and proportionably for a greater or less Quantity, in Consideration of the ordinary Waste in the Carriage thereof, which Allowance shall be made but once for the same Salt, although such Salt be carried from several Ports Coastwise as aforesaid, and the proper Officer of the Port, where such Salt or Rock Salt shall be first shipped to be carried Coastwise, shall not only express the said Allowance on the Coast Coquet or Tranfire for the same, but also give *gratis* to the said Merchant, or other Person there shipping the same, a Certificate under Hand and Seal, of the Number of Bushels of Salt so shipped, and how much the Allowance hereby directed to be made at the Rates aforesaid doth amount to, which Certificate being produced to the Officer who first received the Duties of the said Salt, or took Security for the same, the Officer last mentioned shall repay so much Money as he received for Duties of the said Salt, or Rock Salt, as is to be allowed for Waste as aforesaid; and if the Duties thereof shall not then have been paid in Money, then the said Officer shall discount the said Allowance for Waste on the said Security.

V. And it is hereby enacted, That in all Cases where, by the former Laws relating to the Duties on Salt, the Time for Payment of the Duties on Rock Salt is appointed to be nine Months, there shall be twelve Months Time allowed, instead of the said nine Months; and where the Time for Payment of the Duties on other *English* Salt is by the said former Laws appointed to six Months, there shall be nine Months

Months Time allowed instead of the said six Months; and the Securities and Discounts for prompt Payment, after the said first Day of *May* next, shall be regulated accordingly.

VI. And be it further enacted by the Authority aforesaid, That for all white Herrings, which shall, from and after the said first Day of *May* one thousand seven hundred and seven, be exported from any Port or Place in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, to Parts beyond the Seas, by any Person or Persons whatsoever, there shall be the like Allowances as are to be made upon the Exportation of white Herrings from *Scotland*, to be paid by the Officer appointed to collect the Duties upon Salt in the same Port from whence any such Herrings shall be exported, within thirty Days after a Demand thereof, on a Debenture to be prepared by the Collector of the Customs where such Herrings shall be entred out for Exportation, and verified by the Person executing the Office of Searcher in such Port, as to the Quantity of Herrings actually shipped, and that the same were well cured, and merchantable, and full packed, and that the Oath of the Exporter or Agent be first taken before the principal Officers of the said Port, before the Debenture be allowed, who are hereby required and empowered to give the said Oath, that the Herrings in such Debenture mentioned were cured with Salt, for which the Duties had been paid, and not drawn back, and that the same is really exported to Parts beyond the Seas, and not relanded or intended to be relanded in *England*, *Wales*, or *Berwick* upon *Tweed*; for which Debenture no Fee or Reward shall be taken; and in case the Officer hereby directed to pay such Debenture, shall not have sufficient Money in his Hands to pay the same, then upon Certificate thereof by him made (which Certificate he is hereby required to give the Party *gratis*) the principal Commissioners for managing her Majesty's Revenue of Excise upon Salt for the time being, shall be chargeable with the said Payment, to be made in Course out of the first Money in their Hands arising out of the Duties upon Salt; and that it shall and may be lawful for the Officers of the said Duties on Salt, in the several and respective Ports of the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, upon the Exportation of any Herrings as aforesaid, and before the same shall be laid on Board for Exportation, to mark any Cask, Barrel, or other Vessel, wherein any such Herrings shall be exported, to the Intent it may be known that such Herrings have been exported, and Allowances obtained on Exportation thereof, in case the same, or any Part thereof, shall be relanded and reimported.

Allowances for white Herrings exported.

Farther Provision relating hereto, 6 Annæ, c. 12. sect. 3.

Exported and relanded, forfeited, and 20s. per Barrel.

Allowances for salted Beef or Pork exported, &c.

VII. And be it further enacted by the Authority aforesaid, That in case any such Herrings shall, after the same shall be exported, be relanded or reimported, all the said Herrings so relanded or reimported shall be forfeited and lost, and twenty Shillings *per* Barrel for every Barrel thereof, and so in Proportion for a greater or lesser Quantity, to be recovered of the Importer or Proprietor thereof.

VIII. And be it enacted by the Authority aforesaid, That for every Barrel of salted Beef or Pork, which shall be exported for Sale from any Port of this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, to Parts beyond the Seas, after the said first Day of *May* one thousand seven hundred and seven, by any Person or Persons whatsoever, there shall be for each Barrel the like Allowances as are to be allowed upon Exportion of such Beef and Pork exported from *Scotland*, which Allowance shall be paid by the Officer appointed to collect the Duties upon Salt, in the same Port from whence any such Beef or Pork shall be exported, within thirty Days after Demand thereof, on a Debenture to be prepared by the Collector of the Customs where such Beef or Pork shall be entred out for Exportation, and verified by the Person executing the Office of Searcher in such Port, as to the Quantity of Beef and Pork actually shipped for Sale, and that the same is good and merchantable, and that the Oath of the Exporter or Agent be first taken before the principal Officers of the said Port, before the Debenture be allowed, who are hereby required and empowered to give the said Oath, that the Beef or Pork in such Debenture mentioned, was salted with Salt for which the Duties had been paid, and not drawn back, and that the same is really exported to Parts beyond the Seas for Sale, and that any Part thereof was not spent, or intended to be spent for the Ship's Use, and was not relanded, or intended to be relanded; for which Debenture no Fee or Reward shall be taken: And in case the Officer hereby directed to pay such Debenture, shall not have sufficient Money in his Hands to pay the same, then upon Certificate thereof by him made, (which Certificate he is hereby required to give the Party *gratis*) the principal Commissioners for managing her Majesty's Revenues of Excise upon Salt for the time being, shall be chargeable with the said Payment, to be made in Course out of the first Money in their Hands arising out of the Duties upon Salt: And that it shall and may be lawful for the Officers for the said Duties on Salt, in the several and respective Ports of the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, upon the Exportation of any Beef or Pork, and before the same shall be laid on board for Exportation, to mark any Cask, Barrel, or other Vessel wherein any such Beef or Pork shall be exported, to the Intent it may be known that such Beef or Pork has been exported, and Allowances obtained on Exportation thereof, in case the same, or any Part thereof, shall be relanded or reimported.

1s. 6d. to be paid per Barrel.
3 Geo. 2. c. 20. sect. 16.
Revised by 5 Geo. 2. c. 6.
Which is revised and made perpetual by 26 Geo. 2. c. 3.

IX. And be it further enacted by the Authority aforesaid, That in case any Beef or Pork shall, after the same shall be exported, be relanded or reimported, all the said Beef or Pork so relanded or reimported shall be forfeited and lost, and forty Shillings *per* Barrel for every Barrel thereof, and so in Proportion for a greater or lesser Quantity, to be recovered of the Importer or Proprietor thereof.

Exported and relanded, forfeited, and forty Shillings per Barrel.

X. And whereas by the aforesaid Articles of Union, it is provided, That from and after the Union there shall be certain Allowances for all Oatmeal, and Grain called Beer, exported from *Scotland*, Be it enacted by the Authority aforesaid, That for all Oatmeal, and Grain called Beer *alias* Bigg, which from and after the said first Day of *May* one thousand seven hundred and seven, shall be exported from any Port of this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, to Parts beyond the Seas, by any Merchant, or other Person or Persons whatsoever, there shall be the like Premium

Allowances for Oatmeal and Beer *alias* Bigg, exported, &c.

given upon the Exportation thereof, as is to be given upon Exportation of Oatmeal and Beer from *Scotland*; such Merchant or other Person first bringing a Certificate in Writing under his or their Hands, containing the Quantity of such Oatmeal, or Beer *alias* Bigg, so shipped, to the Collector or other Person appointed, or to be appointed for the time being, to collect the Duties or Rates arising by Customs within any such Port, and making Proof of such Certificate by one or more credible Person or Persons upon their Oaths, (which Oaths the said Collector, or other Person, is hereby authorized and required to administer) and giving Bond in the Sum or ten Pounds at least for every Ton of Oatmeal so shipped, consisting of twenty hundred Weight, and for every forty Bushels of Beer *alias* Bigg, so shipped, and so proportionably for a greater or lesser Quantity, that the same shall be so exported to Parts beyond the Seas, and not be re-landed; which *Premium* every Merchant, or other Person so shipping off any such Oatmeal, or Beer *alias* Bigg, and giving Certificate and Bond as aforesaid, shall have and receive from such Collector, or other Person, as aforesaid, in any Port respectively where the same shall be so shipped, out of her Majesty's Revenue of the Customs, and upon Certificate returned under the Common Seal of the chief Magistrate in any Place or Places beyond the Seas, or under the Hands and Seals of two known *English* Merchants upon the Place, that such Oatmeal, or Beer *alias* Bigg, was there landed, or upon Proof by credible Persons that such Oatmeal, or Beer *alias* Bigg, was taken by Enemies, or perished in the Seas; which Proof being made, or Certificate delivered to the Collector, or other Person, who took Bond as aforesaid, the said Bond shall be delivered up to such Merchant, or other Person, or his Order, to be cancelled without any Fee for the same.

Penalties, &c.
how distributed.

XI. And be it enacted by the Authority aforesaid, That all Penalties and Forfeitures given by this or any former Law relating to the Duties of Excise upon Salt, shall be distributed in Manner following; (that is to say) one Moiety thereof to the Queen, her Heirs and Successors, and the other Moiety thereof to the Officer or Officers who shall seize, sue, or inform for the same, to be recovered by Action of Debt, Bill, Plaint or Information in any of her Majesty's Courts of Record at *Westminster*.

Persons having
exported Salt to
Ireland, intitled
to a Drawback.

XII. And be it enacted by the Authority aforesaid, and it is hereby declared, That all and every Person and Persons, who have exported any Salt, or Rock Salt, out of the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and landed the same in the Kingdom of *Ireland*, although the same was entred in *England*, on the Exportation thereof, for other foreign Parts, and afterwards landed in *Ireland*, such Person or Persons having so landed the same in *Ireland*, shall be entitled to a Debenture or Drawback of the said Duty of such Salt, notwithstanding the same was entred for other foreign Parts: And all Suits or Prosecutions commenced, or to be commenced against any Person or Persons having exported such Salt or Rock Salt for foreign Parts, and landed the same as aforesaid, shall cease and determine.

But not hence-
forth, unless En-
try at Exporta-
tion be made for
some Port in
Ireland.

XIII. Provided always, and be it further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and seven, there shall be no Debenture made out or Drawback allowed for any Salt or Rock Salt landed in *Ireland* after the said first Day of *May* one thousand seven hundred and seven, unless the Entry of the same Salt at Exportation, be made for some Port in the Kingdom of *Ireland*.

Allowances
for Waste.

XIV. And whereas White Salt and Rock Salt in the Exportation from *England* to *Ireland*, are liable 'to Waste,' Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *May*, upon producing such a Certificate as is by Law required, from the Collector and proper Officers of the Port or Place in *Ireland*, of the Quantity of what white Salt and Rock Salt was there landed, the Exporter or Proprietor of such white Salt and Rock Salt shall have an Allowance of four Bushels for every forty Bushels of white Salt, and of two for every forty Bushels of Rock Salt put on Board in *England*, in order to be exported to *Ireland*, in Consideration of the ordinary Waste in the Carriage thereof; and a Debenture or Debentures shall be issued out *gratis* accordingly, by the Collector or proper Officer of the Port or Place in *England*, from whence such white Salt or Rock Salt was exported, and the same shall be allowed or paid to the Exporter or Proprietor, in like Manner as Debentures are or shall be payable for Salt exported.

W. & M.
Sess. 1. c. 12.

XV. And whereas by an Act of Parliament made in the first Year of the Reign of the late King WILLIAM and Queen MARY of blessed Memory, intituled, *An Act for the encouraging the Exportation of Corn*, it was amongst other things thereby enacted, That every such Merchant by the said Act described, shipping any Malt or Barley, Rye, or Wheat, and giving Certificate and Bond as the said Act directs, shall have and receive from the Farmers, Commissioners, Collectors, or other Persons appointed or to be appointed for the time being, to collect the Duties and Rates arising by Customs, within any such Port where the said Corn shall be shipped off, for every Quarter of Barley or Malt, ground or unground, two Shillings and six Pence; for every Quarter of Rye, ground or unground, three Shillings and six Pence; for every Quarter of Wheat, ground or unground, five Shillings: And whereas since the making of the said Act there have been divers Quantities of Malt made of Wheat, some Part whereof have been exported, and some Doubts have arisen touching the Bounty-money to be paid upon the Exportation thereof, to the Discouragement of the Exportation of Corn: And for clearing thereof, and for preventing future Disputes touching the same; Be it enacted by the Authority aforesaid, That every Merchant or other Person exporting Malt made of Wheat, from and after the said first Day of *May* one thousand seven hundred and seven, shall have and receive of the said Farmers, Commissioners or Persons aforesaid, five Shillings for every Quarter of Malt made of Wheat, or Wheat Malt, ground or unground, to be paid by the respective Persons in the said recited Act mentioned.

Exporters of
Malt to have
5 s. per Quarter
Bounty-money.

XVI. And

‘ XVI. And whereas by the several Acts of Parliament for laying Duties on Rock Salt, and Salt refined from Rock Salt, the Exporters of the same draw back more Money from the Salt Revenue than they pay to her Majesty;’ For Prevention thereof, be it enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and seven, no Person or Persons who shall export Rock Salt, or Salt refined from Rock Salt, shall have any other or greater Allowance on prompt Payment and Exportation of the same, by Way of Debenture, than what really and *bona fide* was before paid for the Duty of the said Salt; and that no Person giving Bond and Security for the said Duty, payable within the Time limited by Law, and paying the same in twenty-eight Days after giving the said Security, shall be intitled, on Exportation from *England, Wales, or Berwick*, to any other Advantage than to such a Debenture as shall discharge the Bond and Security only given for the Payment of the said Duty.

‘ XVII. And whereas foreign Salt imported is allowed to be cellared, or put into Warehouses, and the Duties thereof are to be paid or secured upon Delivery, as in this Act is mentioned;’ Be it enacted by the Authority aforesaid, That all Merchants and other Persons importing such foreign Salt, from and after the first Day of *May* one thousand seven hundred and seven, shall be and are hereby charged with the Duties for the full Quantity of Salt so cellared, or put into Warehouses; and if upon clearing any Cellar or Warehouse, in which the said Salt was locked up, there be any Want of the said Quantity, the Importer or Importers of the said Salt so wanting shall be answerable for the same; any Thing herein contained to the contrary notwithstanding.

‘ XVIII. And whereas by a Clause in an Act passed in the last Session of this present Parliament, intituled, *An Act for continuing an additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Cullm, and Cynders, and additional Duties of Excise, and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned*, all Interest on Bonds entred into, and due and payable before the sixth Day of *February* one thousand seven hundred and five, by Merchants and others, for the Customs, additional Duties, Impositions, and other Duties on Goods and Merchandizes imported into the Kingdom of *England*, was thereby discharged, provided the principal Sums secured by such Bonds were paid before the first Day of *June* one thousand seven hundred and six; and whereas several Merchants and others of the City of *Bristol* had, before the said first Day of *June* one thousand seven hundred and six, paid several Sums of Money, amounting in the whole to the Sum of three thousand eighty-eight Pounds eight Shillings, in to the Collector of the Customs of the Ports there, for the Interest of several principal Sums of Money, upon several Bonds by them given for Customs and other Duties of Goods and Merchandize by them imported into the said Port of *Bristol*, which principal Monies they had also before that Time paid, and which principal Monies and Interest have been since applied to the Use of the Publick; and it is equally just that those Monies so paid for Interest should be allowed back to the said Persons, as the other Interest should be forgiven to the said Persons, pursuant to the said before mentioned Clause;’ Be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer, or Commissioners of the Treasury for the Time being, or any three or more of them, to direct the Collector of the Customs of the said Port of *Bristol* for the Time being, out of the Monies which shall be at the Time of such Direction in the Hands of such Collector, upon Account of Customs, additional Duties, Impositions, and other Duties on Goods and Merchandizes respectively, imported there, or which shall from thence next after come into his Hands upon that Account, and such Collector is hereby authorized and required accordingly to refund and repay to the said several Merchants and others, (who paid in the said three thousand eighty-eight Pounds eight Shillings) their Executors, Administrators, and Assigns, the Sum and Sums of Money so paid in by all and every such Merchants, or others; and that thereupon, and upon the said Collector’s producing Receipts and Acquittances for such Sum and Sums, such Collector shall be allowed the same upon his Account, as if the same had been by him paid upon Account of Drawbacks for Goods exported; any Law or Custom to the contrary notwithstanding.

No Exporters of Rock Salt, &c. to have any greater Allowance, &c. on Exportation than what was before paid for Duty, &c. 10 & 11 W. 3. c. 22.

1 Annæ, Stat. 1. c. 21.
2 & 3 Annæ, c. 14.
4 Annæ, c. 12.

Importers of foreign Salt chargeable with the Duties for the full Quantity cellared, &c.

4 Annæ, c. 6.
§. 35.

Merchants of Bristol, who paid 3088 l. 8 s. for Interest on Bonds given for Customs, &c.

Lord Treasurer to direct Collector of Customs of Bristol to repay the same, &c.

Farther Provisions concerning Salt, 6 Annæ, c. 12. 9 Annæ, c. 23. 12 Annæ, Stat. 2. c. 2. 5 Geo. 1. c. 18. 6 Geo. 1. c. 115. 8 Geo. 1. c. 4. & 16.

11 Geo. 1. c. 30. 3 Geo. 2. c. 20. 5 Geo. 2. c. 6. 8 Geo. 2. c. 12. 14 Geo. 2. c. 22. 26 Geo. 2. c. 3 & 322

C A P. XXX.

An Act for the better securing her Majesty’s Purchase of *Cotton House* in *Westminster*.

‘ WHEREAS Sir *John Cotton*, late of *Westminster* in the County of *Middlesex*, Baronet, was in the twelfth Year of the Reign of King *WILLIAM* the Third, of glorious Memory, seized for the Term of his Life, with Remainder to *John Cotton* the Grandson, (now Sir *John Cotton* Baronet) and the Heirs Male of his Body, with other Remainders, of and in the Capital Messuage called *Cotton House*, and the Gardens and Buildings used and enjoyed with the same, being in the Parish of *St. Margaret’s Westminster*, in the County of *Middlesex*; and being so seized, in the said twelfth Year of the Reign of the said late King *WILLIAM*, at the Request of the said Sir *John Cotton* the Grandfather, in the Absence of the said Sir *John Cotton* the Grandson beyond the Seas, an Act of Parliament, intituled, *An Act for the better settling and preserving the Library kept in the House at Westminster, called Cotton House, in the Name and Family of the Cottons, for the Benefit of the Publick*, was made, thereby reciting, That Sir *Robert Cotton*, late of *Connington* in the County of *Huntington* Baronet, did, at his own great Charge and Expence, and by the Assistance of the most learned Antiquaries of his Time, collect and purchase the most

Act for settling Cotton House and Library. 12 & 13 W. 3. c. 7.

Trustees for managing the Library.

Cotton House purchased by the Queen for 4500l.

Cotton House and Gardens, &c. vested in the Queen, her Heirs, &c.

most useful Manuscripts, written Books, Papers, Parchments, Records, and other Memorials, in most Languages, of great Use and Service for the Knowledge and Preservation of our Constitution both in Church and State; which Manuscripts and other Writings were procured, as well from Parts beyond the Seas, as from several private Collectors of such Antiquities within this Realm, and are generally esteemed the best Collection of its Kind now any where extant; and that the said Library had been preserved and very much augmented by the late Sir *Thomas Cotton*, Son of the said Sir *Robert*, and by the said Sir *John Cotton*, and was lodged in the said Sir *John's* ancient Mansion House at *Westminster*; and that the said Sir *John*, in pursuance of the Desires and Intentions of his said Father and Grandfather, was content and willing that the said Mansion House and Library should continue in his Family and Name, and not be sold or otherwise disposed or imbezilled, and that the said Library should be kept and preserved by the Name of the *Cottonian Library*, for publick Use and Advantage, it is enacted, That from and after the Death of the said Sir *John Cotton* the Grandfather, the said Mansion House, with the Gardens and all other Appurtenances, and also all the said Library or Collection of Manuscripts, written Books, Papers, Parchments, Records, and other Memorials mentioned and named in a Schedule then and now remaining in the said Library, together with all Coins, Medals, and other Rarities and Curiosities in the said Library then and now contained, be settled, limited, and vested in the Trustees therein after named, to have, hold, and enjoy, to them and their Successors for ever, to the Uses, Intentions, and Purposes therein mentioned (that is to say) As for the said House, Gardens, and Appurtenances, other than the Room where the said Library then was, or then after might be lodged, and a convenient Way, Passage, and Resort to the same, at the Will and Discretion of the Heirs of the Family, and the Library therein after mentioned, to the only proper Use and behoof of the said now Sir *John Cotton* the Grandson and Heir of the late Sir *John Cotton*, and after his Decease, to the first and every the Son and Sons of his Body to be begotten, and the Heirs Male of the Body of such Son or Sons issuing successively, with other Remainders as therein are particularly mentioned, Remainder to the right Heirs of the said Sir *John Cotton* (now living) Grandson and Heir of the said late Sir *John Cotton*, for ever; and as for and concerning the said Library and Room wherein the same then was, or should be contained, together with a convenient Passage for resorting thereunto, upon this Trust and Confidence, that the said Trustees and their Successors should and would, from Time to Time, and at all Times thereafter, as Occasion should require, inspect, consult, and take care of the said Library, and other Particulars above mentioned, and also make and appoint such Orders and Rules as they should think proper for the reading and using the same, and for their better Preservation; and to the Intent or Purpose that the said Trustees, or the major Part of them, should nominate and appoint a good and sufficient Person, well read in Antiquities and Records, to have the immediate Care and Custody of the said Library. And it is thereby further enacted, That the said House, with the Appurtenances, and the Library, and other Particulars aforesaid, should never be subject or liable to any Judgments, Statutes, Recognizances, or any other Incumbances, nor should ever be sold or aliened, forfeited, or forfeitable, upon any Account or Pretence whatsoever; and further that the Lord Chancellor or Lord Keeper for the Time being, the Honourable *Robert Harley* Esquire, then Speaker of the House of Commons, the Honourable the Speaker of the House of Commons for the Time being, the Lord Chief Justice of the King's Bench for the Time being, Sir *Robert Cotton* of *Hatley St. George* in the County of *Cambridge* Knight, *Phillip Cotton* of *Connington* in the said County Esquire, *Robert Cotton* of *Giddin* in the County of *Huntington* Esquire, and *William Hanbury*, of the *Inner Temple London* Esquire, shall be the Trustees, to and for the Purposes aforesaid; and in case of the Decease of any of the aforesaid last recited four Persons, the said Sir *John Cotton* the Grandson, or other Heir Male of the said Family, who should be in Possession, or intitled to the Possession of the Mansion House, by virtue of the Limitations therein recited, should nominate and appoint one or more fit Persons to succeed him or them, and supply the Place of him or them so dying. And whereas since the making of the said Act very little hath been done in pursuance thereof, to make the said Library useful to the Publick, except what has been lately done at her Majesty's Charge, and there is no Way or Passage to it set out as the Act did direct, nor can there be any Passage to the same but through the best Rooms of the House, which would render the House wholly useles to the Family, so that the Library cannot be resorted unto; nor have any Orders or Rules been appointed for reading or using the same, and thereby the Publick is wholly deprived of the Benefit and Advantage designed by the Act; and the Place wherein the Library was then contained, was a narrow little Room, damp, and improper for preserving the Books and Papers; and the Condition thereof having been humbly represented to the Queen's most Excellent Majesty, her Majesty, to the Intent so great a Treasure of Books and Manuscripts, so generously given for the publick Service, might not remain any longer useles, and in Danger of perishing for want of due Care; and that it may be in her Majesty's Power to make this most valuable Collection useful to her own Subjects, and to all learned Strangers, did give Directions for treating with the said Sir *John Cotton*, for the Purchase of the said *Cotton House* and Gardens, and an Agreement has been made for the purchasing the Inheritance thereof, for the Sum of four thousand five hundred Pounds, which her Majesty hath directed to be paid on the investing the Inheritance of the Premises in her Majesty, her Heirs and Successors, which cannot be done but by Act of Parliament, the said recited Act having directed it may not be sold or aliened: May it therefore please your most Excellent Majesty, at the humble Suit and Petition of the said Sir *John Cotton* the Grandson, that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That the said Capital Messuage, called *Cotton House*, and the Gardens and Buildings used and enjoyed with the same, with their Appurtenances, shall be

be and are hereby vested in her Majesty, her Heirs and Successors, and her Majesty, her Heirs and Successors shall for ever have, hold, and enjoy the same, against the said Sir *John Cotton* the Grandson, and against all and every the Sons of the said Sir *John Cotton*, to be begotten, and the Heirs Male of the Bodies of such Son or Sons, and against all and every other Person and Persons claiming or to claim by Virtue of any of the Uses or Limitations contained in the said recited Act, and against the Heirs of the Bodies of Sir *Thomas Cotton*, and Dame *Alice* his Wife, both deceased, and against the right Heirs of the said Sir *Thomas Cotton*, and against all and every Person and Persons claiming or to claim, by, from, or under the said Sir *John Cotton* deceased, and freed and discharged of and from their respective Titles and Estates.

II. And it is hereby further enacted and declared, That a convenient Room shall be built on or near Part of the said Ground, hereby intended to be vested in her Majesty, as her Majesty, her Heirs and Successors, shall by Writing under the Sign Manual appoint; in which Room, when built, all the said Manuscripts, written Books, Papers Parchments, Records, and other Memorials, as also all Coins, Medals, and other Rarities and Curiosities in the said Library contained, shall be lodged, and there remain to all Posterity; and the said Room when built, shall for ever be called and known by the Name of the *Cottonian Library*; and from the building thereof, the said Library shall be managed and directed by the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, the Honourable *Robert Harley* Esq; Principal Secretary of State, the Honourable the Speaker of the House of Commons for the Time being, the Lord Chief Justice of the *Queen's Bench* for the Time being, Sir *Robert Cotton* of *Hatley St. George* in the County *Cambridge*, Knt. *Phillip Cotton* of *Connington* in the said County, Esq; *Robert Cotton* of *Giddin* in the County of *Huntington*, Esq; and *William Hanbury* of the *Inner Temple*, London, Esq; and their Successors, as Trustees to and for the Use of the Publick for ever; and in case any of the said recited four Persons shall happen to die, the said Sir *John Cotton*, or other Heir Male of his Family for the Time being, shall nominate and appoint one or more fit Person or Persons for the Time being, to succeed him or them, and to supply the Place of him or them so dying, and so *toties quoties*, as any of the said last four Trustees, or others succeeding them, shall happen to die.

A convenient Room to be built for the Library,

and to be called the Cottonian Library.

Trustees appointed.

III. And be it enacted by the Authority aforesaid, That all the said Manuscripts, written Books, Papers, Parchments, Records, and other Memorials, as also all Coins, Medals, Rarities, and Curiosities in the said Library, hereby intended to be lodged in the said Room when rebuilt, shall be under the same Regulations, Directions, and Management of the said Trustees, to all Intents and Purposes, as the present Library and every Thing therein contained, now is by the said recited Act liable and subject to; and a fit Person for Library Keeper, shall be appointed by the said Trustees from Time to Time as they, or the major Part of them, shall think fit; and the said Library, and Library Keeper, shall be in every Respect under the same Directions and Government as the present Library and Library Keeper by the said recited Act are subject to, except where the same is herein particularly altered.

Library to be under the same Regulations as at present.

IV. Saving to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors (other than and except the said Sir *John Cotton* the Grandson, and his Son and Sons, begotten or to be begotten, and the Heirs Males of the Bodies of such Son and Sons, and other than the Person and Persons claiming or to claim by Virtue of, or under any of the Uses or Limitations contained in the said recited Act, and other than the Heirs of the Bodies of Sir *Thomas Cotton* and Dame *Alice* his Wife, and other than the right Heirs of the said Sir *Thomas Cotton*, and other than the Person and Persons claiming, or to claim, by, from, or under the said Sir *Thomas Cotton* deceased) all such Right, Title, Estate, Interest, or Demand, into or out of the said Premises hereby vested in her Majesty as aforesaid, as they or any of them had or might enjoy if this Act had not been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

Salvo of Right to all Persons, &c. Exception.

V. And to the Intent that an Equivalent in lieu of the said House, called *Cotton House*, Gardens and Buildings, hereby vested in her Majesty, may be settled to the same Uses the said House, Gardens, and Buildings were settled and limited by the said recited Act of Parliament; Be it further enacted by the Authority aforesaid, That the said Sir *John Cotton*, or his Heirs, shall before or at the Time of receiving the said four thousand five hundred Pounds from her Majesty, by good and sufficient Conveyances and Assurances in the Law, convey and assure Lands, Tenements and Hereditaments of Inheritance in the Counties of *Huntingdon* or *Bedford*, or one of them, Part of the present Estate of the said Sir *John Cotton*, of the clear annual Value of three hundred Pounds beyond ordinary Reprizes, free from all Incumbrances, to the Use of him the said Sir *John Cotton*, for and during the Term of his natural Life, and after his Decease, to the Use of the first, and every other Son and Sons of the Body of the said Sir *John Cotton* to be begotten, and the Heirs Males of the Body of such Son or Sons issuing successively; and for Default of such Issue, to the Use of *Thomas Cotton*, Brother of the said Sir *John Cotton*, for the Term of his natural Life; and after his Decease, to the Use of the first and every other Son and Sons of the Body of the said *Thomas* to be begotten successively, and to the Heirs Males of the Body of such Son and Sons; and for Default of such Issue, to the Use of *Robert Cotton* of *Giddin* in the County of *Huntingdon* Esq; Uncle of the said Sir *John Cotton*, for the Term of his natural Life; and after his Decease, to the Use of *John Cotton*, Son of the said *Robert Cotton*, for his natural Life; and after his Decease, to the Use of the first and every other Son and Sons of the said *John Cotton* to be begotten successively, and the Heirs Males of their Bodies issuing; and for Default of such Issue, to the Use of all and every the other Son and Sons of the Body of the said *Robert* to be begotten, and the Heirs Males of the Bodies of such Son or Sons successively; and for Default of such Issue, to the Use of Sir *Robert Cotton* of *Hatley St. George* in the County of *Cambridge*, Knight, for his natural Life; and after his Decease, to the Use of the first and every other Son and Sons of his Body to be begotten, and the Heirs Males of the Bodies of such Son and Sons issuing successively; and for Default of such Issue, to the Use of *Phillip Cotton* of *Connington* in the County of *Cambridge*, Esq;

Sir John Cotton to settle 300l. per Annum in lieu of Cotton House.

To the Use of himself, &c.

for.

for his natural Life; and after his Decease, to the Use of the first and every other Son and Sons of his Body to be begotten, and the Heirs Males of the Bodies of such Son and Sons issuing successively; and for Default of such Issue, to the Use of *Thomas Cotton of Cotton* in the County Palatine of *Chester*, Esq; for the Term of his natural Life; and after his Decease, to the Use of the first and every other the Son and Sons of his Body to be begotten, and the Heirs Males of the Bodies of such Son and Sons issuing successively; and for Default of such Issue, to the Use of the Right Heirs of the said Sir *John Cotton* for ever.

Lands, &c. when settled not to be subject to future Judgments, &c.

VI. And be it enacted by the Authority aforesaid, That the said Lands, Tenements and Hereditaments, when settled as aforesaid, shall never be subject or liable to any future Judgments, Statutes, Recognizances, or Incumbrances, nor shall ever be sold or aliened, forfeited or forfeitable by the said Sir *John Cotton*, or any other of the said Persons in Remainder, upon any Account or Pretence whatsoever.

C A P. XXI.

An Act for the Encouraging the Discovery and Apprehending of House-breakers.

25 H. 8. c. 3. 5 & 6 Ed. 6. c. 9 & 10. 3 W. & M. c. 9. **I. W**HEREAS the Crimes of Burglary and breaking open Houses in a felonious Manner, are of late Years become more frequent than formerly, to the great Disquiet, Terror, and Impoverishing of many of your Majesty's good Subjects; which Crimes might be, in great Measure, prevented, if due Encouragement be given to such as shall vigorously endeavour the Discovery and apprehending of such Malefactors, and some severe Punishment inflicted on such as shall receive or buy stolen Goods, and harbour and protect the said Offenders: For Remedy whereof, be it enacted by the Queen'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 from and after the tenth Day of *May* one thousand seven hundred and seven, all and every Person and Persons who shall apprehend and take any Person or Persons guilty of Burglary, or the felonious Breaking and Entering of any House in the Day-time; and prosecute him, her, or them, so apprehended and taken, until he, she, or they be convicted of such Burglary or Felony, shall have and receive, over and above the Rewards given by one Act of Parliament made at *Westminster*, in the tenth and eleventh Years of the Reign of his late Majesty King *WILLIAM* of glorious Memory, intituled, *An Act for the better Apprehending, Preventing, and Punishing of Felons that commit Burglary, House-breaking, or Robbery in Shops, Warehouses, Coach-houses, or Stables, or that steal Horses*, the Sum of forty Pounds within one Month after such Conviction, to be paid by the Sheriff or Sheriffs of the County where such Felony or Burglary shall be made and done, without any Fee for the same, to the Person or Persons so taking, apprehending, and prosecuting the said Offenders, he and they rendring a Certificate to the said Sheriff or Sheriffs, under the Hand or Hands of the Judges or Justices before whom such Felon shall be convicted for such Burglary or Felony, certifying the Conviction of such Felon for the said Offence or Offences, and in what Parish the same was committed, and also that such Felon or Felons was or were taken by the Person or Persons claiming the said Reward; and in case any Dispute shall happen to arise between the Persons so apprehending any the said Felons, touching their Right and Title to the said Reward, that then the said Judge or Justices so respectively certifying as aforesaid, shall in and by their said Certificate direct and appoint the said Reward to be paid to and amongst the Parties claiming the same, in such Share and Proportions as to the said Judge or Justices shall seem just and reasonable; and if it shall happen that any such Sheriff or Sheriffs shall die or be removed before the Expiration of one Month after such Conviction, and demand made of the said Reward (not being paid as aforesaid) that then the next succeeding Sheriff or Sheriffs shall pay the same within one Month after Demand, and Certificate brought as aforesaid; and if Default of Payment of the said Sum or Sums of Money shall happen to be made by any Sheriff or Sheriffs, such Sheriff or Sheriffs so making Default shall forfeit to the Person or Persons to whom such Money is due as aforesaid, double the Sum or Sums of Money he or they ought to have paid, to be recovered by him or them, or his or their Executors or Administrators, in any of her Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein but one Imparance, and no Effoin, Protection, or Wager of Law shall be allowed, with Treble Costs of Suit, by him or them expended in the Recovery of the same.

Apprehenders of Burglars, &c. to have 40l. over and above the Rewards by 10 & 11 W. 3. c. 23.

payable by Sheriff.

Justices in case of Dispute to direct in their Certificate how Reward shall be paid.

Watchman or other killed in Pursuit of House-breaker, his Executor, &c. entitled to the 40l. by 3 Geo. 1. c. 35. §. 4. Sheriffs may apply to the Treasury without charging this Money in their Accounts.

Further Provisions concerning Burglary, 12 Ann. c. 7. 4 Geo. 1. c. 11. and 6 Geo. 1. c. 23.

III. And it is hereby further enacted, That all Sheriffs, their Executors, and Administrators, upon producing such respective Certificates, and the Receipts for the Money paid by them, in pursuance of this Act, shall be allowed, and are hereby impowered to deduct, upon their Accounts, all Monies, other than double the Sum and Sums of Money, and Treble Costs of Suit, which they shall disburse as aforesaid; and that if upon Account of any Sheriff or Sheriffs, there shall not be Money sufficient in the Hands of such Sheriff or Sheriffs to reimburse him or them such Monies paid by him or them by virtue of this Act, that then the Sheriff or Sheriffs having so paid the said Monies, shall have the same repaid by the Lord Treasurer, or Commissioners of her Majesty's Treasury for the Time being, out of the Revenue of the Crown, upon Certificate from the Clerk of the Pipe to that Effect.

Sheriffs to deduct Monies so paid on their Accounts,

and be repaid by Lord Treasurer.

IV. And be it further enacted, That if any Person or Persons being out of Prison, shall from and after the said tenth Day of *May* commit any Burglary or Felony as aforesaid, and afterwards discover two or more Persons who already have, or hereafter shall commit any such Burglaries or Felonies, so as two or more of the Persons discovered shall be convicted of such Burglary or Felony, any such Discoverer shall himself have the like Reward and Allowance of forty Pounds hereby promised to be paid to the Person or Persons who shall apprehend and convict House-breakers, and all other Advantages given to such Taker and Prosecutor, and shall also be himself entitled to the gracious Pardon of her Majesty, her Heirs and Successors, for all Burglaries, Robberies, and Felonies (except Murder and Treason) by him committed at any Time or Times before such Discovery made, which Pardon shall be likewise a good Bar to any Appeal brought for such Burglary, Robbery or Felony.

Felon, &c. discovering two or more Felons, shall on Conviction be entitled to Reward,

and be pardoned,

V. And forasmuch as the said Felons are much encouraged to commit such Burglaries and Felonies, because a great Number of Persons make it a Trade to receive and buy of the said Felons the Goods so by them feloniously taken, and also do make it their Business to harbour and conceal the said Offenders after the said Facts, knowing the said Felonies and Burglaries to have been by them committed: Be it therefore enacted by the Authority aforesaid, That if any Person or Persons shall receive or buy any Goods or Chattels that shall be feloniously taken or stolen from any other Person, knowing the same to be stolen, or shall receive, harbour, or conceal any Burglars, Felons, or Thieves, knowing them to be so, shall be taken and received as Accessary or Accessaries to the said Felony or Felonies; and being of either of the said Offences legally convicted, by the Testimony of one or more credible Witnesses, shall suffer and incur the Pains of Death as a Felon convicted.

Buyers or Receivers of stolen Goods, &c. made Accessaries, &c.

VI. Provided always, That if any such principal Felon cannot be taken, so as to be prosecuted and convicted for any such Offence, yet nevertheless it shall and may be lawful to prosecute and punish every such Person and Persons buying or receiving any Goods stolen, by any such principal Felon, knowing the same to be stolen, as for a Misdemeanor, to be punished by Fine and Imprisonment, or other such corporal Punishment as the Court shall think fit to inflict, although the principal Felon be not before convicted of the said Felony, which shall exempt the Offender from being punished as Accessary, if such principal Felon shall be afterwards taken and convicted.

If principal Felon cannot be taken, Accessary to be tried as for a Misdemeanor.

VII. Provided always, and be it enacted by the Authority aforesaid, That the Judge or Justices (before whom such Felons and House-breakers shall be convicted, as aforesaid) shall determine and settle the Right, Rights, and Shares of such respective Persons, who by virtue of this Act shall be entitled to the Certificate herein directed to be given, and shall also (being thereunto required) make out and deliver, or cause to be made out and delivered, the said Certificate without Fee or Reward to such Person or Persons entitled thereunto, before the End of such Assizes or Sessions wherein such Conviction, as aforesaid, shall be had.

Judges, &c. to settle the Right and Shares of Persons to the Certificate, &c.

VIII. And whereas the Offences mentioned in this Act are generally committed in *London* and *Middlesex*, and the Rewards hereby granted being to be paid by the Under-Sheriffs of the said Counties, by reason whereof they will be obliged to disburse great Sums of Money; Be it therefore enacted by the Authority aforesaid, That no Sheriff of *London* and *Middlesex*, shall accept, demand, take, or receive of his or their Under-Sheriff, directly or indirectly, either by himself, or any Person or Persons in Trust for him or them, any Sum or Sums of Money, Gratuity, or Present whatsoever, for the Execution of the Place of Under-Sheriff; nor in any Manner oblige his or their Under-Sheriff, by Covenant, Promise, or otherwise to be at any Expence or Charge in Relation to the said Place of Under-Sheriff, which ought and hath been usually paid and disbursed by the High Sheriff; except the Rewards given by this or any other Act for the apprehending Highwaymen, Clippers, Coiners, and House-breakers, and the Fees of passing such High Sheriff's Accounts in the Exchequer, and such other Disbursements as hath been heretofore customarily sustained by the Under-Sheriff.

No Sheriff of London or Middlesex to take of his Under-Sheriff any Gratuity for his Place of Under-Sheriff.

Nor oblige him to be at any Expence, &c. Exception.

C A P. XXXII.

An Act for the Continuance of the Laws for the Punishment of Vagrants, and for making such Laws more effectual.

WHEREAS an Act of Parliament made in the eleventh and twelfth Years of the late King WILLIAM, intituled, *An Act for the more effectual Punishment of Vagrants, and sending them whither by Law they ought to be sent*, was continued by one other Act made in the first Year of her present Majesty's Reign, intituled, *An Act for continuing former Acts for the exporting Leather, and for the Ease of Furors, and for making more effectual an Act relating to Vagrants*, for the Space of three Years, from the Expiration of the said first Act made in the eleventh and twelfth Years of King WILLIAM, and from

11 & 12 W. 3. c. 13.

1 Annæ, stat. 2. c. 13.

39 *El. c. 17.*
7 *Jac. 1. c. 4.*
Acts for Punish-
ment of Vag-
rants, &c. con-
tinned for seven
Years.
R E P.

‘ thence to the End of the next Sessions of Parliament, and no longer : And whereas the said Acts have
‘ been found of good Use for lessening the Charge, and preventing the Abuses and Frauds in conveying
‘ of Vagrants, Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Con-
‘ sent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Autho-
‘ rity of the same, That the said several Acts made in the eleventh and twelfth Years of King WILLIAM,
‘ and in the first Year of her Majesty’s Reign, and every Article, Clause, Matter and Thing in them, and
‘ each of them contained, relating to Vagrants, shall from henceforth continue and be in full Force, and be
‘ put in Practice and Execution, according to the true Intent thereof, from the Expiration of the said last-
‘ mentioned Act, for the Space of seven Years, and from thence to the End of the next Session of Parlia-
‘ ment, and no longer.

How Allowances
and Expences in
passing of Vag-
rants shall be
raised.
‘ Altered by 17
Geo. 2. c. 5.
§. 16, &c.’

‘ II. And for the better raising of what Monies shall be found necessary to satisfy the Allowances made
‘ to Constables, and others, for their Loss of Time, and Expences in passing of Vagrants, in pursuance
‘ of the Acts before-mentioned, in as much as the Methods already provided for raising the same, have
‘ in many Places been found impracticable;’ Be it further enacted by the Authority aforesaid, That where
‘ the Gaol and Marshalsea Money shall not be sufficient to satisfy and pay the said Allowances, the Ju-
‘ stices of Peace within the several Limits of their Commissions, shall in such Case, at any Time or Times
‘ hereafter, have full Power and Authority at their General or Quarter-Sessions of the Peace, to assess upon
‘ every Town, Parish, or Place within their respective Commissions, such Sum and Sums of Money, as
‘ they in their Discretion shall think reasonable for Satisfaction of the Allowances made to Constables, and
‘ others, for their Loss of Time, and Expences in passing of Vagrants, and that the Money so assessed shall
‘ be levied and collected according to the Rules and Methods prescribed by an Act of Parliament now in
‘ Force, for the levying and collecting of Money for the Repair of County Bridges; and that the Monies so
‘ levied and collected shall be disposed of in such Manner as the said Justices, by their Order at such Ses-
‘ sions, shall in that Behalf direct and appoint.

22 H: 8. c. 5.
1 Annæ, stat. 1.
c. 8.

Treasurers to
obey Justices Or-
ders.

III. And be it further enacted, That where there are two or more Treasurers for one and the same
‘ County, Riding, Liberty, or Division, the Treasurers thereof shall be and are hereby obliged to give
‘ Obedience to such Order or Orders as shall be made by the Justices of the Peace, in pursuance or by vir-
‘ tue of this Act, at their first General Quarter-Sessions, to be held quarterly for every County, Riding,
‘ Liberty, or Division, for the Discharge of all such Sums as shall arise by or from the Conveyance of
‘ Vagrants through every such County, Riding, Liberty, or Division: Provided, That all such Charges be
‘ levied according to the customary Rate of Gaol or Bridge Money; and that no such Order or Orders
‘ shall take Place or be effectual, till such Time as the Treasurer or Treasurers to whom such Order or Or-
‘ ders shall come, have Money in their Hands sufficient for the Payment thereof.

If they have Mo-
ney in their
Hands.

Persons aggriev-
ed may appeal to
the Sessions.

‘ IV. And whereas it is by Experience found, That the Constables Rates have sometimes been very un-
‘ just and grievous to the Inhabitants of their respective Townships or Constaberies;’ Be it enacted by
‘ the Authority aforesaid, That if any Person or Persons shall find him or themselves grieved by the De-
‘ mands for Disbursements, which any the Constables, Headboroughs or Tythingmen throughout this Realm
‘ shall charge upon, or require of the Parishes or Towns unto which they or any of them shall or do belong,
‘ or by any Sess, Tax, Rate, or other Act done by any of the said Constables, Headboroughs, or Tyth-
‘ ingmen, or other Person whatsoever, which may any Ways concern or relate to any of the aforesaid Demands,
‘ it shall and may be lawful for such Person and Persons to appeal to the Justices at their next General
‘ Quarter-Sessions which shall be held for that County, in which any such Cause of Complaint shall arise,
‘ as often as there shall be any Occasion for Complaint, which Justices, or the greater Number of them,
‘ shall take Order therein, as to them shall seem meet, and the Judgment of the Justices of such County,
‘ as aforesaid, at their Quarter-Sessions, shall conclude and bind all Parties.

How Justices
shall act in Li-
berties and
Towns Corpo-
rate.

‘ V. And whereas some Doubts and Disputes have been made about the Privilege and Jurisdictions of
‘ Liberties and Towns Corporate, that lie and are within several Counties of this Realm, wherein the
‘ Justices of the Peace, and chief Magistrates of the said Liberties and Towns Corporate, do keep separate
‘ or distinct Quarter-Sessions of their own, and have separate Treasurers for their said Corporations and
‘ Liberties, or such like publick Stocks, whether all such Liberties and Towns Corporate shall be taken
‘ and deemed as Counties at large, for the several Purposes and Provisions mentioned in the Acts intended
‘ to be continued by this Act:’ For the quieting and preventing all such Doubts and Disputes, Be
‘ it further enacted by the Authority aforesaid, That the Justices of the Peace, chief Magistrates, Trea-
‘ surer, Constables, and other Officers residing in the said Liberties and Towns Corporate, shall in the
‘ certifying and conveying of Passengers, Vagabond Beggars, and other idle Persons, and raising and
‘ paying of Money, act in such Liberties and Towns Corporate; as they were by the said Acts impowered
‘ and directed to do in Counties at large.

Further Provi-
sions concerning
Vagrants, 6 Geo.
1. c. 19. 34
Geo. 2. c. 33.
17 Geo. 2. c. 5.
25 Geo. 2. c. 36.
and 26 Geo. 2. c. 34.

C A P. XXXIII.

An Act for obliging *John Rice* to account for Debentures granted to him in the last Session of
Parliament. P R.

C A P. XXXIV.

An Act for continuing the Laws therein mentioned, relating to the Poor, and to the buying and selling of Cattle in *Smithfield*, and for suppressing of Piracy.

WHEREAS the temporary Laws following, which by Experience have been found useful and beneficial, are expired or near expiring; therefore, for continuing the same, Be it enacted by the Queen'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 an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*, which was enacted to have Continuance (except what related to the Corporations therein mentioned, and thereby constituted) until the twenty-ninth of *May* one thousand six hundred and sixty-five, and from thence to the End of the first Session of the next Parliament; which said Act, by an Act made in the first Year of the Reign of the late King JAMES the Second (except what related to the Corporations therein mentioned, and thereby constituted) was enacted to be in force from the first Day of *May* one thousand six hundred eighty-five, and so to continue for the Space of seven Years, and from thence to the End of the next Session of Parliament; and by an Act made in the third and fourth Years of the Reign of his late Majesty King WILLIAM, the said Act (as to what therein related to the Settlement of the Poor) was enacted to be in force from the first Day of *March* one thousand six hundred ninety-one; but no Provision was thereby made for continuing divers other Parts of the said Act; which said Act, for the better Relief of the Poor of this Kingdom, as to all Parts thereof not mentioned and continued in and by the said Act made in the third and fourth Years of the Reign of their late Majesties (other than, and except what relates to the Corporations mentioned in the said Act for the better Relief of the Poor of this Kingdom, and thereby constituted) was, by an Act made in the fourth and fifth Years of the Reign of their late Majesties, continued for the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament; which said Act afterwards, by an Act of the eleventh and twelfth Years of King WILLIAM, intituled, *An Act for continuing several Laws therein mentioned*, was continued for seven Years, from the twenty-ninth Day of *September* one thousand seven hundred, shall be in force from the five and twentieth Day of *March* one thousand seven hundred and seven (except what relates to the Corporations therein mentioned, and thereby constituted) for seven Years, and from thence to the End of the next Sessions of Parliament.

13 & 14 Car. 2.
c. 12. for Relief
of Poor continu-
ed for 7 Years.

1 Jac. 2. c. 27.

3 & 4 W. & M.
c. 11.

4 & 5 W. 3.
c. 24.

11 & 12 W. 3.
c. 13.
Made perpetual
12 Annæ, stat.
1. c. 18.

II. And be it further enacted by the Authority aforesaid, That so much of an Act made in the twenty-second and twenty-third Years of King CHARLES the Second, intituled, *An Act to prevent Frauds in the buying and selling of Cattle in Smithfield and elsewhere*, which relates to the preventing Butchers within the Cities of *London* and *Westminster*, or ten Miles thereof, to buy fat Cattle, and sell the same again to any other Butcher, either alive or dead; as also so much as relates to the preventing fat Cattle bought in *Smithfield* in one Market to be sold there again alive; which was expired, and was afterwards, by an Act made in the first Year of the Reign of the late King JAMES the Second, enacted to be in force from the four and twentieth Day of *June* one thousand six hundred eighty-five, for seven Years, and from thence to the End of the next Session of Parliament, with a Proviso, that the said Act should not extend to Salesmen or Factors employed by Farmers or Feeders; and the said Acts were after continued by an Act made in the fourth and fifth Years of King WILLIAM and Queen MARY for seven Years, from the thirteenth of *February* one thousand six hundred ninety-two; and by another Act made in the eleventh and twelfth Years of King WILLIAM, was continued for seven Years, from the twenty-ninth Day of *September* one thousand seven hundred, shall be continued, with all the Clauses and Provisoes therein mentioned (except one Clause which was afterwards repealed by an Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, intituled, *An Act for Repeal of a Clause in a former Act to prohibit Salesmen from selling fat Cattle*) for and during the Space of seven Years, after the said twenty-fifth Day *March* one thousand seven hundred and seven: And whereas there is, notwithstanding the Provision of the aforesaid Act, a pernicious Practice, now in Use, for one Butcher to buy a greater Quantity of fat Cattle or Sheep than he can vend, unless by selling them again to other Butchers, which reduces the Number of Buyers in *Smithfield*, and may be a very great Inconvenience both to the Graziers and Housekeepers, by subjecting both the one and the other to such Price as they shall think fit to give or demand; Be it therefore enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and seven, no Person using the Trade of a Butcher shall sell, or offer to sale, in any Market or elsewhere, either by himself or any Servant or Agent whatsoever, within the Cities of *London* and *Westminster*, or within ten Miles thereof, to any Person or Persons exercising or using the Trade of a Butcher, any fat Cattle or Sheep, either alive or dead, upon Pain to forfeit the Value of the Cattle, or of each Sheep so sold or offered to Sale as aforesaid; one Moiety of which Forfeiture shall be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue for the same in any of her Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection or Wager of Law shall be allowed, or any more than one Impar lance.

22 & 23 Car. 2.
c. 19. to prevent
Frauds in buying
and selling of
Cattle, continu-
ed for 7 Years.

1 Jac. 2. c. 17.

4 & 5 W. & M.
c. 24.

11 & 12 W. 3.
c. 13.

Except one
Clause.

25 Car. 2. c. 4.
EXP.

From 29 Sept.
1707. no But-
cher to sell in
any Market
within 10 Miles
of London to
another Butcher
any fat Cattle or
Sheep, dead or
alive, by 7
Annæ, c. 6.

One Butcher may sell to another dead Calves, &c.

11 & 12 W. 3.
c. 7. for suppress-
ing Piracy, con-
tinued.
* Made perpetual
6 Geo. 1. c. 19.

III. And be it further enacted by the Authority aforesaid, That an Act made in the eleventh and twelfth Years of King WILLIAM, intituled, *An Act for the more effectual suppressing of Piracy*, which was to be in Force for seven Years, and from thence to the End of the next Session of Parliament, shall be and remain in full Force for the Space of seven Years, and from thence to the End of the next Sessions of Parliament.

Full Costs on
Recovery of Pe-
nalty.

IV. And be it further enacted by the Authority aforesaid, That upon Recovery of any Penalty or Forfeiture imposed or given in and by this present Act, full Costs shall be allowed the Plaintiff.

Anno Regni ANNÆ Reginae sexto.

* In the Record
is added, And by
Adjournments
continued till
the first Day of April in the seventh Year of her Majesty's Reign.

AT the Parliament begun and holden at *Westminster* the twenty-third Day of *October Anno Dom.* 1707, in the sixth Year of the Reign of our Sovereign Lady *ANNE*, by the Grace of God, of *Great Britain, France, and Ireland*, Queen, Defender of the Faith, &c.*

C A P. I.

EXP. An Act for granting an Aid to her Majesty, to be raised by a Land Tax in *Great Britain*, for the Service of the Year one thousand seven hundred and eight.

C A P. II.

An Act for repealing and declaring the Determination of two Acts passed in the Parliament of *Scotland*; the one intituled, *Act for the Security of the Kingdom*; the other, *Act anent Peace and War*.

Two Scotch
Acts repealed.

I. WHEREAS by the Third Act of the second Session of the last Parliament held in *Scotland*, intituled, *Act for the Security of the Kingdom*, divers Provisions were made for such Purposes, and in such Manner as is therein contained; and whereas in the first Session of that Parliament one other Act passed, intituled, *Act anent Peace and War*; which said last mentioned Act, and also the first herein before mentioned Act, or the greatest Part thereof, are inconsistent with the Terms of the Articles of Union, and upon the Union became void: To the end therefore that no Doubt may remain touching the Continuance of the said Acts, or either of them, or any Part thereof; may it please your most Excellent Majesty that it may be declared and enacted; and be it declared and enacted by the Queen'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 herein before mentioned Acts, and each of them, and every Part thereof, shall from henceforth be adjudged, deemed, and taken to stand and be absolutely repealed, and to cease and become void.

C A P. III.

An Act for better securing the Duties of *East India* Goods.

9 & 10 W. 3.
c. 44.

I. WHEREAS by an Act of Parliament made in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*; it was enacted, That no Company or particular Person or Persons who should have a Right, in pursuance of the said Act, to trade to the *East Indies*, or other the Parts within the Limits of the said Act mentioned, should be allowed to trade thither, until sufficient Security was first given (which the Commissioners of the Customs in *England*, or any three or more of them for the Time being, were thereby authorized and required to take, in the Name and to the Use of his said late Majesty, his Heirs and Successors) That such Company or particular Persons should cause all the Goods, Wares, Merchandizes, and Commodities, which at any Time or Times afterwards, during the Continuance of the said Act, should be laden by or for them, or any of them, or for their or any of their Accounts, in any Ship or Ships whatsoever bound from the *East Indies*, or Parts within the Limits mentioned in the said Act, should be brought (without breaking Bulk) to some Port of *England* or *Wales*, and there be unladen and put on Land (the Danger of the Seas, Enemies, Pirates, Restraints of Princes and Rulers, and Barratry of Seamen excepted:) And whereas the said Act, and the Security to be given in pursuance thereof, have been by Experience found not to be sufficient to hinder and prevent the unloading or putting on Shore in divers Places and Countries other than the Kingdom of *England* or Dominion of *Wales*, great Quantities of Goods brought from the *East Indies*, or some Port or Places within the Limits mentioned in the said recited Act, to the great Loss of her Majesty's Customs, and the Trade and Navigation of this Kingdom in general: And whereas some Difficulties have arisen touching the Acceptance of the Security directed by the said Act; Be it enacted by the Queen'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 Security

Security to be hereafter given in pursuance of the said Act, shall be after the Rate of two thousand five hundred Pounds for every hundred Tun the Ships or Vessels shall be respectively let for, that shall be sent to the said East Indies, or other Parts within the Limits in the said Act mentioned, and so proportionably for any lesser Part than an hundred Tuns; and that the English Company trading to the East Indies shall for each Ship or Vessel which shall be sent out from Great Britain, and employed by them, or for their Account, give Security as aforesaid, by their Common Seal; the Condition whereof shall be in the Form following, viz.

2500l. Security to be given for every hundred Tun that Ship sent to the East Indies shall be let for. Company to give such Security.

WHEREAS in pursuance of an Act of Parliament made in the ninth Year of his late Majesty's Reign, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies, the Ship* whereof Captain is Master, of the Burthen of Tons, is, under the Regulation of the said Act, bound out upon a Voyage to the East Indies, or other Parts within the Limits prescribed by the said Act, with a Cargo or Loading of Goods, upon Account of the above bound English Company trading to the East Indies: The Condition of this Obligation is such, That if all the Goods, Wares, Merchandizes, and Commodities which shall at any Time or Times hereafter, during the Continuance of this present intended Voyage, be laden by or for the said Company, or any of them, or for their, or any of their Accounts in the said Ship, from the said East Indies, or Parts aforesaid, shall be, without breaking Bulk, brought to some Port of Great Britain, and there be unladen and put on Land (the Danger of the Seas, Enemies, Pirates, Constraint of Princes and Rulers, Barratry of Seamen, and necessary Provisions, Stores and Merchandizes for the People and Garrison of St. Helena, only for their own proper Consumption excepted) then this Obligation shall be void, or else shall remain in full Force, Effect, and Virtue.

Form of the Condition.

II. And that besides the severall and respective Securities to be given by this or the said former Act against breaking Bulk, all the Goods, Wares, Merchandizes, and Commodities which shall be laden in the East Indies, or other the Parts within the Limits mentioned in the said Act, upon any Ship or Vessel belonging to any of her Majesty's Subjects, with Intent to be transported out of and from the said East Indies, or other the Parts within the Limits aforesaid, the same shall be brought to some Port of Great Britain, and there shall be unladen and put on Shore (necessary Provisions, Stores, and Merchandizes for the People and Garrison of St. Helena, for their own proper Consumption only, excepted) and except also where the breaking of Bulk or landing of Goods in Breach of this or the said former Act shall happen to be by the Danger of the Seas, Enemies, Pirates, Restraint of Princes or Rulers, or Barratry of Seamen, on Pain of forfeiting all such Goods which contrary to this Act shall be landed elsewhere than in some Port of Great Britain, or the Value thereof, to be recovered, one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety thereof to the Person or Persons who shall seize, inform, or sue for the same in any of her Majesty's Courts of Record at Westminster, wherein no Esloin, Protection, or Wager of Law shall be allowed.

All Goods shipped in India, &c. to be unladen in Great Britain, except Necessaries for St. Helena, by 13 Geo. 1. c. 8. delivering Negroes, as mentioned in the Act, not to be deemed breaking Bulk. Penalty on Landing elsewhere. Farther Provisions relating to East India Company.

pany, 6 Ann. c. 17. 10 Ann. c. 28. 5 Geo. 1. c. 21. 7 Geo. 1. c. 5 & 21. 9 Geo. 1. c. 26. 3 Geo. 2. c. 14 & 20. 12 Geo. 2. c. 22. 17 Geo. 2. c. 17. 27 Geo. 2. c. 9. 1 Geo. 3. c. 14.

C A P. IV.

An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and eight. EXP.

C A P. V.

An Act for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and eight, and other Uses, by Sale of Annuities charged on a Fund, not exceeding forty thousand Pounds per Annum, to arise by appropriating several Surplusses, and by granting further Terms in the Duties on Low Wines, and on Hawkers, Pedlars, and Petty Chapmen, the Stamp Duties, the one third Subsidy, the Duty on Sweets, and one of the Branches of Excise, and by making other Provision in this Act mentioned.

MOST Gracious Sovereign; Whereas in and by an Act of Parliament made in England in the fourth Year of your Majesty's Reign, (intituled, *An Act for continuing an additional Subsidy of Tunnage and Poundage, and certain Duties upon Coals, Culm, and Cynders, and additional Duties of Excise, and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned*) the additional Subsidy of Tunnage and Poundage, and other Duties (commonly called the one third Subsidy) payable for and upon Wines, Goods, and Merchandizes, which were there- by granted to your Majesty for the Term of ninety-eight Years, from the eighth Day of March one thousand seven hundred and six; and the Duties upon Coals, Culm, and Cynders by the same Act granted or continued from the fourteenth Day of May one thousand seven hundred and eight, until the thirtieth Day of September one thousand seven hundred and ten; and the particular Rates and Duties of Excise thereby granted for the Term of ninety-five Years, from the seventeenth Day of May one thou- sand

Preamble reciting the Annuity Act, 4 Annæ, c. 6. Deficiencies on these Annuities made good by 10 Annæ, c. 26. sect. 119.

5 & 6 W. & M.
c. 7.

4 Annæ, c. 6.

Annuity Act,
5 Annæ, c. 19.

4 Annæ, c. 6.

5 Annæ, c. 19.

Annuity Act,
4 & 5 W. & M.
c. 3.

5 Annæ, c. 19.

land seven hundred and thirteen; and all the Monies to arise by Virtue of an Act of the fifth Year of the Reign of their late Majesties King WILLIAM and Queen MARY, of glorious Memory, of or for the Duties of Excise thereby granted, after paying off, or reserving sufficient to pay off the Lottery Annuities therein mentioned, together with other Monies mentioned in the said Act of the fourth Year of your Majesty's Reign, are appropriated and made liable to the Payment of certain Annuities purchased thereupon, not exceeding one hundred eighty-four thousand two hundred forty-two Pounds and fourteen Shillings *per Annum*, for ninety-nine Years, from *Lady-day* one thousand seven hundred and six, payable at the Receipt of the Exchequer; which Subsidies, Rates, Duties, and other Funds or Provisions charged by the said Act of the fourth Year of your Majesty's Reign, with the Annuities last mentioned, will by Estimation produce annually a considerable Sum more than sufficient to discharge all those Annuities, and the necessary Charges of paying and accounting for the same; and the Overplus Monies thereof are since enacted to be justly and duly computed at the Feast of the Annunciation of the Blessed Virgin *Mary* in every Year, or within six Days after: And whereas by an Act of Parliament made in *England* in the fifth Year of your Majesty's Reign, intituled, *An Act for continuing the Duties on Low Wines, and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars, and Petty Chapmen, and Part of the Duties on stamp Vellum, Parchment, and Paper, and the late Duties on Sweets, and the one third Subsidy of Tunnage and Poundage, and for settling and establishing a Fund thereby, and by the Application of certain Overplus Monies, and otherwise, for Payment of Annuities to be raised, for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and seven, and other Uses therein expressed,* certain Duties upon Low Wines, and Spirits of the first Extraction, thereby granted and continued from the three and twentieth Day of *June* one thousand seven hundred and ten, for the Term of ninety-six Years from thence next ensuing, and certain Duties payable by Hawkers, Pedlars, Petty Chapmen, and others therein described, and thereby continued for the like Term of Years; and such of the Duties upon stamp Vellum Parchment, and Paper, as are therein mentioned, and thereby granted and continued for the Term of ninety-six Years, to commence from the last Day of *July* one thousand seven hundred and ten; and the Duties upon Sweets thereby laid for the Term of ninety-nine Years, commencing from the four and twentieth Day of *March* one thousand seven hundred and six; and the additional Subsidy of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes, which are commonly called as aforesaid, the one third Subsidy, by the same Act granted, and continued for one whole Year, commencing from the Expiration of the ninety-eight Years granted therein by the said former Act; and all the Overplus Monies of the Subsidies, Rates, Duties, and other Funds contained in the said Act of the fourth Year of your Majesty's Reign, after paying, or reserving sufficient to pay so much as shall be incurred or grown due upon the said Annuities by Virtue of that Act, at or before every Feast of the Annunciation of the Blessed Virgin *Mary* respectively, the necessary Charges of paying and accounting for the same Annuities purchased thereupon being excepted, are appropriated and made liable to the Payment of certain Annuities purchased upon the said Act of the fifth Year of your Majesty's Reign, not exceeding in the whole the Sum of seventy-two thousand one hundred eighty-seven Pounds ten Shillings *per Annum*, for ninety-nine Years, from the five and twentieth Day of *March* one thousand seven hundred and seven, payable at the said Receipt of the Exchequer; and for the better securing the quarterly Payments which should grow due at or before *Michaelmas* one thousand seven hundred and ten, upon the said Annuities, not exceeding seventy-two thousand one hundred eighty-seven Pounds ten Shillings *per Annum*, divers other temporary Provisions are made in the said Act of the fifth Year of your Majesty's Reign; and thereby it is also provided, That if at the End of any Year of the said Term of ninety-nine Years, for which the said Annuities upon the said Act of the fifth Year of your Majesty's Reign were to be purchased (the first Computation to be made at *Lady-day* one thousand seven hundred and eight, or within six Days after) the Monies arising at the Exchequer within such Year by the said Rates, Duties, Subsidies, Overplus Monies, and other Monies thereby appropriated for Payment of the said Annuities, pursuant to that Act, shall exceed all the Monies then due for or upon the same Annuities, and all Arrearages thereof, then or at any Time or Times before that Time incurred, so that there shall be an Excess or Surplus remaining in the Exchequer, such Excess or Surplus shall be disposible from Time to Time for the publick Use and Service, and not otherwise: And whereas by an Act of Parliament made in *England* in the fourth Year of the Reign of their late Majesties King WILLIAM and Queen MARY, of glorious Memory, (intituled, *An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards carrying on the War against France*) certain other Rates and Duties of Excise upon Beer, Ale, and other Liquors therein particularly expressed, were granted to their said late Majesties, their Heirs and Successors, for the Term of ninety-nine Years, from the five and twentieth Day of *January* one thousand six hundred and ninety-two, and are by that and by several other Acts relating thereunto, made liable to the Payment of several Annuities, with Benefit of Survivorship, and other Annuities charged thereupon; which Rates and Duties of Excise last mentioned, do also produce annually a considerable Sum more than sufficient to discharge all those Annuities so charged thereupon, and the necessary Charges of paying and accounting for the same; and the Overplus Monies thereby arising have been and are to be computed on the four and twentieth Day of *June* yearly, and are comprehended amongst the temporary Provisions made in the said Act of the fifth Year of your Majesty's Reign, for better securing the quarterly Payments of the said Annuities, not exceeding seventy-two thousand one hundred eighty-seven Pounds ten Shillings *per Annum*, which should grow due at or before the feast of *St. Michael* the Archangel, which shall be in the Year of our Lord one thousand

‘ thousand seven hundred and ten, from which Time the Overplus Monies of the Rates and Duties of Excise last-mentioned do belong to her Majesty for the publick Use and Service:’ Now we your Majesty’s most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise a Sum of Money not exceeding six hundred and forty thousand Pounds, that is to say, a Sum not exceeding five hundred and forty thousand Pounds, Part of the Money necessary to be provided in this Session of Parliament for your Majesty’s Supply, and a Sum not exceeding one hundred thousand Pounds to be applied in such Manner as is herein after mentioned, towards making good the Payment of the Annuities to be purchased upon this Act, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen’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 from and after the Feast of the Annunciation of the blessed Virgin *Mary*, which shall be in the Year of our Lord one thousand seven hundred and eight, for and during the full Term of ninety-nine Years from thence next and immediately ensuing, the full Sum of forty thousand Pounds of lawful Money of *Great Britain* by the Year, or so much thereof as shall be sufficient for paying and discharging all the Annuities to be purchased upon this present Act, shall be set apart and appropriated, and the same is by this Act appropriated for the Payment and Satisfaction of the said Annuities to be purchased on this Act, in such Manner and Form as are herein after prescribed in that Behalf.

640000 l. to be raised.

40000 l. per Annum to be applied to the Payment of Annuities for 99 Years from Lady Day 1708.

To be charged upon the Overplus Monies of the Annuities, 4 Annæ, c. 6. 5 Annæ, c. 19.

and the Overplus of the Excise Act, 4 & 5 W. & M. c. 3.

Treasury to compute the Overplus,

and apply it for making good this Fund, &c.

II. And for the better raising, securing, and establishing of the said Fund, it is hereby enacted by the Authority aforesaid, That the said Fund, or Sum not exceeding forty thousand Pounds *per Annum*, shall be charged upon and payable out of all the Overplus or Surplus Monies of the said Rates, Duties, Subsidies, and other Funds settled for Payment of the said several Annuities purchased upon the said several Acts of the fourth and fifth Years of her Majesty’s Reign respectively, which shall from time to time remain, after satisfying, or reserving in the Exchequer sufficient to satisfy so much as shall be incurred, or grown due upon those Annuities, and every of them, and which, by the said Act of the fifth Year of her Majesty’s Reign, were left to be disposed from time to time for the publick Use and Service, as aforesaid; and shall also be charged upon, and payable out of all the Overplus Monies which shall arise after the thirtieth Day of *September* one thousand seven hundred and ten, of or for the said Rates and Duties of Excise granted in the said fourth Year of the Reign of their said late Majesties King *WILLIAM* and Queen *MARY*, and which from time to time, during the then Remainder of the said Term of ninety-nine Years therein granted, shall remain, after Payment and Satisfaction of all the Annuities charged thereupon by the said Act of the fourth Year of their said late Majesties Reign, or by any other Act or Acts of Parliament before this Time made for charging any Annuities whatsoever upon the Rates and Duties of Excise last-mentioned; and the Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby directed from time to time, during the Continuance of the said Subsidies, Rates, Duties, and other Funds settled by the said several Annuity Acts of the fourth and fifth Years of her Majesty’s Reign, as aforesaid, and every or any of them, to cause all the said Overplus Monies of the same Subsidies, Rates, Duties, and other Funds contained in the said several Annuity Acts of the said fourth and fifth Years of her Majesty’s Reign, to be justly and duly computed at the Feast of the Annunciation of the blessed Virgin *Mary* in every Year, or within six Days after; and during the Continuance of the said Rates and Duties of Excise granted by the said Act of the fourth Year of the Reign of King *WILLIAM* and Queen *MARY*, to cause all the said Overplus Monies of the same Rates and Duties of Excise to be justly and duly computed on the four and twentieth Day of *June* yearly; and to cause all the Overplus Monies which shall appear upon such several and respective Computations as aforesaid, from time to Time, or so much thereof as shall be sufficient, to be set apart, reserved, and applied for and towards the making good the said Fund or Sum not exceeding forty thousand Pounds *per Annum*, hereby intended and appointed to be settled and established for the Payment of all the Annuities to be purchased on this Act, without diverting or misapplying any of the Monies which by the said former Acts, or any of them, ought upon every such Computation to have been reserved for Payment of any the Annuities formerly purchased, as aforesaid, if this present Act had not been made.

III. And for the better securing the quarterly Payments which shall grow due on or before *Michaelmas* one thousand seven hundred and ten, upon the Annuities to be purchased in pursuance of this Act, be it enacted by the Authority aforesaid, That the Sum of one hundred thousand Pounds, Part of the Contribution-monies to be raised by sale of Annuities upon this Act, or so much thereof as shall be sufficient to make good the said yearly Fund, not exceeding forty thousand Pounds *per Annum* for the first two Years and an Half of the said Term of ninety-nine Years, shall and may be reserved and applied for and towards the discharging the quarterly Payments last-mentioned, to grow due at any Time or Times before the thirtieth Day of *September* one thousand seven hundred and ten.

100,000 l. reserved to make good the quarterly Payment till the 30 of Sept. 1710.

IV. And to the end there may be no Failure in the Payment of such Annuities, or any of them, as shall be purchased upon this Act at any Time or Times until the full Expiration of the Term of ninety-nine Years, for which the same are intended to be purchased, we your Majesty’s said dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, have cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty the Duties upon Low Wines, or Spirits of the first Extraction, and the Duties to be paid by Hawkers, Pedlars, and Petty Chapmen, and the Duties upon Vellum, Parchment, and Paper, and the additional Subsidy of Tunnage and Poundage, and the Duty upon Sweets, and the particular Rates and Duties upon Excise hereafter in this Act expressed, for and during such further Term and Terms of years respectively as are herein after mentioned: And do

Duties on Low
Wines, &c.
5 Annæ, c. 19.

on Hawkers,
Pedlars, &c.
9 & 10 W. 3.
c. 27.
5 Annæ, c. 19.

Stamp Duties,

and the one
third Subsidy,
5 Annæ, c. 19.

further continu-
ed for one Year
more after the
Expiration of
their respective
Terms.

Sweets continu-
ed for 2 Years
longer.

Excise Act,
4 & 5 W. & M.
c. 3, continued
for 15 Years
longer.

Former Powers
continued.

5 Annæ, c. 19.

Overplus Monies,
&c. appropriated
for Payment of
the 40,000 l.
per Annum,
4 & 5 W. & M.
c. 3.

most humbly beseech your Majesty to accept thereof, and that it may be enacted; and be it enacted by the Authority aforesaid, That all and every such or the like Duties for and upon all Low Wines, or Spirits of the Extraction, as by the said Act of the fifth Year of her Majesty's Reign were continued or granted for the Term of ninety-six Years above-mentioned, shall by virtue of this Act be further continued, and be paid and payable unto her Majesty, her Heirs and Successors, for and upon all Low Wines, and Spiirs of the first Extraction, to be made or drawn by any Distiller, or other Person making or drawing Spirits or Strong Waters for Sale or Exportation, within the Kingdom of *Great Britain*, from or after the Expiration of the said Term of ninety-six Years, for and during the Term of one whole Year from thence next and immediately ensuing: And that all and every such and the like Duties and Sums of Money to be paid by every Hawker, Pedlar, Petty Chapman, and such other Persons as are described in one Act of the ninth Year of the Reign of his said late Majesty King WILLIAM, for licensing Hawkers and Pedlars, and all the Powers for granting such Licences, which by the said Act of the fifth Year of her Majesty's Reign are to continue for the like Term of ninety-six Years, from the said twenty-fourth Day of *June* one thousand seven hundred and ten, shall be further continued, and be paid and payable, and be put in Execution by virtue of this Act within the whole Kingdom of *Great Britain*, from and after the Expiration of the said Term of ninety-six Years, during the Term of one whole Year from thence next and immediately ensuing: And that such of the Duties upon Vellum, Parchment, and Paper, as by the said Act of the fifth Year of her Majesty's Reign were continued for the Term of ninety-six Years from the last Day of *July* one thousand seven hundred and ten, shall by virtue of this Act be further continued, and be due and payable to her Majesty, her Heirs and Successors, within and throughout the whole Kingdom of *Great Britain*, from and after the Expiration of the Term of ninety-six Years last-mentioned, for and during the Term of one whole Year from thence next and immediately ensuing: And that the additional Subsidies of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes, commonly called, the one third Subsidy, which by the said Act of the fifth Year of her Majesty's Reign, are granted and continued for the Term of one whole Year from the Expiration of a Term of ninety-eight Years, which commenced from the eighth Day of *March* one thousand seven hundred and six, shall by virtue of this Act be further continued, and be due and payable to her Majesty, her Heirs and Successors, within and throughout the whole united Kingdom of *Great Britain*, from the Expiration of the said Term of one Year so granted and commencing as aforesaid, for and during the further Term of one whole Year from thence next and immediately ensuing: And that the Duty upon Sweets made for Sale, which by the said Act in the fifth Year of her Majesty's Reign, was granted for the Term of ninety-nine Years, commencing from the twenty-fourth Day of *March* one thousand seven hundred and six, shall, by virtue of this Act, be further continued, and be paid and payable to her Majesty, her Heirs and Successors, within and throughout the united Kingdom of *Great Britain*, from and after the Expiration of the Term of ninety-nine Years last-mentioned, for and during the further Term of two Years from thence next and immediately ensuing.

V. And be it further enacted by the Authority aforesaid, That the several Rates and Duties of Excise upon Beer, Ale, and other Liquors, which by the said Act of the fourth Year of the Reign of their said late Majesties King WILLIAM and Queen MARY, of glorious Memory, were granted for the Term of ninety-nine Years, from the twenty-fifth Day of *January* one thousand six hundred ninety-two, shall, by virtue of this Act, be further continued, and be paid and payable to her Majesty, her Heirs and Successors, within and throughout the whole united Kingdom of *Great Britain*, from and after the Expiration of the Term of ninety-nine Years last-mentioned, for and during the further Term of fifteen Years from thence next and immediately ensuing, for the Uses and Purposes in this Act expressed.

VI. And it is hereby enacted, That the said several Duties upon Low Wines, or Spirits of the first Extraction; and the said Duties payable by Hawkers, Pedlars, Petty Chapmen, and others described as aforesaid; and the said Rates and Duties upon Vellum, Parchment and Paper; and the said additional Subsidy of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes, by this Act severally granted for a further Term of one Year as aforesaid; and the said Duty upon Sweets by this Act granted for a further Term of two Years as aforesaid; and the said Rates and Duties of Excise by this Act granted for a further Term of fifteen Years as aforesaid, for the Uses and Purposes in this Act expressed, be severally and respectively raised and levied by such Rules and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and subject to such Power of Mitigation, and such respective Drawbacks, Allowances, and Repayments, and in such Manner and Form as the like Duties granted or continued by the said Act of the fifth Year of her Majesty's Reign, or any of them respectively, are prescribed, enacted, or appointed to be raised or levied.

VII. And it is hereby enacted and declared, That the said Overplus Monies of the said Rates, Duties, Subsidies, and other Funds settled for Payment of the said several Annuities purchased upon the said several Acts of the fourth and fifth Years of her Majesty's Reign respectively; and the said Overplus Monies of the said Rates and Duties of Excise which were granted in the fourth Year of their said late Majesty's Reign as aforesaid; and the said Sum not exceeding one hundred thousand Pounds, directed to be reserved out of the Contribution-monies as aforesaid; and the several Grants made by this Act of the said Duties upon Low Wines, or Spirits of the first Extraction; and of the said Duties to be paid by Hawkers, Pedlars, and Petty Chapmen; and of the said Duties upon Vellum, Parchment, and Paper; and of the said additional Subsidy of Tunnage and Poundage severally, for the further Term of one Year as aforesaid; and of the said Duties upon Sweets for two Years as aforesaid; and of the said particular Rates and Duties of Excise for the Term of fifteen Years as aforesaid; or so much of the said several Overplus Monies,

nies, reserved Monies, Rates, additional Subsidy, and other Duties, as shall be sufficient for making up the said Fund, not exceeding forty thousand Pounds *per Annum*, for answering the full and due Payment of all the Annuities to be purchased on this Act, and all Arrearages thereof from time to time incurred, are, and shall be by virtue of this Act, liable and appropriated thereunto, and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever, under the Penalties, Forfeitures, and Disabilities in this Act expressed; and all the Monies arising by the said Overplusses, Grants, and Provisions hereby made, out of which the said Fund, not exceeding forty thousand Pounds *per Annum*, is to be raised, shall be fairly and duly entred in one or more Book or Books to be kept in the Offices of the Auditor of the Receipt and Clerk of the Pells for that Purpose, to which all Persons concerned at all seasonable Times shall have free Access without Fee or Charge.

and to be entred in a Book for that Purpose.

VIII. And for the raising any Sum and Sums of Money, not exceeding in the whole the said Sum of six hundred and forty thousand Pounds, for such Uses as aforesaid, it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance, and pay into the Receipt of her Majesty's Exchequer, for her Majesty's Use, at or before the respective Days and Times in this Act limited in that Behalf, any Sum or Sums of Money, not exceeding in the whole the said Sum of six hundred and forty thousand Pounds, for purchasing any Annuity or Annuities to be paid and payable during the full Term of ninety-nine Years, to be reckoned from the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and eight, at the Rate of sixteen Years Purchase, which Rate doth amount to the Sum of one hundred and sixty Pounds for every such Annuity of ten Pounds *per Annum*, and proportionably for any greater Annuity; and the same Rate, or Consideration-money, is hereby appointed to be paid into the said Receipt at or before the respective Days and Times herein after mentioned; that is to say, One fourth Part thereof on or before the six and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and eight; one other fourth Part thereof on or before the six and twentieth Day of *May* in the Year of our Lord one thousand seven hundred and eight; one other fourth Part thereof on or before the six and twentieth Day of *July* in the Year of our Lord one thousand seven hundred and eight; and the remaining fourth Part thereof on or before the five and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and eight: All which Annuities so to be purchased, shall not exceed in the whole the said Sum of forty thousand Pounds *per Annum*; and shall be paid and payable at the four most usual Feasts or Days of Payment in the Year; that is to say, The Feasts of the Nativity of Saint *John* Baptist, Saint *Michael* the Archangel, the Birth of our Lord Christ, and the Annunciation of the blessed Virgin *Mary*, by even and equal Portions, the first Payment thereof to be due at the Feast of the Nativity of Saint *John* the Baptist, which shall be in the Year of our Lord one thousand seven hundred and eight.

Any Person may lend 640,000l. for purchasing Annuities at 16 Years Purchase.

Times of Payment.

Annuities not to exceed 40,000l. per Ann. and to be paid quarterly.

IX. And it is hereby enacted, That in the Offices of the Auditor of the Receipt, and Clerk of the Pells in the Exchequer severally, there shall be provided and kept a Book or Books, in which there shall be fairly entred the Names of all who shall be Contributors, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the Sums so paid, and the Times when the same are respectively paid: To which Book it shall be lawful for the said respective Contributors, their Executors, Administrators and Assigns, from time to time, and all seasonable Times, to have Resort, and to inspect the same without Fee or Reward.

Contributors Names to be entred, &c.

X. And be it further enacted by the Authority aforesaid, That all and every the Annuities whatsoever, which shall be purchased upon or in pursuance of this present Act, shall be and are hereby charged upon, and shall be paid and payable from time to time out of the said Fund or Sum not exceeding forty thousand Pounds *per Annum*, by this Act intended and appointed to be established, as aforesaid; and the said yearly Fund or Sum of forty thousand Pounds *per Annum*, or so much thereof as shall be sufficient to satisfy and discharge all the Annuities to be purchased upon this Act, and all the Arrearages thereof, at any Time due or owing, are and shall be, by virtue of this Act, appropriated, and applied to and for satisfying and discharging of the same Annuities, and such Arrearages thereof accordingly, and shall be issued, disposed, and applied to that Use, and to no other Use, Intent, or Purpose whatsoever, under the Penalties, Forfeitures, and Disabilities in this Act expressed; any thing herein contained, or any other Matter or Thing whatsoever, to the contrary notwithstanding.

The 40,000l. charged with the said Annuities.

XI. Provided always, That if at the End of any Year of the said Term of ninety-nine Years, for which the said Annuities upon this Act are to be purchased, the first Computation to be made at the Feast of the Annunciation of the blessed Virgin *Mary* one thousand seven hundred and nine, or within six Days after, the Monies arising at the Exchequer within such Year, which by this Act are chargeable to make good the said yearly Fund, not exceeding forty thousand Pounds (excepting such Part of the said Contribution-money, as is to be reserved for making good the future quarterly Payments, until the thirtieth Day of *September* one thousand seven hundred and ten, as aforesaid) shall exceed all the Monies which at every such Feast Day shall be due for or upon the same Annuities, and all Arrearages thereof, then or at any Time or Times before that Time incurred, so that there shall be an Excess or Surplus remaining in the Exchequer, such Excess or Surplus shall be disposible from time to time for the publick Use and Service, and not otherwise; any thing herein contained to the contrary notwithstanding.

Surplus to be applied to publick Use.

Farther Provision relating hereto, 1 Geo. 1. stat. 2. c. 12. §. 7.

XII. And be it further enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money at the Rate aforesaid, at or

Contributors entitiled to the Annuities &c.

Part of the 6 Annæ, c. 4.

Annuities were subscribed into South Sea Stock pursuant to before

before the respective Days or Times in this Act limited in that Behalf, for any such Annuity or Annuities, as aforesaid, or such as he, she, or they shall appoint, his, her, or their respective Executors, Administrators, Successors, and Assigns, shall have, receive, and enjoy, and be entitled by virtue of this Act, to have, receive and enjoy the respective Annuity and Annuities so to be purchased out of the Monies by this Act appropriated or appointed for the Payment thereof, during the said whole Term of ninety-nine Years, to be purchased therein, as is above mentioned; and that all and every such Purchasers, their Executors, Administrators, and Assigns respectively, shall have good and sure Estates and Interests in the several Annuities so by them to be purchased, according to the Tenor and true Meaning of this Act; and that all the said Annuities to be purchased upon this Act and every of them, during the Term aforesaid, shall be free from all Taxes, Charges, and Impositions whatsoever.

Tax-free.

And have Tallies and Orders struck for Payment, &c.

XIII. And be it further enacted by the Authority aforesaid, That every Contributor upon this Act, for any Annuity or Annuities, as aforesaid, his, her, or their Executors, Administrators or Assigns, upon Payment of the Consideration or Purchase-money for the same, at the Rate aforesaid, or any Part or Proportion thereof, within the Time or Times in this Act limited in that Behalf, shall immediately have one or more Tally or Tallies levied, importing the Receipt of so much Consideration-money as shall be so paid; and upon Payment of all the Purchase-money for any such Annuity or Annuities, at the Rate aforesaid, every such Contributor, his, her, or their Executors, Administrators, Successors, or Assigns respectively, shall have an Order for paying of the said Annuity and Annuities, for and during the said Term of ninety-nine Years, to be purchased therein, which Order shall be signed by the Treasurer and Under Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being, and after the signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office or Offices of them, or any of them, nor shall any Lord High Treasurer of Great Britain, Treasurer of the Exchequer, or any Commissioners of the Treasury now or for the Time being, have Power to revoke, countermand, or make void such Orders so signed, as aforesaid, or any of them.

5 per Cent. for Prompt Payment before 26 March 1708.

XIV. And for the Encouragement of the Contributors to advance and pay forthwith into the Receipt of the Exchequer the Sums by them intended to be advanced upon this Act, it is provided and enacted by the Authority aforesaid, That every such Contributor who shall advance and pay into the said Receipt of Exchequer, all or any Part of the Purchase-money payable for any such Annuity or Annuities, as aforesaid, before the said six and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and eight, his, her, or their Executors, Administrators, or Assigns, shall be allowed and paid out of the Contribution-money arising by this Act, Interest after the Rate of five Pounds *per Centum per Annum* for the prompt Payment of the Money so advanced, from the Time of the actual advancing and paying the same, until the said six and twentieth Day of *March* one thousand seven hundred and eight.

Annuities assignable, &c.

XV. And be it further enacted, That it shall and may be lawful to and for any Contributor or Contributors, his, her, or their Executors, Administrators, Successors, or Assigns, at any Time or Times, during the Continuance of his, her, or their Term, Estate, or Interest of and in any Annuity to be purchased upon this Act, by any Writing under his, her, or their Hands and Seals, or under the Common Seal of a Corporation, or by his, her, or their last Will in Writing, to assign, or devise such Annuity, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*, and no such Assignment to be revokable, so as an Entry, or Memorandum of such Assignment or Will be made in Books to be kept for that Purpose in the said Office of the Auditor of the Receipt, within the Space of three Months after such Assignment, or Death of the Devisor; and that upon producing such Assignment, or Will, or Probat thereof, in the said Office of Receipt to be entred, as aforesaid, the Party so producing the same shall bring therewith an Affidavit taken before one or more of her Majesty's Justices of the Peace, of the due Execution of the said Assignment or Will, which Affidavit shall be severally filed in the said Office; which said Entry or Memorandum the proper Officers in the said Receipt of Exchequer are hereby required to make accordingly, and to file the said Affidavits; and in Default of such Assignment or Devise by Deed or Will, the Interest of such Contributor shall go to his or her Executors or Administrators.

Guardian may advance 160 l. for Benefit of Infant.

XVI. And it is hereby enacted, That it shall and may be lawful for any Guardian or Trustee, having the Disposal of the Money of any Infant under the Age of one and twenty Years, for the Use and Benefit of such Infant, to advance and pay the Sum of one hundred and sixty Pounds of the Money of such Infant, to purchase an Annuity upon this Act, for the Benefit of such Infant; and the said Guardian or Trustee, as to the said Sum of one hundred and sixty Pounds so advanced, is hereby discharged.

Officers at the Exchequer to take no Fee, &c.

XVII. And be it further enacted, for the better Encouragement of Persons to advance the Monies on this Act, That all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done and performed by the Officers there, without demanding or receiving directly or indirectly, any Fee, Gratuity, or Reward for the same; and in case any of the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall divert or misapply any of the Monies of the said Fund, Duties, or Monies hereby appropriated, or any Part thereof, which should make good the Payment of the said Annuities, or shall pay, or issue out the same otherwise than according to the Intent of this Act, or shall not keep Books or Registers, and make Entries, and do and perform all other Things which by this Act they are required to perform, every such Officer shall forfeit his Office, and

Penalty.

and be for ever incapable of any Office or Place of Trust, and shall answer and pay Treble Damages to every Contributor or Person who shall be prejudiced thereby, to be recovered by Action of Debt, Bill, Plaint, or Information in any of her Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law, Injunction, Order of Restraint, or more than one Impar lance shall be granted or allowed; and in the said Action the Plaintiff upon Recovery shall have full Costs, one third of which Sum to be recovered for Damages, shall be to the Use of her Majesty, her Heirs and Successors, and the other two third Parts with the Costs shall be to the Use of the Prosecutor; and in case there shall be any Collusion or Feint Prosecution between the Plaintiff and Defendant in such Action, it shall be lawful for any other Contributor, his or her Executors, Administrators or Assigns, to bring another Action, wherein he or she shall recover, as aforesaid, to the like Uses, as aforesaid.

XVIII. Provided always, That no Person or Persons whatsoever shall or may Purchase or obtain, or be admitted to purchase or obtain any Annuity whatsoever upon this Act, unless the whole or one fourth at least of the Consideration-money for the same, at such Rate, as aforesaid, be advanced and paid into the said Receipt of Exchequer, on or before the said six and twentieth Day of March one thousand seven hundred and eight.

No Purchase unless one fourth paid by 26 March 1708.

XIX. Provided also, That in Case any such Contributor, as aforesaid, who shall on or before the said six and twentieth Day of March one thousand seven hundred and eight, have advanced one fourth Part of his or their Purchase-money, or his, her, or their Executors, Administrators, Successors, or Assigns, do not advance and pay into the said Receipt of Exchequer, one other fourth Part of his or her Consideration-money, so to be paid for such respective Annuity or Annuities, as aforesaid, on or before the said six and twentieth Day of May in the Year of our Lord one thousand seven hundred and eight; and the other fourth Part thereof, on or before the said six and twentieth Day of July one thousand seven hundred and eight; and the remaining fourth Part thereof on or before the said five and twentieth Day of September in the Year of our Lord one thousand seven hundred and eight; then and in every such Case respectively no Order shall be drawn or signed for such respective Annuity, for which the Consideration-money shall not be fully paid, as aforesaid, but so much of the Consideration-money as shall have been actually paid into the Receipt of the Exchequer for such respective Annuity, shall be forfeited to her Majesty, her Heirs, and Successors, and be applied, together with other the Monies to be raised by this Act, for such publick Services, as aforesaid; any thing in this Act contained to the contrary notwithstanding.

Contributor paying one fourth Part, and not the Remainder, forfeits what is paid.

XX. Provided also, and it is hereby enacted, That it shall and may be lawful to and for the Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being, out of the Overplus of the Revenues hereby appropriated for making good the said Fund, not exceeding forty thousand Pounds per Annum, which shall arise over and above so much as shall be sufficient to make up the said yearly Fund for discharging all the Annuities to be purchased on this Act, to reward the Officers, Clerks, and others to be employed in the Payment of the said Annuities, or the Accounts thereof, for their Labour, Pains, Charges, and Service therein respectively, and to defray all other the necessary Charges incident to the Payment of the said Annuities, as to the said Treasurer or Commissioners of the Treasury for the Time being, shall seem meet and reasonable in that Behalf; any thing in this Act contained to the contrary notwithstanding.

Treasury may reward Officers.

XXI. And whereas there are admitted in the Exchequer many Subscriptions for Annuities to this Act before the same has had the Royal Assent, Be it further enacted by the Authority aforesaid, That all Subscriptions made or taken, or which shall be made and taken, before the Royal Assent given to this Act, shall be, and are hereby declared to be null and void.

Subscriptions admitted before the Royal Assent, void.

C A P. VI.

An Act for rendring the Union of the two Kingdoms more intire and compleat.

I. WHEREAS by her Majesty's great Wisdom and Goodness the Union of the two Kingdoms hath been happily effected, and the whole Island is thereby subject to one Sovereignty, and presented by one Parliament: To the end therefore that the said Union may be rendred more compleat and intire, be it enacted by the Queen'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 from and after the first Day of May in the Year of our Lord one thousand seven hundred and eight, the Queen's Majesty, her Heirs and Successors, shall have but one Privy Council in or for the Kingdom of Great Britain, to be sworn to her Majesty, her Heirs and Successors, as Sovereigns of Great Britain; and such Privy Council shall have the same Powers and Authorities as the Privy Council of England lawfully had, used, and exercised at the Time of the Union, and none other.

5 Ann. c. 8.

From 1 May 1708 the Queen to have but one Privy Council in Great Britain.

II. And to the End the publick Peace may be in like Manner preserved throughout the whole United Kingdom; Be it further enacted by the Authority aforesaid, That in every Shire and Stewartry within that Part of Great Britain called Scotland and also in such Cities, Boroughs, Liberties, and Precincts within Scotland, as her Majesty, her Heirs or Successors shall think fit, there shall be appointed by her Majesty, her Heirs or Successors, under the Great Seal of Great Britain, a sufficient Number of good and lawful Men to be Justices of the Peace within their respective Shires, Stewartries, Cities, Boroughs, Liberties, or Precincts; which Persons so appointed, over and above the several Powers and Authorities vested in Justices of the Peace by the Laws of Scotland, shall be further authorized to do, use and exercise over

Justices of Peace to be appointed in every Shire and Stewartry of Scotland.

Explained as to Dittays and Porteous Rolls, by 8 Annæ, c. 16. f. 3.

Proviso.

Not to alter the Privileges of Edinburgh, &c.

Circuit Courts to be kept twice a Year.

In what Manner the 45 Representatives of Scotland shall be elected.

How Vacancies happening in Time of Parliament shall be supplied.

Shire or Stewartry, &c. not having a Turn to elect, to be omitted out of the Writ, &c.
See 6 Ann. c. 6.
1 Geo. 1. ff.
2. c. 54. f. 15.

all Persons within their several Bounds, whatever doth appertain to the Office and Trust of a Justice of Peace, by Virtue of the Laws and Acts of Parliament made in *England* before the Union, in Relation to and for the Preservation of the publick Peace. Provided nevertheless, That in the Sessions of the Peace the Methods of Trial and Judgments shall be according to Laws and Customs of *Scotland*.

III. Provided, That nothing in this Act contained shall be construed to alter or infringe any Rights, Liberties, or Privileges heretofore granted to the City of *Edinburgh*, or to any other Royal Borough, of being Justices of Peace within their respective Bounds.

IV. And whereas by an Act made in *Scotland* in the Third Session of the second Parliament of the late King CHARLES the Second, intituled, *An Act concerning the Regulation of the Judicatures*, several good and wholesome Provisions were made concerning the Justice Court, and amongst others it was thereby enacted, That once a Year Circuit Courts should be kept at the Time and Places in the said Act mentioned: Now for the better and speedier Administration of Justice, and further Preservation of the publick Peace in that Part of the Kingdom of *Great Britain* called *Scotland*, be it also enacted by the Authority aforesaid, That for the future, twice in the Year, that is to say, in the Months of *April* or *May*, and in the Month of *October*, Circuit Courts shall be kept in the several Places in the said Act mentioned, and in Manner and Form as in the said Act contained.

V. And for the more uniform and express Method of electing and returning Members of Parliament, be it likewise further enacted by the Authority aforesaid, That when any Parliament shall at any Time hereafter be summoned or called, the forty-five Representatives of *Scotland* in the House of Commons of the Parliament of *Great Britain*, shall be elected and chosen by Authority of the Queen's Writs under the Great Seal of *Great Britain*, directed to the several Sheriffs and Stewarts of the respective Shires and Stewartries; and the said several Sheriffs and Stewarts shall, on Receipt of such Writs, forthwith give Notice of the Time of Election for the Knights or Commissioners for their respective Shires or Stewartries, and at such Time of Election the several Freeholders in the respective Shires and Stewartries shall meet and convene at the Head Burghs of their several Shires and Stewartries, and proceed to the Election of their respective Commissioners or Knights for the Shire or Stewartry; and the Clerks of the said Meetings, immediately after the said Elections are over, shall respectively return the Names of the Persons elected to the Sheriff or Stewart of the Shire or Stewartry, who shall annex it to his Writ, and return it with the same into the Court out of which the Writ issued: And as to the Manner of Election of the fifteen Representatives of the Royal Boroughs, the Sheriff of the Shire of *Edinburgh* shall, on the Receipt of the Writ directed to him, forthwith direct his Precept to the Lord Provost of *Edinburgh*, to cause a Burgess to be elected for that City; and on Receipt of such Precept, the City of *Edinburgh* shall elect their Member, and their common Clerk shall certify his Name to the Sheriff of *Edinburgh*, who shall annex it to his Writ, and return it with the same into the Court from whence the Writ issued: And as to the other Royal Burghs, divided into fourteen Classes or Districts, the Sheriffs or Stewarts of the several Shires and Stewartries, shall on the Receipt of their several Writs, forthwith direct their several Precepts to every Royal Borough within their respective Shires or Stewartries, reciting therein the Contents of the Writ, and the Date thereof, and commanding them forthwith to elect each of them a Commissioner as they used formerly to elect Commissioners to the Parliament of *Scotland*, and to order the said respective Commissioners to meet at the presiding Borough of their respective District (naming the said presiding Borough) upon the thirtieth Day after the Day of the *Teste* of the Writ, unless it be upon the Lord's Day, commonly called *Sunday*, and then the next Day after, and then to choose their Burgess for the Parliament; and the common Clerk of the then presiding Borough shall immediately after the Election, return the Name of the Person so elected to the Sheriff or Stewart of the Shire or Stewartry wherein such presiding Borough is, who shall annex it to his Writ, and return it with the same into the Court from whence the Writ issued; and in case a Vacancy shall happen in Time of Parliament, by the Decease or legal Incapacity of any Member, a new Member shall be elected in his Room, conformable to the Method herein before appointed; and in case such Vacancy be of a Representative for any one of the said fourteen Classes or Districts of the said Royal Boroughs, that Borough which presided at the Election of the deceased or disabled Member, shall be the presiding Borough at such new Election.

VI. Provided always, That upon the issuing of Writs of Summons for the electing of a Parliament, if any Shire or Stewartry wherein a Royal Borough is, hath not then a Turn or Right to elect a Commissioner, or Knight of the Shire or Stewartry for that Parliament, that then it shall be omitted out of the Writ directed to such Sheriff or Stewart, to cause a Knight, Commissioner for that Shire or Stewartry, to be elected for that Parliament.

C A P. VII.

An Act for the Security of her Majesty's Person and Government, and of the Succession to the Crown of *Great Britain* in the Protestant Line.

WHEREAS by the happy Union of *England* and *Scotland*, it is become necessary to make divers Alterations in Relation to an Act passed in the Parliament of *England*, in the fourth Year of the Reign of her present Majesty, whom God long preserve, intituled, *An Act for the better Security of her Majesty's Person and Government, and of the Succession to the Crown of England in the Protestant Line*, and to extend the Provisions of the said Act throughout the whole United Kingdom, for the better Security of our most gracious Sovereign's Person and Government, and of the Succession to the Crown of *Great Britain* in the Protestant Line, as it is now by the Laws and Statutes of this Realm settled, limited, and appointed; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice

4 Annæ, c. 8.

vice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons shall maliciously, advisedly, and directly, by Writing or Printing, maintain and affirm, That our Sovereign Lady the Queen that now is, is not the lawful and rightful Queen of these Realms, or that the pretended Prince of *Wales*, who now stiles himself King of *Great Britain*, or King of *England*, by the Name of JAMES the Third, or King of *Scotland*, by the Name of JAMES the Eighth, hath any Right or Title to the Crown of these Realms, or that any other Person or Persons hath or have any Right or Title to the same, otherwise than according to an Act of Parliament made in *England* in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, of ever blessed and glorious Memory, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*; and one other Act made in *England* in the twelfth Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*; and the Acts lately made in *England* and *Scotland* mutually for the Union of the two Kingdoms; or that the Kings or Queens of this Realm, with and by the Authority of Parliament, are not able to make Laws and Statutes of sufficient Force and Validity to limit and bind the Crown, and the Descent, Limitation, Inheritance, and Government thereof; every such Person or Persons shall be guilty of High Treason, and being thereof lawfully convicted, shall be adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures as in Cases of High Treason.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall maliciously and directly, by Preaching, Teaching, or advised speaking, declare, maintain, and affirm, That our Sovereign Lady the Queen that now is, is not the lawful or rightful Queen, of these Realms, or that the pretended Prince of *Wales*, who now stiles himself King of *Great Britain*, or King of *England*, by the Name of JAMES the Third, or King of *Scotland*, by the Name of JAMES the Eighth, hath any Right or Title to the Crown of these Realms, or that any other Person or Persons hath or have any Right or Title to the same, otherwise than according to an Act of Parliament made in *England* in the first Year of the Reign of their said late Majesties King WILLIAM and Queen MARY, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*; and one other Act made in *England*, in the twelfth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*; and the Acts lately made in *England* and *Scotland* mutually for the Union of the two Kingdoms; or that the Kings or Queens of this Realm, with and by the Authority of Parliament, are not able to make Laws and Statutes of sufficient Force and Validity to limit and bind the Crown, and the Descent, Limitation, Inheritance, and Government thereof; every such Person or Persons shall incur the Danger and Penalty of *Præmunire* mentioned in the Statute of *Præmunire* made in *England* in the sixteenth Year of the Reign of King RICHARD the Second.

III. Provided always, and be it enacted by the Authority aforesaid, That no Person shall be prosecuted by Virtue of this Act for any Words spoken, unless the Information of such Words be given upon Oath to one or more Justice or Justices of the Peace within three Days after such Words spoken, and the Prosecution of such Offence be within three Months after such Information; and that no Person shall be convicted by Virtue of this Act for any such Words spoken, but by the Oaths of two credible Witnesses.

IV. And be it further enacted by the Authority aforesaid, That this present Parliament, or any other Parliament which shall hereafter be summoned and called by her Majesty QUEEN ANNE, her Heirs or Successors, shall not be determined or dissolved by the Death or Demise of her said Majesty, her Heirs or Successors, but such Parliament shall, and is hereby enacted to continue, and is hereby impowered and required, if sitting at the Time of such Demise, immediately to proceed to act, notwithstanding such Death or Demise, for and during the Term of six Months, and no longer, unless the same be sooner prorogued or dissolved by such Person to whom the Crown of this Realm of *Great Britain* shall come, remain and be, according to the Acts for limiting and settling the Succession, and for the Union above mentioned; and if the said Parliament shall be prorogued, then it shall meet and sit on and upon the Day unto which it shall be prorogued, and continue for the Residue of the said Time of six Months, unless sooner prorogued or dissolved as aforesaid.

V. And be it further enacted by the Authority aforesaid, That if there be a Parliament in Being, at the Time of the Death of her Majesty, her Heirs or Successors, but the same happens to be separated by Adjournment or Prorogation, such Parliament shall immediately after such Demise meet, convene and sit, and shall act, notwithstanding such Death or Demise, for and during the Time of six Months, and no longer, unless the same shall be sooner prorogued or dissolved as aforesaid.

VI. And be it further enacted by the Authority aforesaid, That in case there is no Parliament in Being at the Time of such Demise that hath met and sat, then the last preceding Parliament shall immediately convene, and sit at *Westminster*, and be a Parliament to continue as aforesaid, to all Intents and Purposes, as if the same Parliament had never been dissolved, but subject to be prorogued and dissolved as aforesaid.

VII. Provided always, and it is hereby declared, That nothing in this Act contained shall extend, or be construed to extend to alter or abridge the Power of the Queen, her Heirs or Successors, to prorogue or dissolve Parliaments, nor to repeal, or make void one Act of Parliament made in *England* in the sixth Year of the Reign of their said late Majesties King WILLIAM and Queen MARY, intituled, *An Act for the frequent Meeting and Calling of Parliaments*; but that the said Act shall continue in Force in every Thing that is not contrary to, or inconsistent with the Direction of this Act; and the said Act for the fre-

Persons who by Writing, &c. shall declare, &c. the Queen not to be lawful Queen, or that the pretended Prince of Wales hath any Right to the Crown, &c.

1 W. & M. ff. 2. c. 2.
11 & 12 W. 3. c. 2.

Guilty of High Treason.

Preachers, &c. who shall declare and affirm the Queen not to be lawful Queen, &c.

1 W. & M. ff. 2. c. 2.
11 & 12 W. 3. c. 2.

To incur the Penalty of *Præmunire*.
16 R. 2. c. 5.

No Prosecution unless Information be within 3 Days after Words spoken.

Parliament not to be dissolved by Queen's Death.

But continue for 6 Months after.

Parliament to meet immediately after Death.

In case there be no Parliament, then the last preceding to meet.

Not to abridge Queen's Power to prorogue or dissolve Parliaments.

6 W. & M. c. 2.

quent

To extend to the Parliament of Great Britain.

Privy Council not to be dissolved by Queen's Death.

Nor the Places of the great Officers.

Nor any Offices Civil or Military.

But continue for 6 Months.

Great Seal, &c. to be used.

On Queen's Death, Privy Council to cause the next Protestant Successor to be proclaimed;

on Pain of High Treason.

In case Successor be out of the Realm at Queen's Death;

Seven Lords Justices appointed.

The Successor (by three Instruments) may add seven others.

The three Instruments to be transmitted into Great Britain,

quent Meeting and Calling of Parliaments is hereby declared and enacted to extend to the Parliament of *Great Britain*, as fully and effectually, to all Intents, Constructions, and Purposes, as if the same were herein and hereby particularly recited and enacted.

VIII. And be it further enacted by the Authority aforesaid, That the Privy Council of her Majesty, her Heirs or Successors for the Kingdom of *Great Britain*, shall not be determined or dissolved by the Death or Demise of her Majesty, her Heirs or Successors; but such Privy Council shall continue and act as such by the Space of six Months next after such Demise, unless sooner determined by the next Successor to whom the Imperial Crown of this Realm is limited and appointed to go, remain, and descend; nor shall the Office or Place of Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain*, or of Lord High Treasurer of *Great Britain*, Lord President of the Council for *Great Britain*, Lord Privy Seal of *Great Britain*, Lord High Admiral of *Great Britain*, or of any of the Great Officers of the Queen or King's Household for the Time being; nor shall any Office, Place, or Employment, Civil or Military, within the Kingdoms of *Great Britain* or *Ireland*, Dominion of *Wales*, Town of *Berwick upon Tweed*, Isles of *Jersey*, *Guernsey*, *Alderney*, and *Sarke*, or any of her Majesty's Plantations, become void by Reason of the Demise or Death of her present Majesty, her Heirs or Successors, Queens or Kings of this Realm; but the said Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain*, the Lord High Treasurer of *Great Britain*, the Lord President of the Council, the Lord Privy Seal, the Lord High Admiral of *Great Britain*, the Great Officers of the Household, and every other Person and Persons in any of the Offices, Places, and Employments aforesaid, shall continue in their respective Offices, Places, and Employments, for the Space of six Months next after such Death or Demise, unless sooner removed and discharged by the next in Succession as aforesaid.

IX. And be it further enacted by the Authority aforesaid, That the Great Seal of *Great Britain*, the Privy Seal, Privy Signet, and all other Publick Seals in Being, at the Time of the Demise of her Majesty, her Heirs or Successors, shall continue and be made use of as the respective Seals of the Successor, until such Successor shall give Order to the contrary.

X. And be it further enacted by the Authority aforesaid, That whensoever her Majesty (whom God long preserve) shall happen to demise and depart this Life without Issue of her Body, the Privy Council for *Great Britain* in Being, at the Time of such Demise of her Majesty, shall with all convenient Speed cause the next Protestant Successor entitled to the Crown of *Great Britain*, by Virtue of the Acts before mentioned, to be openly and solemnly proclaimed in *Great Britain* and *Ireland*, in such Manner and Form as the preceding Kings and Queens respectively have been usually proclaimed after the Demise of their respective Predecessors; and that all and every Member and Members of the said Privy Council, wilfully neglecting or refusing to cause such Proclamation to be made, shall be guilty of High Treason, and being thereof lawfully convicted, shall be adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures as in Cases of High Treason; and also all and every Officer and Officers within the said Kingdoms of *Great Britain* and *Ireland*, who shall by the said Privy Council be required to make such Proclamations, and shall wilfully refuse or neglect to make the same, shall be guilty of High Treason, and being thereof lawfully convicted shall be adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures as in Cases of High Treason.

XI. And because it may happen that the next Protestant Successor may, at the Time of such Demise of her Majesty, be out of the Realm of *Great Britain* in Parts beyond the Seas; Be it therefore enacted by the Authority aforesaid, That for the continuing of the Administration of the Government in the Name of such Protestant Successor, until her or his Arrival in *Great Britain*, the seven Officers herein after named, who shall be in the Possession of their Offices at the Time of such Demise of her Majesty, that is to say, The Archbishop of *Canterbury* at that Time being, the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain* at that Time being, the Lord High Treasurer of *Great Britain* at that Time being, the Lord President of the Council for *Great Britain* at that Time being, the Lord Privy Seal of *Great Britain* at that Time being, the Lord High Admiral of *Great Britain* at that Time being, and the Lord Chief Justice of the *Queen's Bench* at that Time being, shall be and are, by Virtue of this Act, constituted and appointed Lords Justices of *Great Britain*, and are and shall be, by Virtue of this Act, empowered, in the Name of such Successor, and in her and his Stead, to use, exercise, and execute all Powers, Authorities, Matters, and Acts of Government, and Administration of Government, in as full and ample Manner as such next Successor could use or execute the same, if she or he were present in Person within this Kingdom of *Great Britain*, until such Successor shall arrive, or otherwise determine their Authority.

XII. Nevertheless, be it further enacted by the Authority aforesaid, That such Person who by the Limitations aforesaid is or shall be next to succeed to the Crown of this Realm, in case of her Majesty's Demise without Issue, shall and is hereby empowered, at any Time during her Majesty's Life, by three Instruments under her or his Hand and Seal, revocable or to be altered at her and his Will and Pleasure, to nominate and appoint such and so many Persons, being natural born Subjects of this Realm of *Great Britain*, as she or he shall think fit, to be added to the seven Officers before named, to be Lords Justices as aforesaid; who shall be empowered, by Authority of this Act, to act with them as Lords Justices of *Great Britain*, as fully and in the same Manner as if they had been herein particularly named: Which said Lords Justices, or the major Part of them, which shall assemble, so as such major Part be not fewer than five, shall and may use and exercise all the Powers and Authorities before mentioned, as fully and effectually, to all Intents and Purposes, as if all of them had been assembled together and consenting.

XIII. And be it enacted by the Authority aforesaid, That the said three Instruments, revocable and to be altered as aforesaid, shall be transmitted into *Great Britain*, to the Resident of such Person next to succeed as aforesaid, whose Credentials shall be enrolled in the High Court of *Chancery*, and to the Archbishop

shop of *Canterbury*, and the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain*, close sealed up; and after they are so transmitted, shall be put into several Covers, which shall be severally sealed up with three several Seals of such Resident, and of the Archbishop of *Canterbury*, and of the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain*; and one of them, after it is so sealed up, shall be lodged and deposited in the Hands of such Resident, one other of them in the Hands of the said Archbishop of *Canterbury*, and one other of them in the Hands of the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain*: And that if the next Successor shall be minded to revoke or alter her or his Nomination or Appointment made as aforesaid, and shall by three Writings of the same Tenor, under her or his Hand and Seal, require the said Instruments deposited as aforesaid, to be delivered up to some Person or Persons thereby authorized to receive the same; then and in such Case the said Persons with whom the said Instruments shall be deposited, and every of them, and in case of any of their Deaths, their Executors or Administrators respectively, and every other Person in whose Custody any of the said Instruments shall happen to be, shall deliver up the said Instruments accordingly; and they are hereby respectively authorized and required so to do: And if any of the said Persons with whom the said Instruments shall be so deposited shall happen to die, or be removed from their respective Offices or Employments, during the Life of her present Majesty, such Person and Persons, and in case of any of their Deaths, their Executors or Administrators respectively, and every other Person in whose Custody any of the said Instruments shall happen to be, shall, with all convenient Speed, deliver such of them as shall be in his or their Custody, to the Successor or Successors of the Person so dying or removed as aforesaid; which said several Instruments so sealed up and deposited as aforesaid, shall immediately after the Demise of her Majesty without Issue, be brought before the Privy Council, where the same shall be forthwith opened and read, and afterwards inrolled in the High Court of *Chancery*.

XIV. And be it further enacted by the Authority aforesaid, That if any of the said Persons with whom the said Instruments shall be deposited as aforesaid, or any of their Executors or Administrators, or any other Person in whose Custody the same shall happen to be after the Deceases of any of the said Persons, shall open any of the said Instruments, or shall wilfully neglect or refuse to produce before the said Privy Council as aforesaid, such of the said Instruments as shall be in his or their Custody as aforesaid, every such Person so opening, neglecting or refusing, shall incur the Pains and Penalties of a *Præmunire* inflicted by the said Statute of *Præmunire*.

XV. And be it further enacted by the Authority aforesaid, That if all the said Instruments deposited as aforesaid, shall not be produced before the said Privy Council as aforesaid, then any one or more of the said Instruments so produced as aforesaid, shall be as effectual to give such Authority as aforesaid, to the Persons therein named, as if all of them had been produced as aforesaid: And if there be not any Nomination by such Instruments, then the said seven Officers, or any five of them, are constituted and appointed to be Lords Justices of *Great Britain*, and are hereby invested with the Powers and Authorities mentioned in this Act.

XVI. And be it further enacted by the Authority aforesaid, That any Nomination and Appointment already made by the next Successor, signified by such Instruments deposited as aforesaid, pursuant to the said former Act for the better Security of her Majesty's Person and Government, and of the Succession to the Crown of *England* in the Protestant Line, shall be deemed and taken to be as effectual for constituting and appointing the Persons so nominated Lords Justices of *England* to be Lords Justices of *Great Britain*, to all Intents, Constructions and Purposes, as if such Nomination and Appointment were made pursuant to this Act.

XVII. And be it further enacted, That the said Lords Justices constituted as aforesaid, shall not dissolve the Parliament continued and ordered to assemble and sit as aforesaid, without express Direction from such succeeding Queen or King; and that the said Lords Justices shall be, and are hereby restrained and disabled from giving the Royal Assent in Parliament to any Bill or Bills for the repealing or altering the Act made in *England* in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for the Uniformity of publick Prayers, and Administration of Sacraments, and other Rites and Ceremonies; and for establishing the Form for making, ordaining, and consecrating Bishops, Priests, and Deacons in the Church of England*; or the Act made in *Scotland* in the last Session of Parliament there, intituled, *Act for securing the Protestant Religion, and Presbyterian Church Government*; and all and every the said Lords Justices concurring in giving the Royal Assent to any Bill or Bills for repealing or altering the said Acts, or either of them, shall be guilty of High Treason, and suffer and forfeit as in Cases of High Treason.

XVIII. And be it further enacted by the Authority aforesaid, That the said Lords Justices before they act or intermeddle in their said Offices, or any of the Authorities hereby to them given, shall take the Oaths mentioned in an Act made in *England* in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths*; and also the Oath herein after expressed and enacted to be taken after the Demise of her Majesty without Issue of her Body; which said Oaths shall be taken before the Privy Council appointed to continue by Virtue of this Act, who are hereby required and impowered to administer the same; and that all the Members of both Houses of Parliament, and every Member of the Privy Council, and all Officers or Persons in any Offices, Places, or Employments Civil or Military, who are or shall be by this Act continued as aforesaid, shall take the said Oaths, and do all other Acts requisite by the Laws and Statutes of this Realm, to qualify themselves to be and continue in such their respective Places, Offices and Employments, within such Time, and in such Manner, and under such Pains, Penalties, and Disabilities, as they should or ought to do, had they been newly elected, appointed, constituted, or put into such Offices, Places, or Employments in the usual and ordinary Way.

XIX. And

and severally sealed up and deposited, &c.

Persons opening any of the said Instruments, &c. guilty of a *Præmunire*.

16 R. 2. c. 5.

Any one of the Instruments produced to the Privy Council, to be effectual.

Nomination of Lords Justices by Successor, already made, to be as effectual as if appointed by this Act.

Lords Justices not to dissolve the Parliament without Direction, not alter 13 & 14 Car. 2. c. 4.

or an Act made in *Scotland*.

Lords Justices to take the Oaths, 1 W. & M. II. c. 3.

By 1 Geo. 2. Stat. 1. c. 5. And by 1 Geo. 2. Stat. 2. c. 23. Repealed as to Officers qualifying themselves anew.

And be deemed
Officers of Trust.

XIX. And it is hereby further enacted and declared, That all and every the Persons that shall be any of the Lords Justices by Virtue of this Act, shall be deemed and taken as Persons executing Offices of Trust within *England*, and shall be required to do all Acts requisite by the Laws and Statutes of *England*, to qualify themselves to be and continue in their said Offices or Places of Trust, within such Times, and in such Manner, and under such Pains, Penalties, and Disabilities as in and by the said Act are required.

After Queen's
Death, 1 Ann:
stat. 1. c. 22.

XX. And be it further enacted by the Authority aforesaid, That from and after the Demise of her Majesty without Issue of her Body, instead of the Oath appointed to be taken by the Act, intituled, *An Act for the further Security of her Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors, and for declaring the Association to be determined*, the following Oath shall be taken by all Persons required by the said Act to take the said Oath therein mentioned, and hereby altered and changed (that is to say)

following Oath
to be taken.

The Oath.

‘ I *A. B.* do truly and sincerely acknowledge, profess, testify, and declare in my Conscience, before God and the World, That our Sovereign is lawful and rightful of this Realm, and of all other Majesty's Dominions and Countries thereunto belonging. And I do solemnly and sincerely declare, That I do believe in my Conscience, that the Person pretended to be Prince of *Wales* during the Life of the late King *JAMES*, and since his Decease pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of *JAMES* the Third, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereto belonging: And I do renounce, refuse, and abjure any Allegiance or Obedience to him. And I do swear, That I will bear Faith and true Allegiance to and will defend to the utmost of my Power, against all traiterous Conspiracies and Attempts whatsoever which shall be made against Person, Crown, or Dignity. And I will do my utmost Endeavour to disclose and make known to Majesty and Successors all Treasons and traiterous Conspiracies which I shall know to be against or any of them. And I do faithfully promise, to the utmost of my Power, to support, maintain, and defend the Succession of the Crown against him the said *JAMES*, and all other Persons whatsoever, as the same by an Act, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, is and stands limited to the Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely acknowledge and swear, according to the express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation, and Promise, heartily, willingly and truly, upon the true Faith of a Christian.’

11 & 12 W. 3.
c. 2.

So help me GOD.

How Blanks in
the Oath shall be
filled up.

XXI. The Blanks of which Oath shall be filled up with the Name of her or him, as Queen, or King, who shall be next in Succession, according to the said Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, when the said Oath is to take Place, and with the other proper Additions of the Words *Her*, *His*, or *Him*, and from and after the Death of the said pretended Prince of *Wales*, these Words following, *viz.* [‘ And I do solemnly and sincerely declare, That I do believe in my Conscience, that the Person pretended to be Prince of *Wales*, during the Life of the late King *JAMES*, and since his Decease pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of *JAMES* the Third, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereto belonging: And I do renounce, refuse, and abjure any Allegiance or Obedience to him’] shall be left out, and also the Words [‘ against him the said *JAMES*, and all other Persons whatsoever’] shall be omitted, and instead thereof shall be inserted [‘ against all Persons whatsoever.’]

The Successor
may use any Seal
before her or his
Arrival in Great
Britain.

XXII. And be it further enacted by the Authority aforesaid, That such next succeeding Queen or King shall and may make use of any Seal, to affix to any Writing or Instrument, which she or he shall, before her or his Arrival in *Great Britain*, make and pass, to execute and do, or cause to be executed or done, any regal Act; and it being signified by such Writing or Instrument, that the same shall have the same Effect as if passed under the Great Seal of *Great Britain*, or any other publick Seal used there, the same shall be of the same Force and Effect, as if it were actually sealed by the Great Seal of *Great Britain*, or such other publick Seal, which the same is declared to be intended to have the Force and Effect of in such Writing or Instrument.

Parliament cal-
led by Lords Jus-
tices not to be
dissolved by Ar-
rival of Successor.

XXIII. And be it further declared and enacted, That if, after the Death of her Majesty without Issue, and before the Arrival of any succeeding Queen or King in *Great Britain*, any Parliament shall be called by the Lords Justices, by Writs tested in their Names; by the Arrival of such succeeding Queen or King in *Great Britain*, such Parliament shall not be dissolved, but after such Arrival shall proceed without any new Summons.

Proviso in case
any of the 7
Great Offices be
in Commission
at Queen's
Death.

XXIV. Provided always, That if any of the aforesaid seven Officers, other than the Office of Lord High Treasurer of *Great Britain*, shall be in Commission at the Time of such Demise of her Majesty, that then the first Commissioner of such respective Commission shall be one of the said Lords Justices of *Great Britain*, and use, exercise, and execute all Powers, Authorities, Matters, and Acts of Government by this Act vested in the said Lords Justices of *Great Britain*, according to the Directions and Provisions of this:

this Act, in as full and ample Manner as if such Office or Offices were in the Hands of a single Person. Provided, that if there be no Lord High Treasurer of *Great Britain*, and the Office of Treasurer of the Exchequer shall be in Commission, then the first in that Commission shall be one of the Lords Justices of *Great Britain*.

XXV. And be it further enacted by the Authority aforesaid, That no Person, who shall have in his own Name, or in the Name of any Person or Persons in Trust for him, or for his Benefit, any new Office or Place of Profit whatsoever under the Crown, which at any Time since the five and twentieth Day of *October* in the Year of our Lord one thousand seven hundred and five, have been created or erected, or hereafter shall be created or erected, nor any Person who shall be a Commissioner, or Sub-Commissioner of Prizes, Secretary or Receiver of the Prizes, nor any Comptroller of the Accounts of the Army, nor any Commissioner of Transports, nor any Commissioner of the Sick and Wounded, nor any Agent for any Regiment, nor any Commissioner for any Wine Licences, nor any Governor or Deputy Governor of any of the Plantations, nor any Commissioners of the Navy employed in any of the Out-Ports, nor any Person having any Pension from the Crown during Pleasure, shall be capable of being elected, or of sitting or voting as a Member of the House of Commons in any Parliament which shall be hereafter summoned and holden.

Persons in Office, &c. made incapable of being elected Members of the House of Commons.

By 1 Geo. 1. Stat. 2. c. 56. No Pensioner for Years shall sit in the House, &c. See 15 Geo. 2. c. 22.

XXVI. Provided always, That if any Person being chosen a Member of the House of Commons, shall accept of any Office of Profit from the Crown, during such Time as he shall continue a Member, his Election shall be, and is hereby declared to be void, and a new Writ shall issue for a new Election, as if such Person so accepting was naturally dead. Provided nevertheless, That such Person shall be capable of being again elected, as if his Place had not become void as aforesaid.

Accepting Office of Profit while a Member, Election void: But may be again elected.

XXVII. Provided also, and be it enacted, That in order to prevent for the future too great a Number of Commissioners to be appointed or constituted for the executing of any Office, that no greater Number of Commissioners shall be made or constituted for the Execution of any Office, than have been employed in the Execution of such respective Office at some Time before the First Day of this present Parliament.

No Office to be executed by too many Commissioners.

XXVIII. Provided also, That nothing herein contained shall extend, or be construed to extend to any Member of the House of Commons, being an Officer in her Majesty's Navy or Army, who shall receive any new, or other Commission in the Navy or Army respectively.

Not to extend to Officers in the Navy or Army.

XXIX. And be it further enacted, That if any Person hereby disabled, or declared to be incapable to sit or vote in any Parliament hereafter to be holden, shall nevertheless be returned as a Member to serve for any County, Stewartry, City, Town, or Cinque Port, in any such Parliament, such Election and Return are hereby enacted and declared to be void to all Intents and Purposes whatsoever; and if any Person disabled, or declared incapable by this Act to be elected, shall after the Dissolution or Determination of this present Parliament presume to sit or vote as a Member of the House of Commons in any Parliament to be hereafter summoned, such Person so sitting or voting shall forfeit the Sum of five hundred Pounds, to be recovered by such Person as shall sue for the same in *England*, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection or Wager of Law shall be allowed, and only one Impar lance.

Persons disabled, if returned as Members, such Election and Return void.

XXX. And be it further enacted and declared, That every Person disabled to be elected, or to sit or vote in the House of Commons of any Parliament of *England*, shall be disabled to be elected, or to sit or vote in the House of Commons of any Parliament of *Great Britain*.

Penalty on sitting.

XXXI. And be it further enacted, by the Authority aforesaid, That no Person, who now is a Commissioner for disposing the Sum of three hundred ninety-eight thousand and eighty-five Pounds ten Shillings, and all other Sums arising to *Scotland* by Way of Equivalent, upon the Agreements, and to the Purposes mentioned in the Articles of Union of the two Kingdoms, shall, for, or by Reason of such Commission, or any other Commission for disposing the said Equivalent, or any Part thereof, or the Execution of any such Commission, or any Thing relating thereunto, be disabled from being elected a Member of Parliament, or sitting or voting as such in this or any future Parliament.

No Commissioner for the Equivalent disabled from being elected.

See farther c. 14. and 8 Ann. c. 15.

C A P. VIII.

An Act for encouraging the Dressing and Dying of Woollen Clothes within this Kingdom, by laying a Duty upon Broad Cloth exported White.

‘ I. WHEREAS it has been found necessary towards supporting the Woollen Manufacture of this Kingdom, that Woollen Cloth, commonly called Broad Cloth, be exported White:’ Now, to the Intent that such Exportation may not be prejudicial to the Dressing or Dying of Woollen Clothes within this Kingdom, We your Majesty's most dutiful Subjects the Commons of *Great Britain* in Parliament assembled, do humbly pray your Majesty that it may be enacted; and be it enacted by the Queen'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 a Duty of five Shillings shall be paid to her Majesty, her Heirs and Successors, for every white woollen Cloth, commonly called Broad Cloth, which shall be exported out of this Kingdom into foreign Parts.

4 Ed. 4. c. 2. 1 R. 3. c. 8. Duty of 5s. to be paid for every Broad Cloth exported.

Continued for thirty-two Years by 9 Annæ, c. 6. and perpetuated by 3 Geo. 1. c. 6.

II. And be it further enacted, by the Authority aforesaid, That if any Person or Persons shall export, or ship on any Boat or Vessel, in order to Exportation into foreign Parts, any white woollen Cloth or Clothes, commonly called Broad Cloth, without first paying the Duty aforesaid, such Person or Persons shall forfeit every such Cloth and Clothes, which shall be so shipped in order to Exportation, contrary to the Intent and Meaning of this Act, or the Value of such Cloth or Clothes; one Moiety thereof to her Majesty, her Heirs and Successors; the other Moiety to such Person as shall seize, inform, or sue for the same.

Cloth shipped before Duty paid, forfeited.

Farther Provisions relating hereto, 7 Annæ, c. 15.

C A P. IX.

An Act for the Exportation of White Woollen Cloth.

74 and 15 H. 8.
c. 3.Patent granted
6 Eliz. to the
Hamborough
Company.Patent 28 Car. 2.
to the Countess
of Portland for
Twenty-one
Years.All white Wool-
len Cloth what-
ever made in
Great Britain,
&c. may be ex-
ported.
See the References
to the foregoing
Chapter.

E X P.

WHEREAS by an Act of Parliament made in the fourteenth and fifteenth Years of the Reign of King HENRY the Eighth, intituled, *Touching Worsted Weavers of Yarmouth and Lynn*, it is amongst other Things enacted, That no Person or Persons any Time after convey or transport into any of the Parts beyond the Sea, any Manner of Clothes or Worsteds before the same Clothes be shorn, dyed, coloured, and calendred, upon Pain of forfeiting the Value thereof: And whereas in the sixth Year of the Reign of QUEEN ELIZABETH a Patent was granted to the *Hamborough Company* for ever, with Liberty to export thirty thousand Clothes, though not wrought or dressed, twenty-five thousand whereof to be above the Value of three Pounds, and under the Value of six Pounds *per Cloth*, and the other five thousand to be above the Value of four Pounds *per Cloth*: And whereas in the eight and twentieth Year of the Reign of King CHARLES the Second, another Patent was granted to Sir *James Hayes*, and Sir *Peter Apsley*, Knights, in Trust for the late Countess of *Portland*, for the Term of one and twenty Years, to liccise the Exportation of all Manner of Woollen Clothes, white as well as coloured, though not barbed, rowed, shorn or dressed, without Limitation as to Price or Number, with Power to agree and compound with the Exporter for the *quantum* to be paid them for the Liccise to export the same: And whereas the last mentioned Patent expired in or about the Month of *May* in the Year of our Lord one thousand seven hundred and seven, since the Expiration of which said Patent, the Officers of her Majesty's Customs have put a Stop to the Exportation of all white Clothes; and some Doubts have arisen whether the same may be exported, notwithstanding the many good Laws that have been made for the Encouragement of the Woollen Manufacture: And whereas there are great Quantities of white Woollen Clothes now ready to be shipt off, and exported into Parts beyond the Seas, where there is a great Demand for the same, and it hath been the Wisdom of this Nation in all Ages, to give all due Encouragement to the Woollen Manufacture thereof: For preventing therefore of all Doubts that have or may arise concerning the Exportation of white Woollen Cloth, and for the better Encouragement of the Woollen Manufacture of this Kingdom, and Employment of the Poor, Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Person or Persons whatsoever to export out of the Kingdom of *Great Britain*, or Dominion of *Wales*, any white Woollen Cloth whatsoever, made or manufactured within the said Kingdom of *Great Britain* or Dominion of *Wales*; any Law, Statute, Ordinance, Custom, Prescription or Provision whatsoever, to the contrary notwithstanding.

C A P. X.

An Act for the better recruiting her Majesty's Land-Forces and the Marines, for the Service of the Year one thousand seven hundred and eight.

C A P. XI.

An Act for continuing one Half-Part of the Subsidies of Tonnage and Poundage, and other Duties upon Wines, Goods and Merchandizes imported, which were granted to the Crown in the Twelfth Year of the Reign of King CHARLES the Second, and for settling a Fund thereby, and by other Ways and Means, for Payment of Annuities, not exceeding eighty thousand Pounds *per Annum*, to be sold for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and eight, and other Uses therein expressed.

12 Car. 2. c. 4.

5 Annæ, c. 27.

1,280,000l. to
be raised by Sale
of Annuities,
whereof 1,020,000l. for the Expence of the War, &c. and 260,000 l. for Payment of the Annuities purchased on this Act.

I. MOST Gracious Sovereign; Whereas several Subsidies of Tonnage and Poundage, and other Duties and Sums of Money, upon Wines, Goods, and other Merchandizes, were given and granted unto his late Majesty King CHARLES the Second (of Blessed Memory) for his Life, by an Act of Parliament made in the twelfth Year of his Reign, intituled, *A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported*, and by the Book of Rates thereunto annexed; which Subsidies of Tonnage and Poundage, and other Duties and Sums of Money, upon Wines, Goods and Merchandizes, as well exported as imported, (with some Alterations) were by several subsequent Acts of Parliament granted to continue until the first Day of *August* one thousand seven hundred and ten: And whereas by an Act of Parliament made in the fifth Year of your Majesty's Reign, (intituled, *An Act for continuing several Subsidies, Impositions, and Duties, and for making Provisions therein mentioned, to raise Money by way of Loan, for the Service of the War, and other her Majesty's necessary and important Occasions, and for ascertaining the Wine-Measure*) the said Subsidies of Tonnage and Poundage, and other Duties and Sums of Money, were enacted to continue, and be payable to your Majesty, for and upon all Wines, Goods and Merchandizes, which should be imported at any Time or Times between the last Day of *July* one thousand seven hundred and ten and the first Day of *August* one thousand seven hundred and twelve: Now, We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, having resolved, that a further Sum, not exceeding one million two hundred and eighty thousand Pounds, be raised by Sale of Annuities in the manner

' herein

‘ herein after mentioned, to wit, one Million and twenty thousand Pounds thereof for the better enabling your Majesty to defray the Expence of the present War, and other your Majesty’s most necessary and important Occasions; and two hundred and sixty thousand Pounds, Residue thereof, to be applied in such Manner as is herein after mentioned, towards making good the Payment of the Annuities to be purchased upon this Act,’ have, for that End and Purpose, cheerfully and unanimously given and granted, and do by this Act give and grant unto your Majesty the further Subsidies, Duties, and Sums of Money herein after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen’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 over and above all other Subsidies, additional Duties, Impositions and Payments whatsoever, by any former or other Act or Acts of Parliament, or otherwise however, already due or payable, or which ought to be paid to her Majesty, for or upon any Wines, Goods, or Merchandizes whatsoever, imported or to be imported, there shall be raised, levied, collected, paid, and satisfied unto her Majesty, her Heirs and Successors, for and upon all Wines, Goods, and Merchandizes, which at any Time or Times, from and after the last Day of *July* one thousand seven hundred and twelve, within or during the Term of ninety-six Years from thence next and immediately ensuing, shall be imported or brought into *Great Britain*, one Moiety or half Part of such and the like several and respective Subsidies, Duties, and Sums of Money, as by the said Act of the fifth Year of her Majesty’s Reign are charged or payable within or during the Term or Time thereby granted or limited, for or upon the like imported Wines, Goods, and Merchandizes respectively; except such Goods and other Merchandizes as by the said Act of the fifth Year of her Majesty’s Reign, or by any Law now in Force, are exempted from the Payment of the Subsidies or Duties which were first granted in the twelfth Year of the Reign of King CHARLES the Second as aforesaid.

II. And it is hereby enacted, That in all Cases where, by the said Act of the fifth Year of her Majesty’s Reign, or by any Act relating thereunto, any Drawbacks or Abatements are to be made of the Whole, or any Part of the Duties thereby imposed, upon any Wines, Goods or Merchandizes whatsoever, there shall be in the like Cases proportional Drawbacks and Abatements made of the Whole, or Part of the Duties by this Act imposed upon the same Wines, Goods and Merchandizes respectively; and that the several Subsidies and Duties by this Act granted, during the Continuance thereof, shall be raised, collected, levied, secured, and paid, within and throughout the Kingdom of *Great Britain*, by the same Ways, Means, and Methods, and under such Penalties and Forfeitures, and with such Allowances, and subject to such Rules and Directions, as in and by the said Act of the fifth Year of her Majesty’s Reign, or by any other Act or Acts therein referred unto, are prescribed or appointed, for the raising, collecting, levying, securing, and paying the said Subsidies and Duties, granted by the said Act of the fifth Year of her Majesty’s Reign, during the Continuance thereof; and that every Article, Rule, and Clause contained in the said Act of the fifth Year of her Majesty’s Reign, or in any Act or Acts of Parliament therein mentioned, or thereby referred unto, for raising, collecting, levying, securing, and paying the said Subsidies and Duties thereby granted, during the Continuance thereof, are and shall be by Force of this Act revived, and shall be used, exercised and put in Practice, for the raising, levying, collecting and answering the Subsidies and Duties granted or imposed by this present Act, during the said Term of ninety-six Years, and all Arrearages thereof from time to time, as fully and effectually as if the same Articles, Rules, and Clauses, and every of them, were again particularly and at large recited and re-enacted in the Body of this present Act; except only as to such of the said Articles, Rules, and Clauses, touching which other Provisions, Alterations or Exemptions are made by any Act or Acts of Parliament now in being, which other Provisions, Alterations, or Exemptions shall be observed with Respect to the Duties hereby granted, during the Continuance of this Act, in the same Manner as they are to be observed with respect to the said Subsidies formerly granted as aforesaid.

III. And for the better and more sure Payment of all the Annuities to be purchased on this Act, be it further enacted by the Authority aforesaid, That all the Monies arising from time to time by or for the further Subsidies and Duties by this Act granted or payable (the necessary Charges of managing, raising, levying, collecting, answering, paying, and accounting for the same only excepted) shall from time to time, from and after the Commencement thereof, for and during the said Term of ninety-six Years thereby granted, be brought and paid by the Receiver General, or such Person or Persons as for the time being shall have the Receipt thereof (who are hereby required and enjoined to bring and pay the same as it shall be raised) into the Receipt of the Exchequer, for the Purposes in this Act expressed, distinctly and separately from all other Monies whatsoever that are or shall be payable by him or them into the said Receipt.

IV. And be it enacted by the Authority aforesaid, That from and immediately after the Time that all the Principal and Interest Monies which by the said Act of the fifth Year of her Majesty’s Reign are charged upon the aforesaid Subsidies of Tonnage and Poundage thereby granted, shall be satisfied and paid off, or that Money shall be reserved in the Exchequer sufficient for that Purpose, then one Moiety or half Part of the aforesaid Subsidies of Tonnage and Poundage, to arise by the said Act of the fifth Year of her Majesty’s Reign, for the Remainder of the Term thereby granted, and therein then to come and unexpired (except the necessary Charges of raising, collecting, levying, and accounting for the same) shall in like Manner from time to time be brought and paid into the Receipt of the Exchequer for the Purposes in this Act expressed distinctly and apart as aforesaid, and the said Receiver and Receivers General, or other Persons who shall have the Receipt of the said Moiety or half Part of the said Subsidies and Duties by this or the said former Act granted, and hereby required to be paid into the Receipt of the Exchequer as aforesaid, shall make or cause to be made the Payments thereof into the said Receipt of the Exchequer, according

Half Subsidy of Tonnage and Poundage continued from 31 July 1713, for 96 Years.

Perpetuated by 1 Geo. 1. stat. 2. c. 12. §. 2. 5 Annæ, c. 27. Surplus of Money arising by this Act how appropriated. 7 Annæ, c. 7. §. 32. Except Goods exempted by former Acts. 12 Car. 2. c. 4.

The same Drawbacks, &c. allowed. Former Powers revived.

5 Annæ, c. 27.

Except where other Provision is made.

Monies to be paid into the Exchequer separately.

After the Principal, &c. charged by 5 Annæ, c. 27. are paid off, then the half Subsidy to be paid weekly into the Exchequer.

ing to the true Meaning of this Act, weekly to wit, on *Wednesday* in every Week, if it be not an a Holy-day, and if it be, then on the next Day after that is not an Holy-day.

260,000 l. reserved for discharging the quarterly Payments.

V. And for the better securing the quarterly Payments which shall grow due upon the Annuities to be purchased in pursuance of this Act, before the Monies arising by the half Subsidies and Duties before-mentioned can take Place for Payment of the same, Be it enacted by the Authority aforesaid, That the said Sum not exceeding two hundred and sixty thousand Pounds, Part of the Contribution Monies to be raised by Sale of Annuities upon this Act, or so much thereof as shall be sufficient in this Behalf, shall and may be reserved and applied for and towards the discharging the quarterly Payments last-mentioned.

The half Subsidy, &c. appropriated for Payment of the Annuities.

VI. And be it further enacted by the Authority aforesaid, That the said half Subsidies and Duties by this Act appointed to be paid into the Exchequer weekly for the Purposes in this Act contained, as aforesaid, and the said Sum not exceeding two hundred and sixty thousand Pounds hereby directed to be reserved out of the Contribution-money as aforesaid, or so much of the same Subsidies, Duties, and reserved Monies as shall be sufficient for answering the full and due Payment of all the Annuities to be purchased on this Act, and all Arrearages thereof from time to time incurred, are and shall be by virtue of this Act, liable and appropriated thereunto, and shall not be diverted or divertible to any other Use; Intent, or Purpose whatsoever, under the Penalties, Forfeitures, and Disabilities in this Act expressed; and all the Monies arising by the said half Subsidies, Duties, and Provisions hereby made, out of which the said Annuities to be purchased upon this Act are to be satisfied, shall be fairly and duly entered in one or more Book or Books to be kept in the Offices of the Auditor of the Receipt, and Clerk of the Pells for that Purpose, to which all Persons concerned at all seasonable Times shall have free Access, without Fee or Charge.

To be entered in a Book, &c.

Commissioners and other Officers, &c. to be appointed.

VII. And to the End all the Monies by this Act appropriated for Payment of the Annuities to be purchased on this Act, may be duly and certainly raised and brought into the Receipt of the Exchequer for that Purpose, it is hereby further enacted, That from time to time, during the Continuance of this Act, there shall be continued or appointed Commissioners, and a Receiver or Receivers General, as also Comptrollers, Collectors, and other proper Officers for raising the several half Subsidies and Duties by this Act intended for the Payment of the Annuities to be purchased thereupon, and for keeping the Accounts of the same; and that all Commissioners, Receivers General, Comptrollers, Collectors, and other Officers, who are or shall be concerned in the managing, raising, levying, receiving, collecting or paying the same, or in keeping the Accounts thereof, shall perform their several and respective Duties therein, as to them respectively shall appertain, under such and the like Penalties, Forfeitures, and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the said Monies, as are prescribed and to be inflicted by virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory (intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*) for the like Offence or Neglect in relation to the Duties upon Salt, and other Duties upon stampd Vellum, Parchment, and Paper thereby granted, or for detaining, diverting, or misapplying any Part of the Monies which were granted by the Act last-mentioned.

Who shall be subject to the Penalties, &c. in 9 & 10 W. 3. c. 44.

Any Persons may lend 1,280,000 l. for Purchasing Annuities at 16 Years Purchase.

VIII. And for the raising any Sum or Sums of Money, not exceeding in the whole the said Sum of one million and two hundred and eighty thousand Pounds, for such uses as aforesaid, it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance, and pay into the Receipt of her Majesty's Exchequer for her Majesty's Use, at or before the respective Days and Times in this Act limited in that Behalf, any Sum or Sums of Money, not exceeding in the whole the said Sum of one million two hundred and eighty thousand Pounds, for purchasing any Annuity or Annuities to be paid and payable during the full Term of ninety-nine Years, to be reckoned from the four and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and eight, at the Rate of sixteen Years Purchase, which Rate doth amount to the Sum of one hundred and sixty Pounds for every such Annuity of ten Pounds *per Annum*, and proportionably for any greater Annuity; and the same Rate, or Consideration-money, is hereby appointed to be paid into the said Receipt, at or before the respective Days or Times herein after-mentioned, that is to say, One fourth Part thereof on or before the twentieth Day of *April* in the Year of our Lord one thousand seven hundred and eight; one other fourth Part thereof on or before the two and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and eight; one other fourth Part thereof on or before the twentieth Day of *August* in the Year of our Lord one thousand seven hundred and eight; and the remaining fourth Part thereof on or before the twentieth Day of *October* in the Year of our Lord one thousand seven hundred and eight: All which Annuities so to be purchased, shall not exceed in the whole the Sum of eighty thousand Pounds *per Annum*, and shall be paid and payable at the four most usual Feasts or Days of Payment in the Year; that is to say; The Feast of *St. Michael* the Archangel, the Birth of our Lord Christ, the Annunciation of the blessed Virgin *Mary*, and the Nativity of Saint *John Baptist*, by even and equal Portions; the first Payment thereof to be due at the Feast of Saint *Michael* the Archangel, which shall be in the Year of our Lord one thousand seven hundred and eight.

Times of Payment.

Annuities not to exceed 80,000 l. per Annum, and to be paid quarterly.

In Part subscribed into South Sea Stock pursuant to 6 Geo. I. c. 4.

Contributors Names to be entered, &c.

IX. And it is hereby enacted, That in the Offices of the Auditor of the Receipt, and Clerk of the Pells in the Exchequer severally, there shall be provided and kept a Book or Books, in which there shall be fairly entered the Names of all who shall be Contributors, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the Sum so paid: To which Book it shall be lawful for the said respective Contributors, their Executors, Administrators, and

and Assigns, from time to time, and at all seasonable Times, to have Resort, and to inspect the same without Fee or Reward.

X. And be it further enacted by the Authority aforesaid, That all and every the Annuities whatsoever, which shall be purchased upon or in pursuance of this present Act, shall be and are hereby charged upon, and shall be paid and payable from time to time in the first Place, and with Preference to all other Payments whatsoever, out of the Monies arising from time to time, of or for the said half Subsidies, and other Duties appointed to be brought in weekly for that Purpose, as aforesaid, and out of the said Sum of the Contribution-money hereby appointed to be reserved, as aforesaid; and so much of the said half Subsidies, Duties, and reserved Monies so appointed, as shall be sufficient to satisfy and discharge all the Annuities to be purchased on this Act, and all the Arrearages thereof, at any Time due or owing, are and shall be, by virtue of this Act, appropriated and applied to and for satisfying and discharging of the same Annuities, and such Arrearages thereof accordingly, and shall be issued, disposed, and applied to that Use, and to no other Use, Intent, or Purpose whatsoever, under the Penalties, Forfeitures, and Disabilities in this Act expressed; any thing herein contained, or other Matter or Thing whatsoever, to the contrary notwithstanding.

Annuities charged upon the half Subsidy, &c.

XI. Provided always, and it is hereby enacted by the Authority aforesaid, That if at the End of any Quarter of a Year of the Term for which the Annuities upon this Act are to be purchased, the Monies arising at the Exchequer of or for the said half Subsidies and Duties by this Act appropriated (the Contribution-money to be reserved, as aforesaid, being excepted) shall exceed all the Monies then due for or upon the same Annuities, and all Arrearages thereof, then or at any Time or Times before that Time incurred, so that there shall be an Excess or Surplus remaining in the Exchequer, such Excess or Surplus shall be disposable from time to time for the publick Use and Service, and not otherwise; any thing herein contained to the contrary notwithstanding.

Surplus to be applied to publick Use. Farther Provisions relating hereto, 7 Ann. c. 7. §. 32.

XII. And be it further enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money at the Rate aforesaid, at or before the respective Days or Times in this Act limited in that Behalf, for any such Annuity or Annuities as aforesaid, or such as he, she, or they shall appoint, his, her, or their respective Executors, Administrators, Successors, and Assigns, shall have, receive and enjoy, and be entitled by virtue of this Act, to have, receive, and enjoy the respective Annuity and Annuities so to be purchased out of the Monies by this Act appropriated or appointed for the Payment thereof, during the said whole Term of ninety-nine Years, to be purchased therein, as is above-mentioned; and that all and every such Purchasers, their Executors, Administrators, and Assigns respectively, shall have good and sure Estates and Interests in the several Annuities so by them to be purchased, according to the Tenor and true Meaning of this Act; and that all the said Annuities to be purchased on this Act, and every of them, during the Term aforesaid, shall be free from all Taxes, Charges, and Impositions whatsoever.

Contributors entitled to the Annuities, &c.

Tax-free.

XIII. And be it further enacted by the Authority aforesaid, That every Contributor upon this Act for any Annuity or Annuities, as aforesaid, his, her, or their Executors, Administrators, or Assigns, upon Payment of the Consideration or Purchase-money for the same, at the Rate aforesaid, or any Part or Proportion thereof, within the Time or Times in this Act limited in that Behalf, shall immediately have one or more Talley or Tallies levied, importing the Receipt of so much Consideration-money as shall be so paid; and upon Payment of all the Purchase-money for any such Annuity or Annuities, at the Rate aforesaid, every such Contributor, his her or their Executors, Administrators, Successors, or Assigns respectively, shall have an Order for paying of the said Annuity and Annuities, for and during the said Term of ninety-nine Years, to be purchased therein; which Order shall be signed by the Treasurer and Under-Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being; and after the signing thereof, the same shall be good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under-Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office, or Offices of them or any of them; nor shall any Lord High Treasurer of Great Britain, Treasurer of the Exchequer, or any Commissioners of the Treasury now or for the Time being, have Power to revoke, countermand, or make void such Orders so signed as aforesaid, or any of them.

And to have Tallies and Orders struck, &c.

XIV. And for the Encouragement of the Contributors to advance and pay forthwith into the Receipt of the Exchequer the Sums by them intended to be advanced upon this Act, it is provided and enacted by the Authority aforesaid, That every such Contributor who shall advance and pay into the said Receipt of Exchequer, all or any Part of the Purchase-money payable for any such Annuity or Annuities as aforesaid, before the said twentieth Day of April in the Year of our Lord one thousand seven hundred and eight, his, her, or their Executors, Administrators, or Assigns, shall be allowed and paid out of the Contribution-money arising by this Act, Interest after the Rate of five Pounds *per Centum per Annum* for the prompt Payment of the Money so advanced, from the Time of the actual advancing and paying the same, until the said twentieth Day of April one thousand seven hundred and eight.

5 per Cent. for prompt Payment before 20 April 1708.

XV. And be it further enacted, That it shall and may be lawful to and for any Contributor or Contributors, his her, or their Executors, Administrators, Successors, or Assigns, at any Time or Times, during the Continuance of his, her, or their Term, Estate, or Interest of and in any Annuity to be purchased upon this Act, by any Writing under his, her, or their Hands and Seals, or under the common Seal of a Corporation, or by his, her, or their last Will in Writing, to assign or devise such Annuity, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*; and no such Assignment to be revokable, so as an Entry or Memorandum of such Assignment or Will be made in

Annuities assignable, &c.

Books to be kept for that Purpose in the said Office of the Auditor of the Receipt, within the Space of three Months after such Assignment, or Death of the Devisor; and that upon producing such Assignment, or Will, or Probate thereof, in the said Office of Receipt, to be entred as aforesaid, the Party so producing the same shall bring therewith an Affidavit taken before one or more of her Majesty's Justices of the Peace, of the due Execution of the said Assignment or Will, which Affidavit shall be severally filed in the said Office; which said Entry or Memorandum the proper Officers in the said Receipt of Exchequer are hereby required to make accordingly, and to file the said Affidavits; and in Default of such Assignment or Devise by Deed or Will, the Interest of such Contributor shall go to his or her Executors or Administrators.

Guardian may advance 160 l. for Benefit of Infant.

XVI. And it is hereby enacted, That it shall and may be lawful for any Guardian or Trustee, having the Disposall of the Money of any Infant under the Age of one and twenty Years, for the Use and Benefit of such Infant, to advance and pay the Sum of one hundred and sixty Pounds of the Money of such Infant, to purchase an Annuity upon this Act, for the Benefit of such Infant; and the said Guardian or Trustee, as to the said Sum of one hundred and sixty Pounds so advanced, is hereby discharged.

Officers of the Exchequer to take no Fee, &c.

XVII. And be it further enacted, for the better Encouragement of Persons to advance the Monies on this Act, That all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Gratuity or Reward for the same; and in case any of the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall divert or misapply any of the Monies of the said half Subsidies, and other Duties or Monies hereby appropriated, or any Part thereof, which should make good the Payment of the said Annuities, or shall pay or issue out the same otherwise than according to the Intent of this Act, or shall not keep Books or Registers, and make Entries, and do and perform all other Things which by this Act they are required to perform; every such Officer shall forfeit his Office, and be for ever incapable of any Office or Place of Trust, and shall answer and pay Treble Damages to every Contributor or Person who shall be prejudiced thereby, to be recovered by Action of Debt, Bill, Plaint, or Information in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law, Injunction, Order of Restraint, or more than one Imparllance shall be granted or allowed; and in the said Action the Plaintiff upon Recovery shall have full Costs; one third of which Sum to be recovered for Damages shall be to the Use of her Majesty, her Heirs and Successors, and the other two third Parts, with the Costs, shall be to the Use of the Prosecutor; and in case there shall be any Collusion or feint Prosecution between the Plaintiff and Defendant in such Action, it shall be lawful for any other Contributor, his or her Executors, Administrators, or Assigns, to bring another Action, wherein he or she shall recover as aforesaid, to the like Uses as aforesaid.

Penalty.

No Purchase, unless one fourth be paid by 20 April 1708.

XVIII. Provided always, That no Person or Persons whatsoever shall or may Purchase or obtain, or be admitted to purchase or obtain any Annuity whatsoever upon this Act, unless the whole, or one fourth Part at least of the Consideration-money for the same, at such Rate as aforesaid, be advanced and paid into the said Receipt of Exchequer on or before the said twentieth Day of *April* one thousand seven hundred and eight.

Contributor paying one fourth Part, and not the Remainder, forfeits what is paid.

XIX. Provided also, That in case any such Contributor as aforesaid, who shall, on or before the said twentieth Day of *April* one thousand seven hundred and eight, have advanced one fourth Part of his or her Purchase-money, or his, her, or their Executors, Administrators, Successors, or Assigns, do not advance and pay into the said Receipt of Exchequer one other fourth Part of his or her Consideration-money, so to be paid for such respective Annuity or Annuities as aforesaid, on or before the said two and twentieth Day of *June* one thousand seven hundred and eight; and one other fourth Part thereof on or before the said twentieth Day of *August* one thousand seven hundred and eight; and the remaining fourth Part thereof on or before the said twentieth Day of *October* one thousand seven hundred and eight; then, and in every such Case respectively, no Order shall be drawn or signed for such respective Annuity, for which the Consideration-money shall not be fully paid as aforesaid; but so much of the Consideration-money as shall have been actually paid into the Receipt of the Exchequer for such respective Annuity, shall be forfeited to her Majesty, her Heirs and Successors, and shall be applied, together with other the Monies to be raised by this Act, for such publick Services as aforesaid; any thing in this Act contained to the contrary notwithstanding.

Treasury may reward Officers, Clerks, &c. out of the Surplus of Duties, &c.

XX. Provided also, and it is hereby enacted, That it shall and may be lawful to and for the Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being, out of the said half Subsidies and other Duties by this Act appropriated for making good the said Fund, not exceeding eighty thousand Pounds *per Annum*, which shall arise over and above so much as shall be sufficient to make up the said yearly Fund for discharging all the Annuities to be purchased on this Act, to reward the Officers, Clerks, and others to be employed in the Payment of the said Annuities, or the Accounts thereof, for their Labour, Pains, Charges, and Service therein respectively, and to defray all other the necessary Charges incident to the Payment of the said Annuities, as to the said Treasurer or Commissioners of the Treasury for the Time being shall seem meet and reasonable in that Behalf; any Thing in this Act contained to the contrary notwithstanding.

XXI. And whereas in and by the said Act of the fifth Year of her said Majesty's Reign, a Credit was given for any Sums not exceeding eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing, to be borrowed at an Interest, after the Rate of six Pounds *per Centum per Annum*, upon the several Subsidies, Impositions, and Duties in that Act mentioned, and the

Lord

‘ Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are thereby authorized and directed to cause the Officers of the Receipt of Exchequer to receive from Time to Time by way of Loan, at the like Interest, at the said Receipt, any further Sum and Sums of Money over and above the said Sum of eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing, as should be sufficient to make good the Payment of all the Interest Monies appointed or allowed by that Act, every three Months, until the Subsidies, Impositions, and Duties therein mentioned should come into the Exchequer, and be sufficient for that Purpose, pursuant to the true Intent and Meaning of that Act:’ Now it is hereby provided and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend to the taking away, altering, or lessening the said Power and Direction of borrowing Monies to make good the Payment of the said Interest every three Months, until the said Subsidies, Impositions, and Duties in the said recited Act mentioned shall come in and be sufficient for that Purpose as aforesaid, or in any wise to alter or prejudice the Security given by the said Act of the fifth Year of her Majesty’s Reign, for the Re- payment or Satisfaction of the same, or any other the Principal or Interest Monies, which were secured, or intended to be secured by that Act, and that the Orders for the same shall be registred in Course, and paid in the same Manner as if this Act had not been made; this present Act, or any Thing therein contained, or any other Matter or Thing whatsoever, to the contrary in any wise notwithstanding.

‘ XXII. And whereas several Tickets, commonly called *Million Lottery Tickets*, and *Malt Lottery Tickets*, which are still unpaid, and several Bills called *Exchequer Bills*, not yet discharged, also divers Sorts of Bills or Certificates, commonly called *Debentures*, made forth for Arrears due to the Army, and for Transport Services, not being applied to the purchasing of any of the forfeited Estates in *Ireland*, or otherwise discharged, and also divers Tallies and Orders for Payment of Annuities granted by Acts of Parliament, are by Casualty or Mischance lost, burnt, or otherwise destroyed;’ Be it hereby further enacted, That in all Cases where it shall appear by Affidavit, to be made before any of the Barons of the Exchequer for the Time being, to the Satisfaction of such Baron or Barons, That any such Tickets, Bills, Debentures, Tallies, or Orders as aforesaid, before the third Day of *March* one thousand seven hundred and seven, have been or are lost, burnt, or otherwise destroyed, it shall and may be lawful for the respective Officers or Persons appointed to issue and make forth the said Tickets, Bills, Debentures, Tallies, or Orders, or to pay and discharge the same, or to issue any Monies due and payable thereon, upon the producing of a Certificate from any of the said Barons of such Affidavit made before him (which Affidavit the said Barons, or any of them, is and are hereby authorized to take, and which Certificate he or they are hereby required to make and grant without Fee or Reward) and on Security given to the said respective Officers and Persons to their good liking, to indemnify them respectively against all other Persons whatsoever, for or concerning the Monies specified in, or due upon such respective Ticket or Tickets, Bill or Bills, Debenture or Debentures, Tally or Tallies, Order or Orders, they the said Officers and Persons respectively, shall and are hereby required to make forth Duplicates of the said Tickets, Bills, Debentures, or Orders, and to innovate the said Tallies, at the Request of the respective Owners, and to pay and discharge the said Tickets, Bills, Debentures, Tallies, and Orders, and all such Interest as is or shall be due on the said Tickets, Bills, Debentures, or Orders, carrying Interest, as he or they should have paid and discharged on the said original Bills, Tickets, Debentures, Tallies, or Orders, if the same had been produced, and shall be allowed the same in all their respective Accounts; and if there shall not be any proper Officer or Person to make forth the said Duplicates, or any of them, that the Lord High Treasurer of her Majesty, her Heirs or Successors, or the Commissioners of the Treasury for the Time being, or any three of them, shall and are hereby authorized and required upon such Affidavit and Security as aforesaid, to order and direct any such Duplicates to be made forth, in such Manner as he or they shall judge to be best; all which Matters and Things shall be done without Fee or Reward to be taken or demanded for the same; any Thing in this or any other Act of Parliament contained to the contrary thereof in any wise notwithstanding.

‘ XXIII. And whereas several Officers and other Proprietors of Debentures made forth by the late Paymaster of the Army, Commissioners for Transports, and by the Commissioners of Accounts, in that Behalf authorized respectively, have omitted to register the said Debentures within the Time limited by Act of Parliament for that Purpose made and passed in the fourth Year of her present Majesty’s Reign, intituled, *An Act to enlarge the Time for registering unsatisfied Debentures upon the forfeited Estates in Ireland, and for renewing of other Debentures which have been lost, burnt or destroyed.*’ For the Relief therefore of all such Officers and other Proprietors of the said unregistred Debentures, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for all such Officers and other Proprietors of any of the said Debentures, who have not registred the same, to register their Debentures on or before the four and twentieth Day of *June* one thousand seven hundred and eight; which said Debentures being so registred, shall, and are hereby intituled to all the Benefit of Interest and other Advantages, as if registred on or before the four and twentieth Day of *March* one thousand seven hundred and six.

XXIV. Provided always, and be it enacted and declared by the Authority aforesaid, That in case any Purchaser or Purchasers of any Annuity or Annuities upon this Act, having paid one fourth Part or more of the Purchase-money hereby appointed to be paid for the same, shall be minded and desirous to be paid by way of Advance out of the Monies by this Act appointed to be reserved (when such Money shall be reserved) as aforesaid, all or any of the quarterly Payments to grow due upon such Annuity or Annuities at or before *Michaelmas* one thousand seven hundred and eleven, then an Order shall be forthwith drawn and signed, according to the Course of the Exchequer, and satisfied, for the immediate paying, by way of Advance, such quarterly Payments as aforesaid, out of the said reserved Monies, deducting for the Uses

Clause of Credit in 5 Annæ, s. 2. not lessened by this Act.

Lottery Tickets, Exchequer Bills, Debentures, &c. burnt or lost and not discharged, new ones to be made forth in lieu of such so lost, &c. On Affidavit and Certificate, &c.

Officers to pay the same.

Without Fee.

Irish Debentures not registred within Times limited, may be registred before 24. June 1708. 4 Annæ, c. 24.

Purchasers having paid one fourth Part, &c. may have advanced all or any the quarterly Payments, due before 29 Sept. 1711. deducting 4l. per Cent.

of this Act, upon every quarterly Payment so to be advanced, so much as an Interest after the Rate of four Pounds *per Centum per Annum* shall amount unto, from the Time of such Advance, until such quarterly Payments respectively would grow due by the Days of Payment limited for the same by this Act; any Thing in this Act contained to the contrary notwithstanding.

C A P. XII.

An Act to explain the Act of the last Session of Parliament, for the Ease of her Majesty's Subjects in Relation to Allowances out of the Duties upon Salt carried Coastwise, and also an Act of the first Year of her Majesty's Reign, in Relation to certain Salt Works near the Sea-side and Bay of *Holy-head* in the County of *Anglesea*.

3 Annæ, c. 29.

I. WHEREAS by an Act passed the last Session of Parliament, intituled, *An Act for the Ease of her Majesty's Subjects in Relation to the Duties upon Salt, and for making the like Allowances upon the Exportation of White Herrings, Flesh, Oatmeal, and Grain called Beer, alias Bigg, as are to be made upon Exportation of the like from Scotland*; it was provided and enacted, That any Person that shall ship any English White Salt or Rock Salt to be carried Coastwise, after the first Day of *May* one thousand seven hundred and seven, from one Port of *England* or *Wales*, or the Port of *Berwick upon Tweed*, to any Port of *England* or *Wales*, or *Berwick upon Tweed*, the Duties having been paid or secured to be paid, according to former Laws, shall have an Allowance made to him after the Rate of three Bushels for every forty Bushels of *English* White Salt, and after the Rate of one Bushel and an Half for every forty Bushels of *English* Rock Salt so shipped to be carried Coastwise, and proportionably for a greater or less Quantity, in Consideration of the ordinary Waste in the Carriage thereof; which Allowance shall be but one made for the same Salt, although such Salt shall be carried from several Ports Coastwise as aforesaid: And whereas there has been some Doubt in Relation to the Allowance for the ordinary Waste of Salt, where the said Salt has been shipped to be carried to a Member of the same Port, though at a considerable Distance from the same; Be it enacted by the Queen'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 Persons that shall (from and after the first Day of *March* one thousand seven hundred and seven) ship Salt to be carried Coastwise by Cocket or *Tranfire*, or *Southwold Bay* in the County of *Suffolk*, although unto a Member or Creek of the Port from whence it was first shipped off, shall have an Allowance after the Rate of three Bushels for every forty Bushels of *English* White Salt, and after the Rate of one Bushel and an Half for every forty Bushels of *English* Rock Salt so shipped to be carried Coastwise, and proportionably for a greater or lesser Quantity, in Consideration of the ordinary Waste in the Carriage thereof, the Duties having been first paid, or secured to be paid, according to former Laws; which Allowance shall be but once made for the same Salt, although such Salt shall be carried Coastwise from several Ports as aforesaid, or Members or Creeks of Ports.

Ordinary Waste of Salt.

Allowances for Salt carried Coastwise 20 Miles, or from *Yarmouth* to *Lowestoff* or *Southwold Bay*.
5 *W. & M. c. 7.*
2 & 3 *Ann. c. 14.*
4 *Ann. c. 12.*

1 Annæ, stat. 1. c. 21. s. 10.

8 Geo. 2. c. 12. s. 2.

Rock Salt may be used in making Salt in Salt Works near *Holy-head*, See farther 9 *Ann. c. 23.*
5 Annæ, c. 29. s. 6.

II. And whereas by an Act made in the first Year of the Reign of her present Majesty, it is enacted, That no Rock Salt whatsoever shall be refined or made into White Salt in any Place or Places whatsoever, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, except in such Places as are or shall be within ten Miles Distance of the respective Pit or Pits from whence such Rock Salt shall be taken, or at such Places as, on or before the tenth Day of *May* one thousand seven hundred and two, shall have been used for the refining of Rock Salt, under a Penalty therein expressed: And whereas certain Salt Works have been with great Charges erected near the Sea-side and Bay of *Holy-head* in the County of *Anglesea* in *North Wales*, for the making of White Salt from Sea Water; and upon several Occasions Rock Salt is very useful to strengthen the Brine in the said Works, when weakened by fresh Water, or other Accidents; but the proper use of the said Salt Works not being for the refining Rock Salt, it hath been doubted whether Rock Salt might be there used: For preventing such Doubts for the future, be it enacted by the Authority aforesaid, That Rock Salt may be so used in the making Salt from Sea Water in the said Salt Works near *Holy-head* aforesaid, any Thing in the said Act, or in any other Law or Statute to the contrary notwithstanding, so as her Majesty's Duties for all the Salt proceeding as well from the said Rock Salt as from the Sea Water be duly charged, answered, and paid to her Majesty's Use.

III. And whereas by the said Act it is enacted, That for all White Herrings which shall from and after the first Day of *May* one thousand seven hundred and seven, be exported from any Part or Place in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, to Parts beyond the Seas, by any Person or Persons whatsoever, there shall be the like Allowances as are to be made upon the Exportation of White Herrings from *Scotland*, upon the Oath of the Exporter or his Agent, taken before the principal Officers of the Port from whence the same are exported, that such Herrings were cured with Salt for which the Duties have been paid, and not drawn back, and that the same are really exported to Parts beyond the Seas, and not re-landed or intended to be re-landed in *England*, *Wales*, or *Berwick upon Tweed*: And whereas many of her Majesty's Subjects cannot have the Benefit that was intended for them by the said Act, in Regard the Salt with which the White Herrings are salted in many Parts of *England* pass through many Hands, and the Persons who export such Herrings buy the same already cured of Persons to whom they are sent to be sold and disposed of at Ports far distant from the Places where they are cured, and by Reason thereof such Exporters are incapable of making such Oath as by the Act is required: For Remedy whereof, be it enacted by the Authority aforesaid, That for all

all White Herrings, which shall from and after the five and twentieth Day of *March* one thousand seven hundred and eight be exported from any Port or Place in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, to Parts beyond the Seas, by any Person or Persons whatsoever, there shall be the Allowances made as are directed by the said Act to be paid, by the Officer appointed to collect the Duties upon Salt in the same Port, at such Times, and in such Manner, and upon such Debenture, and so verified, as in the said Act is directed, upon Oath of the Exporter, or his Agent, to be first taken, in Manner as in the said Act is expressed, That he bought the Herrings in such Debenture mentioned, and that the same were cured with Salt for which the Duties had been paid, and not drawn back, to the best of his Knowledge and Belief, and that the same are really exported to Parts beyond the Seas, and not re-landed, or intended to be re-landed, in *England*, *Wales*, or *Berwick* upon *Tweed*, in which Oath shall be inserted the Name of the Person or Persons of whom the said Herrings were bought.

Allowance to be made on Exportation of White Herrings.

C A P. XIII.

An Act for the better securing the Trade of this Kingdom by Cruisers and Convoys. Forty-three Ships of War to be employed as Cruisers in proper Stations, as Lord High Admiral shall direct, &c. Ships to be careened three Times a Year. In case of necessity, Lord Admiral may order any of the said Ships to be employed in the Line of Battle. Commissioners of the Navy to be appointed to take care of cruising Ships, and send Account, within eight Days after Meeting of Parliament, when such Ships sailed out of Port, &c. Lord Admiral to nominate the Number of cruising Ships by 26 *March* 1708. and afterwards yearly between 1 *November* and 1 *December* during the War. If taken or lost, to appoint others. For Encouragement of the Sea Service, Officers and Seamen of Queen's Ships, Privateers, &c. to have the sole Property in all Prize Ships. Proviso touching Appraisement of Prize Ships taken into Queen's Service. Treasurer of the Navy to pay 5*l.* for every Man on board Ship taken from the Enemy. Not to exempt Prize Ships or Goods from Payment of Customs. Such Goods to be brought on Shore, and put into the Queen's Warehouses, &c. until appraised and sold. After Sale, Notice to be given for Payment to Captors, &c. Shares not demanded in three Years, to go to *Greenwich Hospital*. Farther Provision for *Greenwich Hospital*, 10 *Annæ*, c. 17. sect. 9. To whom Bills for Prize Ships taken into the Queen's Service, &c. and the 5*l. per Man*, shall be made payable. Commander, &c. imbezling Prize Goods to forfeit Treble the Value. [To continue during the War.]

EXP.

10 *Annæ*, c. 17. §. 14.

C A P. XIV.

An Act for the better Security of her Majesty's Person and Government.

FOR the better Security of her Majesty's Person and Government against the Practices and Attempts of all Persons who shall be suspected to be disaffected and dangerous to the same, Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all Officers Civil and Military, in that Part of the Kingdom of *Great Britain*, commonly called *Scotland*, shall be obliged to take the following Oath:

This Act enlarged by 8 *Annæ*, c. 15. Officers Civil and Military in Scotland to take the Oath.

I *A. B.* do truly and sincerely acknowledge, profess, testify, and declare in my Conscience, before God and the World, That our Sovereign Lady Queen ANNE is lawful and rightful Queen of this Realm, and of all other her Majesty's Dominions and Countries thereunto belonging. And I do solemnly and sincerely declare, That I do believe in my Conscience, the Person pretended to be Prince of *Wales*, during the Life of the late King JAMES, and since his Decease pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of JAMES the Third, or of *Scotland* by the Name of JAMES the Eighth, or the Stile and Title of King of *Great Britain*, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereunto belonging: And I do renounce, refuse, and abjure any Allegiance or Obedience to him. And I do swear, That I will bear Faith and true Allegiance to her Majesty Queen ANNE, and her will defend to the utmost of my Power against all traitorous Conspiracies and Attempts whatsoever which shall be made against her Person, Crown, or Dignity. And I will do my utmost Endeavour to disclose and make known to her Majesty and her Successors all Treasons and traitorous Conspiracies, which I shall know to be against her or any of them. And I do faithfully promise, to the utmost of my Power, to support, maintain, and defend the Succession of the Crown against him the said JAMES, and all other Persons whatsoever, as the same is and stands settled by an Act, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown to her present Majesty, and the Heirs of her Body, being Protestants*; and as the same by one other Act, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, is and stands settled and entailed after the Decease of her Majesty, and for Default of Issue of her Majesty, to the Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely acknowledge and swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgement, Abjuration, Renunciation and Promise, heartily, willingly, and truly, upon the true Faith of a Christian.

And by 10 *Annæ*, c. 12. §. 6. Patrons of Livings must take this Oath. By 10 *Annæ*, c. 2. §. 10. Advocates. Altered by 1 *Geo.* 1. c. 13.

1 *W. & M.*, st. 24. c. 2.12 & 13 *W.* 3. c. 2.

Before whom
Oath shall be
taken.

II. And be it further enacted by the Authority aforesaid, That all such Persons now having or bearing any the Offices aforesaid, and who in Respect thereof have been or are obliged and required to take in Scotland an Oath, called, *The Oath of Allegiance and Assurance*, before the Privy Council there, shall be obliged, on or before the twentieth Day of April one thousand seven hundred and eight, to take and subscribe the Oath hereby appointed, before that Privy Council while it shall continue, and after the Determination thereof, before and in the Court of the Lords of Session, or the Court of Justiciary, or the Court of Exchequer there; and all others now in any other the Offices aforesaid, who in Respect thereof have used and been obliged to take the said Oath of Allegiance and Assurance in any other Court or Place, shall be, and are hereby required and obliged to take and subscribe the same at the next Quarter-Sessions of the Peace which shall be held for any County or Place in which any such Officer shall be resident or abiding.

All Persons in 3
Months after
Admittance to
Office to take
the Oath.

III. And be it further enacted by the Authority aforesaid, That all and every Person or Persons whatsoever, who shall hereafter be admitted into any Office, Civil or Military, within that Part of *Great Britain* called *Scotland*, shall within three Months after his Admittance into any such Office take and subscribe the Oath hereby appointed in the Courts above-mentioned respectively, according to the Distinction above-mentioned for Persons now in Office to take the same.

Courts to admin-
ister the Oath,
&c.

IV. And be it further enacted by the Authority aforesaid, That the said respective Courts shall from Time to Time administer the said Oath to such Persons as shall tender themselves to take the same, and shall keep proper Rolls of Parchment, in which the Subscriptions of all Persons taking the said Oaths shall from Time to Time be made; to which all Persons may have free Access without Fee or Reward.

Persons refusing
to take the Oath,
disabled.

V. And be it further enacted by the Authority aforesaid, That every Person hereby required to take and subscribe the Oath aforesaid, and neglecting or refusing so to do, at such Times, and in such Manner as is above directed, shall be adjudged incapable and disabled in Law, to all Intents and Purposes, to have or enjoy any Office or Offices, in respect whereof he is hereby obliged to take the said Oath, and the said Office or Offices shall be, and are hereby adjudged to be void.

Penalty on refus-
ing, and after-
ward executing
Office.

VI. And be it further enacted by the Authority aforesaid, That every such Person and Persons who shall neglect or refuse to take the said Oath as aforesaid, and shall after such Neglect or Refusal, either personally or by Deputy, execute any of the said Offices, and shall be thereof lawfully convicted, shall incur such Penalties, Disabilities, and Forfeitures, as by an Act made in *England* in the thirteenth and fourteenth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors*, are enacted, limited, and appointed for any Officer his acting after the Neglect or Refusal of such Officer to take the Oath therein prescribed.

13 & 14 W. 3.
c. 6.

Justices may
summon before
them suspected
Persons, and
tender them the
Oath,

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any two Justices of the Peace, whereof one of them to be of the *Quorum*, within any of the Counties, Ridings, Divisions, Stewartries, Cities, or Boroughs within the said Kingdom of *Great Britain*, or any other Person or Persons who shall be by her Majesty for that Purpose specially appointed by Order in the Privy Council, or by Commission under the Great Seal, at any Time or Times to summon and convene before them all such Persons within the Limits of their respective Jurisdictions, Powers, and Authorities, as they shall or may suspect to be dangerous or disaffected to her Majesty or her Government, and shall and may tender to every such Person and Persons the Oath above-mentioned and appointed, and shall at the next Quarter-Sessions of the Peace to be held for the County or Place in which the said Oath shall be tendered, certify the Christian Names, and Surnames, and Places of Abode of all Persons refusing to take the said Oath, to be there recorded, and shall be from thence certified by the Clerk of the Peace of such County, Riding, Liberty, Borough, Town Corporate, or Place within *England*, into her Majesty's Court of *Chancery* or *Queen's Bench* at *Westminster*, and by the Clerk of the Peace of every Shire, Stewartry, Borough or Place in *Scotland*, into the Court of Session, there to be recorded in the Register or Rolls of the said respective Courts; and if the Person so refusing and certified shall not within the next Term or Session after such Refusal, appear in the Court of *Chancery*, *Queen's Bench*, or *Session*, where such Certificate shall be returned, and in open Court audibly and solemnly take and subscribe the Oath aforesaid, and endorse or enter his so doing upon the Certificate so returned, shall be from the Time of such his Neglect or Refusal, taken, esteemed and adjudged a Popish Recusant convict, and as such shall forfeit and undergo such Penalties as a Popish Recusant convict ought to do by the Laws now in Force within *England*.

and certify the
Names of those
who refuse, &c.

C A P. XV.

EXP. An Act to empower her Majesty to secure and detain such Persons as her Majesty shall suspect are conspiring against her Person and Government.

C A P. XVI.

An Act for repealing the Act of the first Year of King JAMES the First, intituled, *An Act for the well garbling of Spices*; and for granting an Equivalent to the City of *London* by admitting Brokers.

3 Jac. 1. c. 19:

‘ I. WHEREAS by an Act of Parliament made in the first Year of the Reign of King JAMES the First, intituled, *An Act for the well garbling of Spices*, several Drugs, Wares, Spices and Merchandizes,

chandizes are to be garbled within the City of London, and the Liberties thereof, as therein is mentioned, under the Penalties and Forfeitures therein specified, and several Powers are thereby given to the Garbler for the Time being, for that Purpose; which Act for the garbling of Spices, and other Wares and Merchandizes, in many Cafes is now become usefess, and in other Cafes would be prejudicial, and to the Damage of several Wares and Merchandizes so to be garbled, to the Obstruction and Discouragement of the Trade of this Kingdom, and the Foreign Exportation, and to the Vexation of the Subjects, by unnecessary Prosecutions in her Majesty's Court of Exchequer; Be it therefore enacted by the Queen'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 Act shall be, and from henceforth stands absolutely repealed, and all Powers, Penalties, and Forfeitures therein mentioned or given, shall from henceforth be null and void.

6 W. 3. c. 7.
Act for the garbling of Spices repealed.

II. And be it further enacted by the Authority aforesaid, That all Suits and Informations now depending in her Majesty's Court of Exchequer, or in any other Court, or which shall at any Time hereafter be brought or prosecuted upon the said Act, under Pretence of any Seizure or Forfeiture, or Penalty incurred for any Seizure, &c. discharged. for Breach of the said Act, or for any Offence committed or supposed to be committed against the same, shall be, and are hereby declared to be discharged, discontinued and determined, and that no Proceedings shall be had thereupon, and all Seizures upon the said Act made or to be made, are hereby declared to be discharged, released, null, and void.

III. Provided always, That it shall and may be lawful for the Lord Mayor and Court of Aldermen, and Common Council of the City of London for the Time being, to appoint from time to time a fit and able Person to execute the Office of Garbler within the City of London, and the Liberties thereof, who at the Request of any Person or Persons, Owner or Owners of any Spices, Drugs, or other Wares or Merchandizes garbleable, and not otherwise, shall garble the same, and such Garbler shall have and receive for his Pains and Trouble therein as the said Lord Mayor, Court of Aldermen and Common Council shall appoint, and no more.

Lord Mayor, &c. may appoint a Garbler to garble Spices, within London, &c. Further Provisions concerning Spices, 8 Ann. c. 7. f. 6. 9

Ann. c. 6. f. 59. 10 Ann. c. 26. f. 45. 6 Geo. 1. c. 21. f. 45. 8 Geo. 1. c. 15. f. 15, and 8 Geo. 1. c. 18. f. 21.

IV. And whereas the Profits of the said Office are Part of the Revenues and Incomes of the City of London, and are now lett by Lease to William Stewart, under the Rent of three hundred Pounds per Annun, the Profits of which Office, and the Right of the said William Stewart to the same, by repealing the said Act will be very much diminished; Be it enacted by the Authority aforesaid, That from and after the Determination of this present Session of Parliament, all Persons that shall act as Brokers within the City of London and Liberties thereof, shall from time to time be admitted so to do by the Court of Mayor and Aldermen of the said City for the Time being, under such Restrictions and Limitations for their honest and good Behaviour as that Court shall think fit and reasonable, and shall upon such their Admission pay to the Chamberlain of the said City for the time being, for the Uses herein after mentioned, the Sum of Forty Shillings, and shall also yearly pay to the said Uses the Sum of Forty Shillings upon the nine and twentieth Day of September in every Year; all which Monies shall in the first Place be applied for and towards the paying and satisfying to the said William Stewart the Sum of nine hundred sixty-seven Pounds and ten Shillings, for a Compensation for his Interest in the said Office; and that from and after the full Payment of the said Sum of nine hundred sixty-seven Pounds and ten Shillings to the said William Stewart, all the Monies arising by such Admissions and yearly Payments, shall go to, and be enjoyed by the said Mayor and Commonalty and Citizens of the City of London; and that from and after the Determination of this present Sessions of Parliament, the said Lease to the said William Stewart, and every Clause therein contained, shall cease, determine, and be absolutely void.

Brokers on their Admission to pay 40s. each to Chamberlain of London. 13 E. 1. ff. 5. and also 40s. on 29 Sept. yearly.

How the said Monies shall be applied.

V. And be it further enacted, by the Authority aforesaid, That if any Person or Persons from and after the Determination of this present Sessions of Parliament, shall take upon him to act as a Broker, or employ any other under him to act as such, within the said City and Liberties, not being admitted as aforesaid, every such Person so offending, shall forfeit and pay to the Use of the said Mayor and Commonalty and Citizens of the said City, for every such Offence, the Sum of five and twenty Pounds, to be recovered by Action of Debt, in the Name of the Chamberlain of the said City, in any of her Majesty's Courts of Record, in which no Protection, Effoin, or Wager of Law shall be allowed, or any more than one Imparlance.

Penalty on Person acting as a Broker without Admittance. Further Provisions concerning Brokers, 10 Ann. c. 19. f. 121. 6 Geo. 1. c. 18. f. 18. 3 Geo. 2. c. 31.

C A P. XVII.

An Act for assuring to the English Company trading to the East Indies, on Account of the united Stock, a longer Time in the Fund and Trade therein mentioned, and for raising thereby the Sum of twelve hundred thousand Pounds for carrying on the War, and other her Majesty's Occasions.

I. MOST gracious Sovereign; Whereas in and by an Act made in the ninth Year of the Reign of our late Sovereign Lord King WILLIAM the Third (of glorious Memory) intituled, An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of Eight Pounds per Centum per Annun, and for settling a Trade to the East Indies, it is, amongst other Things, enacted, That all the Monies arising by the several Duties upon Salt and Rock Salt, and upon stamp Vellum, Parchment, and Paper, in the said Act mentioned, should be brought and paid into the Receipt of the Exchequer yearly and every Year, reckoning the first Year to begin from the nine and twentieth Day of

Preamble reciting the Act for establishing the East India Company. 9 & 10 W. 3. c. 44. 1 Ann. ff. 1. c. 12. 6 Ann. c. 3.

September one thousand six hundred ninety-eight, and that one hundred and sixty thousand Pounds per Annum, of the Monies to arise by the said several Duties, and to be brought into the Exchequer by weekly or other Payments, in case the same Payments should extend thereunto, should be the whole and entire yearly Fund, and in case the same weekly or other Payments should not extend to one hundred and sixty thousand Pounds per Annum, then the said weekly Monies or Payments, so far as the same should extend, should be Part of the yearly Fund, for and towards the answering and paying of the Annuities of Eight Pounds per Centum per Annum, to such Persons or Corporations as should subscribe and pay in their Monies upon the Terms of the said Act: And it is thereby further enacted, That it should and might be lawful for his Majesty, by Commission under the then great Seal of England, to authorize and appoint any Number of Persons to take and receive all such voluntary Subscriptions as should be made on or before the said nine and twentieth Day of September one thousand six hundred and ninety-eight, by or for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate (the Governour and Company of the Bank of England only excepted) of any Sum of Money whatsoever, not less than one hundred Pounds, for and towards the raising and paying into the Receipt of the Exchequer, the Sum of two Millions of Pounds Sterling: And it was therein further enacted, That during the Time thereby limited for taking the said Subscriptions, it should and might be lawful to and for all and every Person and Persons, Natives and Foreigners, Bodies Politick or Corporate, by or for themselves, or any of them, or in Trust for any other Person or Persons, Bodies Politick or Corporate, or any of them (except as aforesaid) freely to subscribe any Sum of Money not less than one Hundred Pounds, for or towards the said Sum of two Millions; and that all Monies so to be subscribed should be answered and paid in such Manner and Form as in the said Act is expressed: And it was thereby further enacted, ordained, and declared, That every Person and Body Politick, who should subscribe as aforesaid, and be named or contained in such Book or Books as are therein mentioned, his, her, or their Heirs, Executors, Administrators, Successors, and Assigns respectively, should have, receive, and enjoy for ever, out of the Fund by the said Act settled and provided, one Annuity or certain yearly Sum, for the whole Sum by him, her, or them subscribed, according to the Rate or Proportion of Eight Pounds per Centum per Annum, in the Manner thereby prescribed: And it is thereby further enacted, That it should and might be lawful to and for her said late Majesty, by Letters Patents under the then Great Seal of England, to incorporate all and every Person and Persons, Natives and Foreigners, Bodies Politick and Corporate, who should subscribe, or for whom Subscription should be taken, and upon whose Subscriptions such Payments should be made, as is therein expressed, and all and every Person and Persons, Bodies Politick and Corporate, who as Executors, Administrators, Successors, or Assigns, or by any other lawful Title, derived or to be derived from, by, or under the said original Subscribers, at any Time or Times thereafter, should have or be entitled to any Part, Share, or Interest, of or in the said yearly Fund, so long as they respectively should have any such Part, Share, or Interest therein, to be one Body Politick and Corporate, by the Name of, *The General Society entitled to the Advantages given by an Act of Parliament, for advancing a Sum not exceeding two Millions, for the Service of the Crown of England*, with such Succession, Capacity, and Powers as in the said Act is mentioned; and in such Charters or Letters Patents, such further Rules, Powers, and Clauses for carrying on Trade, and pursuing the Ends and Intent of the said Act, were to be inserted, as should be lawfully and reasonably desired in that Behalf: And it was thereby further enacted, That in case the said whole Sum of two Millions, or one Moiety, or any greater Part of the said Sum of two Millions should be subscribed, as aforesaid, on or before the said nine and twentieth Day of September one thousand six hundred ninety-eight, that then, and from thenceforth, all and every the Person and Persons, Natives and Foreigners, Bodies Politick and Corporate, by or for whom such Subscriptions should be made, and all and every Person and Persons, Bodies Politick and Corporate, who as Executors, Administrators, Successors, or Assigns, or by any other lawful Title derived or to be derived from, by, or under the said original Subscribers at any Time or Times thereafter, should have or be entitled to any Part, Share, or Interest of and in the said yearly Fund, and of and in a proportional Part of the principal Stock of the said General Society, so long as they respectively should continue to have any Part, Share, or Interest therein, and all and every Person and Persons, who for any Time should be licensed by such Person or Persons, Bodies Politick or Corporate, to trade in the stead of them, should, or lawfully might for ever thereafter, by themselves severally, or by such Factors, Agents, or Servants as they severally should think fit to entrust, freely traffick, and use the Trade of Merchandize into and from the *East Indies*, and Parts or Limits in the said Act mentioned, in such Manner, and by such Proportions, and subject to such Restrictions as in the said Act are expressed: And it was further thereby enacted, That if the said whole Sum of two Millions, or one Moiety, or any greater Part thereof, should be subscribed on or before the said nine and twentieth Day of September one thousand six hundred ninety-eight, and all or any Corporations, or other Person or Persons, having particular Shares or Interests in the said principal Stock of the said General Society, or in proportionable Annuities or yearly Payments issuing out of the said yearly Fund, should be willing and desirous to unite and join together such their several Shares and Interests, and to be incorporated, so as they might be able to manage their Trade (in Proportion to their Interests) as a Company, and by a Joint Stock, that then it should and might be lawful for his said late Majesty, by Letters Patents under the then Great Seal of England, to incorporate all such Persons and Corporations, by such proper Names as he should think fit, to be one Company, with Power to manage and carry on their Trade to the *East Indies*, and other the Limits in the said Act mentioned, by a Joint Stock, and to have perpetual Succession, and a Common Seal, with Power to grant and take, sue and be sued, and to choose their own Managers, Directors and Officers from time to time, and such other Powers and Clauses as should be necessary or requisite for the carrying on of such Trade, and should be reasonable for his said late Majesty to grant, neverthe-

less with such Restrictions as in the said Act is mentioned; and the Directors and Managers, and other Members of such Company, were to be subject to such further Rules, Qualifications and Appointments, as his said late Majesty in such Charter should think necessary or reasonable to be inserted: And in the said Act there is contained a Proviso or Condition of Redemption in such Manner and Form as therein, and hereafter in this present Act are expressed: And it is also thereby enacted, That in case the Duties arising or appropriated by the said Act, should at any Time or Times appear to be so deficient in the Produce of the same, as that within any one Year, to be reckoned from the nine and twentieth Day of September, which should be in the Year of our Lord one thousand six hundred ninety and nine, the weekly Payments upon the same Duties should not amount to so much as should be sufficient to discharge and satisfy the several and respective Benefits, yearly Payments or Advantages by the said Act appointed or intended to be paid, within or for the same Year respectively; in every such Case, every such Deficiency should be answered by or out of the next Aids to be raised and granted by Parliament in the Manner therein mentioned: As by the said Act of Parliament, in which are contained divers other Powers, Provisoes, Authorities, Privileges, and Clauses, (Relation being thereunto had) more fully and large it doth and may appear: And whereas in Pursuance of the said Act, His said late Majesty, by a Commission under the then Great Seal of England, bearing Date at Westminster the fourteenth Day of July in tenth Year of his Reign, did authorize several Persons therein named, to be Commissioners, with Power to take Subscriptions for and towards the raising and paying the said Sum of two Millions, as by the said Commission, Relation being thereunto had, may more fully appear: And whereas it appeared by Duplicates transmitted into the Office of the Auditor of the Receipt of his said late Majesty's Exchequer, that several Sums amounting in the whole to the said Sum of two Millions of Pounds Sterling, were subscribed pursuant to the said Act: And whereas the said whole Sum of two Millions was entirely answered to his Majesty's Use: And whereas by a Charter under the Great Seal of England, bearing Date at Westminster the third Day of September in the tenth Year of his said late Majesty's Reign, his Majesty created and established the said Corporation, or Body Politick, called, *The General Society entitled to the Advantages given by an Act of Parliament, for advancing a Sum not exceeding two Millions, for the Service of the Crown of England*, with such Powers, Privileges, and Benefits as are therein expressed: And whereas by Letters Patents under the Great Seal of England, bearing Date at Westminster the fifth Day of September in the said tenth Year of his said late Majesty's Reign, reciting, That the Subscribers towards the said Sum of two Millions therein particularly named and expressed, were willing and desirous to unite or join together their several Shares or Interests in the principal Stock of the said General Society, or in their proportionable Annuities, or yearly Payments issuing out of the said yearly Funds, and to be incorporated so as they might be able to manage their Trade in Proportion to their Interest, as a Company and by a Joint Stock, his said late Majesty did grant, ordain, and establish, that the Subscribers therein particularly named, and every of them, and all and every Person and Persons, Bodies Politick and Corporate, who as Executors, Administrators, Successors, or Assigns, or by any other lawful Title, derived, or to be derived from, by or under the same Subscribers, should have and be entitled to any Part, Share, or Interest of or in the said yearly Fund by the said Act settled, as aforesaid, or of or in the proportionable Annuities or yearly Payments issuing out of the said yearly Fund, so long as they respectively should have any such Part, Share, or Interest therein, to be one Body Politick and Corporate, by the Name of *The English Company trading to the East Indies*, with such Benefit of Trade, Powers, Privileges, and Advantages, and subject to such Restrictions, Conditions, Covenants and Agreements, as are therein expressed. And whereas by another Act of Parliament made in the eleventh Year of his said late Majesty's Reign, reciting, That *John Dubois, of London*, Merchant, had, by Direction of, and in Trust for the Corporation of the Governor and Company of Merchants of London, trading into the *East Indies*, subscribed and paid the Sum of three hundred and fifteen thousand Pounds, as Part of the said Sum of two Millions, it was enacted, That the said Governor and Company of Merchants of London trading into the *East Indies*, should remain, continue, and be one Body Corporate and Politick by the Name aforesaid, subject nevertheless to be determined upon the Redemption of the Fund by the said Act granted: And whereas by an Indenture tripartite, bearing Date the two and twentieth Day of July in the Year of our Lord one thousand seven hundred and two, made between your Majesty of the first Part, the Governor and Company of Merchants of London trading into the *East Indies* of the second Part, and the *English Company trading to the East Indies* of the third Part, it was (amongst other Things) agreed, with your Majesty's Approbation, that the said Governor and Company of Merchants of London trading into the *East Indies*, should purchase from the Members of the said *English Company* so much of their Capital Stock as would make the Property of the said Governor and Company of Merchants of London trading into the *East Indies* equal to the Property which would then remain to the other Members of the said *English Company trading to the East Indies*; and that the whole Trade which might or should be carried on during the Term of seven Years, to be reckoned from the Date of that Indenture, to and from the *East Indies*, and other the Parts within the Limits aforesaid, for or in respect of their several Stocks and Funds thereby agreed to be united, should be for the Benefit and Behoof of all the Members of the said *English Company trading to the East Indies*, proportionable to their Shares in the Capital or principal Stock thereof; and that the said Governor and Company of Merchants of London, trading into the *East-Indies*, should have a Right and Power equal to the rest of the Members of the said *English Company*, in the Direction, Management, and carrying on of the said Trade, during the said Term of seven Years, and that after the End or Expiration of the said Term of seven Years, the whole Trade to the *East Indies*, and other the Parts within the Limits aforesaid, for or in respect of their united Stock and Fund, should for ever (subject to the Redemption of the said Fund by Parliament) be wholly managed and carried on by the said *English Company trading to the*

Charter dated 3
Sept. 10 W. 3.
The General
Society.
9 & 10 W. 3.
c. 44.
Charter 5 Sept.

English Com-
pany trading to
the East Indies.
11 & 12 W. 3.
c. 4 a private
Act.

‘ *East Indies* (by whatsoever Name the same should then be called) according to the said Charter of the fifth of *September* in the said tenth Year of his said late Majesty’s Reign, and not otherwise: And to that End and Purpose, many Covenants, Conditions, and Agreements were contained in the said Indenture, as by the same, Relation being thereunto had, may more fully appear: And whereas the united Stock of the said Governor and Company of Merchants of *London* trading into the *East Indies*, and of all the rest of the Members of the said *English* Company trading to the *East Indies*, in their own Names, or in the Names of others in Trust for them, doth at this Time amount to one million nine hundred ninety-two thousand eight hundred Pounds, Part of the Sum of two Millions before-mentioned; and their united Fund doth amount to one hundred fifty-nine thousand four hundred twenty-four Pounds *per Annum*, Part of the Sum of one hundred and sixty thousand Pounds *per Annum* before-mentioned: And as well the said Governor and Company of Merchants of *London* trading into the *East Indies*, as the rest of the Members of the said *English* Company trading to the *East Indies*, are willing to advance to your Majesty, in manner herein after-mentioned, for carrying on the present War, and other your Majesty’s necessary Occasions, a further Sum of twelve hundred thousand Pounds of lawful Money of *Great Britain*, upon such Terms, Conditions, and Advantages as are hereafter expressed and set down:’ Now we your Majesty’s most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous not only to supply your Majesty with such Aids as may enable your Majesty to carry on the said War with Vigour, but also to raise the same in such a Manner as may create no new Charge upon your Subjects, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen’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 *English* Company trading to the *East Indies*, as well for and on the Behalf of the said Governor and Company of Merchants of *London* trading into the *East Indies*, as for and on the Behalf of all others the Members of the said *English* Company, shall advance and actually pay into the Receipt of her Majesty’s Exchequer, for her Majesty’s Use, the said Sum of twelve hundred thousand Pounds, by such Proportions, and at such Times as are herein after appointed for the Payment thereof (that is to say) Two hundred thousand Pounds, Part thereof on or before the twelfth Day of *May* which shall be in the Year of our Lord one thousand seven hundred and eight; two hundred thousand Pounds more thereof, on or before the twelfth Day of *July* one thousand seven hundred and eight; two hundred thousand Pounds more thereof, on or before the eleventh Day of *September* one thousand seven hundred and eight; two hundred thousand Pounds more thereof, on or before the twelfth Day of *November* one thousand seven hundred and eight; two hundred thousand Pounds more thereof, on or before the twelfth Day of *January* one thousand seven hundred and eight; and two hundred thousand Pounds more thereof, and in full Satisfaction of the said twelve hundred thousand Pounds on or before the tenth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and eight; and in case the said *English* Company trading to the *East Indies*, shall make Failure in any of the said Payments hereby appointed to be made, at or before the respective Days or Times before limited in that Behalf, the Monies whereof such Failure in Payment shall be made, shall and may be recovered to her Majesty’s Use, by Action of Debt, or upon the Case, Bill, Suit, or Information, in any of her Majesty’s Courts of Record at *Westminster*, wherein no Effoin, Protection, Privilege, or Wager of Law, shall be allowed, or any more than one Impar lance; in which Action, Bill, Suit, or Information, it shall be lawful to declare, That the said *English* Company trading to the *East Indies*, are indebted to her Majesty the Monies of which they shall have made Default in Payment, according to the Form of this Statute, and have not paid the same, which shall be sufficient; and in or upon such Action, Bill, Suit, or Information, there shall be further recovered to her Majesty’s Use, against the said *English* Company trading to the *East Indies*, Damages after the Rate of twelve Pounds *per Centum*, for the Monies so unpaid contrary to this Act, besides full Costs of Suit; and the said *English* Company trading to the *East Indies*, and their Successors, and the said united Stock and Fund shall be and are hereby made subject and liable thereunto.

II. And for the better enabling the said *English* Company trading to the *East Indies*, to raise and pay the said Sum of twelve hundred thousand Pounds to her Majesty’s Use as aforesaid, it is hereby declared and enacted by the Authority aforesaid, That the Common Seal of the said *English* Company, now in the Hands of the Managers for the united Trade of the *English* Company trading to the *East Indies*, shall and may be made Use of to borrow any Sum or Sums of Money from time to time, upon Account of the said united Stock and Fund, so as the Sum Total of all the principal Monies which at any one Time shall be owing upon the Security of the said Seal, do not exceed one million five hundred thousand Pounds, over and above the Monies which might lawfully be borrowed thereupon before the making of this present Act.

III. And it is hereby enacted by the Authority aforesaid, That in case the General Court of the said Governor and Company of Merchants of *London* trading into the *East Indies*, and the General Court of the said *English* Company trading to the *East Indies* at any Time or Times whilst they shall separately continue, shall think fit, or if the General Court of the said *English* Company, after the Determination of the other General Court aforesaid, shall think fit to call in Monies from their respective Adventurers or Members, for or towards the raising the said Sum of twelve hundred thousand Pounds to be advanced to her Majesty’s Use, or any Part thereof, or for repaying the Monies borrowed for that Purpose, or the Interest thereof, that then it shall and may be lawful to and for the said Governor and Company of Merchants of *London*, trading into the *East Indies*, and the said *English* Company trading to the *East Indies* respectively, at any Time or Times during the separate Continuance of their General Courts, as aforesaid, and afterwards to and for the said *English* Company trading to the *East Indies*, by whatsoever Name or Names the same shall then be called or known, to call in, or direct to be paid unto them respectively,

from

English Company
to advance
1,200,000 l.

Times of Pay-
ment.

On Non-pay-
ment Company
may be sued, &c.

Company may
borrow
1,500,000 l. on
their Common
Seal.

The two Com-
panies may call
in Monies for
advancing
1,200,000 l.

Or for repaying
the Monies bor-
rowed,

from and by their respective Adventurers and Members for the Time being, proportionably, any Sum and Sums of Money which shall from time to time be so thought fit, for or towards the making up the said Sum of twelve hundred thousand Pounds to be advanced to her Majesty's Use as aforesaid, or for repaying the Monies borrowed for that Purpose, or the Interest thereof; and that all Executors, Administrators, Guardians, and Trustees, shall be indemnified in paying the same; and in case any Adventurers or Members of the said respective Corporations, shall neglect or refuse to pay his, her, or their Shares of the Monies so called in, at the Time or Times appointed for that Purpose, by Notice to be fixed upon the *Royal Exchange* in *London*, or in case any Adventurer or Adventurers, Member or Members of the said respective Corporations, shall neglect or refuse to pay his, her, or their Share of the Monies which the said Companies, or either of them, shall (in pursuance of the said first recited Act, and their respective Charters, or any or either of them) call in, for the carrying on of their Trade, at the Time or Times appointed for that Purpose, by the like Notice as aforesaid; then and in either of the said Cases, it shall and may be lawful for the said Governor and Company of Merchants of *London* trading into the *East Indies*, and the said *English* Company trading to the *East Indies* respectively, and their respective Successors, not only to stop the Share or Dividends which shall from time to time become payable to such Adventurer or Adventurers, Member or Members, so neglecting or refusing, of the Fund, Stock, or Profits of the said respective Companies, and to apply the same from time to time for or towards Payment of the Share of the Money so called in, and which ought to have been paid by such Adventurer or Adventurers, Member or Members so neglecting or refusing to pay the same, until the same shall be satisfied, but also to stop the Transfers of the Shares of every such Defaulter, and to charge such Defaulter and Defaulters with an Interest after the Rate of six Pounds *per Centum per Annum*, for the Monies so by him and them neglected to be paid, from the Time the same were appointed to be paid until the Payment thereof; and the Share and Stock of such Defaulter and Defaulters shall be liable to make good and answer the said Monies so appointed to be paid, and the Interest thereof; and that in case the Principal and Interest shall not be paid within the Space of three Months, then the said Governor and Company, and the said *English* Company, and their Successors respectively as aforesaid, shall have Power to sell so much of the Stock of such Defaulter or Defaulters as will satisfy and pay the same.

Executors, &c.
indemnified.

Members refusing to pay, Company may stop their Dividends, &c.

And the Transfers of such Defaulters, and Charge them with Interest at 6l. per Cent. Shares not paid in three Months, Company may sell.

IV. And be it further enacted by the Authority aforesaid, That the said Sum of twelve hundred thousand Pounds agreed to be advanced and paid, as aforesaid, shall be and be called, deemed, and taken to be a further Addition to the capital Stock of the said *English* Company, and shall be, and is hereby exempted from any Taxes, Rates, Impositions, or Assessments whatsoever.

The said 1,200,000l. to be a further Addition to the capital Stock, and Tax-free.

V. And be it further enacted by the Authority aforesaid, That the united Stock and Fund of the said *English* Company, and their Successors, by whatsoever Name or Names they shall be called or known, shall be and are by this present Act made subject and liable to the Payment and Satisfaction of all such Debts as are or shall be contracted by the same Company, for or upon Account of the said united Stock or Trade.

The united Stock liable to all Debts contracted, &c.

VI. And whereas by the said former Acts and Charters it was provided, That at any Time, upon three Years Notice, after the nine and twentieth Day of *September* one thousand seven hundred and eleven, upon Repayment of the said two millions, and all Arrears of the said Annuities or yearly Payments, the said Duties upon Salt, and Rock Salt, and the said Duties upon stamp Vellum, Parchment, and Paper, and the said yearly Fund charged thereupon, and the said Annuities issuing out of the same, and the Duty of five Pounds in the Hundred on imported Goods therein expressed, and all the Corporations to be erected by or in pursuance of that Act, and the Benefit of Trade thereby given or intended to be given to them or any of them, shall absolutely cease and determine: Now, to the Intent, that the said *English* Company, and their Successors, may be encouraged to proceed in their Trade, and may have Time to settle Factories, and perform such other Matters and Things as are necessary for carrying on the said Trade to their best Advantage and Profit, it is hereby declared and enacted by the Authority aforesaid, That the last-mentioned Proviso for Redemption and Determination of the said several Duties, yearly Fund, Annuities, Corporations, and Benefit of Trade, shall be, and is hereby repealed and made void; and that the said Duties upon Salt and Rock Salt, and the said Duties upon stamp Vellum, Parchment, and Paper, and the said Duty of five Pounds in the Hundred upon imported Goods, shall continue, and the said *English* Company trading to the *East Indies*, and their Successors, by whatsoever Name or Names they shall be called or known, shall have and enjoy the said yearly Sum of one hundred fifty-nine thousand four hundred twenty-four Pounds *per Annum*, and all the Benefit of Trade, Franchises, Privileges, Profits, and Advantages whatsoever, in respect thereof given or granted, or intended to be given or granted unto them by the said Act of the ninth Year of his said late Majesty's Reign, or by the said Charter of the fifth Day of *September* in the tenth Year of his said late Majesty's Reign, or by the said Indenture Tripartite of the two and twentieth Day of *July* one thousand seven hundred and two, and every or any of them, freed and discharged of and from the said former Proviso, or Condition of Redemption, and all other Provisoes, Powers, Acts, Matters, or Things heretofore had, made, done, or committed, for redeeming, determining, or making void the said Duties, yearly Fund, Benefit of Trade, Franchises, Privileges, Profits, and Advantages, or any of them; subject nevertheless to the Restrictions, Covenants, and Agreements in the said Act first recited, and the said recited Charters and Indenture Tripartite, or any of them contained, now in Force, and also subject to the general Provisoes or Condition of Redemption hereafter in this Act contained.

For encouraging the *English* Company to carry on their Trade.

Former Proviso for Redemption repealed.

See 3 Geo. 2. c. 14. §. 11.

9 & 10 W. 3. c. 44.

Subject nevertheless, &c.

VII. And whereas several Persons who did subscribe, or do derive under Persons who did subscribe several Sums, amounting in the whole to seven thousand two hundred Pounds, Part or the said two millions,

' millions, are in respect thereof, entitled to five hundred seventy-six Pounds *per Annum*, Part of the
' said Sum of one hundred and sixty thousand Pounds *per Annum*, and to a proportional Part of the
' Trade to the *East Indies*, and other the Parts aforesaid, have not united their Stock and Fund to the
' Stock and Fund of the said Corporations impowered to trade by a Joint Stock, as aforesaid, but do by
' themselves, or others by them licensed, carry on their Trade for their own separate Use and Accounts:'

Separate Stock
confirmed.

It is hereby provided and enacted by the Authority aforesaid, That the several Persons entitled to the said
Stock, amounting to seven thousand two hundred Pounds, their Executors, Administrators and Assigns,
shall and may peaceably and quietly have, hold, and enjoy their said Proportion of the said yearly Fund
and Trade, as fully and effectually as they might have done if this Act had never been made; neverthe-
less it shall and may be lawful to and for the said *English Company*, and their Successors, at any Time
after the nine and twentieth Day of *September* one thousand seven hundred and eleven, by Writing to be
signed by their Secretary, and to be affixed upon the *Royal Exchange in London*, to give Notice of their
Intention to repay the said Sum of seven thousand two hundred Pounds to the Persons who shall be in-
terested therein, or entitled thereunto, at the End of three Years after such Notice given; and in case
the said *English Company*, at the End of the said three Years, do fully pay and satisfy to such Persons the
said Sum of seven thousand two hundred Pounds at the *Guild-hall of London*, together with all Arrears (if
any) of the said yearly Sum of five hundred seventy-six Pounds, which shall be then due to the said Persons
respectively, then, and upon such Payment made, or lawful Tender thereof, the said Stock of seven thou-
sand two hundred Pounds, and the proportional Trade and Fund belonging thereunto, shall be, and are
by virtue of this Act, vested and settled in the said *English Company*, and their Successors; subject never-
theless to the general Proviso or Condition of Redemption hereafter in this Act contained, and to no other
Proviso or Condition of Redemption whatsoever; any thing in this Act contained, or any other Matter or
Thing to the contrary notwithstanding.

But after 29 Sep-
tember 1711,
upon three Years
Notice and Re-
payment, &c.

The said separate
Stock shall be
vested in the
*English Com-
pany*.

Duty of 5l. per
Cent. after 29
Sept. 1714, to
cease.

9 & 10 W. 3.
c. 44.

After 25 March
1726, upon 3
Years Notice,
and Repayment,
&c. Corporation
to cease.

Repealed by 10
Annæ, c. 28.

3 Geo. 2. c. 14.
§. 11.

Not to repeal
1 & 12 W. 3.
c. 10.

From 25 March
1708. Custom-
house may take
Companies seal'd
Bonds for Goods
imported.

In order to a
complete Union,

VIII. Provided always, and it is hereby further enacted by the Authority aforesaid, That the before-
mentioned Duty of five Pounds *per Centum*, for or in respect only of such Goods and Merchandizes as
shall be imported into *Great Britain* by the said *English Company* trading to the *East Indies*, from and
after the nine and twentieth Day of *September* one thousand seven hundred and fourteen, shall cease, de-
termine, and be no longer collected or paid; any thing in this, or in the said first recited Act, to the con-
trary in any wise notwithstanding.

IX. Provided always, and it is hereby declared and enacted by the Authority aforesaid, That at any
Time upon three Years Notice, after the five and twentieth Day of *March* which shall be in the Year
of our Lord one thousand seven hundred and twenty-six, upon the Expiration of the said three Years,
and upon Repayment by Parliament, as well of the said Sum of two Millions formerly advanced, as of
the said Sum of twelve hundred thousand Pounds to be advanced, as aforesaid, making in the whole three
Millions and two hundred thousand Pounds, unto such Companies, Corporations, or Persons as shall be
then intitled thereunto, and of all Arrears which at the End of the said three Years shall be due for or
upon the said yearly Fund of one hundred and sixty thousand Pounds *per Annum*; then, and from thence-
forth, as well the said Duties upon Salt and Rock Salt, as the said Duties upon stamp Vellum, Parch-
ment, and Paper, and also the said yearly Fund of one hundred and sixty thousand Pounds, and all the
Corporations erected by or in pursuance of this or the said former Acts, and the Benefit of Trade by this
and the said former Acts and Charters, or any of them, given, or intended to be given to them or any
of them, shall absolutely cease and determine; any thing herein contained to the contrary notwith-
standing.

X. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any thing herein
contained, shall not be deemed, taken, or construed to repeal or alter an Act made in the eleventh and
twelfth Years of the Reign of the late King WILLIAM the Third, of glorious Memory, intituled *An Act for
the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom*, or any Clause, Matter or
Thing therein contained; but that the said Act, and every Clause, Matter, or Thing therein contained,
shall stand, remain, and be in full Effect and Force, to all Intents and Purposes whatsoever, as if this
Act had never been made; any thing herein contained to the contrary thereof in any wise notwith-
standing.

XI. Provided also, and it is hereby further enacted and declared by the Authority aforesaid, That from
and after the five and twentieth Day of *March* one thousand seven hundred and eight, upon any Importa-
tion of any Goods or Merchandizes by the said *English Company* trading to the *East Indies*, it shall and
may be lawful for the Commissioners and Officers of the Customs for the Time being, and they are hereby
required from time to time to take one or more Bond or Bonds, under the common Seal of the said
English Company, for all such of the Customs and Duties chargeable and to be charged on the Goods
and Merchandizes so to be imported, as are Bondable, or for which Bonds have usually been given; any
Law, Statute, or Provision to the contrary thereof in any wise notwithstanding.

XII. And whereas the Governor and Company of Merchants of *London* trading into the *East Indies*,
' and the rest of the Members of the *English Company* trading to the *East Indies*, are desirous that a speedy
' and complete Union may be had and perfected, pursuant to the before-mentioned Indenture Tripartite,
' and have agreed to refer all Matters in Difference concerning the same, and the compleating the said
' Union, unto the final Determination of the Right Honourable *Sidney Earl of Godolphin*, Lord High
' Treasurer of *Great Britain*; Be it therefore enacted by the Authority aforesaid, That the said Matters
in Difference between the said Governor and Company of Merchants of *London* trading into the *East
Indies*, and the rest of the Members of the said *English Company*, and the settling the Terms of, and per-
fecting and compleating the said Union, shall be, and is hereby referred to the Judgment, Award, and
final

married Woman, or other Person, for whose Life any such Estate is holden; and in case such Guardian, Trustee, Husband, or other Person concealing or suspected to conceal such Persons as aforesaid, shall refuse or neglect to produce or procure to be produced to such Person or Persons, a personal View of such Infant, married Woman, or other Person, for whose Life any such Estate is holden, That then and in such Case such Person or Persons are hereby required to make a true Return of such Refusal or Neglect to the Court of *Chancery*, which Return shall be filed in the Petty Bag Office, and thereupon such Minor, married Woman, or other Person, for whose Life any such Estate is holden, shall be taken to be dead; and it shall be lawful for any Person claiming any Right, Title, or Interest, in Remainder, Reversion, or otherwise after the Death of such Infant, married Woman, or other Person, for whose Life any such Estate is holden, to enter upon such Lands, Tenements, and Hereditaments, as if such Infant, married Woman, or other Person, for whose Life any such Estate is holden, were actually dead.

If Infant, &c. alive, after Order made, such Infant, &c. may re-enter.

III. Provided always, That if it shall afterwards appear upon Proof, in any Action to be brought, that such Infant, married Woman, or other Person, for whose Life any such Estate is holden, were alive at the Time of such Order made, That then it shall be lawful for such Infant, married Woman, Guardian, or Trustee, or other Person having any Estate or Interest, determinable upon such Life, to re-enter upon the said Lands, Tenements, or Hereditaments, and for such Infant, married Woman, or other Person, having any Estate or Interest determinable upon such Life, their Executors, Administrators or Assigns, to maintain an Action against those who, since the said Order, received the Profits of such Lands, Tenements, or Hereditaments, or their Executors or Administrators, and therein to recover full Damages for the Profits of the same received, from the Time that such Infant, married Woman, or other Person, having any Estate or Interest determinable upon such Life, were ousted of the Possession of such Lands, Tenements, or Hereditaments.

If Guardian, &c. prove that he hath used his Endeavours to procure such Infant to appear, and that he was then living, &c.

IV. Provided always, That if any such Guardian, Trustee, Husband, or other Person or Persons, holding or having any Estate or Interest determinable upon the Life or Lives of any other Person or Persons shall by Affidavit or otherwise, to the Satisfaction of the said Court of *Chancery*, make appear, That he, she, or they have used his, her, or their utmost Endeavours to procure such Infant, married Woman, or other Person or Persons, on whose Life or Lives such Estate or Interest doth depend, to appear in the said Court of *Chancery*, or elsewhere, according to the Order of the said Court in that Behalf made, and that he, she, or they cannot procure or compel such Infant, married Woman, or other Person or Persons so to appear, and that such Infant, married Woman, or other Person or Persons, on whose Life or Lives such Estate or Interest doth depend, is, are, or were living at the Time of such Return made and filed as aforesaid, then it shall be lawful for such Person or Persons to continue in the Possession of such Estate, and receive the Rents and Profits thereof for and during the Infancy of such Infant, and the Life or Lives of such married Woman, or other Person or Persons, on whose Life or Lives such Estate or Interest doth or shall depend, as fully as he, she, or they might have done if this Act had not been made.

Guardian to continue in Possession, &c.

Guardian, &c. holding Estates after Determination of Life of Minor, &c. adjudged Trespassers.

V. And be it further enacted by the Authority aforesaid, That every Person who, as Guardian or Trustee for any Infant, and every Husband seized in Right of his Wife only, and every other Person having any Estate determinable upon any Life or Lives, who after the Determination of such particular Estates or Interests, without the express Consent of him, her, or them, who are or shall be next and immediately intitled upon and after the Determination of such particular Estates or Interests, shall hold over and continue in Possession of any Manors, Messuages, Lands, Tenements, or Hereditaments, shall be and are hereby adjudged to be Trespassers; and that every Person and Persons, his, her, and their Executors and Administrators, who are or shall be intitled to any such Manors, Messuages, Lands, Tenements, and Hereditaments, upon or after the Determination of such particular Estates or Interests, shall and may recover in Damages against every such Person or Persons so holding over as aforesaid, and against his, her, or their Executors, or Administrators, the full Value of the Profits received during such wrongful Possession as aforesaid.

Heirs, &c. may recover Damages.

C A P. XIX.

An Act for continuing the Half Subsidies therein mentioned, with several Impositions and other Duties, to raise Money by way of Loan, for the Service of the War, and other her Majesty's necessary and important Occasions, and for charging of Prize Goods and Seizures, and for taking off the Drawbacks of foreign Cordage, and to obviate the clandestine Importation of wrought Silks.

I. MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects the Commons of Great Britain in Parliament assembled, duly considering the Necessity of making an ample and compleat Provision to enable your Majesty to carry on the present War, and to defray your other necessary Expences, have for that End and Purpose cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty, the several and respective Subsidies, Impositions, and Duties herein after particularly described, for and during the Terms herein after expressed, that is to say, Whereas several Subsidies of Tunnage and Poundage, and other Duties and Sums of Money upon Wines, Goods, and other Merchandizes, were given and granted unto his late Majesty King CHARLES the Second, of Blessed Memory, for his Life, by an Act of Parliament made in the twelfth Year of his

32 Car. 2. c. 4.

Reign, (intituled, *A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported*) and by the Book of Rates thereunto annexed, which Subsidies

of Tonnage and Poundage, and other Duties and Sums of Money upon Wines, Goods, and Merchandizes, as well exported as imported, (with some Alterations) were by several subsequent Acts of Parliament granted to continue until the first Day of *August* one thousand seven hundred and ten; and by an Act of Parliament made in the fifth Year of your Majesty's Reign, intituled, *An Act for continuing several Subsidies, Impositions, and Duties, and for making Provisions therein mentioned, to raise Money by Way of Loan, for the Service of the War, and other her Majesty's necessary and important Occasions, and for ascertaining the Wine Measure*, the said Subsidies of Tonnage and Poundage, and other Duties and Sums of Money last-mentioned, were enacted to continue and be payable to your Majesty, for and upon all Wines, Goods, and Merchandizes, which should be imported at any Time or Times between the last Day of *July* one thousand seven hundred and ten, and the first Day of *August* one thousand seven hundred and twelve: Now we your Majesty's said dutiful and loyal Subjects, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 over and above all other Subsidies, additional Duties, Impositions, and Payments whatsoever, by any former or other Act or Acts of Parliament or otherwise howsoever already due or payable, or which ought to be paid to her Majesty, for or upon any Wines, Goods, or Merchandizes whatsoever, imported or to be imported, there shall be raised, levied, collected, paid, and satisfied unto her Majesty, her Heirs and Successors, for and upon all Wines, Goods, and Merchandizes, which at any Time or Times from and after the last Day of *July* one thousand seven hundred and twelve, and before the first Day of *August* one thousand seven hundred and fourteen, shall be imported or brought into *Great Britain*, one Moiety or Half Part of such and the like several and respective Subsidies, Duties, and Sums of Money, as by the said Act of the fifth Year of her Majesty's Reign are charged or payable within or during the Term thereby granted or limited, for or upon the like imported Wines, Goods, and Merchandizes respectively, except such Goods and other Merchandizes as by the said Act of the fifth Year of her Majesty's Reign, or by any Law now in force are exempted from the Payment of the Subsidies or Duties which were first granted in the twelfth Year of the Reign of King

Half Subsidies continued from 31 July 1712. to 2 Aug. 1714. Made perpetual by 7 Annæ, c. 7. §. 29.

Except Goods exempted by former Acts.

12 Car. 2. c. 4.

II. And it is hereby enacted, That in all Cases where by the said Act of the fifth Year of her Majesty's Reign, or by any Act relating thereunto, any Drawbacks or Abatements are to be made of the whole or any Part of the Duties thereby imposed on any Wines, Goods, or Merchandizes whatsoever, there shall be in the like Cases proportional Drawbacks and Abatements made of the whole or Part of the Duties by this Act imposed upon the same Wines, Goods, and Merchandizes respectively; and that the several Subsidies and Duties by this Act granted, during the Continuance thereof, shall be raised, collected, levied, secured and paid, within and throughout the Kingdom of *Great Britain*, by the same Ways, Means, and Methods, and under such Penalties and Forfeitures, and with such Allowances, and subject to such Rules and Directions, as in and by the said Act of the fifth Year of her Majesty's Reign, or by any other Act or Acts therein referred unto, are prescribed or appointed, for the raising, collecting, levying, securing, and paying the said Subsidies and Duties granted by the said Act of the fifth Year of her Majesty's Reign, during the Continuance thereof; and that every Article, Rule, and Clause contained in the said Act of the fifth Year of her Majesty's Reign, or in any Act or Acts of Parliament therein mentioned, or thereby referred unto, for raising, collecting, levying, securing, and paying the said Subsidies and Duties thereby granted, during the Continuance thereof, are and shall be, by force of this Act, revived, and shall be used, exercised, and put in Practice for the raising, levying, collecting, and answering the Subsidies and Duties granted or imposed by this present Act, during the Continuance thereof, and all Arrearages of the same, from Time to Time, as fully and effectually as if the same Articles, Rules and Clauses, and every of them, were again particularly and at large recited and re-enacted in the Body of this present Act, except only as to such of the said Articles, Rules, and Clauses, touching which other Provisions, Alterations, or Exemptions are made by any Act or Acts of Parliament now in Being, which other Provisions, Alterations, or Exemptions, shall be observed with Respect to the Duties hereby granted, during the Continuance of this Act, in the same Manner as they are to be observed with Respect to the said Subsidies formerly granted as aforesaid.

5 Annæ, c. 27. The same Drawbacks to be allowed.

Former Powers revived.

III. And be it further enacted by the Authority aforesaid, That the several Impositions and Duties upon Wines and Vinegar, granted by an Act made in the first Year of the Reign of his late Majesty King JAMES the Second (intituled, *An Act for granting to his Majesty an Imposition upon all Wines and Vinegar imported between the twenty-fourth Day of June one thousand six hundred eighty-five and the twenty-fourth Day of June one thousand six hundred ninety-three*) which said Act, by several subsequent Acts of Parliament since made, was continued, and is to continue until the first Day of *August* one thousand seven hundred and twelve, shall, by Virtue of this Act, be further continued to her Majesty, her Heirs and Successors, from the last Day of *July* one thousand seven hundred and twelve to the first Day of *August* one thousand seven hundred and fourteen, and no longer; and that the said Act so made in the first Year of the Reign of the said late King JAMES the Second, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, for or concerning the said Impositions on Wines and Vinegar, shall continue and be in full Force and Effect until the said first Day of *August* one thousand seven hundred and fourteen, and shall be applied, practised, and executed for raising, levying, collecting, answering, and paying the said Duties upon Wine and Vinegar hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully, to all Intents and Purposes, as if all and every the Clauses, Matters, and Things in the said Act of the first Year of the Reign of the said King JAMES the Second contained, had been again in this Act repeated and particularly enacted.

Duties on Wines and Vinegar continued from 31 July 1712. to 1 August 1714. 1 Jac. 2. c. 3.

Duties on Tobacco continued to 1 Aug. 1714. 1 Jac. 2. c. 4.

IV. And be it further enacted by the Authority aforesaid, That the Rates, Duties, and Impositions upon all Sorts of Tobacco, granted by an Act made in the first Year of the Reign of the said late King JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Tobacco and Sugar imported between the twenty-fourth Day of June one thousand six hundred eighty-five and the twenty-fourth Day of June one thousand six hundred ninety-three*, which said Act, as for and concerning the said Duties and Impositions upon Tobacco only, by several subsequent Acts of Parliament since made, was continued, and is to continue until the first Day of August one thousand seven hundred and twelve, shall, by Virtue of this Act, be further continued and paid to her Majesty, her Heirs and Successors, from the last Day of July one thousand seven hundred and twelve to the first Day of August one thousand seven hundred and fourteen, and no longer.

And to be levied, &c. as by 7 & 8 W. 3. c. 10.

V. Provided always, and be it enacted and declared by the Authority aforesaid, That the said Duty upon Tobacco which shall be imported during the Times by this Act limited, and all Arrears thereof, shall be secured, collected, raised, levied, answered, and paid to her Majesty, in such Method, and with such Discount and Allowances, and according to such Rules and Directions, as are mentioned, referred to, or prescribed, as to the Duties or Impositions upon Tobacco, in and by the Act made in the Parliament holden in the seventh Year of the Reign of King WILLIAM the Third, of glorious Memory, intituled, *An Act for continuing several Duties granted by former Acts upon Wine, Vinegar, and upon Tobacco, and East India Goods, and other Merchandizes imported, for carrying on the War against France*, and not otherwise.

Old Impost continued to 1 August 1714. 2 W. & M. ff. 2. c. 4.

VI. And be it further enacted by the Authority aforesaid, That the several additional and other Rates, Impositions, Duties, and Charges upon the several Sorts of Goods and Merchandizes granted by an Act made in the second Year of the Reign of King WILLIAM the Third and Queen MARY, intituled, *An Act for granting to their Majesties certain Impositions upon all East India Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandizes, to be imported after the five and twentieth Day of May one thousand six hundred and ninety*, and which thereby, and by several subsequent Acts of Parliament already made, have Continuance until the first Day of August one thousand seven hundred and twelve, shall be further continued to her Majesty, her Heirs and Successors, from the last Day of July one thousand seven hundred and twelve to the first Day of August one thousand seven hundred and fourteen, and no longer; and that the said Act made in the second Year of their said late Majesties Reign, concerning East India Goods, and other Things therein charged, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, shall continue and be of full Force and Effect, until the said first Day of August one thousand seven hundred and fourteen, and shall be applied, practised, and executed for the raising, levying, collecting, answering, and paying the said respective Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully and to all Intents and Purposes, as if the said last mentioned Act, and all and every the Clauses, Matters, and Things therein contained, had been again repeated and particularly enacted; except only as to such Part of the said Acts concerning the said Impositions on Wines, Vinegar, Tobacco, East India Goods, and other Merchandizes imported, touching which other Provisions or Alterations are made by any Act or Acts of Parliament now in being; which other Provisions or Alterations are to be observed, and to continue during the Continuance of this present Act; and the said Act, intituled, *An Act for continuing several Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco, and East India Goods, and other Merchandizes imported, for carrying on the War against France*, and every Article, Clause, Matter, and Thing therein contained, for the raising, levying, securing, answering and paying the Impositions and Duties on the Merchandizes and Commodities thereby charged, and which are by this Act continued, shall be of full Force and Effect until the said first Day of August one thousand seven hundred and fourteen.

All Powers, Provisions, &c. in 2 W. & M. ff. 2. c. 4. and 7 & 8 W. 3. c. 10. to be observed.

Exception.

7 & 8 W. 3. c. 10.

Additional Impost continued to 1 Aug. 1714. 4 & 5 W. & M. c. 5.

VII. And be it further enacted by the Authority aforesaid, That the additional and other Rates, Duties, Impositions, and Charges upon the several Sorts of Goods and Merchandizes, granted by an Act of Parliament made in the fourth Year of their said late Majesties Reign, intituled, *An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandizes, for prosecuting the present War against France*, which by several subsequent Acts of Parliament already made, have Continuance until the said first Day of August one thousand seven hundred and twelve, shall, by Virtue of this Act, be further continued, and be paid and payable to her Majesty, her Heirs and Successors, from the last Day of July one thousand seven hundred and twelve to the first Day of August one thousand seven hundred and fourteen; and no longer; and that the said Act last mentioned, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained (except as herein after is excepted and provided) as for and concerning the said Rates, Duties, and Impositions, shall continue and be of full Force and Effect until the said first Day of August one thousand seven hundred and fourteen, and shall be applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as if the said last mentioned Act, and all and every the Clauses, Matters, and Things therein contained, had been again repeated and particularly enacted in this present Act.

New Provisions or Alterations made to be observed.

VIII. Provided also, That in all Cases where any other Provision or Alteration is made, by any Act or Acts of Parliament now in being, in or about any other Matter or Thing contained in the said Act of Parliament for the Impositions last mentioned, such other Provisions or Alterations shall be observed during the Continuance of the Term hereby granted; any Thing herein contained to the contrary notwithstanding.

Duties on Whale-fins continued to 1 August 1714. 9 & 10 W. 3. c. 45.

IX. And it is hereby further enacted, That the several Impositions and Duties for and upon all Whale-fins imported, which by an Act of Parliament in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, (intituled, *An Act for taking away Half the Duties imposed on Glass Wares, and the whole Duties lately laid on Stone and Earthen Wares and Tobacco Pipes, and for granting in lieu thereof new Duties*

Duties on Whale-fins and Scotch Linnen) were granted to his said late Majesty King WILLIAM, and by subsequent Acts already passed, have Continuance until the first Day of *August* one thousand seven hundred and twelve, shall be and are hereby continued to her Majesty, her Heirs and Successors, from the last Day of *July* one thousand seven hundred and twelve to the first Day of *August* one thousand seven hundred and fourteen, and no longer; and shall be raised, levied, collected, and paid in such Manner and Form, and by such Ways and Means, and under such Penalties, as are mentioned in the said Act for granting the said Impositions on Whale-fins and *Scotch Linnen*; which Act, with all the Powers, Provisions, Penalties, Articles, and Clauses therein contained, or thereby referred to, shall continue and be in full Force until the said first Day of *August* one thousand seven hundred and fourteen, and shall be applied, practised and put in Execution for raising and levying the said Duties on Whale-fins hereby continued, and all Arrears thereof, as fully and effectually as if all the Clauses, Matters, and Things therein contained, concerning the said Duties on Whale-fins, were repeated, and again enacted in the Body of this present Act.

‘ X. And whereas the said Subsidies of Tunnage and Poundage, and the said other Duties granted therewith in the said twelfth Year of King CHARLES the Second as aforesaid, as to Wines, Goods, and Merchandizes imported, and the said Impositions on Wines, Venegar, and Tobacco, which were first granted to King JAMES the Second, in the first Year of his Reign, and the said Impositions on *East India* Goods, and other Goods charged therewith, which were first granted to their late Majesties King WILLIAM and Queen MARY, in the Second Year of their Reign, and the said additional Impositions which were first granted to them in the fourth Year of their Reign, and the said Duties on Whale-fins imported, which were granted to his said late Majesty King WILLIAM, in the ninth Year of his Reign, were by the said Act of the fifth Year of her Majesty’s Reign (intituled, *An Act for continuing several Subsidies, Impositions, and Duties, and for making Provisions therein mentioned, to raise Money by Way of Loan for the Service of the War, and other her Majesty’s necessary and important Occasions, and for ascertaining the Wine Measure*) continued as aforesaid, until the said first Day of *August* one thousand seven hundred and twelve, in the Manner therein mentioned, and are by the said Act of the fifth Year of her Majesty’s Reign, made subject and liable to the Satisfaction of the Principal and Interest Monies therein mentioned, which are to be paid and discharged in the first Place out of the Subsidies, Impositions, and Duties granted or continued by the Act last mentioned: Now it is hereby further declared and enacted by the Authority aforesaid, That from and immediately after the Time that all the Principal and Interest Monies which by the said Act of the fifth Year of her Majesty’s Reign are charged upon the several Subsidies, Duties, and Impositions last mentioned, shall be fully paid off and satisfied, or that sufficient Money shall be reserved in the Exchequer for that Purpose, then all the Monies which shall from thenceforth arise by one Moiety or half Part of the said Subsidies of Tonnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes imported (which were first comprehended in the said Act of the twelfth Year of King CHARLES the Second) and all the Monies, which from and after such Payment made, or reserving Money to discharge all such Principal and Interest as aforesaid, shall arise by the said Impositions upon Wine, Vinegar, Tobacco, *East India* Goods, and other Goods therewith charged, and by the said additional Impositions on Goods and Merchandizes, and by the said Duties upon Whale-fins, for the Remainder of the Terms formerly granted, and therein then to come and unexpired (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall from Time to Time be paid into the Receipt of the Exchequer distinctly, for the Purposes in this present Act expressed, and for no other Use, Intent, or Purpose whatsoever.

‘ XI. And whereas all Wines of the Growth and Product of *France*, or of any Dominions under the *French* King, are by several Laws and Statutes liable to the Payment of several Duties upon the Importation thereof, and particularly by an Act of Parliament made in the seventh Year of the Reign of his said late Majesty King WILLIAM the Third (intituled, *An Act for granting to his Majesty an additional Duty upon all French Goods and Merchandizes*) it was enacted, amongst other Things, That for every Ton of *French* Wine imported within the Time therein mentioned, there should be paid twenty-five Pounds above the Duties before charged thereupon: But by another Act made in the eighth Year of the same King’s Reign (intituled, *An Act for granting to his Majesty a further Subsidy of Tonnage and Poundage upon Merchandizes imported, for the Term of two Years and three Quarters, and an additional Land Tax for one Year, for carrying on the War against France*) it was provided, That nothing in the said Act of the seventh Year of his said late Majesty’s Reign, should charge any Merchandize of the Growth of *France*, which should be *bona fide* seized or taken, and condemned as Prize, with any further or other Duties than what they were or ought to have been charged withal before the making of the Act last mentioned; and her Majesty, by her Royal Declaration bearing Date the first Day of *June* in the first Year of her Reign, for the Encouragement of her Ships of War and Privateers, was pleased to subject all Ships, Vessels, and Goods, which should be taken and condemned as lawful Prize, to the Payment of such Customs and Duties only as are therein mentioned: And whereas by an Act made in the second Year of her Majesty’s Reign, (intituled, *An Act for granting to her Majesty an additional Subsidy of Tonnage and Poundage for three Years, and for laying a further Duty upon French Wines condemned as lawful Prize, and for ascertaining the Values of unrated Goods imported from the East Indies*) it was enacted, That for every Ton of any Wines of the Growth or Product of *France*, or of any Dominions under the *French* King, seized or taken, or to be seized or taken by any of her Majesty’s Ships, or by any Privateers or otherwise, and which at any Time or Times, during the Term of three Years, which commenced from the eighth Day of *March* one thousand seven hundred and three, should be condemned or adjudged as lawful Prize, there should be paid to her Majesty the Sum of fifteen Pounds over and above the Duties before

12 Car. 2. c. 4.

1 Ja. 2. c. 3, 4.

2 W. & M. ff. 2.

c. 4.

4 & 5 W. & M.

c. 5.

9 & 10 W. 3.

c. 45.

5 Annæ, c. 27.

After the Principal, &c. charged by 5 Annæ, shall be discharged, the Half Subsidies, &c. to be appropriated for the Uses of this Act.

12 Car. 2. c. 4.

Necessary Charges excepted.

French Wines.

7 & 8 W. 3.

c. 20.

8 & 9 W. 3.

c. 24.

2 & 3 Annæ,

c. 9.

French Prize Wine and Seizures to pay 25 l. per Ton, during War.

Ships, &c. taken as Prize, &c. liable to such Circumstances as by the Queen's Declaration.

Duties to be paid out of the neat Proceed upon Sale; If Produce be not sufficient, then to be applied proportionably, &c.

No Drawback allowed for foreign Cordage, &c. exported,

Importers of wrought Silks to forfeit 200 l. &c.

Sellers and Concealers forfeit the Silk and 100 l.

Where Silks so forfeited shall be sold.

See farther
1 Geo. 1. c. 36.
f. 21. 8 Geo. 1.
c. 15. 9 Geo. 1. c. 8. f. 9. 1 Geo. 2. f. 2. c. 17. f. 10. 23 Geo. 2. c. 9 & 20. and 26 Geo. 2. c. 21.

Clause of Loan for 729,067 l. 15 s. 6 d. 3 q.

5 Annæ, c. 27.

and for a further Sum for making good the intermediate Interest,

' before that Time charged thereupon, without Deduction, and so proportionably for a greater or lesser Quantity; which Duty of fifteen Pounds *per Ton*, expired on the eighth Day of *March* one thousand seven hundred and six: Now it is hereby enacted by the Authority aforesaid, That for every Ton of any Wine of the Growth or Product of *France*, or of any Dominions under the *French King*, seized or taken, or to be seized or taken by any her Majesty's Ships, or by any Privateers, or otherwise, and which at any time or times, from and after the fifteenth Day of *March* one thousand seven hundred and seven, during the present War, shall be condemned or adjudged as lawful Prize, and for every Ton of any Wines of the Growth or Product of *France*, or of any Dominions under the *French King*, which after the said fifteenth Day of *March* one thousand seven hundred and seven, during the said present War, shall be seized and condemned for unlawful Importation, or for being brought into any Part of *Great Britain* by Collusion, there shall be paid to the Queen's Majesty the Sum of five and twenty Pounds of lawful Moneys of *Great Britain*, without Deduction, and so proportionably for a greater or lesser Quantity.

XII. And it is hereby declared, That (over and above the said Duty of five and twenty Pounds *per Ton* on Prize Wines by this Act imposed) all Ships, Vessels, Wines, and other Goods and Merchandizes, which shall be taken from the Enemy, and condemned as lawful Prize, and all Wines, Goods, and Merchandizes which shall be seized and condemned for unlawful Importation, or for being brought in by Collusion, as aforesaid, during the present War, shall be subject or liable to such or the like Customs and Duties to which Ships, Goods, and Merchandizes taken and condemned as Prize, were subjected or intended to be subjected by her Majesty's Declaration aforesaid; and that all the Duties by this Act chargeable upon Ships, Wines, Goods, and Merchandizes taken or seized, as aforesaid, shall and may be detained and satisfied out of the neat Proceed of such respective Prizes and Seizures, upon Sale of the same; and if any entire Prize or Seizure shall not be sufficient by its neat Produce to answer all the said Duties thereupon, then the said neat Produce shall be applied proportionably towards discharging the said Duties, so far as the said Produce will extend thereunto, and so much as shall arise by this Act of or for the said Duty of five and twenty Pounds *per Ton*, upon Wines taken or seized, as aforesaid, shall be applied towards the Payment of the Principal and Interest to be borrowed upon this Act; and the rest of the Monies arising by the said Duties upon such Prizes or Seizures, as aforesaid, shall be apportioned and applied to the same several Uses and Purposes whereunto the like Duties upon the like Goods or Merchandizes imported, are applicable by Virtue of the several Laws relating thereunto.

XIII. And for encouraging the Manufacture of Cordage in *Great Britain*, Be it further enacted by the Authority aforesaid, That foreign Cordage, or Cable Yarn imported, or to be imported into *Great Britain*, upon Exportation thereof, at any Time or Times from or after the five and twentieth Day of *March* one thousand seven hundred and eight, for any Parts beyond the Seas, shall have no Allowance or Drawback of any Duties paid or secured by this or any other Acts, Laws, or Statutes whatsoever, upon the Importation thereof; any thing in this, or any other Act or Acts of Parliament, or any other Matter or Thing whatsoever to the contrary notwithstanding.

XIV. And whereas notwithstanding the several Laws now in Force for preventing of clandestine Importation of foreign Goods, great Quantities of wrought Silks mixed with Gold and Silver, and other Silks, have of late been imported, contrary to Law, to the great Prejudice of the Manufacturers of this Kingdom: For Remedy thereof, Be it enacted by the Authority aforesaid, That from and after the five and twentieth Day of *March* one thousand seven hundred and eight, all and every such Person and Persons whatsoever, who shall secretly and clandestinely import, bring, or convey into this Kingdom, any wrought Silk or Silks mixed with Gold or Silver, or any other Materials, and all and every their Aiders, Abettors, and Assistants, shall for every such Offence forfeit two hundred Pounds, over and above the Penalties to which the same are liable by any Laws now in Force; and the Person or Persons in whose Custody or Possession such Silks shall be found, or who shall sell or offer the same to Sale, knowing thereof, and all and every Person or Persons who shall conceal such Silks, with Intent to prevent the Forfeiture of the same, shall over and above the Loss of the said Silks, for every such Offence forfeit one hundred Pounds; one Moiety thereof to the Queen's Majesty, her Heirs and Successors; the other Moiety to such Person or Persons as shall sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at Westminster, wherein no Escoin, Privilege, Protection, or Wager of Law shall be allowed, nor any more than one Imparlance.

XV. And be it further enacted, That all such Silks so forfeited, as aforesaid, in that Part of *Great Britain* called *England*, shall be sold at the *Custom House* at *London*, by Inch of Candle, to the highest Bidder, and such of them as shall be so forfeited, as aforesaid, in that Part of *Great Britain* called *Scotland*, shall be sold at the *Custom House* in *Edinburgh*, in like Manner, and not otherwise.

XVI. Provided also, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to her Majesty, at the Receipt of her Majesty's Exchequer, as well upon Credit of the several Subsidies, Impositions, and Duties, by this Act granted or continued, as also upon Credit of the Monies, which by the said Act of the fifth Year of her Majesty's Reign, after Satisfaction of the Principal and Interest thereupon, as aforesaid, shall arise by the Subsidies, Impositions, and Duties thereby granted, any Sums which shall not exceed in the whole seven hundred twenty-nine thousand sixty-seven Pounds fifteen Shillings and six Pence three Farthings, for the Service of the War, and other her Majesty's Occasions; and moreover, the Treasurer of the Exchequer, for the Time being, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and directed to cause the Officers

of the said Receipt of Exchequer to receive from time to time by way of Loan, from any Person or Persons, Bodies Politick or Corporate, willing to make the same at the said Receipt, any further Sum and Sums of Money, over and above the said Sum of seven hundred twenty-nine thousand sixty-seven Pounds, fifteen Shillings, and six-pence three Farthings, as shall be sufficient to make good the Payment of all the Interest Monies appointed or allowed by this Act, every three Months, until the said Subsidies, Impositions, and Duties arising by this, or the said Act of the fifth Year of her Majesty's Reign, or either of them first happening, shall come into the Exchequer, and be sufficient for that Purpose, pursuant to the Intent and Meaning of this Act; and that all the Lenders, as well of the said Sum, not exceeding seven hundred twenty-nine thousand sixty-seven Pounds fifteen Shillings and six Pence three Farthings, as of the said further Sums for making good the Payment of the intermediate Interest, as aforesaid, shall have and receive Interest for the Forbearance thereof, after the Rate of Six Pounds *per Centum per Annum*, and that no Money to be lent upon the Security of this Act shall be taxed, rated, or assessed by any Act of Parliament whatsoever.

XVII. And it is hereby further enacted, That all and every Person or Persons, who shall lend any Money upon such Credits, as aforesaid, and pay the same into the said Receipt of Exchequer, shall immediately have a Talley of Loan struck for the same, and an Order for his, her, or their Repayment, bearing the same Date with his, her, or their Tallies; in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, at the Rate aforesaid, and to be paid every three Months, until the Repayment of the Principal; and that all such Orders for Repayment of Money to be lent, shall be registered in Course, according to the Dates respectively, without other Preference of one before another; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registred in the said Register Book, so as the said Person, Native or Foreigner, his, her, or their Executors, Administrators, Successors, or Assigns, who shall have his, her, or their Order or Orders first entred in the said respective Books of Register, shall be taken and accounted the first Person to be paid out of the Monies to come in by this Act, and he, she, or they, who shall have his, her, or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively, and in Course; and that the Monies to come in of or for the several Subsidies, Impositions, or Duties by this Act granted or continued, as aforesaid, and also the Monies which by the said Act of the fifth Year of her Majesty's Reign, (after Satisfaction of the Principal and Interest thereupon, as aforesaid) shall arise by the Subsidies, Impositions, and Duties thereby granted, as aforesaid (except the said Duties to arise by Prizes and Seizures, other than the Duty of five and twenty Pounds *per Ton* before-mentioned) shall be liable in the same Order to the Satisfaction of the Monies to be lent, as aforesaid, to the respective Parties, their Executors, Administrators, Successors, and Assigns respectively, without undue Preference of one before another, and not otherwise, and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any her Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views, or Search in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of her Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party grieved, by the Party offending, with treble Costs of Suit; or if the Officer himself take of demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in Point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, with Damages and Costs, to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever incapable of his Place and Office; and in case the Auditor of the Receipt shall not direct, or the Clerk of the Pells record, or the Teller make Payment according to each Person's due Place and Order, as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending, to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Suit, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Restraint, shall in any wise be granted or allowed.

XVIII. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those be entred first, so as he enters them all the same Day.

XIX. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in their Course, so as there be so much Money reserved, as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

XX. And be it further enacted, That all and every Person and Persons, to whom any Monies shall be due for Loans, to be registred by Virtue of this Act, after Order entred in the Book of Register, as aforesaid, his Executors, Administrators, or Assigns, by proper Words of Assignment to be indorsed and written upon his Order, may assign or transfer his Right, Title, Interest, and Benefit of such Order, or any

at 6l. per Cent.
Tax-free.
See 8 Ann. c. 13.
s. 12.

Lenders to have
Tallies and Or-
ders struck, &c.

Payable every
3 Months;

Orders to be re-
gistred and paid
in Course, &c.

without undue
Preference or
Fee, &c.

on Pain of treble
Damages, &c.

and to pay the
Debt, &c.

Clerk liable.

Tallies bearing
Date the same
Day, no undue
Preference.

No Penalty to
incur, if subse-
quent Orders be
first paid, &c.

Orders assign-
able.

Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders, (which the Officers shall, upon Request, without Fee or Charge, accordingly make) shall entitle such Assignee, his Executors, Administrators and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so toties quoties; and afterwards it shall not be in the Power of such Person or Persons, who have or hath made such Assignment, to make void, release, and discharge the same, or any the Monies thereby due, or any Part thereof.

Assignee may assign again.

XXI. And whereas in and by the said Act of the fifth Year of her said Majesty's Reign, a Credit was given for any Sums not exceeding eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing, to be borrowed at an Interest, after the Rate of six Pounds per Centum per Annum, upon the several Subsidies, Impositions, and Duties in that Act mentioned; and the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are thereby authorized and directed to cause the Officers of the Exchequer to receive from time to time, by Way of Loan, at the like Interest at the said Receipt, any further Sum or Sums of Money over and above the said Sum of eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing, as should be sufficient to make good the Payment of all the interest Monies appointed or allowed by that Act, every three Months, until the Subsidies, Impositions, and Duties therein mentioned, should come into the Exchequer, and be sufficient for that Purpose, pursuant to the Intent and true Meaning of that Act: Now it is hereby provided and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to the taking away, altering, or lessening the said Power and Direction of borrowing Monies to make good the Payment of the said Interest every three Months, until the said Subsidies, Impositions, and Duties in the said recited Act mentioned, shall come in and be sufficient for that Purpose, as aforesaid, or in any wise to alter or prejudice the Security given by the said Act of the fifth Year of her Majesty's Reign, for the Repayment or Satisfaction of the same, or any other the principal and interest Monies which were secured or intended to be secured by that Act, that the Orders for the same shall be registred in Course, and paid in the same Manner, as if this Act had never been made; this present Act, or any thing therein contained, or any other Matter or Thing whatsoever to the contrary in any wise notwithstanding.

Clause of Loan in 5 Annæ, c. 27. f. 2. not lessened by this Act.

Clause of Appropriation. 6 Annæ, c. 1.

XXII. And be it enacted by the Authority aforesaid, That all the Monies lent, and to be lent unto her Majesty on one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty to be raised by a Land Tax in Great Britain, for the Service of the Year one thousand seven hundred and eight*, and so much Money (if any such be) of the Tax thereby granted, as shall arise and remain (after all the Loans made or to be made upon that Act, and the Interest thereof, and the Charges thereby allowable for the raising the said Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same :) And all the Monies lent, and to be lent unto her Majesty, upon one other Act of this Session of Parliament, intituled, *An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and eight*, and so much Money of the said Duties of Malt, Mum, Cyder, and Perry thereby granted, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred or directed to be transferred thereunto, and the Interest thereof, and the Charges thereby allowable for raising the said Duties thereby granted, shall be satisfied, or Monies sufficient shall be reserved to discharge the same: And the Sum not exceeding five hundred and forty thousand Pounds mentioned and intended to be raised by another Act of this Session of Parliament, intituled, *An Act for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and eight, and other Uses, by Sale of Annuities charged on a Fund not exceeding forty thousand Pounds per Annum, to arise by appropriating several Surplusses, and by granting further Terms in the Duties on Low Wines, and on Hawkers, Pedlars, and Petty Chapmen, the Stamp Duties, the one third Subsidy, the Duty on Sweets, and one of the Branches of Excise, and by making other Provision in this Act mentioned: And the Sum not exceeding one million and twenty thousand Pounds, mentioned and intended to be raised by another Act of this Session of Parliament, intituled, *An Act for continuing one half Part of the Subsidies of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes imported, which were granted to the Crown in the twelfth Year of the Reign of King CHARLES the Second, and for settling a Fund thereby and by other Ways and Means, for Payment of Annuities not exceeding eighty thousand Pounds per Annum, to be sold for raising a Supply to her Majesty for the Service of the Year one thousand seven hundred and eight, and other Uses therein expressed: And the Sum of one million two hundred thousand Pounds, agreed to be advanced by the English Company trading to the East Indies, pursuant to an Act of this Session of Parliament for assuring to the said English Company trading to the East Indies on Account of the united Stock, a longer Time in the Fund and Trade therein mentioned: And the Sum not exceeding seven hundred twenty-nine thousand and sixty-seven Pounds fifteen Shillings and six Pence three Farthings, intended to be raised on this present Act, shall be appropriated, issued and applied, and the same are hereby appropriated for or towards the several Uses and Purposes herein after expressed; that is to say, for or towards the defraying the Charges of the Ordinary of her Majesty's Navy, and for Victuals, Wages, Wear and Tear, and other Services of the Navy, and the victualling thereof, performed and to be performed; and for the Sea Service in the Office of the Ordnance, performed and to be performed; and for or towards making of a Wharf and Storehouse at Portsmouth; and for or towards the Land Services, performed and to be performed by the Office of Ordnance; and to and for Subsistence, Off-reckonings, and Clearings for one Year, from the three and twentieth Day of December one thousand seven hundred and seven, to her Majesty's Guards and Garrisons in Great Britain, and the contingent Charges of the same; and**

6 Annæ, c. 4.

6 Annæ, c. 5.

6 Annæ, c. 11.

6 Annæ, c. 17.

Ordinary of the Navy.

Wharf at Portsmouth.

Guards and Garrisons.

and for Payment of Invalids for the said Year, beginning from the said three and twentieth Day of *December* one thousand seven hundred and seven; and for or towards the defraying the Charges of her Majesty's Army, and such Forces as are or shall be added thereunto in the *Low Countries* or *Germany*, within or for one Year, to be reckoned from the said three and twentieth Day of *December* one thousand seven hundred and seven, and the contingent Charges thereunto belonging; and for or towards her Majesty's Proportion of the Charge of three thousand *Palatines* formerly taken into the Service of her Majesty and the *States General*, for the Year one thousand seven hundred and eight; and for or towards her Majesty's Proportion of the Charge of four thousand six hundred thirty-nine *Saxons* formerly taken into the Service of her Majesty and the *States General*, for the Year one thousand seven hundred and eight; and for or towards her Majesty's Proportion of the Charge of *Bothmar's* Regiment of Dragoons, consisting of eight hundred Men, formerly taken into the Service of her Majesty and the *States General*, for the Year one thousand seven hundred and eight; and for maintaining her Majesty's established Forces to serve in *Spain* and *Portugal* including the Pay of General Officers, and the Charge of Contingencies, and for Forrage, Waggon Money, and Baggage Money, and for the Charge of the Garrison of *Gibraltar*, and for the Augmentation of her Majesty's Forces, in order to strengthen the Army of the Duke of *Savoy*, for making good the Alliances with the King of *Portugal*, and for the effectual carrying on the War for Recovery of the *Spanish* Monarchy to the House of *Austria*; and for and towards the Payment of her Majesty's Proportion of the Subsidies due upon Treaties made or to be made with her Majesty's Allies, and other Charges for the Service of the War, for any Time before or until the five and twentieth Day of *December* one thousand seven hundred and eight; and for the Payment of a Year and a Quarter's Interest further on the unsatisfied Debentures charged upon the *Irish* Forfeitures; and for or towards the Transportation of Land Forces performed and to be performed; and for or towards discharging the Premiums and other Charges for circulating for another Year the Bills commonly called the Exchequer Bills, which were issued before the last Session of Parliament; and for and towards the paying of an extraordinary Subsidy to the Duke of *Savoy* for especial Service, in prosecuting the War against *France*, in the Year one thousand seven hundred and seven; and for or towards the making good of a Sum not exceeding twenty-two thousand nine hundred fifty-seven Pounds two Shillings, to complete the Sum of forty-two thousand nine hundred fifty-seven Pounds two Shillings, for an additional Subsidy to the Landgrave of *Hesse Cassel*, for augmenting his Troops, and marching them into *Italy*, and for defraying their Expence of Bread, Waggons and Carriages, and of Hospitals for their sick and wounded, for the Service of the Year one thousand seven hundred and seven; and for or towards the making good a Sum not exceeding twelve thousand two hundred eighty-four Pounds nineteen Shillings and eight Pence Half-penny, to defray the Charge of the Fortifications, and other Services of the Garrison at *Gibraltar*, in the Year one thousand seven hundred and six, and to no other Uses, Intents, or Purposes whatsoever; provided always, That out of the Monies to be issued to the Guards and Garrisons, as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty seven thousand one hundred twenty-five Pounds and ten Shillings, towards the Charge of maintaining the Soldiers raised and to be raised for Sea Service, with their Officers, and the contingent Charges thereunto belonging; and out of the Monies to be issued for the Service of the Navy and Sea-Service, as aforesaid, there shall be taken and applied such Sums, as together with the said Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

Invalids.
Armies in Germany and the Low Countries.

3000 palatines.

4639 Saxons.

Bothmar's Dragoons.

Forces in Spain and Portugal.
Garrison of Gibraltar.

Forces in Savoy.
Alliances with Portugal.

Proportion of Subsidies to the Allies.

Interest on unsatisfied Debentures.

Transports.
Exchequer Bills.

Extraordinary Subsidies to the Duke of Savoy.

To the Landgrave of Hesse Cassel.

Fortifications, &c. of Gibraltar.

87125l. 10s:
for the Marines.

C A P. XX.

An Act for continuing an Act made in the third Year of her Majesty's Reign, intituled, *An Act for punishing Mutiny and Desertion and false Musters, and for the better Payment of the Army and Quarters.* EXP.

C A P. XXI.

An Act for the avoiding of Doubts and Questions touching the Statutes of divers Cathedral and Collegiate Churches.

‘ I. W H E R E A S several Doubts and Questions have arisen, and may hereafter arise, in Relation to the Validity and Force of the Statutes of divers Cathedral and Collegiate Churches, founded by King HENRY the Eighth, of famous Memory, which Doubts and Questions have been occasioned, partly by a Temporary Act of Parliament made in the first Year of the Reign of Queen MARY the First, in Relation to such Statutes made by the said late King HENRY the Eighth, and in order to defeat the true and pious Ends and Designs of the said Foundations, and partly by Reason of the known Loss of many Records and Evidences during the late Rebellion in this Kingdom: And whereas the said Doubts and Disputes may in Time not only turn to the great Disquiet and Prejudice of the said Foundations, but may prove a manifest Obstruction to the Peace, Order, good Government and Discipline of the Church. unless some speedy and effectual Remedy be provided;’ Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cathedral and Collegiate Churches, founded by the said King HENRY the Eighth, such Statutes as have been usually received and practised in the Government of the same respectively, since the late happy Restoration of King CHARLES the Second, and to the Observance whereof the Deans and

1 M. 1. Sess. 3.

Statutes of Cathedral and Collegiate Churches practised since the Restoration of King Charles 2. to be good and valid.

Prebendaries, and other Members of the said Churches, from the said Time have used to be sworn at their Installments or Admissions, shall be, and shall be taken and adjudged to be good and valid in Law, and shall be, and be taken and adjudged to be the Statutes of the said Churches respectively; nevertheless so far forth only as the same, or any of them, are in no Manner repugnant to, or inconsistent with the Constitution of the Church of *England*, as the same is now by Law established, or the Laws of the Land.

No Prosecution for non Observance of Statutes, before 9 March 1707.

Queen may alter, revoke, or enlarge the Statutes, and make new ones, &c.

II. Provided always, and be it further enacted by the Authority aforesaid, That no Person or Persons shall at any Time hereafter be liable to any Prosecution, Censure, or Punishment whatsoever, for not having observed any of the Statutes hereby ratified and confirmed, or for having done any thing contrary to the same, on or before the ninth Day of *March* one thousand seven hundred and seven; any thing herein contained to the contrary notwithstanding.

III. Provided always, and be it enacted, That it shall and may be lawful for her Majesty, during her Life (which God long preserve) from time to time to alter, amend, correct, revoke, diminish, or enlarge the said Statutes, or any of them, and to make new Statutes and Ordinances for the said Cathedral and Collegiate Churches, and for refusing or settling the local Visitation of them, or any of them, in such Manner, from time to time, as to her Majesty shall seem meet.

C A P. XXII.

An Act for continuing several Duties therein mentioned, upon Coffee, Chocolate, Spices, Pictures, and Muslins, and additional Duties upon several of the said Commodities, and certain Duties upon Callicoes, *China* Wares and Drugs; and for continuing the Duties called the Two Third Subsidies of Tunnage and Poundage, for preserving the publick Credit; and for ascertaining the Duties of Coals exported for Foreign Parts; and for securing the Credit of the Bank of *England*; and for passing several Accounts of Taxes raised in the County of *Monmouth*; and for promoting the Consumption of such Tobacco as shall have paid her Majesty's Duties.

3 & 4 Annæ, c. 4.

I. **M**OST gracious Sovereign; Whereas by an Act of Parliament made in *England* in the third Year of your Majesty's Reign, intituled, *An Act for continuing Duties upon Low Wines, and upon Coffee, Tea, Chocolate, Spices and Pictures, and upon Hawkers, Pedlars, and Petty Chapmen, and upon Muslins, and for granting new Duties upon several of the said Commodities; and also upon Callicoes, China Ware, and Drugs*, several Duties therein mentioned upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures imported, were continued from the last Day of *April* one thousand seven hundred and six till the twenty-fourth Day of *June* one thousand seven hundred and ten, and a certain Duty upon Muslins imported, after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, was continued from the twenty-ninth Day of *September* one thousand seven hundred and six till the said twenty-fourth Day of *June* one thousand seven hundred and ten; and by the same Act for increasing your Majesty's Revenues, several new additional Rates and Sums therein particularly expressed, were laid upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, which should be imported at any Time or Times after the first Day of *February* one thousand seven hundred and four, and before the twenty-fourth Day of *June* one thousand seven hundred and ten, and by the same Act several further Rates and Sums therein particularly mentioned, were charged or imposed for and upon all white Callicoes, Porcelan, commonly called *China* Ware, and Drugs (except Drugs for Dying) imported from and after the first Day of *February* one thousand seven hundred and four, at any Time or Times before the said twenty-fourth Day of *June* one thousand seven hundred and ten; the said several Duties to be severally ascertained, answered, and paid in the Manner therein mentioned; and in the said Act there are contained Clauses of Credit for lending thereupon any Sums not exceeding in the whole seven hundred thousand Pounds, at an Interest not exceeding the Rate of six Pounds *per Centum per Annum*, as by the same may more largely appear: And whereas it is likely that the Duties granted by the said Act, may and will determine before the Loans made thereupon, and all the Interest due, or to grow due for the same, will be satisfied: We therefore your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, for preserving the publick Credit, have given and granted, and do by this Act give and grant unto your Majesty the several Rates, Duties, and Sums of Money to be payable for and upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, Muslins, White Callicoes, Porcelan, called *China* Ware, and Drugs (except Drugs for Dying) herein after mentioned, for the Term and Purpose herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen'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 Duties, which by the said Act of the third Year of her Majesty's Reign were continued upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and upon Muslins, and the said increased, or new additional Rates and Duties which were thereby laid upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and the said further Rates and Sums which were thereby charged or imposed for and upon all white Callicoes, Porcelan, commonly called *China* Ware, and Drugs (except Drugs for Dying) shall by virtue of this Act

Duties on Coffee, &c. continued from 23 June 1710. for four Years longer. 3 & 4 Annæ, c. 4. and made perpetual by 7 Annæ, c. 7. §. 26. but the Duties on Coffee, Tea, and Cocoa Nuts imported are repealed by 10 Geo. I. c. 10. and new ones imposed.

Act be continued and be paid and payable to her Majesty, her Heirs and Successors, for and upon the same Commodities and Merchandizes respectively, which shall be imported or brought into *Great Britain*, from and after the three and twentieth Day of *June* one thousand seven hundred and ten, at any Time or Times within, or during the Term of four Years from thence next and immediately ensuing, the same Rates, Duties, and Sums of Money, and every of them respectively (over and above all other Duties and Impositions whatsoever already charged for or upon the same Commodities, or any of them respectively, by any other Laws or Statutes now in Force) to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and subject to such Drawbacks, Allowances and Repayments, and in such Manner and Form in all Respects as the like Rates, Duties, and Sums of Money respectively granted or continued by the said Act of the third Year of her Majesty's Reign are hereby, or by any other Act or Acts, Laws, or Statutes whereunto the said Act hath Reference, prescribed, enacted, or appointed, to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, during the Continuance thereof respectively.

II. And it is hereby enacted by the Authority aforesaid, That all such of the Powers, Directions, Penalties, and Forfeitures, Clauses, Matters, and Things provided, settled, or established by the said Act of the third Year of her Majesty's Reign, or by any other Act or Acts now in force whereunto the same hath Relation, for the better ascertaining, raising, levying, recovering, answering, or paying the said respective Duties thereby granted, or for making any Drawbacks, Re-payments, or Allowances out of any of the said several and respective Duties upon Exportation, shall be revived, and be continued, and be in Force and Virtue during the Continuance of this Act, and further for the Recovery of all the Arrearages and Sums of Money which shall become due or payable to her Majesty, her Heirs and Successors upon this Act, in as full and ample Manner, to all Intents and Purposes, as if the said Powers, Directions, Penalties, and Forfeitures, Clauses, Matters, and Things, and every of them, were again repeated and re-enacted in the Body of this present Act.

III. And it is hereby declared and enacted by the Authority aforesaid, That the said Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and upon Muslins, and the said increased or additional Rates by this Act continued and imposed upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and the said further Rates and Sums by this Act continued, and payable for and upon all White Callicoos, Porcelan, commonly called *China War*, and Drugs, (the necessary Charges of raising, managing, paying, and accounting for the same excepted) shall be appropriated, paid, and applied, and be subject and liable (over and above the said Duties granted upon the like Commodities by the said former Act) to and for the securing, paying, and satisfying all the Principal and Interest Monies, which shall from Time to Time remain unsatisfied, of or for the Loans made upon the said Act of the third Year of her Majesty's Reign, not exceeding the Sum of seven hundred thousand Pounds before mentioned, in the same Course, Order and Manner, as the Monies arising by the said former Act were thereby prescribed to be applied thereunto, and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever, under the like Penalties, Forfeitures, and Disabilities, as by the said Act of the third Year of her Majesty's Reign are prescribed, for diverting or misapplying any the Monies thereby arising.

IV. And whereas by another Act of Parliament made in *England*, in the third Year of your Majesty's Reign (intituled, *An Act for granting to her Majesty a further Subsidy on Wines and Merchandizes imported*) certain Subsidies of Tunnage and Poundage, commonly called the two third Subsidies, were granted and made payable for and upon all Wines, Goods, and Merchandizes imported after the eighth Day of *March* one thousand seven hundred and four, within or during the Space of four Years from thence next and immediately ensuing; in which Act there are contained Clauses of Credit for lending thereupon, any Sums not exceeding in the whole the Sum of six hundred thirty-six thousand nine hundred fifty-seven Pounds four Shillings and a Halfpenny, at an Interest not exceeding the Rate of six Pounds *per Centum per Annum*; and it is likely that the said Subsidies granted by the Act last mentioned, may and will determine before the Loans made thereupon and all the Interest due or to grow due for the same will be satisfied: We therefore your Majesty's said dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, for preserving the publick Credit, have also given and granted, and do by this Act give and grant to your Majesty the said Subsidies of Tunnage and Poundage, commonly called the Two third Subsidies, herein after particularly described, for such farther Term, and for such Purpose, as are herein after expressed; and do most humbly beseech your Majesty that it may be enacted, and be it enacted by the Authority aforesaid, That over and above all other Subsidies, additional Duties, Impositions, and Payments whatsoever, by this or any other Act or Acts of Parliament or otherwise howsoever already due or payable, or which ought to be paid to her Majesty, for or upon any Wines, Goods, or Merchandizes whatsoever imported or to be imported, there shall be raised, levied, collected, paid, and satisfied unto her Majesty, one other Subsidy called Tunnage, for and upon all Wines which from and after the seventh Day of *March* one thousand seven hundred and eight, at any Time or Times, within, or during the Space of three Years from thence next and immediately ensuing, shall be imported or brought into *Great Britain*, that is to say, two third Parts of such or the like several and respective Duties, as by an Act of the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, of glorious Memory, were granted to his Majesty during his Life; and by an Act in the first Year of her Majesty's Reign are continued and payable, during her Majesty's Life, for or upon any kind of Wine or Wines respectively; and one other Subsidy called Poundage of all Manner of Goods and Merchandizes to be imported or brought into *Great Britain*, at any Time or Times from and after the said seventh Day

Subject to the same Penalties, Drawbacks, &c. as by former Acts. See 7 Geo. 1. stat. 1. c. 21. §. 11.

Former Powers revived, 3 & 4 Annæ, c. 4.

The said Duties, appropriated for securing the Monies unsatisfied for Loans upon 3 Annæ. See 8 Geo. 1. c. 15 §. 17. Concerning Callicoos, see farther 7 Geo. 1. st. 1. c. 21. f. 11.

and not diverted to any other Use.

3 & 4 Annæ, c. 5.

The Two third Subsidies of Tonnage and Poundage continued from 7 March 1708. for 3 Years, made perpetual by 7 Annæ, c. 7. f. 22. 9 & 10 W. 3. c. 23. 1 Annæ, stat. 1. c. 7.

Except Tobacco,
Currans, and Su-
gar, from the
English Planta-
tions, &c.
See 8 Annæ,
c. 13. f. 21.

How Duties shall
be raised and ac-
counted for.

3 & 4 Annæ,
c. 4.

Former Powers
revived.

Duties appropri-
ated for securing
the Monies un-
satisfied upon the
Subsidy Act,
3 & 4 Annæ,
c. 5.

and not diverted
to any other Use.

When Debt shall
be paid off, Mo-
nies to be dispo-
sed for publick
Service.

6 & 7 W. 3.
c. 28.

11 & 12 W. 3.
c. 13.

Coals exported in
foreign Bottoms
to pay until
1715, only 10s.
per Chaldron, in

of *March* one thousand seven hundred and eight, within or during the said Term of three Years, by way of Merchandize, that is to say, two third Parts of such or the like several and respective Duties, as by the said Act of the ninth Year of his said late Majesty's Reign were granted, and by the said Act of the first Year of her Majesty's Reign are continued and payable for or upon the same Goods and Merchandizes respectively (except Tobacco and such Currans as shall be imported in *English* built Shipping, navigated according to the Laws now in Force, and Sugar from the *English* Plantations, and such Goods and other Merchandizes, as by the two Acts last mentioned, or either of them, are exempted from Payment of the Subsidies thereby granted.)

V. And be it enacted by the Authority aforesaid, That the said Duties, commonly called the Two third Subsidies, by this Act granted and continued as aforesaid, and every of them respectively, shall be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and subject to such Drawbacks, Allowances, and Re-payments, and in such Manner and Form in all Respects, as the like Duties, commonly called the Two third Subsidies respectively, granted by the said Act of the third Year of her Majesty's Reign, are thereby, or by any other Act or Acts, Laws or Statutes whereunto that Act hath Reference, prescribed, enacted, or appointed, to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, during the Continuance thereof respectively; and that all such of the Powers, Directions, Penalties and Forfeitures, Clauses, Matters and Things provided, settled, or established by the said Subsidy Act of the third Year of her Majesty's Reign, or by any other Act or Acts now in Force, whereunto that Act hath Relation, for the better raising, levying, recovering, answering, or paying the said respective Duties, commonly called the two third Subsidies, thereby granted, or for making any Drawbacks, Repayments, or Allowances out of any of the said several and respective Duties upon Exportations, shall be revived, and be continued, and be in Force and Virtue, during the Continuance of Act; and further for the Recovery of all the Arrearages, and Sums of Money, which shall become due or payable to her Majesty, her Heirs and Successors upon this Act, in as full and ample Manner, to all Intents and Purposes, as if the said Powers, Directions, Penalties, Forfeitures, Clauses, Matters and Things, and every of them, were again repeated and re-enacted in the Body of this present Act.

VI. And it is hereby enacted and declared by the Authority aforesaid, That the said Duties, commonly called The two third Subsidies, by this Act continued and payable (the necessary Charges of raising, managing, paying, and accounting for the same, excepted) shall be appropriated, paid, and applied, and be subject and liable (over and above the said Duties called The two third Subsidies, granted by the said former Act) to and for the securing, paying, and satisfying all the Principal and Interest Monies, which shall from Time to Time remain unsatisfied of or for the said Loans, not exceeding six hundred thirty-six thousand nine hundred fifty-seven Pounds four Shillings and a Halfpenny, made upon the said Subsidy Act of the third Year of her Majesty's Reign, in the same Course, Order, and Manner, as the Monies arising by the Act last mentioned were thereby prescribed to be applied thereunto, and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever, under the like Penalties, Forfeitures, and Disabilities, as by the said Subsidy Act of the third Year of her Majesty's Reign are prescribed, for diverting, or misapplying any the Monies thereby arising.

VII. Provided always, and be it enacted by the Authority aforesaid, That when and as the said respective Sums of seven hundred thousand Pounds and six hundred thirty-six thousand nine hundred fifty-seven Pounds four Shillings and a Halfpenny, and all the Interest thereof due and to grow due, shall be respectively paid off and fully discharged, or that sufficient Money shall be reserved in the Exchequer for that Purpose pursuant to the true Meaning of this Act, then and from thenceforth the said Duties chargeable by this Act with the said Principal and Interest, and either of them respectively, for and during the then Remainder of the said respective Terms hereby granted of and in the same respectively, shall be disposable for the publick Use and Service by Authority of Parliament, and not otherwise; any thing herein contrary to the contrary notwithstanding.

VIII. And whereas by an Act made in the sixth Year of the Reign of his said late Majesty King WILLIAM the Third (intituled, *An Act for granting to his Majesty certain Duties upon Glass Wares, Stone and Earthen Bottles, Coals and Culm, for carrying on the War against France*) recited, That the Imposition upon Coals exported to foreign Parts was so great, that it was almost a Prohibition, to the great Diminution of his Majesty's Customs, and lessening the *English* Navigation on the Exportation of Coals beyond the Seas: For Remedy whereof it was thereby enacted, That all Coals exported beyond the Seas in foreign Bottoms should, during the Continuance of that Act, only pay ten Shillings the Chaldron, and *English* Bottoms only three Shillings the Chaldron, which Part of the said Act was to determine on or about the twenty-ninth Day of *September* one thousand seven hundred; and by another Act made in the eleventh Year of the same King's Reign, for continuing several Laws therein mentioned, it was enacted, That all Coals exported beyond the Seas in foreign Bottoms, should from and after the said twenty-ninth Day of *September* one thousand seven hundred, for and during the Space of seven Years, and from thence to the End of the then next Sessions of Parliament, only pay ten Shillings the Chaldron, and in *English* Bottoms only three Shillings the Chaldron; which several Acts, in Relation to Coals exported, have been found very beneficial and useful to the Publick, and fully to have answered the good Ends and Intent thereof; Be it therefore enacted by the Authority aforesaid, That all Coals exported beyond the Seas, from and after the End of this present Session of Parliament, until the twenty-fifth Day of *March* one thousand seven hundred and fifteen, and from thence to the End of the then next Session of Parliament,

from

British Bottoms only 3s. per Chaldron,

from *Great Britain* in foreign Bottoms, shall only pay ten Shillings the Chaldron; and in *British* Bottoms only three Shillings the Chaldron, and after those Rates for greater or lesser Quantities; any former Law or Statute to the contrary notwithstanding. The said respective Duties on Coals exported, to be raised, levied, uplifted, and recovered in the same Manner, and under such Penalties and Forfeitures, as any other Customs or Duties payable to her Majesty upon the Exportation of any Goods or Merchandizes are by any Law or Statute now in Force, to be raised, levied, uplifted, or recovered in *England* or *Scotland* respectively.

How Duties shall be levied.
See 8 Annæ c. 13. s. 5.

IX. And whereas by an Act of Parliament made in the Eighth Year of the Reign of his said late Majesty King WILLIAM, of glorious Memory (intituled, *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging the Capital Stock of the Bank of England, and for raising the publick Credit*) it is amongst other Things enacted, That during the Continuance of the Corporation of the Governor and Company of the Bank of *England*, no other Bank, or any other Corporation Society, Fellowship, Company, or Constitution in the Nature of a Bank, shall be erected or established, permitted, suffered, countenanced, or allowed by Act of Parliament, within the Kingdom, as in and by the said Act more at large may appear; nevertheless since the passing of the said Act some Corporations by Colour of the Charters to them granted, and other great Numbers of Persons, by Pretence of Deeds or Covenants united together, have presumed to borrow great Sums of Money, and therewith, contrary to the Intent of the said Act, do deal as a Bank, to the apparent Danger of the established Credit of the Kingdom: Now for preventing of such Practice in Time to come, and the Mischiefs thence to arise, Be it enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and eight, during the Continuance of the Governor and Company of the Bank of *England*, it shall not be lawful for any Body Politick or Corporate whatsoever, erected, or to be erected, other than the said Governor and Company of the Bank of *England*, or for other Persons whatsoever united or to be united in Covenants or Partnership, exceeding the Number of Six Persons, in that Part of *Great Britain* called *England*, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes, payable at Demand, or at any less Time than six Months from the borrowing thereof.

8 & 9 W. 3. c. 20. & 9 Annæ, c. 6. s. 5. to 15.

From 29 Sept. 1708, during Continuance of Bank, no Company united in Partnership, exceeding six in Number, shall take up Money on their Bills payable under six Months.

X. Provided always, and it is hereby enacted by the Authority aforesaid, That all *European* Linens, Sisters Threads, and Tapes or Inle, Linseed, and Flax, shall be exempted from the Payment of the Duties imposed by this Act (called the Two third Subsidies, as aforesaid) during the said Term of three Years by this Act granted of and in the same, as aforesaid; any Thing in this Act contained to the contrary notwithstanding.

All *European* Linens, &c. exempted from Duties by this Act.

XI. And whereas in raising the several Sums granted to his late Majesty King WILLIAM, and her present Majesty, by several Acts of Parliament for granting Aids by a Land Tax in the Years one thousand seven hundred and one, one thousand seven hundred and two, one thousand seven hundred and three, one thousand seven hundred and four, one thousand seven hundred and five, one thousand seven hundred and six, there hath happened a Deficiency in the several and respective Aids in the County of *Monmouth*, and the Commissioners in the said County having caused the same to be re-assessed and paid to the Receiver General in a gross Sum, and Duplicates not regularly returned into her Majesty's Remembrancer's Office in the Exchequer, by Reason whereof the Receiver is incapable of passing his Account; Be it enacted by the Authority aforesaid, That the Auditor in making up the said Receiver's Accounts for the said County, shall charge the said Receiver with the Sums contained in the several Acts of Parliament for the respective Years before-mentioned, so as that the said Sums are fully answered to her Majesty, although Duplicates for the said County are not regularly returned.

Auditor in making up Receiver's Accounts for County of *Monmouth*, to charge him with the Deficiency in several Aids here-in mentioned.

XII. And for promoting the Consumption of Tobacco of the Growth of her Majesty's Plantations in *America*, the Increase of her Majesty's Revenue, and for the better Encouragement of the said *British* Plantations, Be it enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and eight, it shall not be lawful for any Commander of any of her Majesty's Ships of War, or Purser thereof, to sell, deliver, or cause to be sold or delivered to any of her Majesty's Seamen or Marines on Board of such Ship, any Tobacco of the Growth of *Europe*, nor any Tobacco mixed with Tobacco of the said Growth.

After 29 Sept. 1708, no Tobacco of the Growth of *Europe*, to be sold in any Ships of War.
12 Car. 2. c. 34.
15 Car. 2. c. 7.
22 & 23 Car. 2. c. 26.

XIII. And for the better Employment of the Poor of this Kingdom, Be it likewise enacted, That all Tobacco to be used or consumed on Board any of her Majesty's Ships of War in any Part of *Europe*, from and after the said twenty-ninth Day of *September*, shall be such as is of the Growth of the said *British* Plantations which hath paid her Majesty the full Duties, and been manufactured in *Great Britain*; upon Pain that every such Commander or Purser who shall knowingly and wilfully offend herein, shall forfeit their respective Places and Employments, and three Shillings for every Pound weight of Tobacco, and so in Proportion for every greater or lesser Quantity so sold and delivered; one Moiety thereof to the Queen's Majesty, and the other Moiety to the Informer who shall sue for the same by Action or Information in any of her Majesty's Courts of Record at *Westminster*, wherein no Effoin, Protection, or Wager of Law shall be allowed, and no more than one Imparlance.

But only Tobacco of the *British* Plantations, manufactured in *Great Britain*.
Further Provisions concerning Tobacco, 8 Annæ c. 13. 12 Annæ s. 2. c. 8. 1 Geo. 1. c. 46. 5 Geo. 1. c. 11. 6 Geo. 1. c. 13.

1. c. 21. 9 Geo. 2. c. 21. 12 Geo. 1. c. 26 & 28. 21 Geo. 2. c. 7. 24 Geo. 2. c. 41. and 26 Geo. 2. c. 13.

C A P. XXIII.

An Act to make further Provision for electing and summing sixteen Peers of *Scotland* to sit in the House of Peers in the Parliament of *Great Britain*; and for trying Peers for Offences committed in *Scotland*; and for the further regulating of Voters in Elections of Members to serve in Parliament.

5 Ann. c. 8.

I. WHEREAS by the two and twentieth Article of the Treaty of Union for uniting the two Kingdoms of *England* and *Scotland*, ratified and confirmed by the respective Parliaments of each Kingdom, it was, amongst other Things, provided, That when her Majesty, her Heirs or Successors, should declare their Pleasure for holding the first, or any subsequent Parliament of *Great Britain*, until the Parliament of *Great Britain* should make further Provision therein, Writs should issue under the Great Seal of the united Kingdom of *Great Britain*, directed to the Privy Council of *Scotland*, commanding them to cause sixteen Peers, who were to sit in the House of Lords, to be summoned to Parliament, in such Manner as by an Act of the then present Session of Parliament of *Scotland*, was or should be settled; in which Session of the Parliament in *Scotland*, an Act was accordingly passed for that Purpose, intituled, *An Act settling the Manner of electing the sixteen Peers and forty-five Members to represent Scotland in the Parliament of Great Britain*; which Act was afterwards confirmed by the Parliament of *England*, and declared to be as valid as if the same had been Part of, and ingrossed in the said Articles of Union; by which Act it is, amongst other Things, provided and enacted, That the sixteen Peers, who should have a Right to sit in the House of Peers in the Parliament of *Great Britain*, on the Part of *Scotland*, by virtue of the said Treaty, should be named by the said Peers of *Scotland*, whom they represent, their Heirs or Successors to their Dignities and Honours, out of their own Number, and that by open Election and Plurality of Voices of the Peers present, and of the Proxies for such as should be absent, the said Proxies being Peers, and producing a Mandate in Writing, duly signed before Witnesses, and both the Constituent and Proxy being qualified according to Law; and that such Peers as were absent, being qualified as aforesaid, might send to all such Meetings a List of the Peers whom they judged fittest, validly signed by the said absent Peers, which should be reckoned in the same Manner, as if the Parties had been present, and given in the said List; and in case of the Death or legal Incapacity of any of the said sixteen Peers, that the aforesaid Peers of *Scotland* should nominate another of their own Number in Place of the said Peer or Peers, in Manner as therein is mentioned; and it was thereby further enacted, That until the Parliament of *Great Britain* should make further Provision therein, the said Writs so to be issued, should contain a Warrant and Command, to command the said Privy Council to issue out a Proclamation in her Majesty's Name, requiring the Peers of *Scotland* for the Time to meet and assemble at such Time and Place within *Scotland*, as her Majesty and her Royal Successors should think fit, to make Election of the said sixteen Peers, and requiring the Lord Clerk Register, or two of the Clerks of Session, to attend all such Meetings, and to administer the Oaths as were or should be by Law required, and to ask the Votes, and having made up the List in Presence of the Meeting, to return the Names of the Sixteen Peers chosen, certified under the Subscription of the said Lord Clerk Register, Clerk or Clerks of Session attending, to the Clerk of the Privy Council of *Scotland*, to the End that the Names of the sixteen Peers being so returned to the Privy Council, might be returned to the Court from whence the Writ did issue, under the Great Seal of the united Kingdom, conform to the said twenty-second Article: And whereas by an Act of this present Session, intituled, *An Act for rendring the Union of the two Kingdoms more intire and compleat*, it is declared and enacted, That from and after the first Day of May one thousand seven hundred and eight, the Privy Council of *Scotland* shall cease and determine, whereby it is become necessary that some further Provision should be made for the electing and returning the said sixteen Peers, that are to sit in the House of Peers in the Parliament of *Great Britain*, pursuant to the said Treaty; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That at all Times hereafter when her Majesty, her Heirs and Successors shall declare her or their Pleasure for summing and holding any Parliament of *Great Britain*, that in order to the electing and summing the sixteen Peers of *Scotland*, a Proclamation shall be issued under the Great Seal of *Great Britain*, commanding all the Peers of *Scotland* to assemble and meet at *Edinburgh*, or in such other Place in *Scotland*, and at such Time as shall be appointed in the said Proclamation, to elect by open Election the sixteen Peers to sit and vote in the House of Peers in the Parliament of *Great Britain*, in such Manner as by the before recited Act and herein after is appointed.

6 Annæ, c. 6.

Proclamation to be issued for electing 16 Peers of *Scotland* to sit in the Parliament of *Great Britain*. And published at *Edinburgh*, &c. 25 Days before Election.

All the Peers present to take the Oaths.

II. And be it further enacted by the Authority aforesaid, That every Proclamation issued for the Purpose aforesaid, shall be duly published at the Market Cross at *Edinburgh*, and in all the County Towns of *Scotland*, five and twenty Days at the least before the Time thereby appointed for the Meeting of the Peers to proceed to such Election.

III. And be it further enacted by the Authority aforesaid, That all the Peers who meet on such Proclamation, shall, before they proceed to the Election, and in Presence of the Peers assembled for such Election, take the respective Oaths, *videlicet*:

Oaths.

I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to her Majesty Queen ANNE, So help me G O D.

I A. B.

I *A. B.* do swear, That I do from my Heart abhor, detest, and abjure, as impious and heretical, that damnable Doctrine and Position, That Princes excommunicated or deprived by the Pope, or any Authority of the See of *Rome*, may be deposed or murdered by their Subjects, or any other whatsoever. And I do declare, That no Foreign Prince, Person, Prelate, State, or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Pre-eminence or Authority, Ecclesiastical or Spiritual, within this Realm.

So help me God.

And shall also make, repeat, and subscribe the Declaration following, *videlicet* :

I *A. B.* do solemnly and sincerely, in the Presence of God, profess, testify, and declare, That I do believe that in the Sacrament of the Lord's Supper there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ, at or after the Consecration thereof by any Person whatsoever; and that the Invocation or Adoration of the Virgin *Mary*, or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of *Rome*, are superstitious and idolatrous. And I do solemnly, in the Presence of God, profess, testify, and declare, That I do make this Declaration, and every Part thereof, in the plain and ordinary Sense of the Words read unto me, as they are commonly understood by *English* Protestants, without any Evasion, Equivocation, or mental Reservation whatsoever, and without any Dispensation already granted me for this Purpose by the Pope, or any other Authority or Person, or without any Hope of any such Dispensation from any Person or Authority whatsoever; or without thinking that I am or can be acquitted, before God or Man, or absolved of this Declaration, or any Part thereof, although the Pope or any other Person or Persons, or Power whatsoever, should dispense with, or annul the same, or declare that it was null and void from the Beginning.

And subscribe the Declaration.

And also take and subscribe the Oath following, *videlicet* :

I *A. B.* do truly and sincerely acknowledge, profess, testify, and declare in my Conscience, before God and the World, That our Sovereign Lady Queen *ANNE* is lawful and rightful Queen of this Realm, and of all other her Majesty's Dominions and Countries thereunto belonging. And I do solemnly and sincerely declare, That I do believe in my Conscience, the Person pretended to be Prince of *Wales*, during the Life of the late King *JAMES*, and since his Decease pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of *JAMES* the Third, or of *Scotland*, by the Name of *JAMES* the Eighth, or the Stile and Title of the King of *Great Britain*, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereunto belonging: and I do renounce, refuse, and abjure any Allegiance or Obedience to him. And I do swear, That I will bear Faith and true Allegiance to her Majesty Queen *ANNE*, and her will defend to the utmost of my Power against all traitorous Conspiracies and Attempts whatsoever which shall be made against her Person, Crown, or Dignity. And I will do my utmost Endeavour to disclose and make known to her Majesty and her Successors all Treasons and traitorous Conspiracies, which I shall know to be against her or any of them. And I do faithfully Promise, to the utmost of my Power to support, maintain, and defend the Succession of the Crown against him the said *JAMES*, and all other Persons whatsoever, as the same is and stands settled by an Act, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown to her present Majesty, and the Heirs of her Body, being Protestants*; and as the same by one other Act, intituled, *An Act for the further Limitation of the Crown, and better securing the Right and Liberties of the Subject*, is and stands settled and entailed after the Decease of her Majesty, and for Default of Issue of her Majesty, to the Princess *Sophia*, Electress and Dutches Dowager of *Hannover*, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely acknowledge and swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation and Promise, heartily, willingly, and truly, upon the true Faith of a Christian.

And also take the following Oath.

Altered by
1 Geo 1. c. 13.
1 W & M. ff. 2.
c. 2.
12 & 13 W. 3.
c. 2.

So help me GOD.

IV. And that such Peers that live in *Scotland*, but shall not be present at such Meeting so appointed, may take the said Oaths, and make and subscribe the said Declaration in any Sheriff's Court in *Scotland*, and every Sheriff, or his Deputy, before whom such Oaths, and such Declaration shall be so made, subscribed and repeated, shall and is hereby required to return the original Subscription of such Oath and Declaration, signed by the Peer who took the same, and make a Return in Writing, under his Hand and Seal to the Peers so assembled, of such Peers taking the said Oaths, and making and subscribing the said Oath and Declaration, and such Peer shall be thereby enabled and qualified to make a Proxy, or to send a signed List, containing the Names of sixteen Peers of *Scotland*, for whom he giveth his Vote; and such of the Peers of *Scotland*, as at the Time of issuing such Proclamation, reside in *England*, may take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration in her Majesty's High Court of *Chancery* of *England*, her Majesty's Court of *Queen's Bench*, *Common Pleas*, or Court of *Exchequer* in *England*, wch being certified by Writ to the Peers in *Scotland* at their Meeting, under the Seal of the Court where such Oath and Declaration shall be made, repeated and subscribed, shall be sufficient to entitle such Peer to make his Proxy, and to send a signed List, as aforesaid; and in case any of the said Peers of *Scotland*, who at any Time before the issuing of such Proclamation, have taken the said Oaths, and made and subscribed the said Declaration in *England* or *Scotland*, to be certified as aforesaid, and if taken

How Peers living in *Scotland* or residing in *England*, not present at Election, may take the Oaths, &c.

And be thereby qualified to make a Proxy, &c.

in Parliament, to be certified under the Great Seal of *Great Britain*, shall at the Time of issuing such Proclamation be absent in the Service of her Majesty, her Heirs or Successors, such Peer may make his Proxy, or send a signed List.

How Proxies shall be signed.

V. Provided always, and be it enacted by the Authority aforesaid, That such Peers of *Scotland* as are also Peers of *England*, shall sign their Proxies and Lists by the Title of their Peerage in *Scotland*.

No Peer to have more than two Proxies.

VI. And be it further enacted by the Authority aforesaid, That no Peer shall be capable of having more than two Proxies at one Time.

After Election Lord Clerk Register to certify the Names of the 16 Peers elected.

VII. And be it further enacted by the Authority aforesaid, That at such Meeting of the Peers, they shall all give in the Names of the Persons by them nominated to sit and vote in the House of Peers in the Parliament of *Great Britain*, and the Lord Clerk Register, or two of the principal Clerks of the Session appointed by him to officiate in his Name, shall after the Election is made and duly examined, certify the Names of the sixteen Peers so elected, and sign and attest the same in the presence of the Peers; which Certificate so signed and attested shall by the Lord Clerk Register, or two of the principal Clerks of the Sessions, be returned into her Majesty's High Court of *Chancery* of *Great Britain*, before the Time appointed for the Meeting of the Parliament.

How Peers shall come attended to Elections.

VIII. And be it further enacted by the Authority aforesaid, That the Peers shall come to such Meetings with their Ordinary Attendants only, according to and under the several Penalties inflicted by the several Laws and Statutes now in Force in *Scotland*, which prescribe and direct with what Numbers and Attendants the Subjects there may repair to the publick Courts of Justice.

And not debate or treat of any Matter, &c. except only the Election.

IX. And be it further enacted by the Authority aforesaid, That it shall not be lawful for the Peers so assembled and met together for the electing sixteen Peers to sit and vote in the House of Peers in the Parliament of *Great Britain*, to act, propose, debate, or treat of any other Matter or Thing whatsoever, except only the Election of the said sixteen Peers; and that every Peer who shall at such Meeting presume to propose, debate, or treat of any other Matter or Thing contrary to the Direction of this Act, shall incur the Penalty of *Premunire* expressed in the Statute of the sixteenth Year of King RICHARD the Second.

Confirmation of the Act of Parliament of Scotland.

X. And be it further declared by the Authority aforesaid, That all and every Matter and Things for or concerning the Election of sixteen Peers of *Scotland*, to sit and vote in the House of Peers in the Parliament of *Great Britain*, directed and appointed to be observed and done by the Articles of Union, and the said recited Act of Parliament in *Scotland*, intituled, *Act settling the Manner of electing the sixteen Peers and forty-five Members to represent Scotland in the Parliament of Great Britain*, which Act, by an Act of Parliament in *England* in the fifth Year of her Majesty's Reign, intituled, *An Act for an Union of the two Kingdoms of England, and Scotland*, was declared to be as valid as if the same had been Part of, and ingrossed in the Articles of Union, thereby ratified and approved, shall be observed and performed, except only wherein this Act has further declared and provided.

5 Annæ, c. 8.

Exception.

In case of Death or Disability of Peer elected, Proclamation to issue for electing another.

XI. And be it further enacted by the Authority aforesaid, That in case any of the sixteen Peers so chosen shall die, or become otherwise legally disabled to sit in the House of Peers of the Parliament of *Great Britain*, that her Majesty, her Heirs and Successors shall forthwith, after such Death or Disability, issue a Proclamation under the Great Seal of *Great Britain*, for electing another Peer of *Scotland* to sit in the House of Peers of the Parliament of *Great Britain*, in the room of such Peer deceased, or otherwise legally disabled; which Proclamation shall be published at such Time and Places as is herein enacted, touching Proclamations issued upon summoning a Parliament of *Great Britain*; and the Peers of *Scotland* being qualified as is hereby directed, shall proceed to elect a Peer of *Scotland* to sit in the House of Peers of the Parliament of *Great Britain*, in the Room of such Peer deceased, or otherwise legally disabled, in such Manner, and under such Restrictions and Regulations, as are by this Act directed to be observed upon the electing sixteen Peers of *Scotland* to sit in the House of Peers of the Parliament of *Great Britain*.

How Peers shall be tried for Treason, Murder, &c. committed in Scotland.

XII. And be it further enacted by the Authority aforesaid, That for the more effectual Trial of any Peer of *Great Britain* that hath committed, or shall commit any High Treason, Petit Treason, Misprision of Treason, Murder, or other Felonies in *Scotland*, Commission or Commissions may issue under the Great Seal of *Great Britain*, to be directed to such Person and Persons as shall be therein named, constituting them and such a Number of them, as shall be therein mentioned, Justices of the Queen, her Heirs and Successors, to enquire by the Oaths of good and lawful Men of such County and Counties of *Scotland* as shall be named therein, of all Treasons, Misprisions of Treason, Murders, and other Felonies committed in such County by a Peer or Peers of *Great Britain*, which Inquisition shall be taken and made in the same Manner as Indictments found and taken before Justices of *Oyer* and *Terminer* of any County of *England*, and shall be of the same Effect, and proceeded upon in the same Method as any Inquisition found before Justices of *Oyer* and *Terminer* in *England*, whereby any Peer is indicted for any such Offence; and such Justices shall issue Mandates or Precepts to the Sheriffs of the respective Counties of *Scotland*, to return to them at such Day and Place as they shall appoint, such and so many good and lawful Men of the same County, as may be sufficient, to enquire of the Offences aforesaid, and twelve or more of them so returned, being sworn, shall be sufficient to make such Enquiry, and find any Indictment; and if the Sheriff of such County shall not summon a sufficient Number of Men to make such Inquisition, the Justices that do proceed upon such Commission may impose a fine upon such Sheriff, which shall be levied by Process out of the Exchequer; and if any of the Persons summoned by the Sheriff to enquire, as aforesaid, shall not appear, the Justices may in like Manner impose a Fine upon such Person so making Default, to be levied in Manner aforesaid.

XIII. And be it further enacted by the Authority aforesaid, That every Person who shall refuse to take the Oath last herein before recited, or being a Quaker shall refuse to declare the Effect thereof upon his solemn Affirmation, as directed by an Act of Parliament made in the seventh Year of the Reign of his late Majesty King WILLIAM, intituled, *An Act that the solemn Affirmation and Declaration of the People called Quakers shall be accepted instead of an Oath in usual Form*, (which Oath or Declaration the Sheriff, President of the Meeting, or chief Officer taking the Poll, at any Election of Members to serve in the House of Commons for any Place in *Great Britain*, or Commissioners for choosing Burgesses for any Place in *Scotland*, at the Request of any Candidate or other Person present at such Election, are hereby empowered and required to administer) shall not be capable of giving any Vote for the Election of any such Member to serve in the House of Commons for any Place in *Great Britain*, or Commissioner to chuse a Burgess for any Place in *Scotland*.

Persons refusing to take Oath, or Quaker to make Affirmation, &c. incapable of voting for Election of Member, &c. 7 & 8 W. 3. c. 34.

XIV. Provided always, and be it enacted by the Authority aforesaid, That if any Person being a Quaker, shall refuse to take the said Oath, being tendered to him in Pursuance of an Act made this present Session of Parliament, intituled, *An Act for the better Security of her Majesty's Person and Government*, but shall instead thereof, declare the Effect of the said Oath, upon his solemn Affirmation, as directed by an Act of Parliament made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act that the solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in usual Form*, which Affirmation shall be administered to such Quaker instead of the said Oath, such Quaker shall not be liable to any the Penalties or Forfeitures for refusing the said Oath when tendered to him, contained or mentioned in the said Act, intituled, *An Act for the better Security of her Majesty's Person and Government*.

Quakers declaring on their Affirmation not liable to Penalties by 6 Ann. c. 14. 7 & 8 W. 3. c. 34. See 1 Geo. 1. f. 2. c. 6. 6 Annæ, c. 14.

C A P. XXIV.

An Act for the further directing the Payment of the Equivalent Money.

WHEREAS by the Treaty of Union, and fifteenth Article thereof, it is agreed, That *Scotland* shall have an Equivalent for what the Subjects thereof shall be charged towards Payment of the Debts of *England* contracted before the Union, in all Particulars whatsoever; and particularly, that the Sum of three hundred ninety-eight thousand and eighty-five Pounds ten Shillings, should be granted to her Majesty as an Equivalent to *Scotland*, for such Parts of the Customs and Excise there, as should be applicable to the Payment of the said Debts of *England*, according to the Proportions therein set down; and in Regard that after the Union, *Scotland* becoming liable to the same Customs and Duties of Excises upon all exciseable Liquors as in *England*, as well on that Account as upon the Account of the Encrease of Trade and People, the said Revenues will much improve beyond the Values mentioned in the said Article, of which no Estimate could be made, it was agreed, That after the Union there should be kept an Account of the said Duties arising in *Scotland*, to the end it might appear what ought to be answered to *Scotland*, as an Equivalent for such Proportion of the said Encrease as should be applicable to the Payment of the Debts of *England*; and for the further and more effectual answering the several Ends therein after mentioned, it was agreed, That from and after the Union, the aforesaid whole Encrease of the Revenues of Customs and Excises in *Scotland* therein expressed, should go and be applied for the Term of seven Years to the Uses therein set down; and that upon the said Account there should be answered to *Scotland* annually, from the End of seven Years after the Union, an Equivalent, in Proportion to such Part of the said Encrease as shall be applicable to the said Debts of *England*; and generally that an Equivalent should be answered to *Scotland* for such Parts of the Debts of *England* as *Scotland* might thereafter become liable to pay, by Reason of the Union, other than such as are in the said Article expressed; and as for the Uses to which the said Sum of three hundred ninety-eight thousand and eighty-five Pounds ten Shillings, and other Monies, which are to be answered or allowed to *Scotland* as aforesaid, are to be applied, it was thereby agreed, That in the first Place, the Losses which private Persons might sustain by reducing the Coin of *Scotland* to the Standard and Value of the Coin of *England*, might be made good; in the next Place, That the Capital Stock or Fund of the *African* and *Indian* Company of *Scotland* advanced, together with the Interest of the said Capital Stock after the Rate of five Pounds per Centum per Annum, from the respective Times of Payment thereof, should be paid; and as to the Overplus of the said Sum of three hundred ninety-eight thousand and eighty-five Pounds ten Shillings, and also the whole Increase of the said Revenue of Customs and Excise, above the then Values arising during the Term of seven Years, with the Equivalent which should become due upon Improvement thereof, and also all other Sums, which, according to the aforesaid Agreement, should become payable to *Scotland* by Way of Equivalent, it was agreed, That the same should be applied in Manner following, viz. that all the publick Debts of the Kingdom of *Scotland*, as should be adjusted by the then Parliament of *Scotland*, should be paid; and that two thousand Pounds per Annum, for the Space of seven Years, should be applied towards encouraging the Manufacture of Course Wooll, within those Shires which produce the Wooll; and afterwards the same should be wholly applied for encouraging the Fisheries, and such other Manufactures and Improvements in *Scotland*, as may most conduce to the general good of the united Kingdom: And whereas for preventing all Mistakes or Abuses which might hinder the ready Application of the aforesaid Money to the Proprietors and others concerned in the Stock of the *African* and *Indian* Company of *Scotland*, conform to the said Article, there was an Act made in the last Session of the last Parliament of *Scotland*, intituled, *Act concerning the Payment of the Sums out of the Equivalent to the African Company*, wherein it is, amongst other Things, enacted, That the Directors of the said *African* and *Indian* Company of *Scotland*, should make up Accounts of the Sums advanced by

EXP. 5 Ann. c. 8. 3 Geo. 1. c. 14. 398,085 l. 10s. granted as an Equivalent to *Scotland*.

Uses to which the said Sum is to be applied, viz. Losses by reducing the Coin. Capital Stock of the *African* and *Indian* Company.

Overplus monies how applied.

the Proprietors of the said Company, and Debts due by the said Company, the whole, with Interest due thereon, not exceeding two hundred thirty-two thousand eight hundred and eighty-four Pounds five Shillings, and two third Parts of a Penny Sterling, on the first Day of *May* then next, and now past, and appointed the Proprietors for their respective Shares to be paid, and to have Execution as therein also is expressed; and in like Manner by another Act of the said Parliament of *Scotland*, intituled, *Act concerning the publick Debts*, the Payments to be made on Account of the publick Debts of *Scotland*, are adjusted as in the said fifteenth Article, and two Acts above mentioned, is more amply contained: And whereas the said Sum of three hundred ninety-eight thousand and eighty-five Pounds ten Shillings, has been paid for and on the Part of *England*, to the Commissioners of the Equivalent in *Scotland*, pursuant to the aforesaid Articles, and considerable Sums have by them been issued out, conform to the same, and the above recited Acts of the Parliament of *Scotland*; but by Experience it has been found, that some further Direction is yet necessary for the better Application of what remains of the said Sum yet unapplied, and all other Sums which are or may become due by Virtue of the Agreements aforesaid, and for the more effectual attaining the Ends mentioned in the said Article of the Treaty and Acts above recited; therefore her Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do humbly beseech her Majesty, that it may be enacted, &c.

See farther 5 Geo.
3. c. 20.

C A P. XXV.

EXP.

An Act to enable her Majesty to make Leases and Copies of Offices, Lands, and Hereditaments, Parcel of her Dutchy of *Cornuall*, or annexed to the same. All Leases made by Copy of Court Roll, or within seven Years next ensuing according to Custom of Manor, &c. to be good in Law. No Lease to be for more than three Lives, or 31 Years. All Covenants, &c. in Lease, &c. good. Salvo of Right to all Persons, &c. except the Queen, &c. On Payment of Composition-money for taking off increased Rent, such increased Rent to cease.

C A P. XXVI.

An Act for settling and establishing a Court of *Exchequer* in the North Part of *Great Britain* called *Scotland*.

5 Annæ, c. 8.

I. WHEREAS in and by the nineteenth Article in a late Act of Parliament made in the fifth Year of her now Majesty's Reign, intituled, *An Act for an Union of the two Kingdoms of England and Scotland*, it is amongst other Things provided, That there should be a Court of *Exchequer* in *Scotland* after the said Union, for deciding Questions concerning the Revenues of Customs and Excise there, having the same Power and Authority in such Cases, as the Court of *Exchequer* has in *England*, and that the said Court of *Exchequer* in *Scotland*, have Power of passing Signatures, Gifts, Tutories, and other Things, as the Court of *Exchequer* in *Scotland* then had, and that the Court of *Exchequer* that then was in *Scotland*, should remain until a new Court of *Exchequer* be settled by the Parliament of *Great Britain* in *Scotland* after the Union, which Union took effect upon the first Day of *May* in the sixth Year of her now Majesty's Reign one thousand seven hundred and seven, and thereby the said two Kingdoms of *England* and *Scotland* became united into one Kingdom, by the Name of *Great Britain*; To the Intent therefore that there may be a Court of *Exchequer* settled and established in *Scotland*, pursuant to the Purport and Meaning of the said recited Act, and of the nineteenth Article therein contained; Be it enacted by the Queen'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 from and after the first Day of *May* one thousand seven hundred and eight, a Court of *Exchequer*, to be called and known by the Name of *The Court of Exchequer in Scotland*, shall be, and by Authority of this Act is hereby erected, constituted, and established in and for that Part of *Great Britain* called *Scotland*, and that the said Court of *Exchequer* shall be and is hereby enacted to be a Court of Record, Revenue, and Judicature, for and within *Scotland*, and to have Continuance for ever, and to be held within the City of *Edinburgh*, at such Place or Places where the former *Exchequer of Scotland* before the said Union was usually held, or at such other Place or Places in *Scotland*, as by Authority from the Queen's Majesty, her Heirs or Successors, and in Default thereof, by the Judges of the said Court of *Exchequer* for the Time being, shall from Time to Time be directed, limited or appointed.

From first May
1708. a Court of
Exchequer to be
erected in Scot-
land;
and to be a Court
of Record for
ever.

II. And it is further enacted by the Authority aforesaid, That the Lord High Treasurer of *Great Britain* for the Time being, and such other Person and Persons as by Commissions from the Queen's Majesty, her Heirs and Successors, under the Seal which by the said Articles of Union is appointed to be kept in *Scotland*, from Time to Time, shall be ordained, constituted, or appointed to be the chief Baron, and other Barons of the said Court of *Exchequer* in *Scotland*, shall be the Judges of and in the said Court; and the said Lord High Treasurer and Barons, and the said Barons in the Absence of the said Lord High Treasurer, shall have and put in Execution all and every the Judicial and other Powers and Authorities of or belonging, or which shall or may appertain or belong to the said Court, or wherewith the said Court shall be invested, and the said Barons shall remain, and have Continuance in their respective Offices and Places *quam diu se bene gesserint*; which Barons of the *Exchequer* are to be made of such as have been, are or shall be Serjeants at Law, or Barristers of Law of five Years standing in some of the four Inns of Court in *England*, or else of such Persons as shall have been, are or shall be Advocates in the College of Justice in *Scotland* for five Years; and the said Barons of the *Exchequer* in *Scotland* shall respectively take the same Oaths

Lord Treasurer,
and such others
as Queen shall ap-
point to be Chief
Baron and Bar-
ons of the Ex-
chequer, shall be
Judges of the said
Court.
And continue in
their Offices
*quam diu se bene
gesserint.*
7 Geo. 2. c. 16.
3. 4

Oaths of Office, *mutatis mutandis*, and other Oaths, as the Barons of the Court of *Exchequer* in *England* have used, or ought to take, upon their Admissions into their respective Offices, the said Oaths to be taken for the first Time before the Court of Session in open Court, in case the said Court be sitting, or otherwise, in case the said Court be not then sitting, before any three of the Lords of Session, and at all Times hereafter before the said Court of *Exchequer*; and the said chief Baron and Barons shall use and wear such Robes and Habits as the chief Baron and Barons of the Court of *Exchequer* in *England* do use and wear, or such other Robes or Habits as her Majesty, her Heirs or Successors, shall appoint.

And take the same Oaths of Office as the Barons in *England*.

And wear such Robes, &c.

III. And it is further enacted by the Authority aforesaid, That there shall be in the said Court of *Exchequer* in *Scotland*, the several Offices following, that is to say, The Office of Queen's Remembrancer, the Office of Lord Treasurer's Remembrancer, the Office of Clerk of the Pipe, and such other Offices now in being in the Court of *Exchequer* in *England*, or are now in being in *Scotland*, relating to Signatures, Gifts, and Tutories, as the Queen's Majesty, her Heirs and Successors, shall from Time to Time think fit and proper, to be constituted and appointed under the Seal which by the said Articles of Union is appointed to be kept in *Scotland*; and that such Persons shall be the Masters or chief Officers of and in the said respective Offices, and for such Term, Estate, and Interest therein, as the Queen's Majesty, her Heirs and Successors, shall from Time to Time by Letters Patents under the Seal aforesaid ordain or appoint, and that the said Masters or chief Officers of the aforesaid several Offices shall have and appoint from Time to Time under them, and in their respective Offices, such and so many Attornies and Clerks as shall be fit and proper for the Business in their respective Offices; which said Masters and chief Officers, as also the said Attornies and Clerks, shall, before their Admissions into their Offices or Places respectively, take such Oath or Oaths in the said Court, or before the chief Baron, or one of the Barons of the said Court, for their faithful and honest Carriage and Behaviour in their said Offices respectively, as the like Officers, Attornies, and Clerks in the Court of *Exchequer* in *England* have used and ought to do, or as by the Barons of the said Court of *Exchequer* in *Scotland* shall for that Purpose be devised and appointed.

Other Offices to be in the said Court.

IV. Provided nevertheless, That the said several chief Officers in the respective Offices aforesaid, as also the said Attornies, Clerks, and other Officers of or belonging to the said Court of *Exchequer* in *Scotland* for the Time being, shall all of them be subject and obedient to the said Court of *Exchequer*, and may be suspended, punished, or removed by the said Court for Neglect of Duty, or for Crimes and Misdemeanors in their respective Offices and Places, or other just Causes.

Officers, &c. may be punished for Neglect of Duty.

V. And be it further enacted by the Authority aforesaid, That there shall be a Seal to be assigned or appointed by the Queen's Majesty, her Heirs and Successors, for the Sealing all such Letters Patents, Grants, Commissions, Writs, Precepts, and other Process and Proceedings, which shall issue out of or be awarded by the said Court of *Exchequer* in *Scotland*, or ought or shall be directed to pass under the Seal of the said Court; which Seal shall be kept in the Custody of the chief Baron of the said Court of *Exchequer* in *Scotland*, for the Time being; and the said chief Baron of such Person or Persons as he shall depute, and for whom he will be answerable, shall therewith seal all Letters Patents, Grants, Commissions, Writs, Precepts, and other Process and Proceedings before mentioned, which shall be brought to be sealed; and for that Purpose shall attend at proper and convenient Times and Places to be directed by the said Court of *Exchequer* in *Scotland*, or any of the Barons thereof (in case any Question shall arise touching the same;) and the said Court of *Exchequer* in *Scotland* is hereby empowered from Time to Time to depute and appoint all such other Officers, Ministers, Clerks, Servants, and Attendants for the constituting of which there is no other Provision made by this Act, as shall be thought convenient for the Use and Service of the said Court, and for the carrying on and Dispatch of the Business therein, subject and liable nevertheless to be suspended, punished, and removed, and to the taking of such Oaths, *mutatis mutandis*, for the faithful Execution of their respective Offices, Places, and Employments, as herein before is provided for any the Officers, Attornies or Clerks in the said Court of *Exchequer* in *Scotland*; and all and every the Sheriffs, by themselves or their sufficient Deputies for whom they are to be answerable, and other Officers, Ministers, and Subjects in *Scotland*, are hereby enjoined and required to be from Time to Time aiding, assisting, obedient to, and attendant upon the said Court of *Exchequer* in *Scotland*, and the Judges and Jurisdiction thereof, in all Things relating to the said Court of *Exchequer*, which do, may, or shall any ways touch or concern their respective Offices or Duties in any manner of wise, and shall be liable and subject to such Penalties and Punishments for Neglect of their Duties, or for any Contempts of Disobedience to the said Court, or the Process thereof, or for any other Neglect, Contempt, or Offence as shall be set or imposed upon them respectively by the said Court of *Exchequer*.

Queen to assign a Seal for the Court.

Chief Baron to keep the same.

Court may constitute other Officers, &c. for Service of the Court.

Who shall take the Oaths, &c.

All Sheriffs, &c. to be Attendant.

VI. And be it further enacted by the Authority aforesaid, That all and every the Revenues and Duties of Customs and Excise, and all and every other the Revenues, Debts, Duties, and Profits of what Nature or Kind soever, any ways appertaining, or which hereafter shall appertain to the Queen's Majesty, her Heirs or Successors within *Scotland*, either as Queen of *Great Britain*, or as Prince and Steward of *Scotland*, and all Honors, Castles, Manors, Lands, Tenements, and Hereditaments in *Scotland*, which now do, or hereafter shall appertain to the Queen's Majesty, her Heirs or Successors, by Force or Virtue of any Attainder, Outlawry, Seizure for any Crime or Cause of Forfeiture, Debt, or Duty, or upon any Extent, Commission, or otherwise, or by Force and Virtue of the Royal Prerogative, or by any other Right or Title whatsoever, and all and every the Rents, Issues, and Profits thereof, or of any of them, and also all and every the Goods, Chattels, Debts, Credits, Rights, Titles, and Personal Estates within *Scotland*, any ways accruing or belonging, or which hereafter shall belong to the Queen's Majesty, her Heirs and Successors, by Force or Virtue of the Royal Prerogative, or of any Attainder, Outlawry, Extent, Inquisition, Debt, Duty; or Forfeiture; or by any other Right, Title, Ways, or Means whatsoever,

Its Jurisdiction and Authority.

ever, and all the Remedies and Means for the recovering the same, or the Possession thereof, and all Accounts relating thereto, and also all and every Forfeitures and Penalties which have been incurred, or shall or may incur or become any ways due and payable in *Scotland*, by Force or Virtue of any Law or Statute touching or relating to the Customs or Excise, or by Force or Virtue of any penal or other Laws or Statutes whatsoever, and also all Fines, Issues, Forfeitures, or Penalties, of what nature or kind soever happening, arising or accruing to the Queen's Majesty, her Heirs or Successors within *Scotland*, and all Informations, Actions, Suits or Demands, and also all Obligations, Recognizances, Specialties and other Securities, touching or concerning the before-mentioned Matters and Things, and all Prosecutions, Remedies, and Accounts, for or concerning the same, or other the Premises, shall be within the Jurisdiction and Authority of the said Court of *Exchequer* in *Scotland*, and hereby are annexed to the said Court; and the Barons of the said Court for the time being, shall have and exercise, and by virtue of this Act are and shall be invested with all Powers, Authorities, and Jurisdictions as well judicial as otherwise, for the hearing and determining of all Actions, Suits, and Questions in Law or Equity, touching the aforesaid Revenues, Honors, Castles, Manors, Lands, Tenements, Goods, Chattels, Debts, Duties, Forfeitures, Penalties, Profits, and all other Matters or Things herein before-mentioned, and annexed to the said Court of *Exchequer* in *Scotland*, or the Jurisdiction thereof; and that the said Court of *Exchequer* in *Scotland* shall and may act, do, and proceed therein and thereupon in every Respect whatsoever, as by Law, or as the Court of *Exchequer* in *England*, by the Constitution, Course, or Practice of or in the said Court, hath been or is enabled, or hath used or practised to do in the like Cases in *England*, and upon and in all such Informations, Actions, Suits, or Demands, or touching or concerning any the Premises, or any the Proceedings thereupon, shall and may make all such Orders and Rules, and direct, award, and issue all such Writs, Precepts, Process, and Methods of Proceedings, as hath or have been, is, are, or may be done or practised in the same or like Cases in the Court of *Exchequer* in *England*; all which Informations, Actions, Suits, and Prosecutions, Process, and Proceedings relating thereto, or to any the Premises shall be had, made, and done in the Office of the Remembrancer of the Queen's Majesty, her Heirs or Successors, in the said Court of *Exchequer* in *Scotland*; and the said Barons of the Court of *Exchequer* in *Scotland* are hereby authorized and required, in case of any Neglect or Default by any the Plaintiffs or Defendants in any the said Informations, Actions, or Suits, or in any other Informations, Actions, or Suits which shall be commenced, sued, or prosecuted in the said Court of *Exchequer* in *Scotland*, for any Matter or Cause whatsoever within the Jurisdiction of the said Court, to give and cause Judgments to be entred against any the Parties making Default to plead or proceed to Trial, and for Recovery and Condemnation of any Goods, Chattels, or other Things seized as forfeited, and for which no Claim shall be duly entred, and to give and cause Judgments to be entred in Cases of Demurrers joined in any the said Causes depending before them, and to do, act, and proceed in and about all and every the Premises, as fully to all Intents and Purposes, as the Barons of the Court of *Exchequer* in *England*, by Law, or by the Course and Method of Proceedings in that Court, should or might, or could do, or order to be done in such or the like Cases, Matters, or Things, in case the same were or should be depending in the said Court of *Exchequer* in *England*, and upon any Issues joined in any the said Causes, or in any other Causes triable in the said Court upon Matters of Fact, or which would be triable or inquirable by Juries (if the same were in *England*) the Barons of the *Exchequer* in *Scotland*, are hereby authorized and required to cause the same to be tried; either at the Bar of the said Court, or elsewhere, at such Times and Places as shall be for that Purpose by the Court appointed, by a Jury of twelve Persons of that County, Shire, City, or Place in *Scotland*, where the said Matters in Issue to be tried did arise, or of such other County, Shire, City, or Place in *Scotland*, where the said Court of *Exchequer* shall order or direct the same to be laid and tried; each of which Jurymen shall at the Time of such Trial have and be seized in his own Right, or Right of his Wife, of Lands or Tenements of an Estate of Inheritance, or for his or her Life, within the County, Shire, City, or Place from whence the Jury is to come, of the yearly Value of five Pounds at the least, or shall be then worth in Goods, Chattels, and personal Estate, the Sum of two hundred Pounds Sterling at least, and for want thereof, or for any just and reasonable Cause, shall be subject to be challenged and set aside; and in all Verdicts to be given by the Juries, the whole Number of twelve must agree; and the said Barons of the Court of *Exchequer* in *Scotland*, and such of them before whom any such Trials shall be, or shall be appointed to be, shall, by virtue of this Act have full Power and Authority to proceed to such Trials, and to make, award, and issue all such Orders, Rules, Writs, and other Process, and do or cause to be done, all other Acts, Matters, and Things of what Nature soever, as well in order to any such Trials and Notices for the same, as in, upon, and after the said Trials, in every Respect whatsoever, whether with Relation to Sheriffs and other Officers, Parties, Jurors, Witnesses, Challenges, or other Matters or Proceedings in, about, or relating to any such Trials, or the Verdicts to be taken thereupon, or Nonsuits therein, and have and execute as fully and amply to all Intents and Purposes, all Powers, Authorities, and Jurisdictions, relating to, or proper for any such Trials, or the Matters for which such Trials shall or ought to be, in every Respect whatsoever, and for awarding Costs upon the Account of any such Trials, or for not proceeding to Trial, and for awarding any new or other Trials, as the Barons of the Court of *Exchequer* in *England*, or any of them, before whom any Trials, either at the Bar, or otherwise, have been or should have been by the Laws of *England*, or by the Constitution, Power, or Practice of the said Court of *Exchequer* in *England*, or by virtue of any Law or Statute, Commission or Authority whatsoever, hath or have been, is or are enabled, or have used to make, do, or execute in or concerning any such or the like Trials or Cases in *England*; and after any such Trials had, the said Barons of the said Court of *Exchequer* in *Scotland*, and the Officers, Attornies, and Clerks in the said Court, shall and are hereby enabled and required to give Rules, and do all other Things in order for Judgments to be entred in the said Court

Power vested in the Barons.

Causes triable by Juries.

Court of *Exchequer* in *Scotland*, upon the Records of Trials at Bar, and of the Returns of Records of *Nisi prius* in case of Trials in the Countries, as are, have been, or may be used or practised in like Cases in the Court of *Exchequer* in *England*; and the Barons of the said Court of *Exchequer* in *Scotland* may and shall proceed to give Judgment according to the Right of the Causes, and to award Executions upon such Judgments, and to do and award all and every Act, Matter, and Thing touching and relating to any such Trials, Judgments, or Executions, as by Law, or the Rules, Orders or Directions of the Court of *Exchequer* in *England*, or by the Laws or Statutes in *England*, or hath or have been or ought to be used in such or the like Cases.

VII. And it is hereby further enacted and declared by the Authority aforesaid, That the said Barons of the Court of *Exchequer* in *Scotland*, or any one or more of them, either in Court or out of Court, shall have full Power and Authority to take all Manner of Recognizances and Securities for Debts, and that all Obligations, Recognizances, Specialties, and other Securities for any the Revenues, Rents, Debts, Duties, Accounts, Profits, or other Things accruing, or which shall or may become due or accrue to the Queen's Majesty, her Heirs or Successors, within *Scotland*, or which shall in any wise concern or relate thereto, or any the Officers, Ministers, or Accountants thereof, or for the same, or which shall be taken in or by Order of the said Court of *Exchequer* in *Scotland*, or upon any other Account for the Use or Benefit of the Crown, or for securing any the Revenues, Debts, or Duties of the Crown, shall be taken in the Name of the Queen's Majesty, her Heirs and Successors, and to be paid to the Queen's Majesty, her Heirs and Successors, with other proper Words, and with and under such Conditions as shall be suitable to the Matter for which they shall be taken, and shall have the full Force and Effect of any Obligations, Recognizances, and Specialties, which have been or may be taken or acknowledged in the Court of *Exchequer* in *England*, according to the Purport, true Intent and Meaning of the Statute in that Behalf made in *England* in the three and thirtieth Year of the Reign of King HENRY the Eighth, or any other Law or Statute, or any Practice, Custom, or Usage in the Court of *Exchequer* in *England*, or by Virtue of the Royal Prerogative; and that all Suits and Prosecutions upon any the said Obligations, Recognizances, and Specialties, or for any Revenues, Debts, or Duties any Ways due or payable to the Queen's Majesty, her Heirs and Successors, within *Scotland*, shall be in the said Court of *Exchequer* in *Scotland*, and her Majesty, her Heirs and Successors, shall be preferred and have Preference in all Suits and Proceedings in the said Court of *Exchequer* in *Scotland*, according to the said Statute of the three and thirtieth Year of King HENRY the Eighth, and according to the Usage, Course, and Practice of the Court of *Exchequer* in *England*, and shall have and enjoy such and the same Prerogatives, as well in and about Pleadings, and in all other Matters and Things, as by any the Laws in *England*, or Course of *Exchequer* in *England*, have been, are or ought to be allowed; and as well the Bodies, as the Lands and Tenements, Debts, Credits, and Specialties, Goods, Chattels, and personal Estate of all Debtors or Accountants to the Crown, or their Debtors in *Scotland*, shall be subject and liable, and shall and may be made subject and liable by Extent, Inquisition and Seizures, or by any other Process, Ways, or Means, to the Payment of such Debts, Duties, or Revenues to the Crown, and in such and the same Manner and Form, to all Intents and Purposes as hath been, or is used in the Court of *Exchequer* in *England* in like Cases.

VIII. Provided nevertheless, That no Debt or Duty from any the Debtors or Accountants to the Crown in *Scotland*, shall affect or subject any real Estate in *Scotland*, of any such Debtors or Accountants, to the Payment or Satisfaction of any such Debt or Duty, further or otherwise, or in any other Manner or Form than such real Estate may or ought to be subject and liable by the Laws of *Scotland*, and that the Laws of *Scotland* shall, in all such Cases, and for all such Purposes, hold Place and be observed; any thing in this Act contained to the contrary notwithstanding: And for all the Purposes in this Act mentioned, the said Court of *Exchequer* in *Scotland*, and the Barons and other Officers thereof and therein, shall have, exercise, and put in Execution within *Scotland*, all and every the Powers, Authorities, and Jurisdictions, as to all Matters and Things whatsoever, arising or happening, or which have or shall arise and happen within *Scotland*, touching or concerning any the aforesaid Revenues or Duties of Customs and Excise, and other Revenues, Debts, or Duties, Obligations, Securities, Judgments, or Specialties, or the Recovery of the same, or of any other the Premises, which the Court of *Exchequer* in *England*, or the Barons or Officers thereof, by virtue of the said Statute made in *England* in the said three and thirtieth Year of the Reign of King HENRY the Eighth, or of any other Statute made and in Force in *England*, or by the Constitution, Course, or Practice used in the Court of *Exchequer* in *England*, have or ought to have performed or put in Execution in *England*, as fully and amply to all Intents and Purposes, as if the same Powers, Authorities, and Jurisdiction were in this Act particularly expressed and thereby enacted; yet so nevertheless, that nothing be done to make the real Estate in *Scotland* of any Debtor or Accountant to the Crown there, subject or liable to the Payment of any Debts or Duties to the Crown, farther or otherwise than they may or ought to be by the Laws of *Scotland*, according to the Purport of the Proviso last herein before mentioned; and the Barons of the said Court of *Exchequer* in *Scotland* shall and may act and do in respect to any the Parties in Law or Equity to any Action, Information, Suit, or Prosecution in the said Court of *Exchequer* in *Scotland*, in such Cases, Sort, and Manner as by any the Laws or Statutes in *England*, or the Use and Practice of the Court of *Exchequer* there, touching the awarding of Costs, and issuing Processes and Execution for the same, hath or have used to be done.

IX. And be it further enacted by the Authority aforesaid, That the several Statutes in *England* of Jeofails, and for Amendments, shall extend to all such Actions, Informations and Suits, to be brought in the Court

Barons in or out of Court to take Recognizances for Debts, &c.

33 H. 8. c. 39.

All Suits and Prosecutions, &c. thereupon to be in Exchequer Court.

No Debt, &c. to the Crown in *Scotland* to subject any real Estate there, otherwise than by the Laws of *Scotland*.

Barons, &c. to execute the Powers hereby granted.

All Statutes in *England* of Jeofails, &c. to extend to all Actions brought in Court of *Exchequer* in *Scotland*, &c.

tend to all Actions brought in Court of *Exchequer* in *Scotland*, &c.

Four Terms to be kept every Year.

During which Barons to hear and determine Causes, &c.

And appoint Days and Times for Returns of Writs,

And take Bails, &c.

And hold Plea in Equity by English Bill, &c.

And award Processes thereon.

And make Orders and Decrees.

Barons to enjoy the same Privileges as Members of the College of Justice, &c.

All Officers of the Revenues in Scotland to be subject to the Jurisdiction of the Court of Exchequer.

of *Exchequer* in *Scotland*, for the Recovery of any Debt, Duty or Revenue due to the Crown, as fully and amply, to all Intents and Purposes, as they do or ought to extend to the Court of *Exchequer* in *England*, or any Causes or Proceedings therein in such or the like Cases; and that in the said Court of *Exchequer* in *Scotland*, there shall be kept and observed four Terms in every Year, whereof one of them shall be called *Martinnas Term*, and shall yearly commence upon the third Day of *November*, and end on the twenty-ninth Day of *November*; and another of them shall be called by the Name of *Candlemas Term*, and shall yearly commence upon the twenty-third Day of *January*, and end upon the twelfth Day of *February* yearly; and another of them shall be called by the Name of *Whitsuntide Term*, and shall yearly commence upon the twenty-fifth Day of *May*, and shall end on the fifteenth Day of *June* following; and the fourth of them shall be called by the Name of *Lanmas Term*, and shall yearly commence on the twentieth Day of *July*, and shall end on the eighth Day of *August* following; and if any of the said Days on which any of the said Terms should begin or end, shall happen to be a *Sunday*, then such Term respectively shall begin or end the next Day following; in and during which Terms the Barons of the said Court shall sit therein, and hear and determine the Business, Causes, Matters and Things depending, or which shall, may, or ought to be prosecuted in the said Court, either in Law or Equity, or which shall or may concern the Revenues, Debts, Duties, Matters, or Things within the Jurisdiction of the said Court, and that either with or without any Adjournment to or for any Time or Place; and that the said Barons shall and may order and appoint the Days and Times for the Returns of Writs or Processes issuing out of, and returnable in the said Court, and set and impose upon all such Sheriffs and other Officers and Persons, Bodies Politick or Corporate, to whom the Execution of such Writs or Processes do or shall appertain, such Issues, Fines, Amerciaments, and Penalties, as to the said Court shall seem fit and reasonable; and the said Barons in Court, or any of them out of Court, shall take Bails, Recognizances, and other Securities, Informations, Bills, Answers, and Affidavits, and take and declare Accounts, and do and execute all Matters and Things relating to the Business or Jurisdiction of the said Court, as fully to all Intents and Purposes, as the Barons of the *Exchequer* in *England*, or any of them, have or do use in such or the like Cases in or out of Court there; and the Barons of the Court of *Exchequer* in *Scotland*, are hereby also authorized and enabled to hold Plea in Equity by *English* Bill, Petition, or Suit to be brought or exhibited in the said Court, by or against the Attorney or Advocate General of the Queen's Majesty, her Heirs and Successors, on her or their Behalf, or for her or their Interest, or by or against any other Person or Persons any Ways concerned in or about any the Revenues, Debts, or Duties before-mentioned, touching the said Revenues, Debts, or Duties, for any Discovery or Relief in Equity; and in and upon such Bills, Petitions, and Suits, the said Court of *Exchequer* shall and are hereby enabled to issue and award Processes of *Subpœna*, or *Distringas*, and all other usual and proper Processes for compelling the Parties Defendants to or in such Suits, to put in their Answers, and make their Defences to such Bills, Petitions, or Suits, and for the Parties to such Suits to proceed therein and thereupon, according to such Rules or Orders, and in such Manner and Form as the Court of *Exchequer* in *England* hath used to proceed by; and upon Issues joined in any the said Causes or Suits in Equity, the Court of *Exchequer* in *Scotland* is to cause Witnesses to be examined (if desired on either Side) by Commissions to be awarded for that Purpose, or by sworn Examiners, and after Publication of the Depositions of the Witnesses, to proceed to the hearing of the said Causes, and upon the Proofs and Evidence therein or thereupon, or upon Bill and Answer where no Witnesses shall be examined or Proofs made, to make such Orders and Decrees either for the Relief of the Plaintiffs, or for dismissing any Issue or Issues at Law to be tried for the Information of the Conscience of the Court, or for dismissing of the said Plaintiff Bills, or otherwise, as to the said Court shall seem just and reasonable, and as is or hath been used in the Court of *Exchequer* in *England*; save only that all Issues at Law directed, as aforesaid, for the Information of the Conscience of the Court, shall be and are hereby ordered to be made up and proceeded upon in the said Queen's Remembrancer's Office in *Scotland*, in such Manner as such Issues or Issues are used to be made up and proceeded upon in the Office of Pleas in the Court of *Exchequer* in *England*; and the said Court shall award such Processes for the enforcing any of the Parties to such Suits to perform and yield Obedience to such Orders or Decrees as shall be made in the said Causes, and in case of Non-performance thereof, or Disobedience therunto, the said Court shall award all such Processes of Contempt against the Persons and Estates of him, her, or them that shall be in Contempt, or refuse Obedience to any the said Orders or Decrees, as hath been used and practised in like Cases, in or by the Court of *Exchequer* in *England*, and make and execute like Processes, Orders, and Proceedings thereupon, as are used in the Court of *Exchequer* in *England*, in like Cases.

X. And be it further enacted by the Authority aforesaid, That the Barons of the Court of *Exchequer* in *Scotland*, and all and every the Officers and Members of the said Court of *Exchequer* shall be entitled to, and have and enjoy such and the same Privileges and Immunities, as the Members of the College of Justice have and enjoy by the Law, Custom, and Practice in *Scotland*; excepting only that they may be pursued in Justice before the Lords of Session for Causes not competent to the Court of *Exchequer*.

XI. And be it further enacted by the Authority aforesaid, That all the Officers and Persons employed or to be employed in or about the collecting, receiving, managing, paying, answering, or accounting for any the Revenues or Duties of Customs or Excise, or other Crown Revenues, Debts, or Duties in *Scotland*, shall be under and subject to the Rules, Orders, Directions, Authority, Power, and Jurisdiction of the said Court of *Exchequer* in *Scotland*, in all Things touching the said Revenues, Debts, Duties, or Accounts, and touching the collecting, ordering, and Management thereof; and the paying and answering the same, and concerning any Securities to be given, or Oaths to be taken relative thereto, which are not, or shall not be contrary to, or inconsistent with the Commands, Orders, and Directions in Force, of or from the Queen's Majesty, her Heirs or Successors, or of or from the Lord High Treasurer of Great Britain,

Britain, or the Lords Commissioners of the Treasury in Great Britain for the Time being; and that all and every such Person and Persons, as is, or are, or shall be appointed under the aforesaid Seal, which by the Articles of Union is appointed to be kept in Scotland, to be the Auditor or Auditors of the said Revenues of Customs or Excise, or other Crown Revenues or Duties whatsoever in Scotland, or any Part thereof, shall take the same, or like Oath, *mutatis mutandis*, for the due Execution of his or their Office or Offices, before the Barons of the said Court of *Exchequer* in Scotland, as any Auditor of any the Crown Revenues in England hath or have used or ought to take; and such Auditor or Auditors shall have the taking and making up all the said Accounts, which being sworn to by the respective Accountants as to the Truth thereof, and allowed and declared by and before the said Court of *Exchequer* in Scotland, or before the Chief Baron, or some other of the Barons of the said Court of *Exchequer*, the same shall be examined, enter'd, and enrolled in the Offices of Remembrancer of the Queen's Majesty, her Heirs and Successors; and Particulars and Vouchers of such Account, contained in a Bag for that Purpose, shall be there left; and such Account shall be also entred in the Office of Lord Treasurer's Remembrancer, in such and the like Manner as is and hath been used in the like Offices in England, and then shall be delivered into the Pipe Office in the Court of *Exchequer* in Scotland; and the Clerk of the Pipe or Chief Officer in that Office, or his Deputy (in Case that Office shall be executed by Deputy) shall cause the said Accounts to be examined, and if found true, to be entred and inrolled in the said Office, and shall make and give a *Quietus* or Discharge to the Accountant thereupon, which shall be a Discharge to and for such Accountant, as to all the Revenues, Duties, Matters, and Things therein, and thereby accounted for, paid, and answered; and if any Supers or Arrears shall be set upon the Accountant, or any other Person or Persons, Bodies Politick or Corporate, by or upon the said Account, the Court of *Exchequer* in Scotland shall award all proper and effectual Procefs to be made and issued out of such one of the two Remembrancers Offices, as the Court shall direct, for the speedy accounting for, levying and receiving of all such Supers and Arrears, and answering the same to the Use of the Crown, in such Sort and Manner as in like Cases may by Law be done, or hath been used, in the Court of *Exchequer* in England.

Auditors of the Revenues to take the same Oath as Auditors in England. And have the making up of the Accounts, &c.

XII. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Bodies Politick or Corporate, Party or Parties to any Judgment which shall be given in the said Court of *Exchequer* in Scotland, his, her, or their Heirs, Executors or Administrators, or such other Person or Persons, Bodies Politick or Corporate, who shall be Privy to, and affected by such Judgment, and who by Law is or are entitled to bring and maintain a Writ or Writs of Error thereupon, to sue and prosecute out of the Court of *Chancery* in England a Writ or Writs of Error, to be made in usual Manner upon any such Judgment, returnable in the Parliament of Great Britain, and such and the like Securities, Matters and Things, Way and Method of Proceedings, shall and may be had therein and thereupon, and relating thereunto, as have been, are, or may be used and practised upon, or concerning Writs of Error returnable in Parliament, upon any Judgment in any the Courts in England, and upon or relating to the Affirming or Reversal of such Judgments, and the Proceedings thereupon in like Cases; and every Person or Persons against whom any Orders or Decrees in English Causes shall be made in the said Court of *Exchequer* in Scotland, shall and may have and pursue such and the like Relief and Redress therein, as any Person or Persons, against whom any Orders or Decrees in the Court of *Exchequer* in England have been or shall be made, may have and pursue in like Cases.

Party to any Judgment given in Court of *Exchequer*, may bring a Writ of Error upon such Judgment returnable in Parliament, &c.

XIII. Provided also, That the Lord High Treasurer of Great Britain for the Time being shall have and exercise all such Powers, Authorities, and Jurisdictions, about or relating to any the Revenues or Duties of Custom and Excise, and other the Crown Revenues, Duties, or Treasure within Scotland, and the getting in, paying, issuing, and accounting for the same, or any Part thereof, as fully and amply, to all Intents and Purposes, as the Lord High Treasurer of Great Britain for the Time being, by virtue of such his Office, hath, or may, or can have or exercise about or concerning any the Crown Revenues, Debts, or Duties in England; any Thing herein contained to the contrary in any wise notwithstanding.

Lord Treasurer to have the same Powers relating to the Revenues, &c. of Scotland, as he hath relating to those of England.

XIV. Provided also, and be it enacted by the Authority aforesaid, That all and all Manner of Fines, Issues, Amerciaments, forfeited Recognizances, or Penalties, and other Forfeitures, of what Nature or Kind soever, which shall or may be set, imposed by, or incurred, or become forfeited in the said Court of *Exchequer* in Scotland, shall be levied by the Authority and Procefs of the said Court, and paid and answered to the Use of her Majesty, her Heirs and Successors, although the Persons or their Lands or Tenements, Goods, or Chattels, liable to the same Fines, Issues, Amerciaments, Penalties, or Forfeitures be or remain in any Part of Scotland whatsoever.

How all Fines, Issues, &c. shall be levied and paid.

XV. Provided nevertheless, That in Case any Person or Persons, Bodies Politick or Corporate, his, her, or their Heirs, Successors, Executors, or Administrators, shall alledge, plead, declare, or shew in the said Court of *Exchequer* in Scotland, good, perfect, sufficient Cause and Matter in Law, Reason, or good Conscience, in Bar or Discharge of any Fines, Issues, Amerciaments, forfeited Recognizances, or any other Forfeitures, Debts, or Duties due or payable to the Crown, or why such Person or Persons ought not to be charged or chargeable, to or with the same, and the same Cause and Matter so alledged, pleaded, declared, or shewed, sufficiently proved in the said Court of *Exchequer* in Scotland, That then the said Court shall have full Power and Authority to accept, adjudge, and allow the same, and wholly and clearly to acquit and discharge all and every the said Persons, which shall be impleaded or sued for the same, or to make and take any fitting and reasonable Composition for the same, as in the Judgments and Discretions of the Barons of the said Court of *Exchequer*, upon hearing of the Attorney or Advocate General, or other learned Counsel of her Majesty, her Heirs and Successors, shall be found and thought just and

Persons shewing good Cause in Court, in Bar of any Fines, &c. payable to the Crown, Court to allow the same, &c.

and reasonable, and to proceed and act therein, and give Discharges thereupon, in such Sort and Manner as hath been and is used and practised in the like Cases in and by the Court of *Exchequer* in *England*; any thing herein contained to the contrary notwithstanding.

Barons to pass
Sheriffs Ac-
counts,

and charge and
discharge them,
&c.

Acts of Parlia-
ment made in
England, concern-
ing Customs
or Subsidies there,
or Excise, &c.
not contrary to
the Articles of
Union to extend
to *Scotland*,
and cognizable
in the Court of
Exchequer,

XVI. And be it further enacted by the Authority aforesaid, That the Barons of the Court of *Exchequer* in *Scotland*, shall have full Power and Authority by virtue of this Act, to take and pass the Accounts of all Sheriffs, and other Officers in *Scotland*, who have or shall have the Execution of any the Procefs issuing out of and returnable in the said Court of *Exchequer*, for the levying of any Revenue or Money for the Crown, and to charge and discharge them according to Right and Justice, and that in such Manner and Form, as the said Sheriffs and Officers before the said Union were used to be charged and discharged, and to have their Accounts passed, or as the Barons of the said Court of *Exchequer* shall order, direct, or appoint.

XVII. And be it further enacted by the Authority aforesaid, That all and every Act and Acts of Parliament made in *England*, and in Force there, touching and concerning any Customs or Subsidies there, and also all and every Act and Acts of Parliament made in *England*, and now in Force, touching and concerning any Excises there, and all and every the Authorities, Powers, Jurisdictions, Qualifications of Officers and Seizers, Directions for Navigation, and for carrying Goods Coastwise, Forfeitures, Penalties, Duties, and the Ways and Means for the recovering of them, or any of them, and all other Matters and Things in them, or any of them contained, which are not contrary to or inconsistent with the aforesaid Articles of the Union of the two Kingdoms of *England* and *Scotland*, or any of them, shall extend to *Scotland*, and shall and may be cognoscible in, and put in Execution by the Court of *Exchequer* in *Scotland* as to all Matters and Things happening or arising in *Scotland*, as fully and amply, to all Intents and Purposes, as the same, or any of them, do extend, or may, or might be put in Execution, as to any Matter or Things touching and concerning Customs and Excises, or any other the Matters or Things aforesaid, happening or arising in *England*; and all Offences and Offenders in any the said Matters, shall and may be sued and prosecuted for the same in the said Court of *Exchequer* in *Scotland*; and the Merchants and other Persons entitled to any Benefits, Allowances, Advantages, or Remedies touching or concerning any the said Customs or Excises in *Scotland*, shall have and enjoy the same in *Scotland*, as fully and amply, to all Intents and Purposes, as they may or might if the same were or arose in *England*; and the Officers of the Customs and Excise in *Scotland* are required to make and allow the same accordingly; and the Barons of the Court of *Exchequer* in *Scotland* are required and enabled to cause Right to be done by and to all Persons concerned therein.

Queen to appoint
what further
Places, Ports,
&c. in *Scotland*,
shall be lawful
for landing or
shipping Goods,
&c.

XVIII. And for the better and more effectual ascertaining the Ports, Members, Creeks, and Havens in *Scotland*, where Goods and Merchandizes have been or may be exported and imported, and the several Key's Wharfs, and other Places where the same may be put on board any Ship or Vessel for Transportation, or be unshipt or unladen upon Importation; Be it further enacted by the Authority aforesaid, That the Queen's Majesty, her Heirs and Successors, shall and may, from time to time, by Commission or Commissions out of the Court of *Exchequer* in *Scotland*, assign and appoint all such further Places, Ports, Members, and Creeks in *Scotland*, as shall be lawful for the landing and discharging, lading, or shipping of any Goods, Wares, or Merchandizes in *Scotland*, and to what ancient and head Ports respectively such Places, Members, or Creeks shall respectively appertain; and where any such Place, Member, or Creek shall be so appointed, as aforesaid, the Customer, Collector, Comptroller, and Searcher of the head Port, shall by themselves, or their sufficient Deputy or Deputies, Servant or Servants, reside and inhabit, for the entering, clearing and passing, shipping and discharging of Ships, Goods, and Merchandize, and by virtue of the said Commission or Commissions may likewise set down and appoint the Extents, Bounds, and Limits of every Port, Haven, or Creek in *Scotland*, whereby the Extents, Limits, and Privileges of every Port, Haven, or Creek in *Scotland* may be ascertained and known; after which Appointment so made, the said Ports, Members, and Creeks so appointed, shall be observed and used for Importation and Exportation, in the same Manner, and subject to and under such Orders and Regulations, and to the same Effect, as the like Ports, Creeks, and Members appointed in *England* for Exportation or Importation there, are or ought to be by the Laws of *England*.

Officers of Cu-
stoms to reside at
such Places.

Court empower'd
to receive Resig-
nations of Baro-
nies, Lands, &c.
which were in
Use to be resign-
ed, &c. in the
Court of *Exche-*
quer.

XIX. And whereas by the aforesaid recited Article of the Treaty of Union it is provided, That the Court of *Exchequer* in *Scotland* have Power of passing Signatures, Gifts, Tutories, and in other Things as the Court of *Exchequer* in *Scotland* at the Time of the said Treaty had; Be it therefore enacted by the Authority aforesaid, That the Court of *Exchequer* in *Scotland* shall have Power to receive Resignations in her Majesty's Name of all Baronies, Lands, Lordships, Tithes, Jurisdictions, Offices, and all other Rights which were in Use to be resigned and received in her Majesty's Name in the *Exchequer*, at the Time of the said Treaty; and that Signatures, Gifts, Tutories, and other Things which were presented, revised, and compounded, or which were passed or given by the Lord High Treasurer, or Commissioners of the Treasury, or Court of *Exchequer* there at the Time of the said Treaty, shall be given in, signed, presented, revised, compounded, and expedited as formerly, with this Alteration only, That the Presenter of Signatures shall present the said Signatures, Gifts, Tutories, and other Things to the said Chief Baron and Barons of the *Exchequer* in *Scotland*, who are hereby authorized and empowered to revise and compound the same, in the same Manner, and with the same Powers as the said Lord High Treasurer or Commissioners of Treasury of *Scotland* might have done, and thereafter in a Court of *Exchequer*, to hear Parties concerned, and to pass all such Signatures, Gifts, Tutories, and other Things aforesaid, and especially to declare and appoint Fines, as the Court of *Exchequer* might have done at the Time of the said Treaty, and such Signatures, Gifts, Tutories, and other Things aforesaid being passed in the *Exchequer*, shall be recorded by the proper Clerks, and thereafter be expedited at the proper Seals, as at

the Time of the said Treaty by the Law and Practice of *Scotland* was required: Reserving nevertheless full Power to her Majesty, her Heirs and Successors, to receive Resignations immediately in her or their Royal Hands, and to grant all Signatures, Gifts, and other Things, in the same Manner as her Majesty could have done at the Time of the aforesaid Treaty.

XX. And be it further enacted by the Authority aforesaid, That all Barristers at Law, Advocates or Counsellors, who may plead and practice before the Court of *Exchequer* in *England*, or before the Court of Session in *Scotland*. have and shall have Right and Privilege to plead and practice before the said Court of *Exchequer* in *Scotland*.

English Counselors, &c. may plead in Exchequer Court in Scotland.

XXI. Provided always, and be it enacted, That the two principal Clerks of *Exchequer* in *Scotland*, and other Officers in that Court, who have Grants of their Offices during Life, or of Inheritance, shall enjoy their Offices according to the Nature of their Gifts, except in so far as these Offices are inconsistent with the Constitution of *Exchequer*, as the same is settled by this Act: In which Case, Be it enacted by the Authority aforesaid, That any Person having Right to any such Office, shall be provided in one or other of the Offices established by this Act, equal in Value to what they now enjoy, to hold for Life, or in Fee respectively, or have some other equivalent Recompence for the Loss of such Office.

How Offices for Life shall be enjoyed.

XXII. Provided always, That the Validity, or Invalidity and Preference of the Title of the Crown to any Honors, Manors, Lands, Tenements, or Hereditaments, or to Casualties belonging to the Crown, shall continue to be tried and decided in the Court of Session as was used, and of Right ought to have been by the Law and Practice of *Scotland*, at the Time of the Union, and not otherwise; any thing in this Act contained to the contrary notwithstanding.

Crown Title to Lands, &c. to be tried by Court of Session.

XXIII. And be it further enacted by the Authority aforesaid, That no Officer, Minister, Clerk, or other Person employed in the said Court of *Exchequer* in *Scotland*, shall ask, demand, receive, or take from any of her Majesty's Subjects, or from any other Person or Persons whatsoever, any greater or other Fee, Reward, Profit, Advantage, Matter, or Thing whatsoever, for or in Respect of any Business, Matter, or Thing transacted, dispatched, made, or done in the said Court of *Exchequer*, than such only as shall be settled and allowed by the Barons of the said Court of *Exchequer*, or any three or more of them (whereof the Chief Baron to be one) under their Hands: Which Fees or Allowances shall be contained in a Table to be hung up in the most publick and visible Place of the said Court of *Exchequer*, and to which any of her Majesty's Subjects, or others may have Free Liberty to resort, and to have a View and perusal thereof, without Fee or Reward; and each of the Masters or Chief Officers in the Offices of Queen's Remembrancer, Lord Treasurer's Remembrancer, Clerk of the Pipe, and Clerk of the Pleas, and Auditor shall take care, that a Table of the Fees and Allowances relating to their respective Offices and Places and Business therein transacted, and so allowed and signed, as aforesaid, shall be hung up in some publick and visible Place in their said respective Offices, to which any of her Majesty's Subjects, or others, may have free Liberty to resort, and to have a View and perusal thereof, without Fee or Reward; and if any Person or Persons shall offend in any the Premises, the Barons of the said Court of *Exchequer*, upon Complaint thereof to them made in that Behalf, shall cause Right to be done to the Party complaining, and to punish the Offenders by Fine, Suspension, or Deprivation of Office, or as to them shall seem just and reasonable, and to recompence the Complainer with Costs in that Behalf.

Table of Officers Fees to be hung up in Exchequer Court.

Like Tables to be hung up in Remembrancers Offices, &c.

Penalty on Offenders.

XXIV. And be it further enacted by the Authority aforesaid, That the Number of the said Barons of her Majesty's said Court of *Exchequer* in *Scotland*, shall not at any Time exceed the Number of five.

Number of Barons not to exceed five.

C A P. XXVII.

An Act to enlarge the Time for returning the Certificates of all Ecclesiastical Livings, not exceeding the yearly Value of fifty Pounds; as also for discharging all Livings of that Value from the Payment of First-fruits; and for allowing Time to Archbishops and Bishops, and other Dignitaries, for the Payment of their First-fruits.

WHEREAS by An Act made in the fifth Year of the Reign of her present Majesty, intituled, *An Act for discharging small Livings from their First-fruits and Tenths, and all Arrears thereof*, it is provided, That the said Act, or any Thing therein contained, shall not extend to discharge any Benefices, with Cure of Souls, the Tenths whereof were granted away by any of her Majesty's Predecessors to any Person or Persons, Bodies Politick or Corporate, in Perpetuity, before the third Day of November in the third Year of her Majesty's Reign; which Clause was intended only to save the Rights of such Persons who had Grants of Tenths from the Crown before the said third Day of November, and not otherwise: But so far as the First-fruits of the aforesaid Benefices with Cure of Souls, the Tenths whereof were so granted, as aforesaid, were notwithstanding the said Grants, reserved to the Crown, and are now granted by her Majesty to the Governors of the Bounty of Queen ANNE for the Augmentation of the Maintenance of the poor Clergy, and their Successors: And so far as the discharging of the First-fruits and Arrears of small Livings, the Tenths of which are not vested in the said Governors, will be a present proper Augmentation of the same; Be it therefore enacted by the Queen'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 Ecclesiastical Benefices with Cure of Souls, not exceeding the clear yearly Value of fifty Pounds by the improved Valuations of the same, the Tenths whereof are not vested in the Corporation of the said Governors, and the Incumbents

5 Anna, c. 24.

Enforced by 1 Geo. 1. stat. 2. c. 10.

All Ecclesiastical Benefices not exceeding 50 l. per Ann. &c.

Discharged for ever from First-fruits, &c.

Certificates of Valuation to be made before 24 Dec. 1708.

Not made by 25 March 1708. may be made by 24 Dec. ensuing.

Act to be a Publick Act.

Four Years allowed to Archbishops and Bishops to pay their First-fruits.

Proviso in case of Death.

Deans, Archdeacons, &c. to compound for First-fruits in same Manner as Rectors, Vicars, &c.
1 Eliz. c. 4.

Incumbents thereof for the Time being, and every of them, their respective Heirs, Executors, Administrators, Successors, and Sureties, shall be free and clearly discharged and acquitted for ever of and from the said First-fruits, and of and from all Arrears of the same; any Thing in the aforesaid Act to the contrary notwithstanding: And the ascertaining of the clear improved yearly Valuations of the said Ecclesiastical Benefices with the Cure of Souls, hereby intended to be discharged from the Payment of First-fruits, shall be by the same Persons, and in the same Manner and Form, as for other Livings mentioned in the said Act.

II. Provided nevertheless, That the Certificates by the proper Ordinaries into her Majesty's Court of *Exchequer* at *Westminster*, of the yearly Valuation of such Livings intended by this Act to be discharged from the Payment of First-fruits, may be made at any Time before the twenty-fourth Day of *December* which shall be in the Year of our Lord one thousand seven hundred and eight; any thing herein to the contrary notwithstanding.

III. And whereas by the said Act of Parliament made in the said fifth Year of her Majesty's Reign, the Time limited for certifying into the Court of *Exchequer* the Valuation of such Livings intended by the said Act to be discharged from the Payment of First-fruits and Tenths, is found not sufficient with Respect to some Dioceses and Places; Be it therefore enacted by the Authority aforesaid, That such Certificates which shall be made into the said Court of *Exchequer*, of the yearly Valuation of such Livings intended to be discharged from the Payment of First-fruits and Tenths by the said Act of Parliament, at any Time before the said twenty-fourth Day of *December* which shall be in the Year of our Lord one thousand seven hundred and eight, shall be as good and effectual for the Purposes by the said Act intended, as if the same were made and certified on or before the twenty-fifth Day of *March* one thousand seven hundred and eight; any thing in this or the said Act to the contrary thereof notwithstanding.

IV. And be it further enacted and declared by the Authority aforesaid, That this Act shall be taken and accepted in all Courts and Places whatsoever as a publick Act.

V. And whereas it has been usual for the Kings and Queens of *England*, by their Letters of Privy Seal, to allow the Archbishops and Bishops four Years Time for the Payment of their First-fruits to the Crown, by Way of Installment, which since her Majesty has been graciously pleased to give the First-fruits and Tenths for the Maintenance of the poor Clergy, cannot now be done: And whereas the First-fruits of Archbishopsricks and Bishopsricks amount to near the full annual Value thereof, and the other Charges of coming into Archbishopsricks and Bishopsricks are very great: And whereas Archbishops and Bishops have not the Profits of their Bishopsricks from the Death of their Predecessors, as Rectors and Vicars have, but from the Time that such Bishopsricks are conferred upon them: And whereas no Provision has been made for any Abatements of the First-fruits of Archbishops or Bishops, as there is for Rectors and Vicars, in Case of Death or Removal, within the Times allowed for the Payment of such First-fruits; Be it enacted by the Authority aforesaid, That every Archbishop and Bishop shall have four Years allowed him, when he or they shall compound for the same, for the Payment of his First-fruits, which shall commence from the Time of Restitution of his Temporalities; and that in every Year he shall Pay one fourth Part of the whole Sum: And if it shall please God he shall die, or be removed, before the full Term of four Years shall be expired, he, his Heirs, Executors, or Administrators, shall be discharged of so much as did not become due or payable at or before the Time or Times of his Death or Removal, in like Manner as the Heirs, Executors, and Administrators of Rectors and Vicars are authorized to do.

VI. And be it further enacted by the Authority aforesaid, That all Deans, Archdeacons, Prebendaries, and other Dignitaries, shall compound for their respective First-fruits, in such Manner and Form as Rectors and Vicars have been accustomed to do; and in case of Death or Removal within the Time usually allowed to Rectors and Vicars for Payment of their said First-fruits, they the said Deans, Archdeacons, Prebendaries, and other Dignitaries, shall be in the like Condition, and have the same Benefit as is allowed to Rectors and Vicars by the Statute made in the first Year of the Reign of the late Queen ELIZABETH, intituled, *An Act for the Restitution of the First-fruits to the Crown.*

C A P. XXVIII.

An Act for continuing the Act for ascertaining the Tithes of Hemp and Flax.

11 & 12 W. 3. c. 16. made perpetual by 1 Geo. 1. c. 26.

Continued for 7 Years.

WHEREAS an Act of Parliament made in the eleventh and twelfth Years of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, intituled, *An Act for the better ascertaining the Tythes of Hemp and Flax*, was to continue from the five and twentieth Day of *March* which was in the Year of our Lord one thousand seven hundred, and from thence to the End of the next Session of Parliament: And whereas the said Act hath by Experience been found to be very useful and necessary to this Kingdom; Be it enacted by the Queen'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 shall be continued, and be in Force from the five and twentieth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and eight, for seven Years, and from thence to the End of the next Session of Parliament, and no longer.

C A P. XXIX.

An Act to repeal a Clause in an Act of the seventh Year of the Reign of his late Majesty (for amending and repairing the Highways) which enjoins Waggoners and others to draw with a Pole between the Wheel Horses, or with double Shafts, and to oblige them to draw only with six Horses or other Beasts, except up Hills.

WHEREAS by an Act made in the seventh and eighth Years of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, intituled, *An Act for the better amending and repairing the Highways, and Explanation of the Laws relating thereunto*, it is enacted, That all Horses or Oxen drawing any travelling Waggon, Wain, Cart, or Carriage, wherein any Burdens, Goods, or Wares are or shall be carried or drawn for Hire, shall draw in Pairs with a Pole between the Wheel Horses, or in double Shafts, and the other Horses to draw in a Line with the Wheel Horse or Oxen, in the same Manner as they usually draw in Coaches, under the Penalty of forty Shillings for every Offence; Two third Parts thereof to be to the Use of the Highways, and the other third Part to the Informer: And whereas the aforesaid Manner of drawing with a Pole between the Wheel Horses, or in double Shafts, as by the said Act is directed, has by Experience been found altogether impracticable in many Parts this Kingdom, notwithstanding which many of her Majesty's poor Subjects, Waggoners, and Carriers, are perpetually harrassed by common Informers, and their Teams often seized for Payment of the Forfeitures in the said Act mentioned, to the Ruin of the said Waggoners and Carriers, and to the great Damage of the Owners of the Goods, Wares, and Merchandizes conveyed in such Waggon, Wains, and Carriages by the Delays in their Journies, occasioned by such common Informers: For Remedy whereof, be it enacted by the Queen'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 so much of the said recited Act, as is herein before mentioned, shall be, and from henceforth shall stand absolutely repealed, and is hereby repealed.

II. And be it further enacted by the Authority aforesaid, That all Seizures and Suits now depending in any of her Majesty's Courts at Law, or which shall at any Time hereafter be seized, brought, or prosecuted upon the said Clause in the said recited Act, under Pretence of any Seizure or Forfeiture, or Penalty incurred for Breach of the said Clause in the said Act, or for any Offence committed, or supposed to be committed against the same, shall be, and are hereby declared to be discharged, discontinued, and determined; and that all Seizures upon the said Clause in the said recited Act, made or to be made, are hereby declared to be discharged, released, null and void.

III. And be it further enacted by the Authority aforesaid, That from and after the four and twentieth Day of June one thousand seven hundred and eight, no travelling Waggon, Wain, Cart, or Carriage, wherein any Burdens, Goods, or Wares shall be carried or drawn, other than such Carts and Carriages, as are or shall be employed in and about Husbandry and manuring of Land, and in the carrying of Hay, Straw, Corn, Coal, Chalk, Timber for Shipping, Materials for Building, Stones of all Sorts, or such Ammunition or Artillery as shall be for the Service of her Majesty, her Heirs or Successors, shall at any one Time travel, be drawn, or go in any common or publick Highway or Road with above six Horses, Oxen, or Beasts, upon Pain that every Owner of every such Waggon, Wain, Cart, or Carriage, shall forfeit for every such Offence the Sum of five Pounds; one Moiety whereof shall be to the Surveyors of the Highways of the Town, Village, Hamlet, or Place where any of the said Offences shall be committed, to be employed in the Repairs of the said Highways, and the other Moiety thereof to him that shall discover and prosecute for any of the said Offences (provided such Discoverer or Prosecutor be an Inhabitant of such Town, Village, or Place) the said Penalty to be levied by Distress of all or any of the said Horses, Oxen, or Beasts, by Warrant under the Hand and Seal of one Justice of the Peace; and in case the said Penalties be not paid within three Days after, that then it shall be lawful to and for the said Person and Persons so distraining as aforesaid, to sell the same, and to restore the Overplus to the Owner, the Charges of keeping and selling being first deducted; and if any such Surveyor shall wilfully suffer any such Waggon, Wain, or Carriage to be drawn with more than six Horses, and shall neglect to put this or any former Laws made for repairing the Highways in Execution, shall forfeit five Pounds, to be divided and recovered as aforesaid.

IV. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to restrain or hinder any Owner or Owners of such travelling Waggon, Wain, Cart, or Carriage, or his or their Servants, using or drawing with as many Horses or Beasts as shall be necessary for the drawing such Waggon, Wains, Carts, or Carriages up any Hills, as the Justices of the Peace of the respective Counties, Ridings, Divisions, and Places, where such Hills lie, shall at their Quarter-Sessions, from Time to Time, order and direct, which said Order and Direction shall be carefully kept by the respective Clerks of the Peace, amongst the Records of the Sessions, to which all Persons, at reasonable Times, shall have Recourse, without Fee or Reward, without incurring any Forfeitures or Penalties herein before mentioned; any thing in this, or any other Act to the contrary in any wise notwithstanding.

Highways, see 9 Ann. c. 18. 1 Geo. 1. c. 11 & 52. 5 Geo. 1. c. 12. 6 Geo. 1. c. 6. 5 Geo. 2. c. 33. (which is made perpetual by 27 Geo. 2. c. 9. 8 Geo. 2. c. 20. 9 Geo. 2. c. 18. 14 Geo. 2. c. 42. 15 Geo. 2. c. 2. 16 Geo. 2. c. 29. 21 Geo. 2. c. 23. 24 Geo. 2. c. 43. & 30. 28 Geo. 2. c. 17. 30 Geo. 2. c. 23. and 31 Geo. 2. c. 34.

C A P. XXX.

An Act for ascertaining the Rates of foreign Coins in her Majesty's Plantations in *America*.

WHEREAS for remedying the Inconveniencies which had arisen from the different Rates at which the same Species of foreign Silver Coins did pass in her Majesty's several Colonies and Plantations in *America*, her most Excellent Majesty has thought fit by her Royal Proclamation, bearing Date the eighteenth Day of *June* one thousand seven hundred and four, and in the third Year of her Reign, to settle and ascertain the Currency of foreign Coins in her said Colonies and Plantations, in the Manner and Words following.

Proclamation for ascertaining the Currency of foreign Coins in *America*.

WE having had under our Consideration the different Rates at which the same Species of foreign Coins do pass in our several Colonies and Plantations in *America*, and the Inconveniencies thereof, by the indirect Practice of drawing the Money from one Plantation to another, to the great Prejudice of the Trade of our Subjects; and being sensible that the same cannot be otherwise remedied, than by reducing of all foreign Coins to the same current Rate within all our Dominions in *America*; and the principal Officers of our Mint having laid before us a Table of the Value of the several foreign Coins which usually pass in Payments in our said Plantations, according to their Weight, and the Assays made of them in our Mint, thereby shewing the just Proportion which each Coin ought to have to the other, which is as followeth, *viz.* *Sevil* Pieces of eight, old Plate, seventeen Penny-weight twelve Grains, four Shillings and six Pence; *Sevil* Pieces of eight, new Plate, fourteen Penny-weight, three Shillings seven Pence one Farthing; *Mexico* Pieces of eight, seventeen Penny-weight twelve Grains, four Shillings and six Pence; *Pillar* Pieces of eight, seventeen Penny-weight twelve Grains, four Shillings and six Pence three Farthings; *Peru* Pieces of eight, old Plate, seventeen Penny-weight twelve Grains, four Shillings and five Pence or thereabouts; Cross Dollars, eighteen Penny-weight, four Shillings and four Pence three Farthings; Ducatoons of *Flanders*, twenty Penny-weight and twenty-one Grains, five Shillings and six Pence; Ecu's of *France*, or Silver *Lewis*, seventeen Penny-weight twelve Grains, four Shillings and six Pence; Crusadoes of *Portugal*, eleven Penny-weight four Grains, two Shillings and ten Pence one Farthing; three Gilder Pieces of *Holland*, twenty Penny-weight and seven Grains, five Shillings and two Pence one Farthing; old Rix Dollars of the Empire, eighteen Penny-weight and ten Grains, four Shillings and six Pence; the Halfs, Quarters, and other Parts in Proportion to their Denominations, and light Pieces in Proportion to their Weight: We have therefore thought fit for remedying the said Inconveniencies, by the Advice of our Council, to publish and declare, That from and after the first Day of *January* next ensuing the Date hereof, no *Sevil*, *Pillar*, or *Mexico* Pieces of eight, though of the full Weight of seventeen Penny-weight and an Half, shall be accounted, received, taken, or paid within any of our said Colonies or Plantations, as well those under Proprietors and Charters, as under our immediate Commission and Government, at above the Rate of six Shillings per Piece current Money, for the Discharge of any Contracts or Bargains to be made after the said first Day of *January* next, the Halfs, Quarters, and other lesser Pieces of the same Coins to be accounted, received, taken, or paid in the same Proportion; and the Currency of all Pieces of eight of *Peru*, Dollars, and other foreign Species of Silver Coins, whether of the same or baser Alloy, shall, after the said first Day of *January* next, stand regulated, according to their Weight and Fineness, according and in Proportion to the Rate before limited and set for the Pieces of eight of *Sevil*, *Pillar*, and *Mexico*; so that no foreign Silver Coin of any Sort be permitted to exceed the same Proportion upon any Account whatsoever; and we do hereby require and command all our Governors, Lieutenant Governors, Magistrates, Officers, and all other our good Subjects, within our said Colonies and Plantations, to observe and obey our Directions herein, as they tender our Displeasure.

II. And whereas notwithstanding the said Proclamation, the same indirect Practices as are therein mentioned, are still carried on within some of the said Colonies or Plantations, and the Money thereby drawn from one Plantation to another, in Prejudice of the Trade of her Majesty's Subjects; Wherefore for the better enforcing the due Execution of her Majesty's said Proclamation throughout all the said Colonies and Plantations, and for the more effectual remedying the said Inconveniencies thereby intended to be remedied, Be it enacted by the Queen'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 if any Person within any of the said Colonies or Plantations, as well those under Proprietors and Charters, as under her Majesty's immediate Commission and Government shall after the first Day of *May* which shall be in the Year of our Lord one thousand seven hundred and nine, for the Discharge of any Contracts or Bargains to be thereafter made, account, receive, take, or pay any of the several Species of foreign Silver Coins mentioned in the before recited Proclamation, at any greater or higher Rate than at which the same is thereby regulated, settled, and allowed, to be accounted, received, taken, or paid, every such Person so accounting, receiving, taking, or paying the same contrary to the Directions therein contained, shall suffer six Months Imprisonment, without Bail or Mainprize; any Law, Custom, or Usage in any of the said Colonies or Plantations to the contrary hereof in any wise notwithstanding; and shall likewise forfeit the Sum of ten Pounds for every such Offence, one Moiety thereof to her Majesty, her Heirs and Successors; the other Moiety to such Person or Persons as shall sue for the same, to be recovered with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information,

in

For enforcing the due Execution of Proclamation,

Persons after 1 May 1709, paying or receiving any foreign Silver Coins at a higher Rate than is regulated, To suffer 6 Months Imprisonment, and forfeit 10l.

in any of her Majesty's Courts of Justice within any of the said Plantations, or in any of the Courts of Justice of the Charter or Proprietary Governments where such Offence shall be committed.

III. Provided nevertheless, and it is hereby declared, That nothing in the before recited Proclamation or in this Act contained shall extend, or be construed to compel any Person to receive any of the said Species of foreign Silver Coins, at the respective Rates in the said Proclamation mentioned. Proviso.

IV. Provided also, and it is hereby further declared, That nothing in this Act contained shall extend, or be construed to restrain her Majesty from regulating and settling the several Rates of the said Species of foreign Silver Coins within any of the said Colonies or Plantations, in such other Manner, and according to such other Rates and Proportions, as her Majesty by her Royal Proclamation for that Purpose to be issued, shall from Time to Time judge proper and necessary, or from giving her Royal Assent to any Law hereafter to be made in any of the said Colonies or Plantations, for settling and ascertaining the current Rates of such Coins within the said Colonies or Plantations; but that such further Regulations may be made, and such Assent given, in as full and ample Manner, to all Intents and Purposes, as the same might have been done in case this Act had not been made, and no otherwise; any thing herein before contained to the contrary hereof in any wise notwithstanding.

Queen may regulate the several Species hereafter, in such other Manner as she shall judge necessary.
Concerning Plantations, see farther 8 Ann. c. 13. 9 Ann. c. 17 & 27.
10 Ann. c. 22 &

26. 4 Geo. 1. c. 11. 8 Geo. 1. c. 12 & 15. 13 Geo. 1. c. 5. 3 Geo. 2. c. 12 & 28. 4 Geo. 2. c. 15. 5 Geo. 2. c. 7 & 9. 6 Geo. 2. c. 13. 8 Geo. 2. c. 19. 12 Geo. 2. c. 30. 15 Geo. 2. c. 31 & 33. 24 Geo. 2. c. 51 & 53. 29 Geo. 2. c. 5 & 35. 30 Geo. 2. c. 9.

C A P. XXXI.

An Act for the better preventing Mischiefs that may happen by Fire.

WHEREAS many Fires have lately broke out in several Places in and about the Cities of London and Westminster, and other Parishes and Places comprised within the weekly Bills of Mortality, and many Houses have frequently been burnt and consumed before such Fires could be extinguished, to the Impoverishing and utter Ruin of many of her Majesty's Subjects, the Rage and Violence whereof might have been in great Part prevented, if a sufficient Quantity of Water had been provided in the Pipes lying in the Streets, and if Party Walls of Brick had been built between House and House, from the Foundation to the Top of the Roofs, and less Timber in the Front of Houses: For the preventing therefore the like Mischiefs for the future, Be it enacted by the Queen'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 from and after the five and twentieth Day of March which shall be in the Year of our Lord one thousand seven hundred and eight, it shall and may be lawful to and for the Churchwardens of each and every Parish within the said Cities and Liberties of London and Westminster, and other Parishes and Places within the said weekly Bills of Mortality, and they are hereby required at any Time or Times before the first Day of May in the said Year of our Lord one thousand seven hundred and eight, or as soon after as may be, and so for ever after, to make, place, and fix (at the Charge of such respective Parish) upon the Mains and Pipes belonging to any Water-work whatsoever within the Places aforesaid, such and so many Stop-blocks of Wood, with a two Inch Plug, or such and so many Fire Cocks to go into each Main or Pipe, and to be placed at such Distances, in each or any Street or Place where such Churchwardens for the Time being shall direct; and the Top of such Stop-blocks to lie even with the Pavement of each Street or Place; to the Intent such Plugs or Fire Cocks may always, upon Occasion of any Fire, be opened, and let out the Water without loss of Time in digging down to the Pipes; and that all and every or any such Churchwardens shall, and hereby have Power to fix any Mark or Writing in the Front of any House or Houses over against the Places, and for the better making known to the Inhabitants where such Stop-blocks and Fire Cocks lie, and to keep an Instrument in each House where the Mark is, to open the Plug or Fire Cock, such Stop-blocks and Fire Cocks to be kept in Repair at the Charge of each Parish where the same shall be placed, and the Plugs by the Owners of the Mains and Pipes where the same shall be fixed; and that each and every Parish within the Cities of London and Westminster, and weekly Bills of Mortality, shall from Time to Time, and at all Times, have and keep in good Order and Repair in some known and publick Place within each Parish, a large Engine, and also a Hand Engine, to throw up Water for the extinguishing of Fires, and also shall provide, keep, and maintain one Leather Pipe and Socket of the same Size as the Plug or Fire Cock, to the Intent the Socket may be put into the Pipe to convey the Water clean and without Loss, or help of Bucket, into the Engine; and in Default of making, placing, fixing, and continuing such Stop-blocks or Fire Cocks on the several Mains and Pipes, as also in Default of having and keeping in good Repair such large Engine, Hand Engine, and Leather Pipe and Socket, the Churchwardens of such Parish so making Default, and being convicted thereof, before two of her Majesty's Justices of the Peace, shall forfeit and pay the Sum of ten Pounds; one Moiety thereof to the Informer, and the other Moiety to the Overseers of the Poor of the Parish where such Default shall be made, for the Use of the Poor of such Parish, to be recovered by Warrant from two of her Majesty's Justices of the Peace, by Distress and Sale of such Churchwardens Goods; the Overplus, if any be, to be returned to the Owner thereof; and that the Turn-cock belonging to such Water-work, whose Water shall be found on, or first come into the Main or Pipe where the first Plug shall be opened at any Fire, shall be paid ten Shillings by the Churchwardens of such respective Parish where such Fire shall happen; and that the first Engine Keeper which brings in a Parish Engine, to help to extinguish any Fire, if in good Order and complete; with a Socket, Hose, and Leather Pipe, shall be paid thirty Shillings; the Keeper of the second Parish Engine

From 25 March 1708, Churchwardens of each Parish within Bills of Mortality to fix on the Mains and Pipes of any Water-work, Stop-blocks of Wood, or Fire Cocks, &c.

Mark to be fixed on the Front of an House, over against the Place where Fire Cock lies.

Every Parish to keep one large Engine and one Hand Engine, and one Leather Pipe.

7 Annæ, c. 17. §. 1.

Penalty on Churchwardens making Default.

Gratuities to be paid to Turn Cocks, Engine Keepers, &c. by Churchwardens, &c. where any Fire shall happen.

that

Reward not payable by Churchwardens without the Direction of the Alderman of the Ward,
 that shall be next brought to a Fire shall be paid twenty Shillings; and the third, ten Shillings, by the Churchwardens of each Parish where such Fire shall happen; and in Default of Payment thereof, such Reward shall be recoverable from the Churchwardens where such Fire shall happen, by Warrant from two of her Majesty's Justices of the Peace, by Distress and Sale of such Churchwardens Goods; the Overplus to be returned, if any be.

Amended by 7 Annæ, c. 17. f. 2.

II. And whereas the several Insurance Offices for insuring Houses against Loss by Fire, retain in their several Services, and give Coats and Badges unto Watermen for Service and Assistance in extinguishing of Fires, who are always ready at a Call, and are provided with various Sorts of Poles, Hooks, Hatchets, and several other Instruments and Things at the Charge of the said respective Insurance Offices, for the extinguishing of Fires; which Watermen by Custom and Skill venture much further, and give greater Help than any other Persons not used to come into Danger: And whereas it hath been found by frequent Experience, that such Watermen are of great Use and Service whenever any Fire happens; Be it therefore enacted by the Authority aforesaid, That the Watermen for the time being, belonging to each Insurance Office, within the Cities of *London* and *Westminster*, and Limits thereof, not exceeding thirty for each Office, shall be free from being impressed, or liable to be compelled to go to Sea, or serve as Marines or as Soldiers at Land, their Names and Places of Abode being registred and entred with the Secretary or other Officer of the Admiralty Office.

Watermen belonging to Insurance Offices free from impressing.

Servants who through Negligence fire any House, &c. to forfeit 100l. or be sent to the Workhouse for 18 Months.

III. And whereas Fires often happen by the Negligence and Carelessness of Servants, Be it therefore enacted by the Authority aforesaid, That if any menial or other Servant or Servants, through Negligence or Carelessness, shall fire or cause to be fired any Dwelling-house, or Out-house or Houses, such Servant or Servants being thereof lawfully convicted by the Oath of one or more credible Witnesses made before two or more of her Majesty's Justices of the Peace, shall forfeit and pay the Sum of one hundred Pounds unto the Churchwardens of such Parish where such Fire shall happen, to be distributed amongst the Sufferers by such Fire, in such Proportions as to the said Churchwardens shall seem just; and in case of Default or Refusal to pay the same immediately after such Conviction, the same being lawfully demanded by the said Churchwardens, that then and in such Case such Servant or Servants shall, by Warrant under the Hand of two or more of her Majesty's Justices of the Peace, be committed to some Workhouse, or House of Correction, as the said Justices shall think fit, for the Space of eighteen Months, there to be kept to hard Labour.

All Houses erected after 1 May, within Bills of Mortality, to have Party Walls of Brick or Stone, &c.

Provisions for pulling down Partition Walls.

11 Geo. 1. c. 28.

No Mundillion or Cornish of Timber under the Eaves hereafter to be made in any new House, &c.

This Clause extends not to Houses on London Bridge or the Thames.

7 Annæ, c. 17.

f. 7, 8.

On Penalty.

IV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *May* which shall be in the Year of our Lord one thousand seven hundred and eight, all and every House and Houses that shall be erected and built either upon old or new Foundations, in any Place or Places in and about the Cities of *London* and *Westminster*, or other Parishes or Places comprized within the weekly Bills of Mortality, shall have Party Walls between House and House, wholly of Brick or Stone, and of two Bricks thick at the least, in the Cellar and Ground Stories, and thirteen Inches thick upwards from the Foundation quite through all the Stories of each House, and eighteen Inches above the Roof; and that no Mundillion or Cornish of Timber or Wood under the Eaves shall hereafter be made or suffered in any such new House or Houses, but that all Front and Rear Walls of every House and Houses shall be built of Brick or Stone, to be carried two Foot and an half high above the Garret Floor, and coped with Stone or Brick; and if any new House or Houses shall, from and after the said first Day of *May*, be erected and built within the Places aforesaid, contrary to the true Intent and Meaning of this Act, that then the Owner of every such House, and Head Builder or Workmen, who undertake such Building or Work, shall each of them forfeit, lose, and pay for every such Default the Sum of fifty Pounds, to be equally divided, one Moiety to the Informer, and the other Moiety to the Poor of the Parish wherein such Building shall be erected; and to be levied by Warrant under the Hands and Seals of two or more of her Majesty's Justices of the Peace within the Place where such Building shall be so erected, or where such Workmen shall inhabit, by Distress and Sale of the Offender's Goods, upon due Conviction upon Oath, or upon the View of one or more of such Justices of the Peace, rendering the Overplus to the Owners, if any be; and for Want of such Distress the Offender shall be imprisoned by Warrant from the said two Justices, who are hereby impowered and required to issue such Warrant, until Payment as aforesaid; and the Share of such Forfeitures appointed to go to the Poor, as aforesaid, to be paid into the Hands of the Churchwardens of such respective Parish where such Offence shall be committed, who are to give a Receipt for the same, and to be charged therewith, and accountable for the same, in like Manner as for other Monies which they shall receive for the Use of such Parish.

On breaking out of any Fire, &c. all Constables and Beadles to aid and assist the Inhabitants, &c.

V. And be it further enacted, That upon the breaking out of any Fire within *London* or *Westminster*, all Constables and Beadles, (upon Notice thereof) shall immediately repair to the Place where the said Fire shall happen, with their Staves, and other Badges of their Authority, and be aiding and assisting, as well in the extinguishing the said Fires, and causing People to work at the Engines, as also in preventing Goods being stolen; and shall seize and apprehend all ill-disposed Persons that they shall find stealing or pilfering from the Inhabitants; as also that the said Constables and Beadles shall give their utmost Assistance to help the Inhabitants to remove their said Goods.

No Action to be prosecuted against any Person in whole House, &c. any Fire accidentally begins, &c.

VI. And be it further enacted by the Authority aforesaid, That no Action, Suit, or Process whatsoever, shall be had, maintained, or prosecuted against any Person in whose House or Chamber any Fire shall, from and after the said first Day of *May*, accidentally begin, or any Recompence be made by such Person for any Damage suffered or occasioned thereby; any Law, Usage, or Custom to the contrary notwithstanding.

withstanding :

withstanding: And if any Action shall be brought for any thing done in pursuance of this Act, the Defendant may plead the General Issue, and give this Act in Evidence, and in case the Plaintiff become nonsuit, or discontinue his Action or Suit, or if a Verdict pass against him, the Defendant shall recover treble Costs.

VII. Provided, That nothing in this Act contained, shall extend to defeat or make void any Contract or Agreement made between Landlord and Tenant.

VIII. Provided always nevertheless, That so much of this Act as relates to the Indemnity of any Person in whose House or Chamber any Fire shall accidentally begin, shall continue for the Space of three Years, and from thence to the End of the next Session of Parliament, and no longer.

C A P. XXXII.

An Act for regulating the Qualifications of the Elections of the Governor, Deputy Governor, Directors, and Voters, of the Governor and Company of the Bank of *England*.

WHEREAS by an Act of Parliament made and passed in the fifth Year of her Majesty's Reign, intituled, *An Act for continuing the Duties upon Houses, to secure a yearly Fund for circulating Exchequer Bills, whereby a Sum not exceeding fifteen hundred thousand Pounds is intended to be raised for carrying on the War, and other her Majesty's Occasions*, it is provided and enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and their Successors, for the better circulating of the said Exchequer Bills, from time to time when they shall see Occasion, to call in or direct to be paid unto the said Governor and Company, and their Successors, from and by the respective Members of the said Company for the time being proportionably, any Sum and Sums of Money, which the said Governor and Company in a General Court, from time to time shall think necessary for the said Circulation, and shall accordingly order to be called in, as by the said Act (amongst divers other Things therein contained) more at large may appear: And whereas an Enlargement of the present Capital Stock of the said Governor and Company, will restore several Members of the said Corporation, who have paid or may hereafter pay in any Money for the Circulation of the said Exchequer Bills, to such Capacities of being elected Governor, Deputy Governor and Directors, and voting at General Courts, as their Charter requires, and which by dividing of their late engrafted Stock, many of them now want; Be it therefore enacted by the Queen'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 such Sums of Money as the said Governor and Company have heretofore called, or shall hereafter from time to time call in, from their respective Members, for the Circulation of the said Exchequer Bills shall, as the same have been, or shall from time to time be received by the said Governor and Company, and their Successors, as far as and not exceeding one million one thousand one hundred seventy-one Pounds ten Shillings in the whole, be taken and deemed as and for Capital and Principal Stock for the qualifying or capacitating any Person or Persons interested therein, to be elected Governor, Deputy Governor, Director or Directors, or to vote at General Courts, and to or for no other Intent or Purpose whatsoever.

II. Provided always, That nothing herein contained shall extend or be construed to prohibit or restrain the said Governor and Company, and their Successors, from calling in or receiving from their Members, any further or other Sum and Sums of Money, which by virtue of the said last recited Act, or otherwise, they lawfully may or can do.

C A P. XXXIII.

An Act for the Importation of Cochineal from any Ports in *Spain*, during the present War, and six Months longer.

WHEREAS Cochineal being of the Growth of the *Spanish West Indies* is of principal Use in dying of Clothes, and other the Woollen Manufacture of this Kingdom, Scarlets, Purples, and other Colours called Grain Colours, to the great Improvement thereof, and Employment of great Numbers of her Majesty's Subjects, in finishing and perfecting such Woollen Manufacture: And whereas by the Laws in being, Cochineal cannot be imported but from the Places of its Growth, although the same is now sold at cheaper Rates in several Parts of *Europe*, and used as well in dying the said Manufactures of this Kingdom abroad, as also foreign Manufactures at lower Prices than her Majesty's Subjects can, to the Encouragement of foreign Woollen Manufactures, the great Prejudice of our own, and Impoverishment of many of her Majesty's Subjects employed therein; Be it therefore enacted by the Queen'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 from and after the six and twentieth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and eight, it shall and may be lawful to and for any Person or Persons who shall reside in her Majesty's Dominions, to import and bring Cochineal into this Kingdom in any Ship or Ships, Vessel or Vessels belonging to any Kingdom or State in Amity with her Majesty, *Spanish* Ships or Vessels, or such as are deemed *Spanish* Ships or Vessels, sailing with *Spanish* Passes and Colours, from any the Ports or Places following (*viz.*) *Cadiz, Seville, Port St. Mary, St. Lucar, and Gibraltar*, or any other Ports in the Kingdom of *Spain*, during this present War, and six Months after; any thing in the Act for encouraging and increasing of Shipping and Navigation made in the twelfth Year of the Reign of King *CHARLES* the Second, or any other Act, to the contrary notwithstanding. [Made perpetual by 12 Annæ, stat. 1. c. 13. sect. 3.]

Not to void Contract between Landlord and Tenant.
Clause of Indemnity to continue for three Years.
See 33. Geo. 2. c. 30. s. 23.

5 Annæ, c. 13.

Bank of England.

All Monies called in by Bank for circulating Exchequer Bills, to be taken as Stock for qualifying Persons to be elected Governor, Directors, &c.
Proviso.

Cochineal of the Growth of the Spanish West Indies.

After 25 March 1708, may be imported.

From any of the Ports of Spain during the War, &c. 32 Car. 2. c. 13.

C A P. XXXIV.

EXP.

An Act for limiting a Time to Persons to come in and make their Claims to any of the forfeited Estates, and other Interests in *Ireland*, sold by the Trustees for Sale of those Estates to the Governor and Company for making hollow Sword Blades in *England*, and divers other Purchasers.

Governor and
Company of
Hollow Sword
Blades.
11 & 12 W. 3.
c. 2.
Who purchas'd
Lands in *Ireland*
of the Trustees.

WHEREAS the Governor and Company for making hollow Sword-Blades in *England*, and divers other Persons, did (in pursuance of an Act of Parliament made in the eleventh Year of the Reign of the late King WILLIAM the Third, of glorious Memory, intituled, *An Act for granting an Aid to his Majesty by Sale of forfeited and other Estates and Interests in Ireland, and by a Land Tax, for the Purposes therein mentioned*, and of several other Acts relating to the said forfeited and other Estates and Interests) purchase of the Trustees appointed by the said Act, several Honours, Manors, Baronies, Castles, Messuages, Lands, Tenements, Rents, Reversions, Services, Remainders, Possessions, Royalties, Franchises, Jurisdictions, Privileges, and Appurtenances thereunto belonging in the Kingdom of *Ireland*: And whereas divers Actions and Suits have been brought against several Purchasers of Estates under the said Acts of Parliament, and the Title to the same, under the said Trustees, hath been called in Question, and several Judgments have been given in *Ireland* against some of the said Purchasers, and one of those Judgments hath been affirmed on a Writ of Error in her Majesty's Court of *Queen's Bench* in *England*, and also in the House of Peers in *England*, whereby the said Purchasers are in Danger of having their Titles to the Estates and Interests, so by them purchased, further called in Question and disputed: Now for the quieting the said Governor and Company, and the said other Purchasers in the Possession of the several Estates and Interests so by them respectively purchased of the said Trustees, Be it enacted, &c.

For quieting the
said Company.

C A P. XXXV.

An Act for the publick registering of all Deeds, Conveyances, Wills, and other Incumbrances that shall be made of, or that may affect any Honors, Manors, Lands, Tenements, or Hereditaments within the *East Riding* of the County of *York*, or the Town and County of the Town of *Kingston upon Hull*, after the nine and twentieth Day of *September* one thousand seven hundred and eight; and for the rendring the Register in the *West Riding* more complete.

Conveyances and
Wills whereby
Lands, &c. in the
East Riding of
Yorkshire or
Hull may be af-
fected, to be re-
gistered.
Deed not so re-
gistered void.
Blades v.
Blades, Ab.
Caf. Equ. 358.
Wrightson v.
Hanson 13 Feb.
1737. at the
Rolls.
Method esta-
blished for regi-
sting such Me-
morials.

I. WHEREAS the Lands in the *East Riding* of the County of *York*, and in the Town and County of the Town of *Kingston upon Hull*, are generally Freehold, which may be so secretly transferred or conveyed from one Person to another, that such as are ill disposed have it in their Power to commit Frauds, and frequently do so, by Means whereof several Persons (who through many Years Industry in their Trades and Employments and by great Frugality have been enabled to purchase Lands, or to lend Monies on Land Security) have been undone in their Purchases and Mortgages, by prior and secret Conveyances, and fraudulent Incumbrances, and not only themselves but their whole Families thereby utterly ruined: For Remedy whereof, may it please your most Excellent Majesty (at the humble Request of the Justices of the Peace, Gentlemen, and Freeholders of the said *East Riding*, and of the said Town and County of the Town of *Kingston upon Hull*, that it may be enacted, and be it enacted by the Queen'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 a Memorial of all Deeds and Conveyances which from and after the nine and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and eight, shall be made and executed, and of all Wills and Devises in Writing made, or to be made and published, where the Devisor or Testatrix shall die after the said nine and twentieth Day of *September*, of or concerning, and whereby any Honors, Manors, Lands, Tenements, or Hereditaments in the said *East Riding*, or in the said Town and County of the Town of *Kingston upon Hull*, may be any way affected in Law or Equity, may be registered in such Manner as is herein after directed; and that every such Deed or Conveyance that shall, at any Time after the said nine and twentieth Day of *September*, be made and executed, shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable Consideration, unless such Memorial thereof be registered, as by this Act is directed, before the registering of the Memorial of the Deed or Conveyance, under which such subsequent Purchaser or Mortgagee shall claim; and that every such Devise by Will shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable Consideration, unless a Memorial of such Will be registered in such Manner as is herein after directed.

II. And for settling and establishing a certain Method, with proper Rules and Directions for registering such Memorials as aforesaid, Be it further enacted by the Authority aforesaid, That one publick Office for registering such Memorials of and concerning any Honors, Manors, Lands, Tenements, and Hereditaments, that are situate, lying, and being within the said *East Riding*, or the said Town and County of the Town of *Kingston upon Hull*, shall (at the publick Charge of the said *East Riding*, to be raised by the Justices of the Peace thereof at their General Quarter-Sessions of the Peace, in such Manner as they are empowered to raise Money for the Repairs of Publick or County Bridges) be erected and established at *Beverley*, the

nearest Market Town to the Center or Middle of the said *East Riding*, to be managed and executed by a fit and able Person, to be from time to time elected and appointed in Manner herein after directed, or his sufficient Deputy, and to continue in the said Office for so long Time as he shall well demean himself therein.

III. And be it further enacted by the Authority aforesaid, That all Elections of a Register to be made or appointed by virtue of this Act, shall be performed by balloting, in Manner following; that is to say, All the Freeholders that at the Time of any such Election have an Estate of Freehold of or in any Lands, Tenements or Hereditaments within the said *East Riding*, and the said Town and County of the Town of *Kingston upon Hull*, or in either of them, of the yearly Value of one hundred Pounds, to be determined by the Oath of the Elector, before the Scrutators herein after mentioned, if any Doubt arise touching the same (which Oath they are hereby impowered to administer) shall be electors of the said Register; and that the Justices of the Peace for the said *East Riding*, in that Behalf assembled, or the major Part of them, or any five of such Justices to be appointed by such major Part, shall be Scrutators of the Ballot, who shall meet on the Day and Place of Election, and there in the Presence of the Electors, shall place one or more Glafs Vessels to be provided for that Purpose, into which each elector present shall put one open Paper, containing the Name of such Person as he approves of to be Register; which Papers shall be taken out again in the Presence of the said Scrutators, by a Person by them in that Behalf appointed; and the Name or Names of every Person therein shall be once transcribed in Distinct Columns, and under each Name shall be set down the Number of their Electors, which shall be deliberately cast up by the said Scrutators, and the same shall be read over in the Hearing, and fixt up in the View of the Electors then present, and the Person upon whom the Majority shall fall, shall be declared Register.

Register to be elected by balloting.

IV. And be it further enacted by the Authority aforesaid, That the Election of a Person to be the first Register shall be made at *Beverley* aforesaid, upon the thirteenth Day of *July* in the said Year of our Lord one thousand seven hundred and eight, in open Court, between the Hours of nine in the Morning and three in the Afternoon.

Time of Election.

V. And be it further enacted by the Authority aforesaid, That when and as often as the said Office shall become vacant by the Death, Forfeiture, or Surrender of any such Register, the Justices of the Peace for the said *East Riding* assembled at the General Quarter-Sessions of the Peace, next after such Vacancy shall happen, or the major Part of them, shall in open Court declare the said Vacancy, and by Order of the same Sessions shall appoint and prefix a certain Day and Time within the Space of one Calendar Month, and above three Weeks ensuing the End of such General Quarter-Sessions, for the Electors to assemble at *Beverley* aforesaid, to choose a fit and able Person in the Manner aforesaid, to supply the said Vacancy; and to the Intent that all Persons qualified to be Electors may have due Notice of such Vacancy and Time of Election of a succeeding Register, the Clerk of the Peace for the Time being for the said *East Riding*, shall forthwith cause Copies of such Order, for the prefixing the Time of such Election, to be delivered to the respective Chief Constables of the several Wapentakes within the said *East Riding*, who shall and are hereby required to publish the same in full Market in every Market Town within their respective Wapentakes, on the next Market Day after the Receipt thereof, and to affix the same in the most publick Place of Resort there.

On Death of Register a new one to be elected.

VI. And be it further enacted, That every such Register before he enter upon the Execution of the said Office, shall be sworn before the Justices of the Peace for the said Riding, or any three or more of them that shall be present at his Election (who are hereby impowered and required to administer such Oath) in these Words:

Who shall be sworn.

‘ YOU shall duly and faithfully perform and execute the Office and Duty that is directed and required by you to be done by Act of Parliament, intituled, *An Act for the publick registering of all Deeds, Conveyances, Wills, and other Incumbrances that shall be made of, or that may affect any Honors, Mansors, Lands, Tenements, or Hereditaments within the East Riding of the County of York, or the Town and County of the Town of Kingston upon Hull, after the nine and twentieth Day of September one thousand seven hundred and eight*; and that you have not given or promised directly or indirectly, nor authorized any Person to give or promise any Money, Gratuity or Reward whatsoever, for procuring or obtaining the said Office for you.

Register's Oath.

So help you GOD.

VII. And that when and as often as the said Register shall appoint any Deputy to execute the said Office, such Deputy shall, before he enter upon the Execution thereof, take the said Oath appointed to be taken by the said Register, before two or more of the Justices of the Peace for the said Riding, who are hereby impowered and required to administer such Oath.

Register's Deputy to take said Oath.

VIII. And be it further enacted, That upon the Death of any such Register, and until another Election of a fit Person to execute that Office shall be made in Manner aforesaid, the Executors and Administrators, of the Register deceased, together with the Sureties for the said Register, or their Executors and Administrators, shall appoint a proper Person to execute the Office of Register, for whose Demeanor in the Execution of the said Office the Security given for such Register deceased shall be answerable.

Executors of deceased Register to appoint one to execute Office, until a new one be elected.

IX. And be it further enacted, That the Person to be appointed, as aforesaid, upon the Death of any Register, to execute the said Office during the Time the same shall be vacant, as aforesaid, shall, before he enter upon the Execution thereof, take the Oath herein before appointed to be taken by such Register and his Deputy, before two or more Justices of the Peace for the said Riding (who are hereby impowered to administer the same Oath) and that if such Person so appointed shall be lawfully convicted of any Neglect, Misdemeanor or fraudulent Practice in the Execution of the said Office, during such Vacancy,

And take the Oath prescribed.

Penalty on Neglect.

cancy, he shall be liable to pay Treble Damages with full Costs of Suit to every Person that shall be injured thereby, to be recovered as is herein after directed.

All Memorials to be registred in Vellum or Parchment.

X. And be it further enacted by the Authority aforesaid, That all and every Memorials so to be entred and registred, shall be put into Writing in Vellum or Parchment, and brought to the said Office, and in case of Deeds and Conveyances shall be under the Hand and Seal of some or one of the Grantors, or some or one of the Grantees, his or their Heirs, Executors, or Administrators, Guardians, or Trustees, attested by two Witnesses, one whereof to be one of the Witnesses to the Execution of such Deed or Conveyance; which Witness shall upon his Oath, before the said Register, or his Deputy, prove the signing and sealing of such Memorial, and the Execution of the Deed or Conveyance mentioned in such Memorial; and in case of Wills, the Memorial shall be under the Hand and Seal of some or one of the Devisees, his or their Heirs, Executors or Administrators, Guardians or Trustees, attested by two Witnesses, one whereof shall upon his Oath, before the said Register, or his Deputy, prove the signing and sealing of such Memorial, which respective Oaths the said Register, or his Deputy, is hereby empowered to administer.

What every Memorial shall contain.

XI. And be it further enacted, That every Memorial of any Deed, Conveyance, or Will, shall contain the Day of the Month, and the Year when such Deed, Conveyance, or Will bears Date, and the Names and Additions of all the Parties to such Deed or Conveyance, and of the Devisor or Testatrix of such Will, and of all the Witnesses to such Deed, Conveyance or Will, and the Places of their Abode, and shall express or mention the Honors, Manors, Lands, Tenements, and Hereditaments contained in such Deed, Conveyance, or Will, and the Names of all the Parishes, Townships, Hamlets, Precincts, or Extraparochial Places within the said *East Riding*, and the said Town and County of the Town of *Kingston upon Hull*, or either of them, where any such Honors, Manors, Lands, Tenements, or Hereditaments, are lying or being, that are given, granted, conveyed, devised, or any way affected or charged by any such Deed, Conveyance, or Will, in such Manner as the same are expressed or mentioned in such Deed, Conveyance, and Will, or to the same Effect; and that every such Deed, Conveyance and Will, or Probate of the same, of which such Memorial is so to be registred, as aforesaid, shall be produced to the said Register, or his Deputy, at the Time of entring such Memorial, who shall indorse a Certificate on every such Deed, Conveyance and Will, or Probate thereof, and therein mention the certain Day, Hour, and Time on which such Memorial is so entred or registred, expressing also in what Book, Page, and Number the same is entred, and that the said Register, or his Deputy, shall sign the said Certificate when so indorsed; which Certificates shall be taken and allowed as Evidence of such respective Registries in all Courts of Record whatsoever; and that every Page of such Register Books, and every Memorial that shall be entred therein, shall be numbred, and the Day of the Month, and the Year, and Hour, or Time of the Day, when every Memorial is registred, shall be entred in the Margents of the said Register Books, and of the said Memorial; and that every such Register shall keep an alphabetical Calendar of all Parishes, extraparochial Places and Townships, within the said *East Riding*, and the said Town and County of the Town of *Kingston upon Hull*, with Reference to the Number of every Memorial that concerns the Honors, Manors, Lands, Tenements, or Hereditaments in every such Parish, extraparochial Place or Township respectively, and of the Names of the Parties mentioned in such Memorial, and that such Register shall duly file every such Memorial, in order of Time, as the same shall be brought to the said Office, and enter or register the said Memorials, in the same Order that they shall respectively come to his Hand.

Register to indorse on every Deed, Will, &c. a Certificate, &c.

and keep an alphabetical Calendar of Parishes, &c.

and file every Memorial in Order of Time.

Memorials, &c. made in London, or not within 40 Miles of *East Riding*, may be entred on Affidavit.

XII. And be it further enacted by the Authority aforesaid, That a Memorial of such Deeds, Conveyances and Wills as shall be made and executed, or published in *London*, or in any other Place not within forty Miles of the said *East Riding*, which do or may concern or affect any Honors, Manors, Lands, Tenements, or Hereditaments in the said *East Riding*, or the said Town and County of the Town of *Kingston upon Hull*, shall be entred or registred by the aforesaid Register or his Deputy, in case an Affidavit sworn before one of the Judges at *Westminster*, or a Master in *Chancery*, ordinary or extraordinary, be brought with the said Memorial to the said Register, or his Deputy, wherein one of the Witnesses to the Execution of such Deeds and Conveyances shall swear, he or she saw the same executed, and the Memorial signed and sealed, as aforesaid, or wherein one of the Witnesses to the Memorial of any Will shall swear, he or she saw such Memorial signed and sealed, as aforesaid; and the same shall be a sufficient Authority to the said Register or his Deputy, to give the Party that brings such Memorial and Affidavit, a Certificate of the registering such Memorial; which Certificate signed by the said Register or his Deputy, shall be taken and allowed as Evidence of the Registries of the same Memorials in all Courts of Record whatsoever; any thing in this Act to the contrary thereof contained in any wise notwithstanding.

In case of more Writings than one, which concern the same Lands, &c. Memorial sufficient, if Lands, &c. are only once named therein.

XIII. Provided always, and be it enacted, That where there are more Writings than one for making and perfecting any Conveyance or Security, which do name, mention, or any Ways affect or concern the same Honors, Manors, Lands, Tenements, or Hereditaments, it shall be a sufficient Memorial and Register thereof, if all the said Honors, Manors, Lands, Tenements, and Hereditaments, and the Parishes, Townships, Hamlets, or extraparochial Places, wherein the same lie, be only once named or mentioned in the Memorial, Register, and Certificate of any one of the Deeds or Writings made for the perfecting of such Conveyance or Security, and that the Dates of the rest of the said Deeds or Writings relating to the said Conveyance or Security, with the Names and Additions of the Parties and Witnesses, and the Places of their Abodes, be only set down in the Memorials, Registers, and Certificates of the same, with a Reference to the Deed or Writing whereof the Memorial is so registred, that contains or expresses the Parcels mentioned in all the said Deeds, and Directions how to find the registering the same.

XIV. Provided also, and it is hereby enacted, That all Memorials of Wills that shall be registred in Manner as aforesaid, within the Space of six Months after the Death of every respective Devisor or Testatrix dying within the Kingdom of *Great Britain*, or within the Space of three Years after the Death of every respective Devisor or Testatrix dying upon or in any Parts beyond the Seas, shall be as valid and effectual against subsequent Purchasers, as if the same had been registred immediately after the Death of such respective Devisor or Testatrix; any thing herein contained to the contrary thereof in any wise notwithstanding.

Memorials of Wills registred within six Months after Death of Devisor, &c. valid.

XV. Provided always, That in Case the Devisee, or Person or Persons interested in the Honors, Manors, Lands, Tenements, or Hereditaments, devised by any such Will, as aforesaid, by reason of the contesting such Will, or other inevitable Difficulty, without his, her, or their wilful Neglect or Default, shall be disabled to exhibit a Memorial for the Registry thereof, within the respective Times herein before limited, and that a Memorial shall be entred in the said Office of such Contest or other Impediment, within the Space of six Months after the Decease of such Devisor or Testatrix, who shall die within the Kingdom of *Great Britain*, or within the Space of three Years next after the Decease of such Person who shall die upon or beyond the Seas, then and in such Case the Registry of the Memorial of such Will, within the Space of six Months next after his, her or their Attainment of such Will, or a Probate thereof, or Removal of the Impediment, whereby he, she, or they are disabled or hindred to exhibit such Memorial, shall be a sufficient Registry within the Meaning of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Proviso in case of Wills contested.

XVI. And whereas by an Act of Parliament made in the twenty-seventh Year of the Reign of King HENRY the Eighth, intituled, *For Inrollments of Bargains and Sales*, it is enacted, That no Manors, Lands, Tenements, or other Hereditaments, shall pass, alter, or change from one to another, whereby any Estate of Inheritance or Freehold shall be made or take Effect, in any Person or Persons, or any Use thereof to be made, by Reason only of any Bargain and Sale thereof, except the said Bargain and Sale be made by Writing indented, sealed, and enrolled in one of the King's Courts of Record at *Westminster*, or else within the same County or Counties where the same Manors, Lands Tenements, or Hereditaments so bargained and sold, lye or be before the *Custos Rotulorum*, and two Justices of the Peace, and the Clerk of the Peace of the said County or Counties, or two of them at the least, whereof the Clerk of the Peace to be one; which Act hath been found by Experience to be of little or no use within the said *East Riding*, or the said Town and County of the Town of *Kingston upon Hull*, for that the Clerks of the Peace thereof respectively for the Time being, who have the keeping of the said Inrollments within the said respective Places, are not by the said Act enjoined to give any Security for the safe keeping, nor under any Penalty for the negligent keeping of the said Inrollments, nor is there by the said Act any certain Place appointed for keeping thereof; and whereas by this present Act a publick Office is intended to be erected and established at *Beverly* aforesaid, at the publick Charge of the said *East Riding*, for registring and safe keeping Memorials of all Deeds, Conveyances, and Wills, as aforesaid, and a publick Register to be chosen, who, according to the Directions herein after mentioned, is to give sufficient Security for the due Execution of the said Office: For rendring therefore the said Act made in the twenty-seventh Year of the Reign of King HENRY the Eighth more effectual and beneficial to the Inhabitants of the said *East Riding*, and of the Town and County of the Town of *Kingston upon Hull*, Be it further enacted by the Authority aforesaid, That from and after the said nine and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and eight, all Bargains and Sales of any Manors, Lands, Tenements, and Hereditaments, situate, lying and being within the said *East Riding*, or the said Town and County of the Town of *Kingston upon Hull*, which shall be inrolled by the said Register, or his Deputy for the Time being, in the said publick Office at *Beverly*, shall be as good, effectual, and available, to all Intents and Purposes, whatsoever, as if the same had been inrolled in one of the Queen's Courts of Record at *Westminster*, or before the *Custos Rotulorum* and two Justices of the Peace and the Clerk of the Peace of the said *East Riding*, or of the said Town and County of the Town of *Kingston upon Hull*, or two of them, according to the aforesaid Act made in the twenty-seventh Year of the Reign of King HENRY the Eighth, or any other Act now in Force: And one or more Justice or Justices of the Peace of the said *East Riding* for the Time being shall have Power to take and enter the Acknowledgment of the Bargainor, if but one, or of one of the Bargainors if more, in such Bargains and Sales; and the said Register, or his Deputy for the Time being, shall well and sufficiently inroll, by ingrossing in Parchment Books, all such Bargains and Sales as shall for that Purpose be acknowledged as aforesaid, and shall indorse a Certificate on such Bargains and Sales of the Times of inrolling thereof, and sign the same, and the Books thereof shall safely keep in the said publick Office, there to remain upon Record amongst the Memorials of Deeds there registred.

27 H. 8. c. 16.

27 H. 8. c. 16.

After 29 Sept. 1708. all Bargains and Sales of Lands, &c. inrolled at *Beverly*, to be as effectual as if inrolled at *Westminster*, &c.

XVII. And be it further enacted, That all Deeds of Bargain and Sale so inrolled in the said publick or Register Office, as aforesaid, which shall appear to be so inrolled by an Indorsement or Certificate on the said Deeds of Bargain and Sale, signed by the said Register, or his Deputy, and that all Copies of the Inrollments thereof remaining on Record in the said Register Office, shall be allowed in all Courts where such Bargains and Sales, or Copies shall be produced, to be as good and sufficient Evidence as any Bargains and Sales inrolled in any of the Courts at *Westminster*, and the Copies of the Inrollments thereof.

Deeds so inrolled to be sufficient Evidence.

XVIII. And be it further enacted, That every such Inrollment of every such Deed in the said Register Office, as aforesaid, shall be deemed and adjudged to be the entring a Memorial thereof pursuant to this Act, and shall have the same Force and Effect upon the Estate therein mentioned, in relation to all subsequent Deeds, Conveyances and Wills, and to all other Intents and Purposes, as if a Memorial of such inrolled Deed had been entred in the said Register Office, as aforesaid, pursuant to this Act.

Every such Inrollment to be deemed the entring a Memorial thereof.

No Judgment, Statute, &c. after 29 Sept. 1708. shall affect any Lands, &c. in East Riding, or Hull, but only from the Time that a Memorial thereof be entred, &c.

XIX. And be it further enacted by the Authority aforesaid, That no Judgment, Statute, or Recognizance (other than such as shall be entred into in the Name and upon the proper Account of her Majesty, her Heirs and Successors) which shall be obtained, or entred into after the said nine and twentieth Day of *September* in the said Year of our Lord one thousand seven hundred and eight, shall affect or bind any Honors, Manors, Lands, Tenements, or Hereditaments, situate, lying, and being in the said *East Riding*, or in the said Town and County of the Town of *Kingston upon Hull*, but only from the Time that a Memorial of such Judgment, Statute, or Recognizance shall be entred at the said Register Office, expressing and containing, in case of such Judgment, the Names of the Plaintiffs, and the Names and Additions therein of the Defendants, the Sums thereby recovered, and the Time of the signing thereof; and in case of Statutes and Recognizances, expressing and containing the Date of such Statute or Recognizance, the Names and Additions of the Cognizors and Cognizees therein, and for what Sums, and before whom the same were acknowledged; and that in order to the making an Entry of such Memorials of Judgments, Statutes, and Recognizances as aforesaid, the Party and Parties desiring the same, shall produce to, and leave with the said Register, or his Deputy, to be filed in the said Publick or Register Office, a Memorial of such Judgment, Statute, or Recognizance, signed by the proper Officer, or his Deputy who shall sign such Judgment, or his Successor in the same Office, or by the proper Officer in whose Office such Statute or Recognizance shall be inrolled, together with an Affidavit, sworn before one of the Judges at *Westminster*, or a Master in *Chancery*, That such Memorial was duly signed by the Officer, whose Name shall appear to be thereunto set, which Memorial such respective Officer is hereby required to give such Plaintiff or Plaintiffs, Cognizee or Cognizees, or his, her, or their Executors or Administrators, or Attorney, or any of them; he, she, or they paying for the same the Sum of one Shilling and no more.

Register to enter every such Memorial, and give a Certificate, &c.

XX. And be it further enacted, That the said Register or his Deputy shall make an Entry, and likewise (if required) shall give a Certificate in Writing, under his Hand, testified by two credible Witnesses, of every such Memorial of any Judgment, Statute, or Recognizance brought to him to be so registred as aforesaid, and therein mention the certain Day on which such Memorial is so registred or entred, expressing also in what Book, Page, and Number the same is entred.

Fees for Entries of Memorials.

XXI. And be it further enacted, That every such Register shall be allowed for the Entry of every such Memorial, as is by this Act directed, the Sum of one Shilling and no more, in case the same do not exceed two hundred Words; but if such Memorial shall exceed two hundred Words, then after the Rate and Proportion of six Pence an hundred for all the Words contained in such Memorial, over and above the first two hundred Words; and the like Fees for the like Number of Words contained in every such Bargain and Sale as aforesaid, and in every Certificate or Copy given out of the said Office, and no more; and for every Search in the said Office one Shilling and no more.

Times of Attendance at the Office.

XXII. And be it further enacted by the Authority aforesaid, That every such Register, or his sufficient Deputy, shall give due Attendance at his Office every Day in the Week (except *Sundays* and Holydays) between the Hours of nine and twelve in the Forenoon, and the Hours of two and five in the Afternoon, for the Dispatch of all Business belonging to the said Office, and that every such Register, or his Deputy, as often as required, shall make Searches, concerning all Memorials that are registred as aforesaid, and give Certificates concerning the same under his Hand (if required by any Person) testified by two credible Witnesses.

Register to enter into a Recognizance of 2000l. for the true Execution of his Office.

XXIII. And be it further enacted by the Authority aforesaid, That every Register at the Time of his being sworn into the said Office as aforesaid, shall enter into a Recognizance, with two or more sufficient Sureties (to be approved of by five or more of the Justices of the Peace of the said Riding, that were present at his Election, by Writing under their Hands and Seals to be registred at the next General Quarter-Sessions of the Peace for the said Riding) of the Penalty of two thousand Pounds unto her Majesty, her Heirs and Successors, to be taken by the same Justices of the Peace that approved of his Security, conditioned for his true and faithful Performance of his Duty in the Execution of his said Office, in all Things directed and required by this Act; the same to be transmitted by the same Justices of the Peace, within one Month next after the Date thereof, into the Office of her Majesty's Remembrancer of the Exchequer, there to remain amongst the Records of the said Court.

Penalty in case of Neglect of Duty.

XXIV. And be it further enacted, That if any such Register, or his Deputy, shall neglect to perform his or their Duty in the Execution of the said Office, according to the Rules and Directions in this Act mentioned, or commit or suffer to be committed any undue or fraudulent Practice in the Execution of the said Office, and be thereof lawfully convicted, then such Register shall forfeit his said Office, and pay treble Damages with full Costs of Suit to every such Person or Persons as shall be injured thereby, to be recovered by Action of Debt, Bill, Complaint, or Information in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law, shall be allowed, nor any more than one Imparlance.

On Death or Surrender, if no Misbehaviour appear, Recognizance to be void.

XXV. Provided nevertheless, and be it further enacted by the Authority aforesaid, That when any Register shall die or surrender his Office, and that within the Space of three Years from and after such Death or Surrender no Misbehaviour appear to have been committed by such Register in the Execution of his said Office, then and in such Case, at the End of the said three Years after his Death or Surrender, the said Recognizance so entred into by him shall become void and of none Effect, to all Intents and Purposes whatsoever.

Penalty on forging or counterfeiting Entry.

XXVI. And be it further enacted, That if any Person or Persons shall at any Time forge or counterfeit any Entry of the Acknowledgment of any Bargainor in any such Bargain and Sale as aforesaid, or any such Memorial, Certificate, or Indorsement, as is herein mentioned or directed, and be thereof lawfully con-

convicted, such Person or Persons shall incur and be liable to such Pains and Penalties, as in and by an Act made in the fifth Year of Queen ELIZABETH, intituled, *An Act against Forgers of false Deeds and Writings*, are imposed upon Persons for forging and publishing of false Deeds, Charters, or Writings sealed, Court Rolls or Wills, whereby the Freehold or Inheritance of any Person or Persons of, in, or to any Lands, Tenements, or Hereditaments, shall or may be molested, troubled, or charged; and that if any Person or Persons shall at any Time forswear himself before the said Register, or his Deputy, or before any Judge or Master in Chancery, in any of the Cases herein mentioned, and be thereof lawfully convicted, such Person or Persons shall incur, and be liable to the same Penalties, as if the same Oath had been made in any of the Courts of Record at *Westminster*.

5 Eliz. c. 14.
And on Persons forswearing themselves.

XXVII. And be it further enacted by the Authority aforesaid, That in case of Mortgages, Judgments, Statutes, and Recognizances, whereof Memorials shall be entred in the said Register Office, pursuant to this Act, if at any Time afterwards a Certificate shall be brought to the said Register, or his Deputy, signed by the respective Mortgagors and Mortgagees in such Mortgage, Plaintiffs and Defendants in such Judgment, Cognizors and Cognizees in such Statute or Recognizance, their respective Executors, Administrators, or Assigns, and attested by two Witnesses, whereby it shall appear that all Monies due upon such Mortgage, Judgment, Statute, or Recognizance respectively, have been paid or satisfied in Discharge thereof, which Witnesses shall, upon their Oath before the said Register, or his Deputy (who are hereby respectively impowered to administer such Oath) prove such Monies to be satisfied or paid accordingly, and that they saw such Certificate signed by the said Mortgagors and Mortgagees, Plaintiffs and Defendants, Cognizors and Cognizees respectively, their respective Executors, Administrators, or Assigns, that then and in every such Case, the said Register, or his Deputy, shall make an Entry in the Margents of the said Register Books against the Registry of the Memorial of such Mortgage, Judgment, Statute, or Recognizance respectively, that such Mortgage, Judgment, Statute, or Recognizance respectively was satisfied and discharged according to such Certificate, to which the same Entry shall refer; and shall after file such Certificate to remain upon Record in the said Register Office.

Mortgages, Judgments, &c. whereof Memorials are entred, and afterwards Monies due thereupon paid, Register shall make an Entry in the Margin that such Mortgage, &c. is discharged.

XXVIII. Provided nevertheless, and be it enacted, That if any Judgment, Statute, or Recognizance be registred in the said Register Office, within thirty Days after the Acknowledgment or Signing thereof, all the Lands that the Defendants or Cognizors had at the Time of such Acknowledgment or Signing, shall be bound thereby.

Provido if Judgment, &c. be registred within 30 Days after signing.

XXIX. Provided always, and be it further enacted, That this Act shall not extend to any Copyhold Estates, or to any Leases at a Rack Rent, or to any Lease not exceeding one and twenty Years, where the actual Possession and Occupation goeth along with the Lease; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Not to extend to Copyhold Estates, &c.

XXX. And be it further enacted by the Authority aforesaid, That in all Deeds of Bargain and Sale hereafter inrolled in pursuance of this Act, whereby any Estate of Inheritance in Fee-simple is limited to the Bargainee and his Heirs, the Words *Grant, Bargain, and Sell*, shall amount to, and be construed and adjudged in all Courts of Judicature, to be express Covenants to the Bargainee, his Heirs and Assigns, from the Bargainor for himself, his Heirs, Executors and Administrators, that the Bargainor notwithstanding any Act done by him, was at the Time of the Execution of such Deed seized of the Hereditaments and Premises thereby granted, bargained and sold, of an indefeasible Estate in Fee-simple, free from all Incumbrances (Rents and Services due to the Lord of the Fee only excepted) and for quiet Enjoyment thereof against the Bargainor, his Heirs and Assigns, and all claiming under him, and also for further Assurance thereof to be made by the Bargainor, his Heirs and Assigns, and all claiming under him; unless the same shall be restrained and limited by express particular Words contained in such Deed; and that the Bargainee, his Heirs, Executors, Administrators and Assigns respectively, shall and may, in any Action to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Bargain and Sale.

How Deeds of Bargain and Sale of Fee-simple Estates shall be construed and adjudged.

XXXI. And be it further enacted, That every Leaf of the aforesaid Register Books and Inrolment Books shall be signed by two Justices of the Peace of the said Riding (to be from Time to Time appointed by the Justices of the Peace thereof, or the major Part of them, at their General Quarter-Sessions of the Peace assembled) who are hereby required to sign the same accordingly; and that an Entry thereof shall be made from Time to Time by the Clerk of the Peace of the said Riding for the Time being, in the Order Book of the said Sessions, and signed by the same Justices of the Peace that shall from Time to Time sign the said Register Books and Inrolment Books, to remain upon Record amongst the Records of the said Sessions; and that a like Entry shall be made upon Record, and signed as aforesaid, of the Number of the same Books, and how called or marked, and how many Pages each of them contains, that are at any Time, and from Time to Time, used in the said Register Office.

Every Leaf of the Register Books to be signed by two Justices.

XXXII. And be it enacted by the Authority aforesaid, That no Member of Parliament for the Time being shall be capable of being chose Register, or of executing by himself or any other Person, the said Office, or have, take, or receive any Fee or other Profit whatsoever, for or in Respect thereof; nor shall any Register, or his Deputy for the Time being, be capable of being chosen a Member to serve in Parliament.

No Member of Parliament to be Register.

XXXIII. And be it further enacted, That this Act shall be taken and allowed in all Courts within this Kingdom as a publick Act, and all Judges, Justices, and other Persons therein concerned, are hereby required as such to take Notice thereof, without special pleading the same.

Act to be a publick Act.

XXXIV. And whereas an Act of Parliament made in the second Year of her present Majesty's Reign, intituled, *An Act for the publick registering of all Deeds, Conveyances, and Wills that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments within the West Riding of the County of York, after the*

2 & 3 Annæ, c. 4.

5 Annæ, c. 18.

From 29 Sept. 1708, all the Provisions, Clauses, &c. in this Act, and not contained in the above recited Acts, to affect all Honors, Manors, &c. within the West Riding, as if the same were inserted in the said Acts. See farther 7 Ann. c. 20. appointing a Register for Middlesex. And 8 Geo. 2. c. 6. appointing Register for the North Riding in Yorkshire.

EXP.

‘ nine and twentieth Day of September one thousand seven hundred and four; and also one other Act made in the fifth Year of her present Majesty’s Reign, intituled, *An Act for Involments of Bargains and Sales within the West Riding of the County of York, in the Register Office there lately provided, and for making the said Register more effectual*, were of very good Design, but have been found by Experience to be defective in several Particulars, for which apt Remedy is provided by the Method of this Act, in and for the said East Riding of the County of York, and the Town and County of the Town of *Kingston upon Hull*.’ Be it therefore enacted by the Authority aforesaid, That from and after the said nine and twentieth Day of September one thousand seven hundred and eight, all and every the Provisions, Clauses, Articles, Matters and Things in this present Act contained, concerning the said East Riding, and the Town and County of the Town of *Kingston upon Hull*, and not provided for or contained in the said recited Acts, or either of them, shall extend unto, and affect all Honors, Manors, Lands, Tenements, and Hereditaments, situate, lying, and being within the said West Riding (the Mortgage or Purchase whereof shall exceed the Sum of fifty Pounds) as effectually as if the same and every of them were respectively inserted and contained in the said recited Acts, and that from and after the said nine and twentieth Day of September one thousand seven hundred and eight, all and every Person and Persons in the Execution of the said recited Acts respectively within the said West Riding, shall conform unto, and duly observe the Alterations, additional Provisions, Orders, Rules, and Directions of this present Act, as to the Honors, Manors, Lands, Tenements, and Hereditaments, situate, lying, and being within the said West Riding, and every Matter and Thing relating thereunto, in like Manner as is by this Act required and enjoined to be done within the said East Riding, as to the Honors, Manors, Lands, Tenements, and Hereditaments, situate, lying, and being within the said East Riding, and Town and County of the Town of *Kingston upon Hull*, or any Matter or Thing relating thereunto; any Thing in the said recited Acts, or either of them, to the contrary thereof contained in any wise notwithstanding.

C A P. XXXVI.

An Act for raising the Militia of this Kingdom, for the Year one thousand seven hundred and eight, although the Month’s Pay formerly advanced be not repaid.

C A P. XXXVII.

An Act for the Encouragement of the Trade to *America*.

For Advancement of the Trade to America.

All Prize Offices in America suppressed.

Officers and Seamen, &c. to have the sole Property in all Prize Ships, &c.

Encouragement for the Increase of private Ships of War.

FOR Advancement of the Trade of her Majesty’s Kingdom of *Great Britain*, to and in the several Parts of *America*, for the further Encouragement of her Majesty’s Ships, and private Ships of War, the annoying and diminishing the Wealth and Power of her Majesty’s Enemies in those Parts, and for the Encrease of Shipping and of Seamen for these and other Services; Be it enacted by the Queen’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 Prize Offices in any Port or Place in *America* be and are hereby suppressed and taken away, to all Intents and Purposes whatsoever, from and after the four and twentieth Day of *June* one thousand seven hundred and eight.

II. And for the better Encouragement also of such Ships and Vessels of War, which are or shall be in her Majesty’s Pay or Service, be it further enacted by the Authority aforesaid, That the Flag Officers, Commanders, and other Officers and Seamen of every such Ship or Vessel of War, shall have the sole Interest and Property of and in all and every Ship, Vessel, Goods, and Merchandize they shall take in any Part of *America* (being first adjudged lawful Prize in any of her Majesty’s Courts of Admiralty, and subject to the Customs and Duties payable to her Majesty, as if the same had been first imported to any Part of *Great Britain*, and from thence exported, for and in Respect of all such Goods and Merchandize) to be divided in such Proportions, and after such Manner, as her Majesty, heir Heirs and Successors shall think fit to order and direct.

III. And for the Encouragement and Encrease of private Ships of War, be it further enacted, That the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any Person or Persons in any Part of *America*, by him or them impowered and appointed, shall (at any Time during the present War, at the Request of any *British* Owner or Owners of any Ship or Vessel, giving such Bail and Security as has been usually taken upon granting Commissions, or Letters of Marque, except only for the Payment of the Tenths of the Value of the Prizes which shall be taken, to the Lord High Admiral) cause to be issued forth (in the usual Manner) one or more Commission or Commissions to any Person or Persons whom such Owner or Owners shall nominate to be Commander (or in case of Death successively Commanders) of such Ship or Vessel, for the attacking, surprizing, seizing, and taking, by and with such Ship or Vessel, any Ship or Vessel, Goods, Ammunition, Arms, Stores of War, or Merchandizes belonging to, or possessed by any of her Majesty’s Enemies, in any Sea, Creek, Haven, or River in *America*, not being within the Space of one hundred Leagues of any Part of *Asia* or *Africa*, whereof that Trade is already granted to the *East India* Company; and that such Ship or Ships, Vessel and Vessels, Arms, Ammunition, Stores of War, Goods and Merchandizes whatsoever, with all their Furniture, Tackle, or Apparel so to be taken by or with such private Owner or Owners, Ship or Vessel, according to such Commission and Commissions, being first adjudged lawful Prize in any of her Majesty’s Courts of Admiralty in or for any of her Colonies or Plantations in *America*, shall (subject to the Customs and Duties payable to her Majesty as aforesaid for and in Respect of such Goods and Merchandizes) wholly and intirely belong to, and be divided between and

Altered and explained by 9 Annæ, c. 27. §. 1.

and among the Owner or Owners of such Ship or Vessel, and the several Persons which shall be on board the same, and be aiding and assisting to the taking thereof, in such Shares and Proportions as shall be agreed on with the Owner or Owners of such Ship or Vessel as shall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of such Owner or Owners, and the Persons that shall be thus intitled thereto, by virtue of such Agreements among themselves; and that neither her Majesty, her Heirs or Successors, or any Admiral, Vice Admiral, Governor, or other Person commissioned by or claiming under her Majesty, her Heirs or Successors, or any Person or Persons whatsoever (other than the Owner or Owners of such Ship or Vessel, being the Captor of such Prize Ship or Vessel, Arms, Ammunition, Stores of War, Goods and Merchandizes, and the Persons claiming under him or them) shall be intitled to any Part or Share thereof (her Majesty's said Duties and Customs being duly answered and paid;) any Custom, Statute, or other Law to the contrary notwithstanding.

IV. And for the more speedy Proceeding to Condemnation or other Determination of any Prize Ship or Vessel, Goods and Merchandizes taken by any such Privateer Ship, or by any of her Majesty's Ships of War, in such Court of Admiralty, as aforesaid, and for lessening the Expences that have been usual in those Cases; Be it further enacted by the Authority aforesaid, That the Judge or Judges of such Court of Admiralty, or other Person or Persons thereto authorized, shall within the Space of five Days after Request to him or them for that Purpose made, finish the usual preparatory Examination of the Persons commonly examined in such Cases, in order to prove the Capture to be lawful Prize, or to enquire whether the same be lawful Prize or not; and that the proper Monition usual in such Cases shall be issued by the Person or Persons, proper to issue the same, and shall be executed in the usual Manner by the Person or Persons proper to execute the same, within the Space of three Days after Request in that Behalf made; and in case no Claim of such Capture, Ship, Vessel, or Goods shall be duly entred or made in the usual Form, and attested upon Oath, giving twenty Days Notice after the Execution of such Monition, or if there be such Claim, and the Claimant or Claimants shall not within five Days give sufficient Security (to be approved by such Court of Admiralty) to pay double Costs to the Captor or Captors of such Ship, Vessel, or Goods, in case the same so claimed shall be adjudged lawful Prize, that then the Judge or Judges of such Court of Admiralty shall, upon producing to him or them the said Examinations or Copies thereof, and upon producing to him or them, upon Oath, all Papers and Writings which shall have been found, taken in or with such Capture (or upon Oath made that no such Papers were found) immediately; and without further Delay proceed to Sentence, either to discharge and acquit such Capture, or to adjudge and condemn the same as lawful Prize, according as the Case shall appear to him or them, upon Perusal of such preparatory Examinations, and also of the Writings found taken in or with such Capture (if any such Writing shall be found) and in case such Claim shall be duly entred or made, and Security given thereupon, according to the Tenor and true Meaning of this Act, and there shall appear no Occasion to examine any Witnesses, other than what shall be then near to such Court of Admiralty, that then such Judge or Judges shall forthwith cause such Witnesses to be examined and (within the Space of ten Days after such Claim made, and Security given) proceed to such Sentence, as aforesaid, touching such Capture; but in case upon making or entering such Claim, and the Allegation and Oath thereupon, or the producing such Writings as shall have been found taken in, or with such Capture, or upon the said preparatory Examinations, it shall appear doubtful to the Judge or Judges of such Court of Admiralty, whether such Capture be lawful Prize or not, and it shall appear necessary according to the Circumstances of the Case, for the clearing and determining such Doubt, to have an Examination of Witnesses that are remote from such Court of Admiralty, and such Examination shall be desired, and that it be still insisted on, on the Captors Part, that the said Capture is lawful Prize, and that the contrary be still persisted in, on the Claimants Behalf, that then the said Judge or Judges shall forthwith cause such Capture to be appraised by Persons named on the Part of the Captor, and sworn truly to appraise the same according to the best of their Skill and Knowledge, and shall after such Appraisement made, and within the Space of fourteen Days after the making of such Claim, proceed to take good and sufficient Security from the Claimants, to pay to the Captors the full Value thereof, according to such Appraisement, in case the same shall be adjudged lawful Prize, and after such Security duly given, the said Judge or Judges shall make an interlocutory Order for releasing or delivering the same to such Claimant or Claimants, or his or their Agents; and the same shall be actually released or delivered accordingly.

V. And it is further enacted by the Authority aforesaid, That if any Claimant or Claimants shall refuse to give such Security, the Judge or Judges shall cause the Captor or Captors in like Manner to give good and sufficient Security, to be approved of by the Claimant or Claimants, to pay to the Claimant or Claimants the full Value according to the Appraisement, in case any such Capture or Captures shall be adjudged not to be lawful Prize; and the said Judge or Judges shall thereupon proceed to make an interlocutory Order for the releasing and delivering of the same to the said Captor or Captors, or their Agents.

VI. And it is further enacted by the Authority aforesaid, That all such Captures as aforesaid, which shall be brought into any of her Majesty's Colonies or Plantations in *America*, shall, without breaking Bulk, stay there, and be under the joint Care and Custody of the Naval Officer of the Port or Place whereto the same shall be brought, and of the Captors thereof, and their Agents, until either the same shall by final Sentence have been cleared and discharged, or adjudged and condemned as lawful Prize, or that such interlocutory Orders as aforesaid, shall have been made for the releasing or delivering of the same; and upon the Condemnation or Adjudication thereof as lawful Prize, shall (in case the same were taken by any such Privateer Ship or Ships as aforesaid) be immediately delivered unto the Captors thereof, and their Agents, to be by them disposed as their Goods and Chattels, and (in case the same were taken by any of her Majesty's Ships of War) unto such Person or Persons, and to be so divided and disposed, as

Manner of condemning Prize Ships.

Claimants to give Security for Payment of Captors.

Refusing to give such Security, Captors to give Security, &c.

Captures brought into America, to stay there, until cleared or condemned, &c.

her Majesty, her Heirs or Successors shall in that Behalf direct; and that if any Judge or Judges, or other Officer or Officers to whom respectively it shall appertain, shall delay the doing, performing, making, or pronouncing any of the several Proceedings, Matters, or Things for, towards, or relating to the condemning or discharging, releasing or delivering of any such Capture in Manner aforesaid, within the respective Times herein before limited, or as soon as the same or any of them ought to be done (according to the Tenor and true Meaning of this Act) all and every such Judge and Judges, and other Officer and Officers, shall for every such Offence forfeit the Sum of five hundred Pounds; the one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety thereof, with full Costs of Suit, to such Person or Persons as shall inform or sue for the same, in any of the Courts in or for any of her Majesty's said Colonies or Plantations, or in any of her Majesty's Courts of Record within her Kingdom of Great Britain.

Fees payable to the Officers of the Admiralty on condemning Prize Ships.

VII. And it is further enacted by the Authority aforesaid, That there shall not be paid unto or among all the Judges and Officers of such Court of Admiralty, as aforesaid, for, towards, or relating to the adjudging or condemning of such Capture, as aforesaid, as lawful Prize, above the Sum of ten Pounds, in case such Prize Ship or Vessel be under the Burthen of one hundred Tons, nor above the Sum of fifteen Pounds, in case the same be of that or any greater Burthen; and that upon Payment of either of the said respective Sums, as the Case shall require, to the said Judge or Judges, or any of them, to be by him or them disposed or divided (as he or they shall think fit) among the Officers of such Court, such Judges and Officers, and every of them, shall be liable to all and every the several Penalties hereby imposed for neglecting or delaying to do or perform their several and respective Duties or Offices in and relating to the several Proceedings aforesaid, within the respective Times herein for that Purpose limited.

Penalty on Neglect of Duty.

Party aggrieved may appeal to the Queen in Council.

22 Geo. 2. c. 3.

VIII. Provided nevertheless, and it is hereby further enacted by the Authority aforesaid, That if any Captor or Captors, Claimant or Claimants, shall not rest satisfied with the Sentence given in such Court of Admiralty, it shall and may be lawful to the Party or Parties thereby aggrieved, to appeal from the said Court of Admiralty, to her Majesty in her Privy Council; such Appeal to be allowed in the like Manner as Appeals to her Majesty are now allowed from the Court of Admiralty within this Kingdom; so as the same be made within fourteen Days after Sentence, and good Security be likewise given by the Appellant or Appellants, that he or they will effectually prosecute such Appeal, and answer the Condemnation, and also pay treble Costs as shall be awarded by her Majesty in case the Sentence of such Court of Admiralty be affirmed, and so as Execution be not suspended by reason of any such Appeal; any thing in this Act before contained to the contrary thereof in any wise notwithstanding.

No Mariner serving on Board Privateer, or trading Ship in America, or being on Shore there, liable to be impressed, unless Deserters.

IX. And be it further enacted by the Authority aforesaid, That no Mariner or other Person who shall serve on Board, or be retained to serve on Board any Privateer, or trading Ship or Vessel, that shall be employed in any Part of America, nor any Mariner, or other Person, being on Shore in any Part thereof, shall be liable to be impressed or taken away, or shall be impressed or taken away by any Officer or Officers of or belonging to any of her Majesty's Ships of War, impowered by the Lord High Admiral, or any other Person whatsoever, unless such Mariner shall have before deserted from such Ship of War belonging to her Majesty at any Time after the fourteenth Day of February one thousand seven hundred and seven; upon Pain that any Officer or Officers so impressing or taking away, or causing to be impressed or taken away, any Mariner or other Person contrary to the Tenor and true Meaning of this Act, shall forfeit to the Master, or Owner or Owners of any such Ship or Vessel, twenty Pounds for every Man he or they shall so impress or take, to be recovered with full Costs of Suit, in any Court within any Part of her Majesty's Dominions.

Penalty.

No Privateer or trading Ship to entertain Deserters from Ships of War.

X. And for preventing the Desertion of any Mariners or Seamen from her Majesty's Ships of War, to any such trading or Privateer Ship or Vessel, as aforesaid, Be it further enacted by the Authority aforesaid, That every Master or Commander of such trading or Privateer Ship or Vessel, as aforesaid, shall before he shall receive or entertain any Mariner, Seaman, or other Person to serve on Board such Privateer or trading Ship or Vessel, endeavour (by all the Ways and Means that he reasonably and conveniently may or can) to discover whether such Mariner, Seaman, or other Person hath deserted from any of her Majesty's Ships of War: And in case any such Master or Commander shall receive or entertain any Mariner, Seaman, or other Person, on Board such trading Ship or Privateer, as aforesaid, without such reasonable Endeavour for such Discovery first had and made, or which he shall know, or be informed hath deserted from any of her Majesty's Ships of War, such Master or Commander shall forfeit to the Queen's Majesty, her Heirs and Successors, twenty Pounds for every Man he shall so receive or entertain, to be recovered with Costs of Suit in any Court within any Part of her Majesty's Dominions.

Penalty.

From 25 April 1708, Commanders, &c. before they set sail from Port, to deliver a List of their Men to Officers of Customs, &c. Penalty.

XI. And for the more effectual preventing Merchant Ships or Privateers from harbouring or entertaining any Seamen who shall desert her Majesty's Service, Be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of April one thousand seven hundred and eight, every Master of a Merchant Ship or Vessel, and Commander of a Privateer, shall before he shall set sail from any Port deliver to the Chief Officer of the Customs of the Port from whence he shall set sail, an exact List of all the Men belonging to such Merchant Ship or Vessel, or Privateer, containing their Names, Ages, and Descriptions of their Persons; upon Pain that he shall forfeit ten Pounds to her Majesty, her Heirs and Successors, for every such Man he shall so receive and entertain on Board, whose Name shall not be inserted in such List, to be recovered with Costs of Suit, in any Court within any Part of her Majesty's Dominions.

Officer to return to Master, an attested Copy of such List, &c.

XII. And it is hereby further enacted, That such Officer of the Customs do return to such Master or Commander, an attested Copy of such List so delivered unto him, and that upon the Death or Alteration of any Seaman the said List be immediately altered and delivered in to the naval Officer, or chief Officer of the Customs in any Port where such Merchant Ship or Vessel, or Privateer, shall arrive, in Manner as aforesaid;

aforeſaid: All which ſaid Liſts ſhall from time to time be produced and ſhewn to any of the Captains or other Officers of any of her Maſteſty's Ships of War, demanding the ſame: And if any Man or Men belonging to any of her Maſteſty's Ships of War, ſhall be found on Board any Merchant Ship or Veſſel, or Privateer, whoſe Name ſhall not be contained in ſuch Liſt, as aforeſaid, the Maſter or Commander of ſuch Veſſel or Privateer ſhall forfeit to her Maſteſty, her Heirs and Succeſſors, the Sum of twenty Pounds for every ſuch Man which ſhall be ſo found on Board, to be recovered in Manner as aforeſaid.

XIII. And for the better furniſhing Seamen to ſerve on Board her Maſteſty's Ships of War which ſhall be in or about the ſeveral Parts of *America*, for annoying the Enemy, and proteſting the Trade there, it is hereby further enacted, That the Maſter or Commander of every trading Ship or Veſſel, and every Packet Boat, which ſhall from time to time, from and after the ſaid twenty-fifth Day of *April*, be outward-bound, and going for any Part of *America*, ſhall be, and are hereby obliged (at the Deſire of any of her Maſteſty's Officers thereunto lawfully authorized, and at the Charges of her Maſteſty) to receive on Board, and carry to the Port or Place, whereto ſuch trading Ship, Veſſel, or Packet Boat ſhall be ſo bound, and deliver to ſuch Officer or Perſon, to whom they ſhall be aſſigned, any Number of Mariners, Seamen, or other Perſons actually entred into her Maſteſty's Service and Pay (over and above the Complement of Mariners or Seamen, which ſuch trading Ship, Veſſel, or Packet Boat uſually carries, or which ſhall be ſufficient for navigating the ſame for ſuch intended Voyage, not exceeding the Proportion of a fifth Part of the Number of ſuch uſual or ſufficient Complement of Mariners, or Seamen) upon Pain of forfeiting twenty Pounds for every ſuch Seaman or Mariner, that he or they ſhall reſuſe to take on Board and carry, to be paid and recovered, as aforeſaid.

Trading Ships and Packet Boats to *America*, to carry with them Mariners for the Queen's Ships there, &c.

On Penalty.

XIV. And for the more effectual annoying her Maſteſty's ſaid Enemies, and abating their Power and Wealth in the Parts of *America*, by Numbers of private Ships of War to be equipped and ſet out in a warlike Manner by and at the Charge of her Maſteſty's Subjects, and encouraging her Maſteſty's Subjects to engage in joint and united as well as ſeparate Expences, Expeditions, and Adventures for thoſe Purpoſes; Be it further enacted by the Authority aforeſaid, That her Maſteſty be, and ſhe, her Heirs and Succeſſors are hereby inpowered from time to time, during the Continuance of the preſent War, to grant or make any Charter, Commiſſion, or Grant, Charters, Commiſſions, or Grants, for the better or more effectual enabling any Society or Societies, or particular Perſons, to join in any Expeditions or Adventures by Sea or Land, for the attacking, ſurpriſing, taking or deſtroying any Ships, Goods, Moveables and Immoveables, Settlements, Factories, Creeks, Harbours, Places of Strength, Lands, Forts, Caſtles, and Fortifications, now or hereafter of or belonging to or poſſeſſed by any of her Maſteſty's Enemies, in any Part or Parts of *America*, and for the better making and carrying on any Preparations for ſuch Purpoſe and Purpoſes, and for the making and aſſuring to the Societies and Perſons which may be concerned, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, full and undoubted Properties, Rights, and Titles of, in and to, and the full Enjoyment of all and every the Ships, Ammunition, Stores of War, Goods, Chattels, Moveables and Immoveables, Settlements, Factories, Places of Strength or Security, Lands, Forts, Caſtles, and Fortifications, now or hereafter of or belonging to, or poſſeſſed by any of her Maſteſty's Enemies in any of the Parts of *America*, which ſuch Society or Perſons ſhall take or cauſe to be taken from any of her Maſteſty's Enemies during this preſent War, together with all the Proceed, Profits, and Advantages which may accrue of or by the ſame, or any of them, with and under ſuch Regulations, and in ſuch Manner and Form, as her Maſteſty, her Heirs and Succeſſors, ſhall think fit, and at any Time or Times afterwards (although the preſent War ſhould be then ended) by any further Grants or Charters to confirm, corroborate, and further aſſure the Premiſſes, and every or any of them to the ſaid Societies, and Perſons concerned, their and every their Succeſſors, Heirs, Executors, Adminiſtrators, and Aſſigns, ſo as to enable them, and every of them, to have, hold, and enjoy the full Benefit thereof, according to the true Intent and Meaning of this Act.

Queen (during War) may grant Commiſſions, &c. to take or deſtroy Enemies Ships, Goods, &c. in any Parts of *America*, &c.

And aſſure to them whatShips, &c. they ſhall ſo take, &c.

XV. Provided always, That nothing ſhall be contained in any Charter, Commiſſion or Grant, made in purſuance of this Act, to exclude or reſtrain any of her Maſteſty's Subjects from having a full and free Trade to and in any Part of *America*.

Queen's Subjects to enjoy a free Trade to *America*

XVI. Provided nevertheleſs, and it is hereby declared to be the true Intent and Meaning of this Act, and be it further enacted by the Authority aforeſaid, That it ſhall not be lawful to any Commander of any of her Maſteſty's Ships of War, Privateer or Merchant Ship having Letters of Marque, to attack, ſurpriſe, ſeize, take, deſtroy, or offer any Violence, Spoil, or Moleſtation whatſoever between *Rio la Hacha*, and the River *Chagre* on the *Spaniſh* Coaſt in *America*, or within five Leagues at Sea of any Part of that Shore, to any Sloop, Barcolongo, Canoa, or other Boat, Goods, or Merchandizes belonging to any of the Subjects of *Spain*, who ſhall be concerned in any Intercourſe of Trade with any of her Maſteſty's Subjects, or to any Sloop, Barcolongo, Canoa, or other Boat, Goods, or Merchandizes belonging to any of her Maſteſty's Subjects which ſhall be found going to, or coming from any Port or Place within the Limits aforeſaid.

No Ship to moleſt the Subjects of *Spain*, in their Trade, &c. between *Rio la Hacha* and the River *Chagre*.

XVII. And whereas by an Act of Parliament made in the third and fourth Years of her Maſteſty's Reign, intituled, *An Act for prohibiting all Trade and Commerce with France*, it is, amongſt other Things, enacted, That the ſeveral contraband Goods or Merchandizes therein particularly enumerated, ſhall not be carried by any of her Maſteſty's Subjects to any Port or Place belonging to the Crown of *Spain*, nor any Trade whatſoever be permitted or allowed with the Subjects of *Spain* for the ſaid contraband Goods or Merchandizes; and forasmuch as ſome Doubts may ariſe concerning the Extent of that Clauſe, Be it therefore hereby further declared and enacted by the Authority aforeſaid, That the ſame ſhall not extend or be conſtrued to reſtrain any of her Maſteſty's Subjects from carrying any of the ſaid contraband Goods or Merchandizes to any Port or Place within the Limits aforeſaid, but ſhall and may be lawful to or for

3 & 4 Ann. c. 13.

any of her Majesty's Subjects to trade with the Subjects of *Spain*, for the said contraband Goods and Merchandizes, or any of them, within the Limits aforesaid; any thing in this, or in the said last recited Act, or in any former Act, to the contrary hereof in any wise notwithstanding.

Commanders of Privateers, &c. to be subject to the Laws in relation to Slaves.

XVIII. And whereas good and necessary Laws have been made, and are still in force within several of her said Majesty's Colonies or Plantations in *America*, for the preventing and carrying off from the said Colonies or Plantations, any Servant or Slave, without the Consent of the Owner, or the carrying off from thence any other Person whatsoever, until such Person shall have taken out his Ticket from the Secretary's Office within such respective Colony or Plantation, in such Manner, and under such Penalties and Forfeitures, as in and by the said several Laws is declared and provided; Be it therefore further enacted by the Authority aforesaid, That all Commanders of private Ships of War, or Merchant Ships having Letters of Marque, shall, upon their going into any of those Ports or Harbours, be subject, and they are hereby determined to be subject to the several Directions, Provisions, Penalties, and Forfeitures, in and by such Laws made and provided; any thing in this Act contained to the contrary hereof in any wise notwithstanding.

During War, Privateers or Trading Ships may be navigated by Foreign Seamen. So as one Fourth be British.

XIX. And for the better Supply of Mariners and Seamen to serve in her Majesty's Ships of War and on board Privateers, Merchant Ships, and Trading Vessels, and for the better carrying on the present War, and the Trade of *Great Britain*, during the Continuance thereof; Be it further enacted by the Authority aforesaid, That during the Continuance of this present War, and no longer, it shall and may be lawful for any Privateer or Merchant, or Trading Ship or Vessel, to be navigated by foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or her Majesty's natural, or naturalized Subjects, so as the Number of such Foreign Seamen or Mariners do not exceed three Fourths of the Mariners at any one Time employed to navigate such Privateer or Merchant or Trading Ship or Vessel, and that one Fourth at the least of the Mariners or Seamen so employed, be at all Times Natives, or her Majesty's naturalized Subjects of *Great Britain* (sudden Death, and the Hazard and Casualties of War and the Seas saved and excepted) one Act of Parliament made in the twelfth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for the encouraging and encreasing of Shipping and Navigation*, or any other Statute or Law to the contrary notwithstanding.

12 Car. 2. c. 18.

Foreign Seamen serving 2 Years on board any British Ships to be deemed natural-born Subjects.

XX. And for the better encouraging of Foreign Mariners and Seamen to come and serve on board Ships belonging to the Kingdom of *Great Britain*; Be it further enacted by the Authority aforesaid, That every such Foreign Mariner or Seaman who shall from and after the said twenty-fifth Day of *April* have faithfully served on board any of her Majesty's Ships of War, or any Privateer or Merchant, or Trading Ship or Ships, Vessel or Vessels, which at the Time of such Service shall belong to any of her Majesty's Subjects of *Great Britain*, for the Space of two Years, shall, to all Intents and Purposes, be deemed and taken to be a natural-born Subject of her Majesty's Kingdom of *Great Britain*, and have and enjoy all the Privileges, Powers, Rights, and Capacities which such Foreign Mariner or Seaman could, should, or ought to have had and enjoyed, in case he had been a natural-born Subject of her Majesty's, and actually a Native within the Kingdom of *Great Britain*.

Queen may license 20 Ships bought in Foreign Parts to be used for Privateers.

XXI. And for the more expeditious providing of Ships and Vessels to be equipped and used as and for Privateers for the speedy annoying her Majesty's Enemies, and putting in Execution the Purposes by this Act intended, Be it further enacted by the Authority aforesaid, That it shall and may be lawful for her Majesty, her Heirs and Successors, to grant to any Person or Persons who shall be actually engaged in any Adventure in pursuance of this Act, a Licence to buy or procure in any Foreign Parts, any Ship or Ships (first giving Security to her Majesty, that such Ship and Ships shall be employed in such Adventures) so as the whole Number of Foreign Ships so to be bought and licensed, shall not exceed the Number of twenty; and that such Ships which shall be so bought by Licence of her Majesty, as aforesaid (having been equipped, set out, and employed as Privateers, during the Continuance of the present War) shall (after the same War ended) be to all Intents and Purposes deemed and taken as Ships of *British* built, and have all the Privileges of Ships built in any Part of *Great Britain*, and be capable of being used and employed accordingly; the said Act made in the said twelfth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for the Increase and Encouragement of Shipping and Navigation*, or any other Statute or Law to the contrary notwithstanding.

And at the End of the War be deemed British Ships.

12 Car. 2. c. 18.

Queen's Subjects may trade to any Part of America.

XXII. Provided always, and be it further enacted and declared, That it shall and may be lawful to and lawfully have traded before the making of this Act, and not otherwise.

Act not to prejudice the Hudson's Bay Company.

XXIII. Provided always, That nothing in this Act shall any ways extend, or be construed to take away or prejudice any of the Estates, Rights, or Privileges of or belonging to the Governor and Company of Adventurers of *England* trading into *Hudson's Bay*.

Farther Provisions concerning Ships, &c. 8 Ann. c. 17. 10 Ann. c. 17. 12 Ann. St. 2. c. 15. 3 Geo. 1. c. 13. 4 Geo. 1. c. 12. 7 Geo. 1. c. 21. 8 Geo. 1. c. 17. & 24. 11 Geo. 1. c. 29. 3 Geo. 2. c. 36. 5 Geo. 2. c. 20. 6 Geo. 2. c. 29. 7 Geo. 2. c. 15. 9 Geo. 2. c. 25. 10 Geo. 2. c. 14. 14 Geo. 2. c. 39. 17 Geo. 2. c. 34. & 36. 18 Geo. 2. c. 17. & 31. 19 Geo. 2. c. 30. 20 Geo. 2. c. 24. & 45. 22 Geo. 2. c. 3. & 33. 26 Geo. 2. c. 25. 29 Geo. 2. c. 27. & 34. 32 Geo. 2. c. 16. & 25. 33 Geo. 2. c. 19.

Anno Regni ANNÆ Reginae septimo.

AT the Parliament summoned to be held at *Westminster* the eighth Day of *July*, *Anno Dom.* 1708. in the seventh Year of the Reign of our Sovereign Lady *ANNE*, by the Grace of God, of *Great Britain, France, and Ireland*, Queen, Defender of the Faith, &c. and by several Writs of Prorogation begun and holden, on the sixteenth Day of *November* 1708, * being the first Session of this present Parliament. * In the Record is added,

and farther continued by several Adjournments till the twenty-first Day of April, in the eighth Year of her Majesty's Reign:

C A P. I.

An Act for granting an Aid to her Majesty to be raised by a Land Tax in *Great Britain*, for the Service of the Year one thousand seven hundred and nine. 4s. in the Pound. EXP.

C A P. II.

An Act for the speedy and effectual recruiting her Majesty's Land Forces and Marines, for the Service of the Year one thousand seven hundred and nine. EXP.

C A P. III.

An Act for charging and continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and nine.

XIII. AND whereas several Doubts have been made, and Disputes have arisen and may arise, whether on the Death or Demise of his late Majesty King *WILLIAM* the Third (of glorious Memory) the Commissions granted to the Collectors, Supervisors, Gagers, or other inferior Officers of the Excise, before his said late Majesty's Demise, shall have Continuance longer than six Months after the Death or Demise of his said late Majesty: For settling whereof, Be it declared by the Authority aforesaid, That no Commission to any Sub-Commissioner, Collector, Supervisor, Gager, or other inferior Officer, that hath been constituted in pursuance of any Commission under the Great Seal of *England*, by the Chief Commissioners and Governors of and for the Receipt of the Excise, shall be determined, or made void by Reason of the Death or Demise of his said late Majesty; but that every such Commission doth remain in full Force and Virtue, until the Authority and Constitution of such Officer were or shall be revoked or annulled by the Chief Commissioners of the Excise for the Time being. Inferior Officers Commissions not vacated by the late King's Demise.

Purchasers of Annuities on 6 Annæ, may have their quarterly Payments due between *Christmas* 1708. and 30 *Sept.* 1710. advanced, allowing Discount at 4l. per Cent.

C A P. IV.

An Act for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters. EXP.

C A P. V.

An Act for naturalizing Foreign Protestants.

WHEREAS the Increase of People is a Means of advancing the Wealth and Strength of a Nation; and whereas many Strangers of the Protestant or reformed Religion out of a due Consideration of the happy Constitution of the Government of this Realm, would be induced to transport themselves and their Estates into this Kingdom, if they might be made Partakers of the Advantages and Privileges which the natural-born Subjects thereof do enjoy; Be it enacted, &c.

All Persons taking the Oaths, and making and subscribing the Declaration appointed by 6 Annæ, c. 23. shall be deemed natural-born Subjects. No Person to have the Benefit of this Act, unless he have received the Sacrament, &c.

III. And be it further enacted by the Authority aforesaid, That the Children of all natural-born Subjects born out of the Ligeance of her Majesty, her Heirs and Successors, shall be deemed, adjudged, and taken to be natural-born Subjects of this Kingdom, to all Intents, Constructions, and Purposes whatsoever. Children of natural-born Subjects born abroad, to be deemed natural-born Subjects; explained by 4 Geo. 2. c. 21.

IV. And be it further enacted by the Authority aforesaid, That all Persons born out of the Ligeance of her Majesty, her Heirs or Successors, who shall qualify themselves in the Courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer*, within the Kingdom of *Ireland*, or at some General Quarter-Sessions of the Peace, to be held for the County where he or they do or shall inhabit, reside, or settle within the said Kingdom, in like Manner as Persons are by this Act required to do within the Kingdom of *Great Britain*, all and every such Persons shall be deemed, adjudged, and taken to be her Majesty's natural-born Subjects; explained by 4 Geo. 2. c. 21. This Act to extend to Ireland. See farther concerning Naturalization, 1 Geo. 1. c. 4. 13 Geo. 2. c. 7. 20 Geo. 2. c. 44. 22 Geo. 2. c. 45. 25 Geo. 2. c. 39.

Subjects of the said Kingdom of *Ireland*, to all Intents, Constructions, and Purposes, as if they, and every of them, had been, or were born within the said Kingdom of *Ireland*.

[Repealed by 10 Annæ, c. 5. Except what relates to the Children of her Majesty's natural-born Subjects, born out of her Majesty's Allegiance. Vide 1 Geo. 1. Stat. 2. c. c. 29.]

C A P. VI.

An Act for explaining and making more effectual that Part of an Act passed in the fifth Year of her present Majesty's Reign, concerning the buying and selling of Cattle in *Smithfield*, and for giving Leave for bringing up Calves dead to *London* as formerly.

5 Annæ, c. 34.

One Butcher may sell to another any dead Calves, Sheep, or Lambs.

WHEREAS by an Act passed in the fifth Year of her present Majesty's Reign, intituled, *An Act for the continuing the Laws therein mentioned relating to the Poor, and to the buying and selling of Cattle in Smithfield, and for suppressing Piracy*, it is, amongst other Things, enacted, That from and after the nine and twentieth Day of *September* one thousand seven hundred and seven, no Person using the Trade of a Butcher, should sell or offer to sale, in any Market, or elsewhere, either by himself, or any Servant or Agent whatsoever, within the Cities of *London* or *Westminster*, or within ten Miles thereof, to any Person or Persons exercising or using the Trade of a Butcher, any fat Cattle or Sheep, either alive or dead, upon Pain to forfeit the Value of the Cattle, or of each Sheep so sold or offered to sale, as aforesaid: And whereas some Doubts have arisen concerning the Extent of that Clause; Therefore for the avoiding of any Dispute or Question that may arise concerning the Construction thereof, Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That the said Clause, or any Thing therein contained, shall not be taken or construed to extend to the selling of Calves, Sheep or Lambs dead, by one Butcher to another, but that it shall and may be lawful to and for any Person, using the Trade of a Butcher, to sell or offer to sale in any Shop, Stall, or Market in *London*, or elsewhere, either by himself or any Servant or Agent whatsoever, within the Places in the said Act mentioned, Calves, Sheep, or Lambs dead, in such Manner as they might have done before the making of the said Act; any thing in the said Act, or any other Law or Statute to the contrary notwithstanding.

C A P. VII.

An Act for enlarging the Capital Stock of the Bank of *England*, and for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and nine.

For Application of Duties arising by this Act, see 12 Annæ, stat. 1. c. 11. §. 5. 5 W. & M. c. 20.

3 Geo. 1. c. 8.

8 & 9 W. 3. c. 20.

3 Annæ, c. 15.

MAY it please your most Excellent Majesty; Whereas by or in pursuance of an Act of Parliament made in the fifth Year of the Reign of their late Majesties King WILLIAM and Queen MARY, of glorious Memory, intituled; *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of fifteen hundred thousand Pounds, towards carrying on the War against France*, the Corporation or Body Politick of the Governor and Company of the Bank of *England* was erected and established with such Capacities, Powers, Privileges Benefits, and Advantages, and subject to such Restrictions, and in such Manner and Form as are therein mentioned; and in pursuance of the same Act the Sum of one Million two hundred thousand Pounds was advanced and lent to their said late Majesties, for which there is now payable to the said Governor and Company, and their Successors, the yearly Sum of one hundred thousand Pounds out of certain Rates and Duties of Excise, which were thereby granted to their said late Majesties, their Heirs and Successors; in which Act it was provided, That at any Time upon twelve Months Notice, after the first Day of *August* in the Year of our Lord one thousand seven hundred and five, upon Repayment by Parliament of the said Sum of one Million two hundred thousand Pounds, and of all the Arrears of the said yearly Sum of one hundred thousand Pounds, then the said one hundred thousand Pounds *per Annum*, and the said Corporation, should absolutely cease and determine: And whereas by another Act made in the eighth Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging the Capital Stock of the Bank of England, and for raising the Publick Credit*, the said Corporation was enlarged and established with divers other Powers, Privileges, Benefits, and Advantages, and subject to such other Restrictions and Rules as are therein particularly expressed; in which Act last-mentioned it was provided and enacted, That at any Time upon twelve Months Notice, after the first Day of *August* which should be in the Year of our Lord one thousand seven hundred and ten, and not before, and upon Repayment by Parliament of the said Sum of one million two hundred thousand Pounds, and of all Arrears of the said one hundred thousand Pounds *per Annum*, and also upon Payment of all the Principal and Interest Monies which should be owing to the said Governor and Company of the Bank of *England*, upon all such Tallies, Exchequer Orders, or Parliamentary Funds, which the said Governor and Company should have remaining in their Hands or be entitled to at the Time of such Notice to be given, as aforesaid, then, and in such Case, and not till then, the said one hundred thousand Pounds *per Annum*, and also the said Corporation, should cease and determine: And whereas by an Act made in the fifth Year of your Majesty's Reign (intituled, *An Act for continuing the* Duties

Duties upon Houses, to secure a yearly Fund for circulating Exchequer Bills, whereby a Sum not exceeding fifteen hundred thousand Pounds is intended to be raised for carrying on the War, and other her Majesty's Occasions) several Duties upon Houses therein mentioned or referred unto, are continued from the last Day of July one thousand seven hundred and ten, and from thenceforth made payable to your Majesty, your Heirs and Successors for ever, for the Purposes in that Act expressed, subject to the Proviso or Condition of Redemption therein contained; and the Duties so continued, together with such Remainder and Arrears of House Money, as are therein mentioned, are thereby charged with the yearly Fund, after the Rate of four Pounds ten Shillings *per Centum per Annum*, to be paid to the said Governor and Company of the Bank of England, for circulating all such Exchequer Bills as should be issued by or in pursuance of that Act; and by the same Act a Power was given for making forth Exchequer Bills for any Sum not exceeding fifteen hundred thousand Pounds for your Majesty's Supply; and it was thereby enacted, that like Bills should be made out quarterly for so much as should be computed to be due and owing upon and for the said Allowance of four Pounds ten Shillings *per Centum per Annum*, until the Feast of St. Michael the Archangel one thousand seven hundred and ten inclusively, in the Manner therein mentioned; and it was thereby enacted, that the said Governor and Company, after the said Exchequer Bills, or any of them, should be issued upon that Act as aforesaid, should, from Time to Time, exchange all such Exchequer Bills as they should be required to exchange by any Person or Persons whatsoever for ready Money; and that the said Governor and Company, and their Successors, should continue and remain a Corporation until all the said Exchequer Bills should be redeemed and cancelled in the Manner in that Act mentioned; and in the same Act there is contained a Proviso, that at any Time, upon one Year's Notice and Payment of the Principal Money to be due on the said Exchequer Bills, and of so much as should be due for the said Allowance, after the Rate of four Pounds ten Shillings *per Centum per Annum*, for circulating the said Exchequer Bills, then, and not till then, the said Exchequer Bills should be cancelled and discharged, and the said Allowance after the Rate of four Pounds ten Shillings *per Centum per Annum*, should cease and determine; and so much of the said Duties on Houses as should have been applied for the Payment of the said four Pounds ten Shillings *per Centum per Annum*, in case the same had continued, should from thenceforth be understood to be redeemed by Parliament, and should not be issued, paid, or applied to any Use or Purpose whatsoever but by Authority of Parliament; and it is also thereby enacted, that the said Governor and Company might call in from their respective Members proportionably, any Sums of Money as they should think necessary for the said Circulation; and that until all the Exchequer Bills by that Act directed to be issued, should be paid off, discharged, and cancelled, no more or other Bills of the like Nature should be made out and issued at the Receipt of her Majesty's Exchequer, either with or without the Authority of Parliament, unless with the Consent of the said Governor and Company; and that nothing in that Act contained should hinder the Redemption of the said original Fund of one hundred thousand Pounds *per Annum*, or of any other Funds granted or to be granted by Parliament, upon which the said Governor and Company had or should have lent any Monies, and which were redeemable by Parliament, but that the same might be redeemed from the said Governor and Company, according to former Acts for that Purpose, without redeeming the said four Pounds ten Shillings *per Centum per Annum*; nevertheless, without determining or dissolving the Corporation of the said Governor and Company, until the said four Pounds ten Shillings *per Centum per Annum*, should be redeemed from them; as by the said several Acts, Relation being thereunto respectively had, more at large may appear: And whereas the said Governor and Company, for the better enabling themselves to supply the publick Exigencies, did lately consent to admit new Subscriptions for doubling their then present Stock of two millions two hundred and one thousand one hundred seventy-one Pounds ten Shillings, at the Rate of one hundred and fifteen Pounds to be paid for every one hundred Pounds subscribed; and upon a Commission granted by your Majesty, under the great Seal of Great Britain, bearing Date the sixteenth Day of February in the seventh Year of your Reign, to Sir Thomas Abney, and others directed, grounded upon an Address of the Commons of Great Britain in Parliament assembled, several Persons have subscribed several Sums, amounting to two millions two hundred and one thousand one hundred seventy-one Pounds ten Shillings, for doubling the said Stock as aforesaid, and have paid down to the said Governor and Company, at or before their respective Subscriptions, one fifth Part of the Sums by them respectively subscribed, and are to pay the remaining four fifth Parts thereof, together with fifteen Pounds *per Centum* more (being in all one hundred and fifteen Pounds for every one hundred Pounds subscribed) in Manner hereafter mentioned; all which Subscriptions are contained in Books of Vellum or Parchment for that Purpose, attested by three or more of the said Commissioners, and now remaining in the Custody of the Governor and Company of the Bank of England, whereof there are two Duplicates made in Vellum or Parchment, attested by seven or more of the said Commissioners; and one of the said Duplicates is delivered into the Office of the Auditor of the Receipt, and the other of them into the Office of the Clerk of the Pells in your Majesty's Exchequer, there to remain for ever: Now for the better pursuing the Ends and Intent of the said Subscribers in making such Subscriptions and Payment as aforesaid, it is hereby enacted, at the humble Suit of the said Governor and Company of the Bank of England, and be it enacted by the Queen'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 Authority of the same, That the several Sums subscribed or written in the said Books, amounting to the said Sum of two millions two hundred and one thousand one hundred seventy-one Pounds ten Shillings, shall be added and united, and be judged and deemed to be added and united to the Stock of the said Governor and Company, which before such Addition consisted of the like Sum of two millions two hundred and one thousand one hundred seventy-one

New Subscriptions for doubling the present Stock of the Bank.

See 9 Ann. c. 7.

New Subscriptions to be added to the Capital Stock of the Bank.

Pounds

Total Stock
4,402,343 l.

New Subscribers
incorporated
with the present
Members of the
Bank.

Stock assignable.

5 Annæ, c. 13.

Bank to advance
400,000 l. into
the Exchequer,
&c.

Times of Pay-
ment.

Bank to have a
Discount of 6
per Cent. &c.
till one August
27th.

On Nonpayment
may be sued,

Pounds ten Shillings as aforesaid, so that the Capital Stock of the said Governor and Company so increased, shall be and amount, and be deemed to amount in the whole to the Sum of four millions four hundred and two thousand three hundred forty-three Pounds; and that all and every the Person and Persons, Natives and Foreigners, who have subscribed or written any Sum or Sums of Money, or for whom any Sum or Sums of Money have been subscribed or written in the said Books of Subscription, for or towards the making up the said Sum of two millions two hundred and one thousand one hundred seventy-one Pounds ten Shillings, therein compleatly subscribed, and who have paid to the said Governor and Company one fifth Part of each subscribed Sum as aforesaid, and the Executors, Administrators, and Assigns, of such Person and Persons respectively, shall be, and be deemed and reputed to be Members of, united to, and incorporated with the said Governor and Company of the Bank of *England*, and shall at all Times, together with the other Members of the said Corporation and Body Politick, and their Successors respectively, be, and be adjudged, construed, reputed, accepted, and taken to be one Body Politick and Corporation, by the Name of *The Governor and Company of the Bank of England*.

II. And it is hereby enacted by the Authority aforesaid, That the Capital Stock of the said Governor and Company, now amounting as aforesaid, to four millions four hundred and two thousand three hundred forty-three Pounds, shall be assignable and transferrable in the same Manner as the original Capital Stock of the said Governor and Company was assignable and transferrable before the making of this Act.

III. And whereas the said Governor and Company of the Bank of *England* so enlarged or constituted, being the better enabled by such new Subscriptions and Payments thereupon as aforesaid, to serve the Publick, are willing to advance and lend to her Majesty a further Sum on the said yearly Fund of one hundred thousand Pounds, upon such Terms, Conditions, and Advantages as are hereafter in this Act expressed in Relation thereunto, and are willing to accept an Annuity after the Rate of six Pounds *per Centum per Annum*, out of the said Duties on Houses, for all the said Exchequer Bills that have been made out, or are to be made out, in pursuance of the last recited Act, and to deliver up the said Bills as fast as they can get them into their Custody, to be cancelled, upon such Terms, Conditions, and Advantages as are also hereafter in this Act expressed, in relation to such Annuity to be settled, and such Bills to be cancelled as aforesaid; and are also willing to undertake a Circulation, (in the Manner and Form herein after mentioned) of two millions five hundred thousand Pounds in other Exchequer Bills to be issued for the Use of the War, and other your Majesty's Occasions, upon such Terms, Conditions, and Advantages as are likewise hereafter in this Act expressed in relation thereunto; and are likewise willing upon the like Terms, Conditions, and Advantages to undertake the Circulation of such Exchequer Bills as shall be made out quarterly, as well to discharge the Allowance of three Pounds *per Centum per Annum* which shall be due to the said Governor and Company for circulating the Exchequer Bills to be issued, in pursuance of this Act, from the Time such Bills shall begin to be issued, as also to discharge, or raise Money to discharge the Interest of two Pence *per Diem*, for every one hundred Pounds to be born upon the said Bills, until the Funds, which by this Act are settled and intended to discharge the said Allowances for Circulation and Interest, shall take Effect, and be sufficient for those Purposes: Now we your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, being desirous, not only to raise the necessary Supplies with as much Ease to your Majesty's Subjects as is possible, for the carrying on and finishing the present War with Success, but also to use such Ways and Means in the doing thereof, as that your Majesty may have the better and more speedy Effect of the said Supplies, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England* so enlarged or constituted as aforesaid, and their Successors, shall advance and pay into the Receipt of her Majesty's Exchequer, for her Majesty's Use, the full Sum of four hundred thousand Pounds, or so much thereof as shall remain after Deduction of such Discount as is hereafter in this Act allowed to be made out of the same; such Payment to be made by such Proportions, and at such Times, as are herein after appointed for Payment thereof; that is to say, one third Part thereof on or before the tenth Day of *May* one thousand seven hundred and nine, one other third Part thereof on or before the eight and twentieth Day of *June* one thousand seven hundred and nine, and the Residue thereof on or before the five and twentieth Day of *August* one thousand seven hundred and nine.

IV. Provided always, and it is hereby declared and enacted by the Authority aforesaid, That out of the said Sum of four hundred thousand Pounds, the said Governor and Company shall have and receive back, or shall and may retain and keep to their own Use, by Way of Discount, so much as the Rate of six Pounds *per Centum per Annum*, for each Sum of Money which shall be actually advanced and paid for or upon Account of the said Sum of four hundred thousand Pounds, shall amount unto, from the Day of the actual Payment thereof, until the first Day of *August* one thousand seven hundred and eleven: And in case the said Governor and Company of the Bank of *England* shall make Failure in any of the said Payments, so by this Act appointed to be made into her Majesty's Exchequer as aforesaid, at or before the respective Days or Times before limited in that Behalf, the Money whereof such Failure in Payment shall be made, shall and may be recovered to her Majesty's Use, by Action of Debt, or upon the Case, Bill, Suit, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law shall be allowed, or any more than one Imparance; in which Action, Bill, Suit, or Information, it shall be lawful to declare, That the said Governor and Company of the Bank of *England*, are indebted to her Majesty the Monies of which they shall have made Default in Payment, according to the Form of this Statute, and have not paid the same, which shall be sufficient; and in or upon such Action, Bill, Suit, or Information, there shall be further recovered to her Majesty's Use, against the said

said Governor and Company of the Bank of *England*, Damages after the Rate of twelve Pounds *per Centum*, for the Monies so unpaid contrary to this Act, besides full Costs of Suit; and the said Governor and Company of the Bank of *England*, and their Successors, and their said Stock and Funds, shall be and are hereby made subject and liable thereunto. and pay Damages at the Rate of 12 l. per Cent.

V. And for the Encouragement of the said Governor and Company of the Bank of *England* to advance and pay the said Sum of four hundred thousand Pounds, with such Discount out of the same, as aforesaid, and to perform the other Services in this Act mentioned, and to the End the said Governor and Company and their Successors, may have a competent Recompence and Consideration for so doing, it is hereby declared and enacted by the Authority aforesaid, That the said several and respective Provisoes or Conditions contained in the said recited Act of the fifth Year of the Reign of their said late Majesties King WILLIAM and Queen MARY, and in the said Act of the eighth Year of the Reign of his said late Majesty King WILLIAM, and each of them, for determining the said Fund of one hundred thousand Pounds *per Annum*, and the said Corporation of the Governor and Company of the Bank of *England*, upon the respective Notices and Payments in the same respective Acts mentioned, shall be, and are hereby repealed and made void; and that the said Governor and Company of the Bank of *England*, so enlarged as aforesaid, and their Successors, for ever, shall remain, continue, and be one Body Corporate and Politick, by the Name aforesaid, and shall for ever have, receive, and enjoy the said entire yearly Fund of one hundred thousand Pounds out of the said Rates and Duties of Excise, together with a perpetual Succession, and all Abilities, Capacities, Powers, Authorities, Franchises, Exemptions, Privileges, Profits, and Advantages whatsoever whereunto the Governor and Company of the Bank of *England* are, or before the making of this Act, were intitled by the said Act of the fifth Year of the Reign of their said late Majesties King WILLIAM and Queen MARY, and by the said Act of the eighth Year of the Reign of his said late Majesty King WILLIAM or either of them, or by any other Act or Acts of Parliament, Grants, or Charters whatsoever, now in Force; all which are by this Act ratified and confirmed to the said Governor and Company so enlarged, and their Successors (the said Allowance after the Rate of four Pounds ten Shillings *per Centum per Annum*, for circulating of Exchequer Bills, and the Powers only concerning such Circulation, given by the said Act of the fifth Year of her now Majesty's Reign, excepted) freed and discharged of and from the said Provisoes and Conditions of Redemption hereby repealed, or intended to be repealed, as aforesaid, and all other Provisoes, Powers, Act, Matters, and Things whatsoever heretofore had, made, done, or committed, for redeeming, determining, or making void the said Corporation or yearly Fund of one hundred thousand Pounds, and the said Abilities, Capacities, Powers, Authorities, Franchises, Exemptions, Privileges, Profits, and Advantages, or any of them; subject nevertheless to such Restrictions, Rules, and Directions, and also to such other Agreements, Matters and Things, as in the said Acts and Charters, or any of them now in Force, are contained or prescribed; and also subject to the Power and Condition of Redemption hereafter in this Act contained in this Behalf. Provisoes in 5 W. & M. c. 20. and 8 W. 3. c. 20. for determining the yearly Fund and Corporation, repealed. Privileges of the Bank confirmed. 5 W. & M. c. 20. 8 & 9 W. 3. c. 20.

VI. Provided always, and it is hereby further enacted by the Authority aforesaid, That at any Time upon twelve Months Notice, after the first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and thirty-two, and not before, and upon Repayment by Parliament to the said Governor and Company of the Bank of *England*, or their Successors, as well of the said Sum of one million two hundred thousand Pounds formerly advanced, as of the Sum of four hundred thousand Pounds before-mentioned, amounting in the whole to the Sum of sixteen hundred thousand Pounds, without any Deduction, Discount, or Abatement whatsoever, to be made out of the said Sum of sixteen hundred thousand Pounds, or any Part thereof; and upon Payment to the said Governor and Company, and their Successors, of all Arrears of the said one hundred thousand Pounds *per Annum*, and all the Principal and Interest Money, which shall be owing unto them upon all such Tallies, Exchequer Orders, or Parliamentary Funds, which the said Governor and Company, or their Successors, shall have remaining in their Hands, or be entitled to at the Time of such Notice to be given, as aforesaid, (such Funds for Redemption whereof other Provision is afterwards made, in and by this Act, only excepted) then and in such Case, and not till then, the said yearly Fund of one hundred thousand Pounds shall cease and determine. Or 12 Months Notice after 1 Aug. 1732. and on Repayment, &c. yearly Fund to cease.

VII. And be it further enacted by the Authority aforesaid, That from and after such Repayment by Parliament, of the said sixteen hundred thousand Pounds, and Payment of all Arrears of the said one hundred thousand Pounds *per Annum*, and of all the Principal and Interest on such Tallies, Exchequer Orders, and Parliamentary Funds aforesaid, shall be made to the Governor and Company of the Bank of *England*, and also Redemption shall be made by Parliament of the Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, hereafter in this Act settled and made payable to the said Governor and Company, and their Successors, in Manner and Form herein after mentioned, and likewise from and after all the Exchequer Bills, which are to be made forth in pursuance of this Act, shall be entirely discharged and cancelled in Manner herein after mentioned, and Payment made to the said Governor and Company of the said Allowances hereafter made for circulating the said Exchequer Bills, that then, and not till then, the said Corporation of the Governor and Company of the Bank of *England* shall cease and determine, but till then, the said Governor and Company shall continue a Corporation, and shall have and enjoy all the Powers and Privileges they are now entitled unto by virtue of any Charter, Act, or Acts of Parliament heretofore granted or made. Repealed by 12 Annæ, stat. 5. c. 11. f. 23. and farther Provisions relating hereto, and Corporation to determine.

VIII. And whereas the Exchequer Bills which were made forth in pursuance of the said Act of the fifth Year of her Majesty's Reign, for her Majesty's Supply, did and do amount to the said full Sum of fifteen hundred thousand Pounds, and the quarterly Bills authorized to be made forth in pursuance of the same Act, for the said Rate of four Pounds ten Shillings *per Centum per Annum*, and the Allowance thereupon, until and for the Quarter ended at *Lady Day* one thousand seven hundred and nine inclusive, do amount to 5 Annæ, c. 13.

to the further Sum of one hundred twenty-three thousand three hundred thirty-seven Pounds eighteen Shillings and one Penny half Penny; in both, to one million six hundred twenty-three thousand three hundred thirty-seven Pounds eighteen Shillings and one Penny half Penny, as by a Certificate signed by the Auditor of the Receipt of her Majesty's Exchequer, bearing Date the first Day of *April* one thousand seven hundred and nine, doth appear; and the Interest of the said Sum of one million six hundred twenty-three thousand three hundred thirty-seven Pounds eighteen Shillings and one Penny half Penny, after the Rate of six Pounds *per Centum per Annum* for six Quarters, to be reckoned from *Lady Day* one thousand seven hundred and nine to *Michaelmas* one thousand seven hundred and ten, being computed and made principal at the End of each Quarter, doth amount to one hundred fifty-one thousand six hundred eighty-nine Pounds nineteen Shillings and nine Pence more; and being added to the Sum last mentioned, the whole will amount to the Sum of one million seven hundred seventy-five thousand twenty-seven Pounds seventeen Shillings ten Pence Half-penny, for which an Annuity or yearly Fund, computed after the Rate of six Pounds *per Centum per Annum*, doth amount to one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*: Now for the Encouragement of the said Governor and Company of the Bank of *England*, by this and the said former Acts established, as aforesaid, to pay off, discharge, and cancel all the Exchequer Bills which have been issued, or were authorized to be issued by the said Act of the fifth Year of her Majesty's Reign, as aforesaid; and to the End the said Governor and Company, and their Successors, may have a competent Recompence and Consideration for so doing, and for their said Allowance after the Rate of four Pounds ten Shillings *per Centum per Annum*, and for all their Demands relating thereunto, according to the true Meaning of this Act; We your Majesty's said dutiful and loyal Subjects, the said Commons of *Great Britain* in Parliament assembled, do humbly pray that it may be enacted; and be it enacted by the Authority aforesaid, That from and after the said Feast of Saint *Michael* the Archangel which shall be in the Year of our Lord one thousand seven hundred and ten, the said Governor and Company of the Bank of *England*, by this and the said former Acts established, as aforesaid, and their Successors, for ever, (subject nevertheless to the Proviso of Redemption herein after contained in this Behalf) shall have, receive, and enjoy, and be entitled by virtue of this Act, to have, receive, and enjoy one Annuity or yearly Sum of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence, of lawful Money of *Great Britain*, which shall be, and is hereby charged upon, and shall be paid and payable from time to time in the first Place, and with Preference to all other Payments whatsoever, out of the said Duties on Houses granted or continued unto her Majesty, her Heirs and Successors, for ever, by the said Act of the fifth Year of her Majesty's Reign, which is to take Effect from the said last Day of *July* one thousand seven hundred and ten, as aforesaid, and upon and out of such Remains and Arrears of House-money, as by the Act last-mentioned were intended to be charged with the Payment of the said Allowance of four Pounds ten Shillings *per Centum per Annum*, in case that Allowance had continued; the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, to be paid and payable at the four most usual Feasts or Days of Payment in the Year; That is to say, the Feasts of the Birth of our Lord Christ, the Annunciation of the blessed Virgin *Mary*, the Nativity of Saint *John Baptist*, and Saint *Michael* the Archangel, by even and equal Portions; the first quarterly Payment thereof to be made at the Feast of the Birth of our Lord Christ which shall be in the Year of our Lord one thousand seven hundred and ten; and that the said Annuity or yearly Sum of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence, and every Part thereof, shall be free from all Taxes, Charges and Impositions whatsoever.

IX. And for the better and more regular Payment of the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence, to the said Governor and Company of the Bank of *England*, and their Successors, for ever (subject as aforesaid) an Order or Orders shall be signed by the Treasurer and Under Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being, and after the signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office, or Offices of them, or any of them; nor shall any Lord High Treasurer of *Great Britain*, Treasurer of the Exchequer, or any Commissioners of the Treasury now or for the Time being, have Power to revoke, countermand, and make void such Order so signed, as aforesaid.

X. And for the more speedy Payment of the said Annuity or yearly Sum of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence, to the said Governor and Company, as aforesaid; It is hereby declared and enacted, That weekly or otherwise, as the Money of the said Duties shall from time to time be brought into the Exchequer for Payment of the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence, the same shall and may be issued upon the said Order or Orders for or towards the discharging of the said Annuity, to grow due for and at the End of the Quarter in which such Payments shall be made, so as such weekly or other Payments do not exceed the Sum of the quarterly Payment which should grow due for or at the End of every such Quarter respectively.

XI. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Governor and Company of the Bank of *England* and their Successors, at any Time or Times by Writing under their Common Seal, to assign the said Annuity or Yearly Sum of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*, and no such Assignment shall be revocable, so as

5 Annæ, c. 13.

For discharging all the Exchequer Bills issued by 5 Annæ, c. 13. after Michaelmas 1710. Bank entitled to a yearly Annuity of 106,501 l. 13 s. 5 d. out of the Duty on Houses.

5 Annæ, c. 13.

An Annuity of 71,001 l. 2 s. 3 d. 3 q. Established in lieu hereof, by 11 Geo. 1. c. 9. §. 1. And farther Provision is made relating hereto, by 1 Geo. 2. stat. 2. c. 8.

20 Geo. 2. c. 3. Tax-free.

Treasurer, &c. to sign Orders for Payment.

Payments to be made weekly.

Bank may assign the yearly Annuity.

an Entry or Memorandum thereof be made in the Books to be kept for that Purpose in the said Office of the Auditor of the Receipt.

XII. And it is hereby further enacted, That the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, and every Part thereof, shall be adjudged to be a personal and not a real Estate, and shall not be liable to any Foreign Attachment; any Law or Custom to the contrary notwithstanding.

XIII. And for the better securing the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, unto the said Governor and Company of the Bank of *England*, by this and the said former Acts established, as aforesaid; it is hereby enacted and declared by the Authority aforesaid, That such Duties on Houses, and such Remains and Arrears of House-money, as by the said Act of the fifth Year of her Majesty's Reign were charged with the said Allowance of four Pounds ten Shillings *per Centum per Annum*, shall continue and be payable to her Majesty, her Heirs and Successors, for satisfying and discharging the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, and shall be raised, levied, received, issued, accounted for, appropriated, and applied thereunto, under the same Rules, Directions, Penalties, Forfeitures, and Disabilities, as are prescribed by the said Act of the fifth Year of her Majesty's Reign, touching the raising, levying, collecting, issuing, appropriating, applying, and accounting for the same; nevertheless freed and discharged of and from the Proviso or Condition of Redemption, which was so contained in the said Act of the fifth Year of her Majesty's Reign, and all other Provisoes and Conditions of Redemption whatsoever (the Proviso or Condition hereafter in this Act contained for redeeming the said Duties on Houses, and the said Annuity payable out of the same, only excepted;) the said Act of the fifth Year of her Majesty's Reign, or any thing therein contained to the contrary notwithstanding.

XIV. Provided always, and it is hereby enacted by the Authority aforesaid, That at any Time, upon one Year's Notice to the said Governor and Company, or their Successors, and upon full Payment to them of the said Sum of one million seven hundred seventy-five thousand twenty-seven Pounds seventeen Shillings and ten Pence Half-penny, and of all Arrears of the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, if any shall be then due, then and not till then, the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, shall from thenceforth cease and determine; and then also the said Duties on Houses shall be understood to be redeemed by Parliament, and shall not be issued, paid, or applied to any other Use or Purpose whatsoever, but by Authority of Parliament; any thing herein contained to the contrary thereof in any wise notwithstanding.

XV. Provided nevertheless, That nothing in this Act contained for or concerning the Redemption of the said Duties on Houses, or the said Annuity hereby charged thereupon, shall in any wise prevent or hinder the Redemption of the said Original Fund of one hundred thousand Pounds *per Annum* pursuant to the aforesaid Proviso in that Behalf, or of any the Funds herein after settled, for circulating the Exchequer Bills hereafter to be made out, in pursuance of this Act, but that the same respectively may be redeemed from the said Governor and Company, or their Successors, according to the respective Provisoes or Conditions in this Act contained for those Purposes, without Redemption of the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*.

XVI. And to the end all the said Exchequer Bills which have been issued by or in pursuance of the said Act of the fifth Year of her Majesty's Reign, which amounted as aforesaid, to fifteen hundred thousand Pounds, for her Majesty's Supply, and to one hundred twenty-three thousand three hundred thirty-seven Pounds eighteen Shillings and one Penny Halfpenny, in quarterly Bills, computed to *Lady Day* one thousand seven hundred and nine, as aforesaid, may be speedily paid off, discharged, and cancelled; and that her Majesty and her Exchequer may be effectually discharged of and from all Demands of any quarterly Bills which were intended to be issued by that Act, after *Lady Day* one thousand seven hundred and nine, until and for the Quarter to end at *Michaelmas* one thousand seven hundred and ten inclusively; and that the said Duties on Houses by this Act made a Security for Payment of the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, may be free and clear from all Pretences to the said former Allowance of four Pounds ten Shillings *per Centum per Annum*, and all other Incumbrances whatsoever; It is hereby provided and enacted, &c.

Bank to deliver up all Exchequer Bills in their Hands on 31 *March* 1709, to be cancelled, and discharge all the rest, as fast as they can be gotten in. Treasury to fix a peremptory Day, after 24 *June*, for cancelling the Remainder. Bills lost, &c. before 31 *March* 1709, on Oath before a Baron, and Security, Bank to pay the same, &c. Allowance of 4*l.* 10*s.* *per Cent.* determined. 5 *Annæ*, c. 13. Bills to be issued out at the Treasury, not exceeding 2,500,000*l.* Such Bills to bear Interest at 2*d.* *per Diem* for every 100*l.* Bank to have an Allowance of 3*l.* *per Cent.* for circulating, &c. But such Allowance to cease in Proportion as the said Bills shall be discharged and cancelled.

XXII. And for the Encouragement of the said Governor and Company of the Bank of *England*, by or in pursuance of this and the said former Acts constituted, as aforesaid, and their Successors, to undertake the Circulation not only of the said Bills, not exceeding two millions five hundred thousand Pounds to be issued for her Majesty's Supply, as aforesaid, but also of the quarterly Bills to be made forth in such Manner and Form as are herein after-mentioned; and to the end a sufficient Fund may be settled, and Provision made, as well for the Payment of the Interest after the Rate of two Pence *per Centum per Diem*,

‘ to be born upon all the Bills to be issued in pursuance of this Act, and the Premium or Allowance, after the Rate of three Pounds *per Centum per Annum*, which the said Governor and Company, and their Successors, are to receive for circulating the same in the Manner and Form herein after expressed, until all the said Bills to be issued in pursuance of this Act, shall be paid off and cancelled; and for establishing a sufficient Fund for paying off, and cancelling all the Exchequer Bills to be issued forth in pursuance of this Act in a reasonable Time;’ We your Majesty’s said dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, do further give and grant unto your Majesty the several Subsidies, Duties, Impositions, and Sums of Money herein after-mentioned; and do most humbly beseech your Majesty that it may be enacted, and be it enacted by the Authority aforesaid in Manner following, that is to say, ‘ Whereas by an Act made in the sixth Year of her Majesty’s Reign for continuing (amongst other Things) the Duties called the *Two third Subsidies of Tonnage and Poundage*, it was enacted, That (over and above the Subsidies and other Payments therein mentioned) there should be paid to her Majesty one other Subsidy called *Tonnage*, for and upon all Wines which from and after the seventh Day of *March* one thousand seven hundred and eight, at any Time or Times within or during the Space of three Years from thence next or immediately ensuing, should be imported or brought into *Great Britain*, that is to say, Two third Parts of such or the like several and respective Duties as by an Act of the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, were granted to his Majesty during his Life, and by an Act of the first Year of her Majesty’s Reign, are continued and payable during her Majesty’s Life, for and upon any Kind of Wine or Wines respectively; and one other Subsidy called *Poundage*, of all Manner of Goods and Merchandizes that should be imported or brought into *Great Britain*, at any Time or Times from and after the said seventh Day of *March* one thousand seven hundred and eight, within or during the said Term of three Years, by way of Merchandize, that is to say, Two third Parts of such or the like several and respective Duties as by the said Act of the ninth Year of his said late Majesty’s Reign were granted, and by the said Act of the first Year of her Majesty’s Reign continued, and payable for and upon the same Goods and Merchandizes respectively (except Tobacco, and such Currans as should be imported in *English* built Shipping, navigated according to the Laws then in Force, and Sugar from the *English* Plantations, and such Goods and other Merchandizes, as by the two Acts last-mentioned, or either of them, were exempted from the Payment of the Subsidies there- by granted :’) Now it is hereby enacted by the Authority aforesaid, That the said Subsidies and Duties so granted by the said Act of the sixth Year of her Majesty’s Reign for the Term of three Years, as aforesaid, shall be continued upon all Wines, Goods, and Merchandizes imported or brought into *Great Britain* (except before excepted) at any Time or Times from and after the Expiration of the said Term of three Years, and shall be paid and payable from thenceforth to her Majesty, her Heirs and Successors, for ever, for the Purposes in this Act expressed, subject nevertheless to the Proviso or Condition of Redemption herein after contained and relating thereunto.

Recital of 6
Annæ, c. 22. re-
lating to the Two
third Subsidies.

9 & 10 W. 3. c.
23.
1 Annæ, stat. 1.
c. 7.

Two third Subsi-
dies continued
for ever.
6 Annæ, c. 22.

Subsidies how to
be raised.

6 Annæ, c. 22.

XXIII. And he it enacted by the Authority aforesaid, That the same Subsidies or Duties by this Act continued, as aforesaid, and every of them respectively, shall be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and subject to such Drawbacks, Allowances, and Repayments, and in such Manner and Form, in all Respects, as the like Subsidies or Duties continued by the said Act of the sixth Year of her Majesty’s Reign, are thereby, or by any other Act or Acts, Laws or Statutes, whereunto that Act hath Reference, prescribed, enacted, or appointed to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for during the Continuance thereof; and that all such of the Powers, Directions, Penalties and Forfeitures, Clauses, Matters, and Things, provided, settled, or established by the said Act of the sixth Year of her Majesty’s Reign, or by any other Act or Acts now in Force whereunto that Act hath Relation, for the better raising, levying, recovering, answering, or paying the respective Subsidies or Duties thereby continued, or for making any Drawbacks, Repayments, or Allowances out of any of the said Subsidies or Duties upon Exportation, shall be revived and be continued, and be in Force and Virtue during the Continuance of this Act, in as full and ample Manner, to all Intents and Purposes, as if the said Powers, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, and every of them, were again repeated and re-enacted in the Body of this present Act.

European Lin-
nen, Sisters
Threads, &c.
exempted.

Explained by
32 Annæ, stat. 2.
c. 21. as to un-
wrought Incle.
6 Annæ, c. 22.

XXIV. Provided always, and it is hereby enacted by the Authority aforesaid, That all *European* Linnen, Sisters Threads, and Tapes, or Incle, Linseed and Flax, shall be exempted from the Payment of the said Duties, called the Two third Subsidies, during the Continuance of the same by virtue of this Act.

After the Loans
on 6 Annæ, c.
22 are satisfied,
the Remainder
to be reserved for
the Purposes of
this Act.

‘ XXV. And whereas the said Subsidies or Duties last-mentioned were by the said Act of the sixth Year of her Majesty’s Reign made subject and liable (*inter alia*) to the Securing, Payment, and Satisfaction of all the principal and interest Monies, which should, from time to time, remain unsatisfied, of and for certain Loans not exceeding the Sum of six hundred thirty-six thousand nine hundred fifty-seven Pounds four Shillings and a Half-penny, borrowed upon a former Act therein mentioned:’ Now it is hereby further declared and enacted by the Authority aforesaid, That immediately from and after the Time that the Sum now remaining unsatisfied of the Loans, not exceeding the said Sum of six hundred thirty-six thousand nine hundred fifty-seven Pounds four Shillings and a Half-penny, and the Interest thereof shall be fully paid off and discharged, or that sufficient Money shall be reserved in the Exchequer for that Purpose, out of the Monies arising or to arise by the last-mentioned Subsidies or Duties, then all the Monies which from thenceforth, during the Remainder of the said Term of three Years, shall or may arise by the said last-mentioned Subsidies or Duties (except the necessary Charges of raising, levying, collecting, and accounting for the same)

same) shall, from Time to Time, be paid into the Receipt of her Majesty's Exchequer, distinctly, for the Purposes in this Act expressed, and for no other Use, Intent, or Purpose whatsoever.

XXVI. And whereas by the said Act of the sixth Year of her Majesty's Reign, it was, amongst other Things, enacted, That the Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and upon Muslins, and the increased or new additional Rates and Duties upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and the further Rates and Sums charged or imposed for and upon all White Callicoes, Porcelain, commonly called *China Ware*, and Drugs (except Drugs for Dying) in the said Act mentioned, should be continued, and be paid and payable unto her Majesty, her Heirs and Successors, for and upon the same Commodities and Merchandizes respectively, which should be imported into *Great Britain*, from and after the twenty-third Day of *June* one thousand seven hundred and ten, at any time or times within or during the Term of four Years from thence next and immediately ensuing: Now it is hereby enacted by the Authority aforesaid, That the said Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and Muslins, and the said increased or new additional Rates and Duties upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and the said further Rates and Sums charged or imposed upon all White Callicoes, Porcelain, commonly called *China Ware*, and Drugs (except Drugs for Dying) so continued by the said Act of the sixth Year of her Majesty's Reign, for the Term of four Years, as aforesaid, shall be further continued, for and upon the same Commodities and Merchandizes respectively (except before excepted) which shall be imported or brought into *Great Britain*, at any time or times from and after the Expiration of the said Term of four Years, and shall be paid and payable to her Majesty, her Heirs and Successors for ever, for the Purposes in this Act expressed, subject nevertheless to the Provision and Condition of Redemption herein after contained and relating thereunto.

XXVII. And be it further enacted by the Authority aforesaid, That the said last-mentioned Rates, Duties, and Sums of Money, by this Act continued, as aforesaid, and every of them respectively, shall be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and with such Distribution of the said Penalties and Forfeitures, and subject to such Drawbacks, Allowances, and Repayments, and in such Manner and Form in all Respects, as the like Rates, Duties, and Sums of Money continued by the said Act of the sixth Year of her Majesty's Reign, are thereby, or by any other Act or Acts, Laws and Statutes whereunto that Act hath Reference, prescribed, enacted, or appointed, to be ascertained, secured, raised, levied, recovered, answered, paid, and accounted for, during the Continuance thereof; and that all such of the Powers, Directions, Penalties, and Forfeitures, Clauses, Matters, and Things, provided, settled, or established by the said Act of the sixth Year of her Majesty's Reign, or by any other Act or Acts now in Force, whereunto that Act hath Relation, for the better ascertaining, raising, levying, recovering, answering, or paying the respective Rates, Duties, and Sums of Money upon Coffee, Cocoa Nuts, and other the last mentioned Commodities thereby continued, or for making any Drawbacks, Repayments, or Allowances out of any of the said Rates, Duties, and Sums of Money, upon Exportation, shall be revived, and be continued and be in Force and Virtue during the Continuance thereof by this Act, in as full and ample Manner, to all Intents and Purposes, as if the said Powers, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, and every of them, were again repeated and re-enacted in the Body of this present Act.

XXVIII. And whereas the Rates, Duties, and Sums of Money upon Coffee and other the enumerated Commodities last-mentioned, were by the said Act of the sixth Year of her Majesty's Reign, made subject and liable to and for the securing, paying, and satisfying all the Principal and Interest Monies which should, from time to time, remain unsatisfied of or for certain Loans, not exceeding the Sum of Seven hundred thousand Pounds, borrowed upon a former Act therein mentioned: Now it is hereby further declared and enacted by the Authority aforesaid, That immediately from and after the Time that the Sum now remaining unsatisfied of the Loans, not exceeding the said Sum of seven hundred thousand Pounds, and the Interest thereof, shall be fully paid off and discharged, or that sufficient Money shall be reserved in the Exchequer for that Purpose, then all the Monies which from thenceforth, during the then Remainder of the said Term of four Years, shall or may arise by the said Duties on Coffee and other the Commodities last enumerated (except the necessary Charges of raising, levying, collecting, answering, and re-counting for the same) shall, from time to time, be paid into the Receipt of her Majesty's Exchequer, distinctly for the Purposes in this Act expressed, and for no other Use, Intent, or Purpose whatsoever.

XXIX. And whereas several Subsidies of Tonnage and Poundage, and other Duties and Sums of Money upon Wines, Goods, and Merchandizes, were given and granted to his late Majesty King CHARLES the Second, of Blessed Memory, for his Life, by an Act of Parliament made in the twelfth Year of his Reign, (intituled, *A Subsidy granted to the King, of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported*) and by the Book of Rates thereunto annexed; which Subsidies of Tonnage and Poundage, and other Duties and Sums of Money upon Wines, Goods, and Merchandizes, as well exported as imported (with some Alterations) were, by several subsequent Acts, granted to continue until the first Day of *August* one thousand seven hundred and ten; and by an Act made in the fifth Year of her now Majesty's Reign, (intituled, *An Act for continuing several Subsidies, Impositions, and Duties, and for making Provisions therein mentioned, to raise Money by way of Loan, for the Service of the War, and other her Majesty's necessary and important Occasions, and for ascertaining the Wine Measure*) the said Subsidies of Tonnage and Poundage, and other Duties and Sums of Money last mentioned, were enacted to continue and be payable to her Majesty for and upon all Wines, Goods, and Merchandizes

6 Annæ, c. 22.

See 3 Geo. 1. c. 15. §. 17.

Duties on Coffee, Tea, &c. continued for ever. The additional Duties repealed by 10 Geo. 1. c. 10. 18 Geo. 2. c. 26. and new ones imposed. Drugs for Dying excepted. Subject to a Provision of Redemption.

Duty on Coffee, &c. how to be raised.

6 Annæ, c. 22.

6 Annæ, c. 22.

After the former Loans are satisfied, the Remainder reserved for the Purposes of this Act. 3 & 4 Annæ, c. 4.

12 Car. 2. c. 4.

5 Annæ, c. 27.

which

which should be imported at any Time or Times between the last Day of July one thousand seven hundred and ten and the first Day of August one thousand seven hundred and twelve: And whereas by an Act made in the sixth Year of her Majesty's Reign, intituled, *An Act for continuing the half Subsidies therein mentioned, with several Impositions, and other Duties, to raise Money by way of Loan for the Service of the War, and other her Majesty's necessary and important Occasions, and for charging of Prize Goods and Seizures, and for taking off the Drawbacks of foreign Cordage, and to obviate the clandestine Importation of wrought Silks*, it was enacted, amongst other Things, That over and above all other Subsidies, additional Duties, Impositions, and Payments whatsoever, by any former or other Act or Acts of Parliament, or otherwise howsoever, then due or payable, or which then ought to be paid to her Majesty for or upon any Wines, Goods, or Merchandizes whatsoever, imported or to be imported, there should be raised, levied, collected, paid and satisfied unto her Majesty, her Heirs and Successors, for and upon all Wines, Goods, and Merchandizes, which at any Time or Times from and after the last Day of July one thousand seven hundred and twelve, and before the first Day of August one thousand seven hundred and fourteen, should be imported or brought into *Great Britain*, one Moiety or half Part of such and the like several and respective Subsidies, Duties, and Sums of Money, as by the said Act of the fifth Year of her Majesty's Reign were charged or payable within or during the Term thereby granted or limited, and for or upon the like imported Wines, Goods, and Merchandizes respectively (except such Goods and other Merchandizes as by the said Act of the fifth Year of her Majesty's Reign, or by any Law in Force at the making of the said Act of the sixth Year of her Majesty's Reign, were exempted from the Payment of the Subsidies or Duties which were first granted in the twelfth Year of the Reign of King CHARLES the Second as aforesaid): Now it is hereby enacted by the Authority aforesaid, That the said one Moiety of half Part of the said Subsidies, Duties, and Sums of Money, granted by the said last mentioned Act of the sixth Year of her Majesty's Reign upon Wines, Goods, and Merchandizes imported as aforesaid, into *Great Britain* (except as in the same Act is excepted) shall from and after the last Day of July one thousand seven hundred and fourteen, be further continued and charged, and shall be paid and payable to her Majesty, her Heirs and Successors for ever, for the Purposes in this Act expressed, subject nevertheless to the Proviso or Condition of Redemption herein after contained, and relating therunto.

XXX. And it is hereby enacted by the Authority aforesaid, That in all Cases where by the said last mentioned Act of the sixth Year of her Majesty's Reign, any Drawbacks or Abatements are to be made of the whole, or any Part of the Duties thereby imposed on any Wines, Goods, or Merchandizes imported, there shall be in the like Cases, the like proportional Drawbacks and Abatements made of the whole, or Part of the Duties by this Act imposed upon the same Wines, Goods, and Merchandizes respectively; and that the said Moiety or half Part of the said Subsidies, Duties, and Sums of Money by this Act granted, shall be raised, collected, levied, secured, and paid within and throughout the whole Kingdom of *Great Britain*, by the same Ways, Means, and Methods, and under such Penalties, and Forfeitures, and with such Allowances, and subject to such Rules and Directions, as in and by the said last mentioned Act of the sixth Year of her Majesty's Reign, or by any other Act or Acts therein referred unto, are prescribed or appointed, for the raising, levying, collecting, securing, and paying the said Moiety of half Part of the same Subsidies, Duties, and Sums of Money granted by the same Act of the sixth Year of her Majesty's Reign; and that every Article, Rule, and Clause contained in the said last mentioned Act of the sixth Year of her Majesty's Reign, or in any Act or Acts of Parliament therein mentioned, or thereby referred unto, for raising, collecting, levying, securing, and paying the said Moiety or half Part of the said Subsidies, Duties, and Sums of Money upon Wines, Goods, and Merchandizes thereby granted as aforesaid, during the Continuance thereof, are and shall be by Force of this Act revived, and shall be used, exercised, and put in practice, for the raising, levying, collecting, and answering the said Moiety or half Part of the Subsidies, Duties, and Sums of Money upon Wines, Goods, and Merchandizes by this Act granted or imposed as aforesaid, and all Arrears of the same, from Time to Time, for the Uses and Purposes in this Act expressed, as fully and effectually, as if the same Articles, Rules, and Clauses, and every of them, were again particularly, and at large recited and re-enacted in the Body of this present Act, excepting only as to such of the said Articles, Rules, and Clauses touching which other Provisions, Alterations, or Exemptions are made by any Act or Acts of Parliament now in being, which other Provisions, Alterations, or Exemptions, shall be observed, with respect to the Moiety or half Part of the Subsidies, Duties, or Sums of Money upon Wines, Goods, and Merchandizes hereby continued as aforesaid, in the same Manner as they are to be observed with respect to the said Moiety or half Part of the said Subsidies, Duties, or Sums of Money formerly granted as aforesaid.

XXXI. And whereas the said one Moiety of half Part of the said Subsidies, Duties, and Sums of Money upon Wines, Goods, and Merchandizes, together with several other Impositions, Subsidies, and Duties mentioned in the said last mentioned Act of the sixth Year of her Majesty's Reign, were by that Act made subject and liable to the Securing, Payment, and Satisfaction of certain Loans of any Sums which should not exceed in the whole seven hundred twenty-nine thousand sixty-seven Pounds fifteen Shillings and six Pence three Farthings, borrowed or authorized to be borrowed thereupon, and such further Sums for Payment of Interest as are therein mentioned or referred unto: Now it is hereby further declared and enacted by the Authority aforesaid, That immediately from and after the Time that all the said Loans, not exceeding seven hundred twenty-nine thousand sixty-seven Pounds fifteen Shillings and six Pence three Farthings, borrowed or authorized to be borrowed as aforesaid, and all the Interest Monies secured, or intended to be secured by the said last mentioned Act of the sixth Year of her Majesty's Reign, shall be paid off and discharged in the Manner in the same Act mentioned, or that sufficient Money shall be reserved in the Exchequer for that Purpose, out of the Monies arising or to arise by the

the Subsidies, Duties, and Impositions thereby appropriated thereunto, then all the Monies which from thenceforth, until the said first Day of *August* one thousand seven hundred and fourteen, shall or may arise by the said Moiety or half Part of the Subsidies, Duties, and Sums of Money upon Wines, Goods, and Merchandizes by the said former Acts granted, and by this Act continued as aforesaid, (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall, from Time to Time, be paid into the Receipt of her Majesty's Exchequer distinctly for the Purposes in this Act expressed, and for no other Use, Intent, or Purpose whatsoever.

XXXII. And whereas by another Act of the sixth Year of her Majesty's Reign, intituled, *An Act for continuing one half Part of the Subsidies of Tonnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes imported, which were granted to the Crown in the twelfth Year of the Reign of King CHARLES the Second, and for settling a Fund thereby, and by other Ways and Means, for Payment of Annuities, not exceeding eighty thousand Pounds per Annum, to be sold for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and eight, and other Uses therein expressed*, it was, amongst other Things, enacted, That over and above all other Subsidies, additional Duties, Impositions, and Payments whatsoever, by any former or other Act or Acts of Parliament, or otherwise howsoever, then due or payable, or which ought to be paid to her Majesty, for or upon any Wines, Goods, or Merchandizes whatsoever, imported or to be imported, there should be raised, levied, collected, paid and satisfied unto her Majesty, her Heirs and Successors, for and upon all Wines, Goods, and Merchandizes, which at any Time or Times from and after the last Day of *July* one thousand seven hundred and twelve, within or during the Term of ninety-six Years from thence next and immediately ensuing, should be imported or brought into *Great Britain*, one Moiety or Half Part of such and the like several and respective Subsidies and Duties, and Sums of Money, as by the said Act of the fifth Year of her Majesty's Reign, therein mentioned, are charged or payable within or during the Term or Time thereby granted or limited for or upon the like imported Wines, Goods, and Merchandizes respectively, except such Goods and other Merchandizes as by the said last-mentioned Act of the fifth Year of her Majesty's Reign, or by any Law in Force, were exempted from the Payment of the Subsidies or Duties which were first granted in the twelfth Year of the Reign of King CHARLES the Second as aforesaid: And whereas a Sum not exceeding in the whole the Sum of eighty thousand Pounds *per Annum*, to arise by and out of the said last mentioned Moiety or half Part of the said Subsidies, Duties, and Sums of Money upon Wines, Goods, and Merchandizes, is by the said last mentioned Act of the sixth Year of her Majesty's Reign appropriated for and during the said Term of ninety-six Years for the Payment of Annuities to be purchased in pursuance of that Act; in which said Act it is provided and enacted, That if at the End of any Quarter of a Year of the Term for which the Annuities upon that Act were to be purchased, the Monies arising at the Exchequer of or for the said half Subsidies and Duties by that Act appropriated (certain Contribution Money therein mentioned to be reserved, being excepted) should exceed all the Monies then due for or upon the same Annuities and all Arrearages thereof, then or at any Time or Times before that Time incurred, so that there should be an Excess or Surplus remaining in the Exchequer, such Excess or Surplus should be disposable, from Time to Time, for the Publick Use and Service and not otherwise: Now it is hereby enacted by the Authority aforesaid, That the said Excess or Surplus which shall from Time to Time arise of and from the last mentioned Moiety or half Part of the said Subsidies, Duties, and Sums of Money upon Wines, Goods, and Merchandizes, after Payment and Satisfaction, or reserving at the Receipt of her Majesty's Exchequer, from Time to Time, sufficient to pay and satisfy the said Annuities, not exceeding in the whole the Sum of eighty thousand Pounds *per Annum*, charged upon the said last mentioned Moiety or half Part of the Subsidies, Duties, or Sums of Money upon Wines, Goods, and Merchandizes by the said last mentioned Act of the sixth Year of her Majesty's Reign, during the said Term of ninety-six Years, (except the necessary Charges of raising, levying, collecting, ascertaining, and accounting for the same) and also all Arrearages of the said last mentioned Moiety or half Part of the said Subsidies, Duties, and Sums of Money upon Wines, Goods, and Merchandizes (not already appropriated, or to be applied by any former Act or Acts of Parliament in that Behalf) shall, as the same shall arise, be kept distinct and apart in her Majesty's Exchequer for the Purposes in this Act expressed, and for no other Use, Intent, or Purpose whatsoever.

XXXIII. And it is hereby declared and enacted by the Authority aforesaid, That the said Subsidies of Tonnage and Poundage, and other Duties commonly called by the Name of *The two third Subsidies*, which from and after the Expiration of the said Term of three Years formerly granted therein as aforesaid, shall arise, grow due, or become payable by Virtue of this Act to her Majesty, her Heirs and Successors, and all the Monies which from and after the paying off and discharging all the said Loans, not exceeding six hundred thirty-six thousand nine hundred fifty-seven Pounds four Shillings and a half Penny, and all the Interest thereof, shall or may arise during the then Remainder of the said Term of three Years of or for the said Subsidies and Duties, commonly called *The two third Subsidies*, granted or continued by the said Act of the sixth Year of her Majesty's Reign; and the said Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures, and upon Muslins, and the increased or new additional Rates and Duties upon all Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, and Pictures; and the further Rates and Sums charged or imposed for and upon all White Callicoes, Porcelain, commonly called *China* Wares, and Drugs, which from and after the Expiration of the said Term of four Years formerly granted therein as aforesaid, shall arise, grow due, or become payable by Virtue of this Act to her Majesty, her Heirs and Successors; and all the Monies which from and after the paying off and discharging all the said Loans, not exceeding seven hundred thousand Pounds, and all the Interest thereof, shall or may arise during the then Remainder of the said

6 Annæ, c. 11.

5 Annæ, c. 27.

12 Car. 2. c. 4.

6 Annæ, c. 11.

Excess or Surplus arising of the Annuity Act 6 Annæ.

6 Annæ, c. 11.

to be kept apart in the Exchequer for the Purposes of this Act.

The Two third Subsidies.

6 Annæ, c. 22.

The Duty on Coffee, &c.

The Duty on Callicoes, &c.

Half the old
Subsidy, &c.

6 Annæ, c. 22.

6 Annæ, c. 11.

made a General
Fund for paying
off and cancell-
ing the Bills, &c.

said Term of four Years of and in the said Duties, and additional or further Duties on Coffee, and other the enumerated Commodities last mentioned, granted by the said Act of the sixth Year of her Majesty's Reign; and the said half Subsidies and other Duties, which from and after the said last Day of July one thousand seven hundred and fourteen shall arise, grow due, or become payable by Virtue of this Act to her Majesty, her Heirs and Successors; and all the Monies, which from and after the paying off and discharging all the said Loans, not exceeding seven hundred twenty-nine thousand sixty-seven Pounds fifteen Shillings and six Pence three Farthings, borrowed or authorized to be borrowed as aforesaid, and all the Interest Monies secured, or intended to be secured by the said Act of the sixth Year of her Majesty's Reign in that Behalf, or reserving sufficient Money in the Exchequer, for that Purpose as aforesaid, shall or may arise of or for the like half Subsidies or Duties by the same Act of the sixth Year of her Majesty's Reign until the said first Day of August one thousand seven hundred and fourteen, and all the Monies which (at the End of any Quarter of a Year of the Term for which the said Annuities not exceeding eighty thousand Pounds *per Annum* upon the said other Act of the sixth Year of her Majesty's Reign are purchased) shall arise at the Exchequer of or for the other half Subsidies or Duties by that Act appropriated, over and above the Monies then due for or upon the same Annuities, or for Arrearages thereof, then or at any Time or Times before that Time incurred as aforesaid, (the necessary Charges of raising, levying, collecting, answering, paying, and accounting for the said Subsidies, Duties, Surplus Monies, Remains, and Arrears respectively, and the Charges of making and issuing all the Exchequer Bills to be made forth or issued in pursuance of this Act, always excepted and foreprized) are and shall be a general Fund and Security, as well for satisfying and paying, from Time to Time, all such Monies as shall be due or payable according to the true Meaning of this Act, for the said Interest to be born on the said Bills, and for the said Premium or Allowance after the Rate of three Pounds *per Centum per Annum*, and for or towards raising the yearly Sum of two hundred thousand Pounds, to commence as is herein after mentioned for paying off and cancelling the said Bills in the Manner herein after expressed.

“ A Book to be kept in the Auditor's Office for entering the General Fund. Till the Fund established
“ takes effect, Treasury to compute quarterly the Interest due on Exchequer Bills: And to make out
“ other Bills for so much as shall be due, with like Interest and Currency, &c. and be dated on the
“ Quarter Day to which the Interest is computed, and paid to the Bank, &c. Remainder of the Subsi-
“ dies, &c. appropriated for paying off Exchequer Bills. Deficiency of one Quarter to be made good
“ out of the Overplus of the next. Surplus of any Quarter disposable by Parliament. Allowance of 3
“ *per Cent.* for Circulation to be paid weekly. Treasury to issue Money to any Person for discharging
“ the Interest on the Bills. The yearly Sum of 200,000*l.* for discharging the Bills, to be issued and ap-
“ plied as the Treasury shall direct; but the weekly Payments not to exceed 50,000*l.* in one Quarter.
“ Officers misapplying the Money, &c. forfeit Office, &c. Exchequer Bills to be taken by all Receivers,
“ &c. and at the Exchequer. Receivers, &c. to exchange the Bills in ready Money, or be liable to be
“ sued for the Money, &c. How the Plaintiff in such Action may declare. He shall recover Damages
“ and full Costs of Suit. The Bills to pass as Specie in the Exchequer. Interest on Bills to be allowed
“ by Receivers, &c. Bills in Receivers Hands, &c. Interest to cease. Persons paying Bills to Receivers,
“ &c. to endorse their Names, Day, and Year when paid. Bills re-issued to have the Day and Year en-
“ dorsed, &c. Bills after 24 June 1709. to be re-issued only for the Principal. Tellers to be reimburs-
“ ed the Interest they allow. Receivers General to keep a Book, &c. to be inspected without Fee, on
“ Penalty of 100*l.* to any one who will sue for it. Bank to exchange all Bills re-issued at the Exche-
“ quer. Penalty on Bank refusing to exchange. Bills filled up by Indorsements, &c. Treasury to issue
“ new ones. Bank may call in Money from their Members for circulating, &c. See 8 Annæ, c. 1. §.
“ 116. Members refusing, Bank may stop their Dividends, &c. and charge Defaulters with Interest at
“ 6 *per Cent.* Not paid in 3 Months, Bank may sell. Bank may make Dividends of the Money called
“ in. Felony to counterfeit these Exchequer Bills. Bank to have one Part of the Cheques, &c. of all
“ Bills. Members not disabled by any Thing in the Act to be Parliament Men, or liable to be Bankrupts.
“ No other Exchequer Bills to be issued, until all these be paid, without Consent of the Bank. EXP.”

During the Bank
no Company in
Partnership to
take up Money
on their Bills,
payable under
6 Months.

Capital Stock,
&c. exempted
from Taxes,

and to be deem-
ed a personal
Estate,

LXI. And it is hereby further enacted by the Authority aforesaid, That during the Continuance of the said Corporation of the Governor and Company of the Bank of *England*, it shall not be lawful for any Body Politick or Corporate whatsoever, erected or to be erected, (other than the said Governor and Company of the Bank of *England*) or for any other Persons whatsoever united or to be united in Covenants or Partnership, exceeding the Number of six Persons, in that Part of *Great Britain* called *England*, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable at Demand, or at any less Time than six Months from the borrowing thereof.

LXII. And it is hereby further enacted by the Authority aforesaid, That the Common Capital and Principal Stock, and also the real Funds of the Governor and Company of the Bank of *England*, and all the Profit and Produce to be made thereof, or arising thereby, and the said Allowance after the Rate of three Pounds *per Centum per Annum*, and the particular Part, Share, and Interest of every Member of the said Corporation in the said Stock, Funds, Profits, Produce, and Allowance, and the Principal to be contained in the said Bills, and the Interest to be born thereupon, shall be and are hereby exempted from any Taxes, Rates, Assessments, and Impositions whatsoever, during the respective Continuances of the same; and shall be deemed in all Courts of Law and Justice, and in all other Courts and Places whatsoever, to be a personal Estate, and not real, and shall go to the Executors and Administrators of the Person or Persons dying possessed thereof, or entitled thereunto, and not to the Heirs of such Person or Persons;

sons; and that the said Common Capital and Principal Stock, and real Funds of the said Governor and Company of the Bank of *England*, and the said Allowances after the Rate of three Pounds *per Centum per Annum*, the said Exchequer Bills, whilst in the Hands of the said Governor and Company, and the particular Part, Share, and Interest of every Member of the said Corporation in the said Stock, Funds, Allowances, and the said Bills, whilst such Bills shall be in the Hands of the said Governor and Company, as aforesaid, shall not be liable or subject to any Foreign Attachment by the Custom of *London*, or otherwise; any thing in this Act, or in any other Act contained, or any other Law, Statute, Provision, Usage, or Custom to the contrary notwithstanding.

and not liable to Foreign Attachment.

LXIII. And it is hereby further enacted by the Authority aforesaid, That the original Fund of the said Governor and Company of one hundred thousand Pounds *per Annum* before mentioned, and all Profit, Benefit and Advantage, from time to time arising out of the Management of the said Corporation, and also the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence *per Annum*, and likewise the said Allowance after the Rate of three Pounds *per Centum per Annum* for circulating the Exchequer Bills to be made in pursuance of this Act, shall (the Charges of managing the Business of the said Governor and Company, only excepted) be applied from time to time, to the Uses of all the Members of the said Corporation of the Governor and Company of the Bank of *England* for the Time being, ratably and in Proportion to each Member's Part, Share, and Interest in the common Capital and principal Stock of the said Governor and Company hereby continued, enlarged, and established.

The original Fund, &c. to be applied to the Use of the Members.

LXIV. Provided always, and it is hereby enacted by the Authority aforesaid, That the several and respective Persons who have subscribed the several Sums in the said Books, amounting to the said Sum of two millions two hundred and one thousand one hundred seventy-one Pounds ten Shillings, or for whom such Subscriptions have been made, and have paid down one fifth Part of each Sum subscribed, as aforesaid, or their respective Assigns, shall, and they are hereby respectively enjoined and required to pay to the said Governor and Company, or their Cashier, for their Use, the remaining four fifth Parts of every Sum so subscribed or written in the said Books, or any of them, against their Names respectively, and also every Sum of fifteen Pounds, or after that Rate, to be added to every hundred Pounds, or any greater or lesser Sum subscribed, as aforesaid, at such Times, and by such Proportions, as the Court of Directors of the said Governor and Company for the Time being, or the major Part of them, shall appoint in that Behalf, so as publick Notice thereof be given as well in the *London Gazette*, as by a Paper to be signed by the Secretary of the said Governor and Company, and fixed upon the *Royal Exchange* in *London*, at least ten Days before the respective Days of Payment so appointed; and in case Default shall be made in any of the said Payments so appointed and notified, then the Person or Persons making such Default, shall forfeit the fifth Part so paid down, as aforesaid, to the said Governor and Company of the Bank of *England*, and their Successors, and in respect of such fifth Part shall not be entitled to any Share or Dividend out of the Capital Stock of the said Governor and Company; any thing herein contained to the contrary thereof in any wise notwithstanding.

Subscribers of 2,201,171l. 10s. who have paid one Fifth to pay the Remainder into the Bank,

at such Times as the Directors shall appoint.

Defaulters to forfeit the fifth Part paid down:

LXV. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Governor and Company of the Bank of *England* so enlarged and constituted, as aforesaid, and their Successors, at any Time or Times hereafter, when they shall find it safe and convenient, to reduce or lessen their Capital Stock increased as aforesaid, by any Dividend or Dividends to be made among the then Members of the said Corporation in their private or personal Capacities, ratably and in Proportion to their respective Shares and Interests therein, taking Care that the Sum total of all their Debts which they shall owe at any one Time to any Person or Persons, Bodies Politick or Corporate, do not exceed the Value of the Joint and Capital Stock, and such other Estate which at any such Time shall be and remain to the said Governor and Company undivided; and that in case the said Governor and Company, or their Successors, by any Dividend whatsoever to be made amongst themselves in their private or personal Capacities, shall reduce or lessen their joint Stock or Capital, without limiting, paying off, or proportionably reducing the total Sum of the said Debts which they shall owe to others, as aforesaid, so that the Value of their joint Stock and Capital, and other their Estate then remaining undivided, shall not be sufficient to answer their just Debts then remaining unpaid; in every such Case the particular Members of the said Corporation of the Governor and Company of the Bank of *England*, and every of them respective, who in their private or personal Capacities shall receive any Share of such Dividend, shall be severally liable, and they are hereby made liable, so far as the respective Shares so by them respectively received upon such Dividend will extend, to pay and satisfy the Debts which shall remain due and unpaid by the said Governor and Company, to any other Person or Persons, Bodies Politick or Corporate, as aforesaid, who by virtue of this Act shall or may sue for and recover the same (besides Treble Costs) by Action of Debt, or upon the Case, as is before-mentioned; any thing in this, or any former Act, Charter, or otherwise howsoever to the contrary in any wise notwithstanding.

Bank may make Dividends, &c.

taking Care that the Debts they shall owe, exceed not the Capital Stock.

In such Case the particular Members who have received any Share of such Dividend, shall be, so far as that will extend, liable to pay the Debts owing by the Bank.

LXVI. Provided always, and it is hereby further enacted, That from and after the compleat paying off, and discharging the said Principal and Interest due on all the said Exchequer Bills to be issued in pursuance of this Act, and cancelling all the Bills, and full Satisfaction made as aforesaid, of all Arrearages of the said Allowances, after the Rate of three Pounds *per Centum per Annum* for circulating the same, then, and not till then, the several Duties by this Act settled or appropriated, as well for Payment of the said Interest, after the Rate of two Pence *per Centum per Diem*, and the said Allowance after the Rate of three Pounds *per Centum per Annum*, as for raising the said yearly Sum of two hundred thousand Pounds, and every of them, shall be understood to be redeemed by Parliament, and shall not be issued, paid or applied

After the Bills are all discharged, the Duties are redeemed.

plied to any Use, Intent, or Purpose whatsoever, without the Authority of Parliament; any thing herein contained to the contrary thereof in any wise notwithstanding.

The not redeeming the said Duties, not to hinder the Redemption of the original Fund, &c.

LXVII. Provided nevertheless, That nothing in this Act contained, for or concerning the Redemption of the said Duties by this Act settled and appropriated, as well for Payment of the said Interest, after the Rate of two Pence *per Diem*, and the said Allowance after the Rate of three Pounds *per Centum per Annum*, as for raising the said yearly Sum of two hundred thousand Pounds for cancelling the said Bills, shall in any wise prevent or hinder the Redemption of the said original Fund of one hundred thousand Pounds *per Annum*, or the said Annuity of one hundred and six thousand five hundred and one Pounds thirteen Shillings and five Pence, pursuant to the respective Provisoos for those Purposes in this Act contained; but that the same, or either of them may be redeemed from the said Governor and Company, or their Successors, according to the respective Provisoos or Conditions in this Act contained, without Redemption of the said Duties and Funds hereby settled in Relation to the Exchequer Bills to be made forth in pursuance of this Act, as aforesaid; any thing herein contained to the contrary in any wise notwithstanding.

The Dividend of 4l. 10s. to belong only to the old Members.

LXVIII. And whereas the said Governor and Company of the Bank of England established by former Acts herein recited, did on the three and twentieth Day of *March* one thousand seven hundred and eight, order a Dividend of four Pounds and ten Shillings *per Centum* to be made amongst their then Members; It is hereby enacted and declared, That the said Dividend only belongs to, and is to be received and enjoyed by the respective Members of the said Corporation, before the making of the Subscription before-mentioned, and their respective Assigns, in Proportion to their respective Interests in the then Capital Stock of the said Governor and Company.

Commissioners for taking Subscriptions indemnified.

LXIX. Provided always, and it is hereby enacted and declared, That the Persons named Commissioners for taking the Subscriptions in the Act before-mentioned, or any of them, shall not incur or be subject to any Incapacity, Forfeiture or Penalty whatsoever, for or in Regard of their or any of their being named Commissioners, or acting in or upon the Commission for taking such Subscriptions, or any Ways relating thereunto; any Law or Statute to the contrary in any wise notwithstanding.

Publick Act.

LXX. And be it further enacted and declared, That this present Act shall be esteemed in all the Parts thereof in all Courts of Law and Equity to be a publick Act, and Notice thereof shall be taken as such by all Courts and Persons accordingly.

Bank not obliged to pay Interest to a lesser Sum than a Penny.

LXXI. And it hereby enacted by the Authority aforesaid, That as often as any of the Bills hereby authorized to be issued shall become payable by the said Governor and Company, and shall be brought to them to be exchanged for Money, the said Governor and Company shall not be obliged to pay for such Interest to any lesser Sum than a Penny due upon such Bill, in case a single Bill be produced for Payment, or for the Total of the Interest of such Bills, where two or a greater Number of Bills shall be offered at one Time by the same Person; and the Payment or Tender of all such Interest as shall be due on such Bill or Bills (except such Sum less than a Penny) together with the Principal due on such Bill and Bills, shall be good and sufficient in Law, as if the Principal and entire Interest, including such less Sum than a Penny, had been paid or tendered upon such Bill or Bills.

Bank may call in Monies divided out of their capital Stock, &c.

LXXII. Provided always, and it is hereby enacted and declared, That it shall and may be lawful for the said Governor and Company, and their Successors, from time to time hereafter in such Manner, and by such Notice as in this Act are before appointed for calling in any Monies for the Circulation of Exchequer Bills and other the Purposes before-mentioned, to call in or direct to be paid by or from their respective Members for the Time being proportionably all or any Part of the Monies, which shall have before been divided and paid out of their said Capital Stock of four millions four hundred and two thousand three hundred forty and three Pounds, under such Penalties, Charges, and Forfeitures for Non-payment of any Monies of the said Capital so called in, as are before appointed for Non-payment of any other Monies (not Capital) by this Act authorized to be called in, as aforesaid.

Duties deficient to be made good out of the next Aids.

LXXIII. Provided always, and it is hereby enacted by the Authority aforesaid, That if the respective Duties by this Act granted or appropriated, or any of them, shall at any Time or Times appear to be so deficient, that within any one Year the said respective Duties shall not be sufficient to answer and satisfy the several and respective Purposes to which the same are hereby severally appropriated, then and in every such Case, and as often as such Deficiency shall happen, the same shall be provided for, answered and made good by and out of the next Aids to be granted by Parliament.

Farther Provisions concerning Bank, 9 Ann. c. 7. 12 Ann. St. 1. c. 11. 12 Ann. St. 2. c. 3. 3 Geo. 1. c. 8. 11 Geo. 1. c. 9. 1 Geo. 2. St. 2. c. 8. 2 Geo. 2. c. 3. 11 Geo. 2. c. 27. §. 16. 15 Geo. 2. c. 13. 19 Geo. 2. c. 6. 24 Geo. 2. c. 4.

C A P. VIII.

An Act for continuing several Impositions and Duties, to raise Money by way of Loan; and for exporting *British* Copper and Brass Wire Duty-free; and for circulating a further Sum in Exchequer Bills, in case a new Contract be made in that Behalf; and concerning the Oaths to be administered in Relation to *Italian* thrown Silks, and touching Oils and Plantation Goods of Foreigners, taken or to be taken as Prize; and concerning Drugs of *America* to be imported from her Majesty's Plantations; and for appropriating the Monies given in this Session of Parliament; and for making out Debentures for two Transport Ships in this Act named; and to allow a further Time for registering certain Debentures, and for Relief of Persons who have lost such Tickets, Exchequer Bills, Debentures, Tallies, or Orders, as in this Act are mentioned.

MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, for the better enabling your Majesty to defray the Expences of the present War, and for other your Majesty's most necessary and important Occasions, have cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty the several and respective Subsidies, Impositions, and Duties herein after particularly described, for and during the Terms herein after expressed, and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen'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 several Impositions and Duties upon Wines and Vinegar granted by an Act made in the first Year of the Reign of his late Majesty King JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Wines and Vinegar imported between the twenty-fourth Day of June one thousand six hundred eighty-five and the twenty-fourth Day of June one thousand six hundred ninety-three*, which said Act, by several subsequent Acts of Parliament since made, was continued, and is to continue until the first Day of August one thousand seven hundred and fourteen, shall, by virtue of this Act, be further continued and be payable to her Majesty, her Heirs and Successors, for and upon all Wines and Vinegar which shall be imported into *Great Britain*, from the last Day of July one thousand seven hundred and fourteen to the first Day of August one thousand seven hundred and sixteen, and no longer; and that the said Act so made in the first Year of the Reign of the said late King JAMES the Second, and all Powers Provisions, Penalties, Articles, and Clauses therein contained, for or concerning the said Impositions on Wines and Vinegar, shall continue and be in full Force and Effect, until the said first Day of August one thousand seven hundred and sixteen, and shall be applied, practised, and executed for raising, levying, collecting, answering, and paying the said Duties upon Wine and Vinegar hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully, to all Intents and Purposes, as if all and every the Clauses, Matters, and Things in the said Act of the first Year of the Reign of the said King JAMES the Second contained, had been again in this Act repeated, and particularly enacted.

II. And be it further enacted by the Authority aforesaid, That the Rates, Duties, and Impositions upon all Sorts of Tobacco, granted by an Act made in the first Year of the Reign of the said late King JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Tobacco and Sugar imported between the twenty-fourth Day of June one thousand six hundred eighty-five, and the twenty-fourth Day of June one thousand six hundred ninety-three*, which said Act as for and concerning the said Duties and Impositions upon Tobacco only, by several subsequent Acts of Parliament since made, was continued, and is to continue until the first Day of August one thousand seven hundred and fourteen, shall, by virtue of this Act, be further continued and paid unto her Majesty, her Heirs and Successors, for and upon all Tobacco to be imported into *Great Britain*, from the last Day of July one thousand seven hundred and fourteen to the first Day of August one thousand seven hundred and sixteen, and no longer.

III. Provided always, and be it enacted and declared by the Authority aforesaid, That the said Duty upon Tobacco which shall be imported within the Times by this Act limited, and all Arrears thereof, shall be secured, collected, raised, levied, answered, and paid to her Majesty in such Method, and with such Discount and Allowances, and according to such Rules and Directions, as are mentioned, referred to, or prescribed (as to the Duties or Impositions upon Tobacco) in and by the Act made in the Parliament holden in the seventh Year of the Reign of King WILLIAM the Third, of glorious Memory, intituled, *An Act for continuing several Duties, granted by former Acts upon Wines, Vinegar, and Tobacco, and East India Goods, and other Merchandizes imported, for carrying on the War against France, and not otherwise*.

IV. And be it further enacted by the Authority aforesaid, That the several additional and other Rates, Impositions, Duties, and Charges upon the several Sorts of Goods and Merchandizes, granted by an Act made in the second Year of the Reign of King WILLIAM the Third and Queen MARY, intituled, *An Act for granting to their Majesties certain Impositions upon all East India Goods and Merchandizes, and upon all Wrought Silks, and several other Goods and Merchandizes to be imported after the five and twentieth Day of December one thousand six hundred and ninety*, and which thereby, and by several Acts of Parliament already made, have Continuance until the first Day of August one thousand seven hundred and fourteen, shall be further continued and paid to her Majesty, her Heirs and Successors, for and upon the like Commodities

Duties on Wines and Vinegar continued to 1 August 1716.

1 Ja. 2. c. 3. Farther continued by 8 Annæ, c. 13. and made perpetual by 9 Annæ, c. 21. §. 1.

1 Ja. 2. c. 3.

Duties on Tobacco continued to 1 August 1716.

1 Ja. 2. c. 4. Farther continued by 8 Annæ, c. 13. and made perpetual by 9 Annæ, c. 21. §. 1.

Duties on Tobacco to be levied, &c. as by 7 & 8 W. 3. c. 10.

7 W. 3. c. 10.

Old Impost continued till 1 August 1716.

2 W. & M. c. 2, c. 4. Farther continued by 8 Annæ, c. 13. and made perpetual by 9 Annæ, c. 21. §. 1.

to be imported into *Great Britain*, from the last Day of *July* one thousand seven hundred and fourteen to the first Day of *August* one thousand seven hundred and sixteen, and no longer; and that the said Act made in the second Year of their late Majesties Reign, concerning *East India Goods* and other Things therein charged, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, shall continue and be of full Force and Effect until the said first Day of *August* one thousand seven hundred and sixteen, and shall be applied, practised, and executed for the raising, levying, collecting, answering, and paying the said respective Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully, and to all Intents and Purposes, as if the said last mentioned Act, and all and every the Clauses, Matters, and Things therein contained, had been again repeated and particularly enacted (except only as to such Part of the said Acts, concerning the said Impositions on Wines, Vinegar, Tobacco, *East India Goods*, and other Merchandizes imported, touching which other Provisions or Alterations are made by any Act or Acts of Parliament now in Force, which other Provisions or Alterations are to be observed, and to continue during the Continuance of this present Act) and the said Act, intituled, *An Act for continuing several Duties granted by former Acts upon Wines and Vinegar, and upon Tobacco, and East India Goods, and other Merchandizes imported, for carrying on the War against France*, and every Article, Clause, Matter, and Thing therein contained, for the raising, levying, securing, answering and paying the Impositions and Duties on the Merchandizes and Commodities thereby charged, and which are by this Act continued, shall be of full Force and Effect, until the said first Day of *August* one thousand seven hundred and sixteen.

7 W. 3. c. 10.

Additional Impositions continued to 1 Aug. 1716. 4 & 5 W. & M. c. 5. Farther continued by 8 Annæ, c. 13. and made perpetual by 9 Annæ, c. 21. §. 1.

V. And be it further enacted by the Authority aforesaid, That the additional and other Rates, Duties, Impositions, and Charges upon the several Sorts of Goods and Merchandizes, granted by an Act of Parliament made in the fourth Year of their said late Majesties Reign, intituled, *An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandizes, for prosecuting the present War against France*, which by several subsequent Acts of Parliament already made, have Continuance until the said first Day of *August* one thousand seven hundred and fourteen, shall, by Virtue of this Act, be further continued, and be paid and payable to her Majesty, her Heirs and Successors, throughout *Great Britain*, from the last Day of *July* one thousand seven hundred and fourteen to the first Day of *August* one thousand seven hundred and sixteen, and no longer; and that the said Act last mentioned, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained (except as herein after is excepted and provided) as for and concerning the said Rates, Duties and Impositions, shall continue and be of full Force and Effect until the said first Day of *August* one thousand seven hundred and sixteen, and shall be applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as if the said last mentioned Act, and all and every the Clauses, Matters, and Things therein contained, had been again repeated and particularly enacted in this present Act: Provided also, That in all Cases where any other Provision or Alteration is made by any Act or Acts of Parliament now in Being, in or about any other Matter or Thing contained in the said Act of Parliament for the Impositions last mentioned, such other Provisions or Alterations shall be observed during the Continuance of the Term hereby granted; any thing herein contained to the contrary notwithstanding.

Duties on Whale Fins continued to Aug. 1716. 9 & 10 W. 3. c. 45. Farther continued by 8 Annæ, c. 13. and made perpetual by 9 Annæ, c. 21. §. 1.

VI. And it is hereby further enacted, That the several Impositions and Duties, for and upon all Whale Fins imported, which by an Act of Parliament in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for taking away half the Duties imposed on Glass Wares, and the whole Duties lately laid on Stone and Earthen Wares, and Tobacco Pipes, and for granting in lieu thereof new Duties on Whale Fins and Scotch Linnen*, were granted to his said late Majesty King WILLIAM, and by subsequent Acts already passed, have Continuance until the first Day of *August* one thousand seven hundred and fourteen, shall be, and are hereby continued and payable to her Majesty, her Heirs and Successors, upon all Whale Fins to be imported into *Great Britain*, from the last Day of *July* one thousand seven hundred and fourteen, to the first Day of *August* one thousand seven hundred and sixteen, and no longer; and shall be raised, levied, collected, and paid in such Manner and Form, and by such Ways and Means, and under such Penalties, as are mentioned in the said Act for granting the said Impositions on Whale Fins and Scotch Linnen; which Act, with all the Powers, Provisions, Penalties, Articles, and Clauses therein contained, or thereby referred to, shall continue and be in full Force until the said first Day of *August* one thousand seven hundred and sixteen, and shall be applied, practised, and put in Execution for raising and levying the said Duties on Whale Fins hereby continued, and all Arrears thereof; as fully and effectually as if all the Clauses, Matters, and Things therein contained concerning the said Duties on Whale Fins were repeated, and again enacted in the Body of this present Act.

1 Ja. 2. c. 3. 2 W. & M. ff. 2. c. 4. 4 & 5 W. & M. c. 5. 9 & 10 W. 3. c. 45.

VII. And whereas the said Impositions on Wines, Vinegar, and Tobacco, which were first granted to King JAMES the Second, in the first Year of his Reign, and the said Impositions on *East India Goods*, and other Goods charged therewith, which were first granted to their late Majesties King WILLIAM and Queen MARY in the second Year of their Reign, and the said additional Impositions which were first granted to them in the fourth Year of their Reign, and the said Duties on Whale Fins imported, which were granted to his said late Majesty King WILLIAM in the ninth Year of his Reign, were by several subsequent Acts of Parliament continued (with some Exceptions and Alterations) as aforesaid, until the said first Day of *August* one thousand seven hundred and fourteen, in the Manner therein mentioned, and are thereby made subject and liable (together with such other Duties as are therein expressed) to the Satisfaction of several principal Sums which were borrowed, or authorized to be borrowed upon those Acts respectively, and the Interest due, and to be due for the same, which Principal and Interest are to be duly paid off and discharged in the first Place; Now it is hereby further declared and enacted

enacted by the Authority aforesaid, That from and immediately after the Time that all the Principal and Interest Monies which by the said former Acts, or any of them, are charged or chargeable on the several Impositions and Duties last particularly mentioned (jointly with other Duties) as aforesaid, shall be fully paid off and satisfied according to the true Meaning of the said former Acts, or that sufficient Money shall be reserved in the Exchequer for that Purpose, then all the Monies which from thenceforth shall arise by the said Impositions upon Wines, Vinegar, and Tobacco, which were first granted to King JAMES the Second in the first Year of his Reign, and the said Impositions on *East India* Goods, and other Goods charged therewith, which were first granted to their late Majesties King WILLIAM and Queen MARY, in the second Year of their Reign, and the said additional Impositions which were first granted to them in the fourth Year of their Reign, and the said Duties on Whale Fins imported, which were granted to his late Majesty King WILLIAM in the ninth Year of his Reign, for the Remainders of the Terms formerly granted, and therein then to come and unexpired (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall, from Time to Time, be paid into the Receipt of the Exchequer distinctly for the Purposes in this Act expressed, and for no other Use, Intent, or Purpose whatsoever.

After the Principal, &c. of the former Acts are discharged, the several Duties appropriated for the Uses of this Act.

‘ VIII. And whereas it is found by Experience, That the Duties upon the Exportation of Copper of the Produce and Growth of *Great Britain*, and upon Brass Wire made in *Great Britain*, have annually produced very inconsiderable Sums, and nevertheless do hinder the Exportation of such Copper and Wire, to the Prejudice of this Nation;’ Be it therefore enacted by the Authority aforesaid, That no Subsidies or other Duties shall be due or payable by any Act or Acts of Parliament whatsoever upon the Exportation of any such Copper or Wire, which from and after the first Day of *May* one thousand seven hundred and nine, shall be exported to or for any Parts beyond the Seas; any Law or Statute whatsoever to the contrary notwithstanding.

British Copper and Brass Wire to be exported Duty-free.

‘ IX. And whereas the Governor and Company of the Bank of *England* have undertaken the Circulation of Exchequer Bills, amounting to two millions and five hundred thousand Pounds, for her Majesty’s Supply, in such Manner and Form, and upon such Terms and Advantages as are mentioned or intended by another Act of this Session of Parliament in that Behalf;’ Now it is hereby provided, &c.

7 Annæ, c. 7. See 9 Ann. c. 7.

“ The Bank may agree to circulate further Exchequer Bills for 612,739*l.* &c. with the same Advantages, &c. as by the former Act, &c. Oath upon importing *Italian* thrown Silk, to be made before the Collector, &c. Oils and Plantation Goods of Foreigners, taken as Prize, to pay Customs, pursuant to her Majesty’s Declaration, 12 *May* 2 Annæ. EXP. See 8 Annæ, c. 1.”

1 Annæ, stat. 1. c. 27. 6 Annæ, c. 19.

XII. And be it enacted by the Authority aforesaid, That from and after the four and twentieth Day of *June* one thousand seven hundred and nine, *Jesuits* Bark, *Sarsaparilla*, Balsam of *Peru* and *Tulu*, and all other Drugs of the Growth and Product of *America*, may be imported from any of her Majesty’s Plantations in *America*, in Ships regularly manned and navigated, paying the same Duty and no more, as if they were imported directly from the Place of their Growth; any Law or Statute to the contrary notwithstanding.

Drugs of America may be imported from her Majesty’s Plantations.

Concerning Drugs see farther,

1 *Geo.* 1. c. 43. 8 *Geo.* 1. c. 15. 10 *Geo.* 1. c. 20. 17 *Geo.* 2. c. 31. 25 *Geo.* 2. c. 32. 31 *Geo.* 2. c. 12 & 35.

XIII. Provided always, and it is hereby enacted by the Authority aforesaid, That it shall and may be lawful, to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to her Majesty at the Receipt of her Majesty’s Exchequer, as well upon Credit of the several Impositions and Duties by this Act granted or continued, as also upon Credit of the Monies which by the said former Acts, after Satisfaction of the Principal and Interest thereupon as aforesaid, shall arise by the Impositions and Duties thereby granted, any Sums which shall not exceed in the whole six hundred forty-five thousand Pounds, for the Service of the War, and other her Majesty’s Occasions; and moreover, the Treasurer of the Exchequer for the Time being, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and directed to cause the Officers of the said Receipt of Exchequer, to receive from Time to Time, by way of Loan, from any Person or Persons, Bodies Politick or Corporate, willing to make the same at the said Receipt, any further Sum and Sums of Money, over and above the said Sums not exceeding six hundred forty-five thousand Pounds, as shall be sufficient to make good the Payment of all the Interest Monies appointed or allowed by this Act, every three Months, until the said Impositions and Duties arising by this or by the said former Acts, or any of them first happening, shall come into the Exchequer, and be sufficient for that Purpose, pursuant to the Intent and Meaning of this Act; and that all the Lenders as well of the said Sums not exceeding six hundred forty-five thousand Pounds, as of the said further Sums for making good the Payment of the intermediate Interest as aforesaid, shall have and receive Interest for the Forbearance thereof, after the Rate of six Pounds *per Centum per Annum*, and that no Money to be lent upon the Security of this Act, shall be taxed, rated, or assessed by any Act of Parliament whatsoever.

Clause of Loan for 645,000*l.*

and of a further Sum for making good the intermediate Interest.

at 6 per Cent. Tax-free. See 8 Ann. c. 13. f. 12.

“ Lenders to have Tallies struck, &c. Orders to be paid in Course, &c. No Fee, &c. to be taken. Penalty. Tallies of the same Date no undue Preference. No Penalty to incur, if subsequent Orders be first paid. Orders assignable. EXP.”

‘ XVIII. And whereas in and by one Act of the fifth Year of her Majesty’s Reign, a Credit was given for any Sums not exceeding eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing; and by another Act of the sixth Year of her Majesty’s Reign, a further Credit was given for any Sums not exceeding seven hundred twenty-nine thousand sixty-seven Pounds

5 Annæ, c. 27. 6 Annæ, c. 19.

‘ Pounds fifteen Shillings and six Pence three Farthings, to be borrowed upon those Acts respectively, at
 ‘ an Interest after the Rate of six Pounds *per Centum per Annum*, upon the several Subsidies, Impositions,
 ‘ and Duties in the same Acts respectively mentioned; and the Lord High Treasurer, or any three or
 ‘ more of the Commissioners of the Treasury for the Time being, are by the same Acts respectively au-
 ‘ thorized and directed to cause the Officers of the Exchequer to receive, from Time to Time, by way
 ‘ of Loan, at the like Interest at the said Receipt, any further Sum or Sums of Money as should be suffi-
 ‘ cient to make good the Payment of all the Interest Monies, appointed or allowed by the same Acts re-
 ‘ spectively, every three Months, until the Subsidies, Impositions, and Duties therein mentioned, should
 ‘ come into the Exchequer, and be sufficient for that Purpose, pursuant to the Intent and true Meaning
 ‘ of the same Acts respectively :’ Now it is hereby provided and enacted by the Authority aforesaid, That
 nothing in this Act contained shall extend or be construed to extend to the taking away, altering, or less-
 ening the said Power and Direction of borrowing Monies to make good the Payment of the said Interest
 Monies every three Months, until the said Subsidies, Impositions, and Duties in the said respective Acts
 mentioned shall come in, and be sufficient for that Purpose as aforesaid, or in any wise to alter or preju-
 dice the Security given by the said several Acts of the fifth and sixth Years of her Majesty’s Reign, or
 either of them, for the Repayment and Satisfaction of the same, or any other the Principal and Interest
 Monies, which were secured or intended to be secured by the same Acts respectively, but that the Orders
 for the same shall be registred in Course, and paid in the same Manner upon each of those Acts, as if this
 Act had never been made; this present Act, or any Thing therein contained, or any other Matter or
 Thing whatsoever to the contrary in any wise notwithstanding.

This Act not to
 prejudice the Se-
 curity of the
 Acts above men-
 tioned.

Clause of Appro-
 priation.
 7 Annæ, c. 1.

7 Annæ, c. 3.

7 Annæ, c. 7.

XIX. And be it enacted by the Authority aforesaid, That all the Monies lent and to be lent unto her
 Majesty on one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty to be*
raised by a Land Tax in Great Britain, for the Service of the Year one thousand seven hundred and nine, and so
 much Money (if any such be) of the Tax thereby granted, as shall arise and remain after all the Loans
 made, or to be made upon that Act, and the Interest thereof, and the Charges thereby allowable for the
 raising the said Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all
 the Money lent and to be lent under her Majesty upon one other Act of this Session of Parliament, inti-
 tuled, *An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of*
the Year one thousand seven hundred and nine, and so much Money of the said Duties of Malt, Mum, Cy-
 der, and Perry thereby granted, as shall arise and remain after all the Loans made, or to be made upon
 that Act, or thereby transferred, or directed to be transferred thereunto, and the Interest thereof, and the
 Charges thereby allowable for raising the said Duties thereby granted, shall be satisfied, or Money suffi-
 cient shall be reserved to discharge the same; and the Sums payable by the Governor and Company of
 the Bank of the *England*, for or upon Account of the Sum of four hundred thousand Pounds to be ad-
 vanced by way of Discount, according to another Act of this Session of Parliament, intituled, *An Act for*
enlarging the Capital Stock of the Bank of England, and for raising a further Supply, granted to her Majesty for
the Service of the Year one thousand seven hundred and nine, and the Exchequer Bills not exceeding two mil-
 lions five hundred thousand Pounds issuable by that Act, for her Majesty’s Supply; and the Sums in-
 tended to be raised by Loans and Exchequer Bills, by or in pursuance of this present Act; shall be appropri-
 ated, issued, and applied, and the same are hereby appropriated, for or towards the several Uses and
 Purposes herein after expressed; that is to say, For or towards the defraying the Charges of the Ordinary
 of her Majesty’s Navy, and for Victuals, Wages, Wear and Tear, and other Services of the Navy, and
 the Victualling thereof, performed and to be performed; and for the Sea Service in the Office of the Ord-
 nance, performed and to be performed; and for or towards the Land Service performed and to be per-
 formed by the Office of the Ordnance; and to and for Subsistence, Off-reckonings, and Clearings for one
 Year, from the three and twentieth Day of *December* one thousand seven hundred and eight, to her Ma-
 jesty’s Guards and Garrisons in *Great Britain*, and the contingent Charges of the same, and for Payment
 of Invalids for the said Year, beginning from the said three and twentieth Day of *December* one thousand
 seven hundred and eight; and for or towards the defraying the Charges of her Majesty’s Army, and such
 Forces as are or shall be added thereunto, in the Low Countries or *Germany*, within, or for one Year, to
 be reckoned from the said three and twentieth Day of *December* one thousand seven hundred and eight,
 and the contingent Charges thereunto belonging; and for or towards her Majesty’s Proportion of the
 Charge of three thousand *Palatines*; formerly taken into the Service of her Majesty and the *States General*,
 for the Year one thousand seven hundred and nine; and for or towards her Majesty’s Proportion of the
 Charge of four thousand six hundred thirty-nine *Saxons*, formerly taken into the Service of her Majesty
 and the *States General*, for the Year one thousand seven hundred and nine; and for or towards her Ma-
 jesty’s Proportion of the Charge of *Bothmar’s* Regiment of Dragoons, consisting of eight hundred Men,
 formerly taken into the Service of her Majesty and the *States General*, for the Year one thousand seven
 hundred and nine; and for defraying her Majesty’s Proportion of the Charge for augmenting the Troops,
 which have been resolved for acting in Conjunction with her Allies in *Flanders*, for the Service of the
 Year one thousand seven hundred and nine; and for defraying the Charge of maintaining the Forces in
 her Majesty’s Pay to serve in *Spain and Portugal*, for the Service of the said Year one thousand seven hun-
 dred and nine; and for or towards the Payment of her Majesty’s Proportion of the Subsidies due upon
 Treaties made or to be made with her Majesty’s Allies, and other Charges for the Service of the War, for
 any Time before, or until the five and twentieth Day of *December* one thousand seven hundred and nine;
 and for or towards the Payment of a Year’s Interest further on the unsatisfied Debentures, charged upon
 the *Irish* Forfeitures; and for or towards the transporting of Land Forces performed and to be perform-
 ed; and for or towards discharging the Premiums and other Charges, for circulating the old Exchequer
 Bills

Bills for another Year; and for or towards the defraying extraordinary Charges of the War already incurred, and not before this Time provided for by Parliament; and for making good such Payments as by another Act of this Session of Parliament are to be made, as well for discharging the Allowances for or upon the Exportation from *Scotland*, of Fish, Beef, and Pork cured with Foreign Salt, imported before the first Day of *May* one thousand seven hundred and seven, as also to pay for such Salt so imported, and still remaining in the Hands of her Majesty's Subjects there; and for Payment of the General Officers serving in *Flanders* in the Years one thousand seven hundred and eight and one thousand seven hundred and nine, according to the Stations in which they have or shall have served by their respective Commissions; and to no other Uses, Intents, and Purposes whatsoever. Provided, always, That out of the Monies to be issued to the Guards and Garrisons, as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, towards the Charge of maintaining the Soldiers raised and to be raised for Sea Service, with their Officers, and the contingent Charges thereunto belonging; and out of the Monies to be issued for the Service of the Navy and Sea Service, as aforesaid, there shall be taken and applied such Sums, as together with the said Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

‘ XX. And whereas by an Act of Parliament made in the thirteenth Year of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, intituled, *An Act for reviving and continuing an Act, intituled, An Act for the appointing the Commissioners to take, examine, and determine the Debts due to the Army, Navy, and for Transport Service, and also an Account of the Prizes taken during the late War, the Commissioners thereby appointed did state and determine the Debts due for the Hire and Freight of the Ship Robert and James, and the Ship John's Adventure, taken up for transport Service in the Year one thousand six hundred ninety and three, and prepared Tickets, Bills, Certificates, or Debentures for the same; which Tickets, Bills, Certificates, or Debentures were not signed by the said Commissioners, the Masters or Proprietors of the said Ships not demanding the same before the Expiration of the said Commission;’ Be it therefore enacted, &c. ^{13 & 14 W. 3^d c. 1.}*

‘ Debentures to be made out for the Ships *Robert and James*, and *John's Adventure*. Irish Debentures lost, upon Oath before a Baron, &c. and Security, Treasury may grant Duplicates. Time allowed for registering Army Debentures till 29 Sept. 1709. E X P.

‘ XXIII. And whereas several Tickets, commonly called *Million Lottery Tickets*, and *Malt Lottery Tickets*, which are still unpaid, and several Bills called *Exchequer Bills*, not yet discharged, also divers Sorts of Bills or Certificates, commonly called *Debentures*, made forth for Arrears due to the Army, and for Transport Services, not being applied to the purchasing of any of the forfeited Estates in *Ireland*, or otherwise discharged, and also divers Tallies and Orders for Payment of Annuities granted by Act of Parliament, are by Casualty or Mischance, lost, burnt, or otherwise destroyed;’ Be it hereby further enacted, &c.

‘ The Barons of the *Exchequer*, on Affidavit made before them, that any Lottery Tickets, Exchequer Bills, Debentures, &c. are lost, shall give a Certificate thereof, and the respective Officers, on Security given to indemnify them, shall make forth Duplicates of such Tickets, &c. and in Default of such Officer, the Lord Treasurer, &c. shall order such Duplicates to be made forth. All which shall be done without Fee, &c. E X P.

C A P. IX.

An Act for giving the Commissioners of Sewers for the City of *London* the same Powers as the Commissioners of Sewers for Counties have; and to oblige Collectors for the Sewers to account.

‘ W H E R E A S by an Act of Parliament made in the nineteenth Year of the Reign of our Sovereign Lord CHARLES the Second, intituled, *An Act for rebuilding the City of London*, it is amongst other Things enacted, That the Number and Places for all Common Sewers, and Vaults, and Drains, and the Order and Manner of paving and pitching the Streets and Lanes within the said City and Liberties, shall be designed and set out by such and so many Persons, as the Mayor, Aldermen, and Commons of the said City in Common Council assembled, should authorize and appoint under their Common Seal, or the more Part of them; to which Persons several Powers and Authorities are thereby given, for the Ends in the said Act mentioned: And it is thereby enacted, That all other Commissioners whatsoever, be altogether suspended from intermeddling in the Premises for the Space of seven Years, and for so long after, until the intended Buildings of the said City should be fully finished; any Law or Statute to the contrary notwithstanding: And whereas by another Act made in the two and three and twentieth Years of the Reign of the said King, it is enacted and declared, That the said Clause or Branch of the said Act herein before recited, should remain and continue in Force, and be made perpetual, and the Powers and Authorities thereby given and appointed to be executed by such Persons as should in that behalf be authorized and appointed by the said Mayor, Aldermen, and Commons in Common Council assembled, according to the Tenor thereof, under their Common Seal, or any seven or more of them, should and might forever thereafter be put in Execution, according to the Purport and Effect of the aforesaid Act; and that no other Commissioner, or any other Person whatsoever, should at any Time then after intermeddle in the Premises, within the said City and Liberties thereof; any Law or Statute to the contrary notwithstanding; ^{19 Car. 2. c. 3^d c. 17. 22 & 23 Car. 2^d c. 17.}

ing: And whereas some Doubts have arisen whether the said Persons so authorized have the like Powers and Authorities vested in them, as Commissioners of Sewers, by virtue of their Commission, and of the Laws and Statutes of this Realm, have in any County within that Part of *Great Britain* called *England*; For explaining the same, and for remedying the Mischiefs herein after mentioned, Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in Parliament assembled, and by the Authority of the same, That the said Persons so, as aforesaid, authorized and appointed by the Mayor, Aldermen, and Commons of the said City of *London* in Common Council assembled, or that shall hereafter in like Manner be authorized and appointed for the Purposes in the said recited Acts mentioned, have of Right exercised and put in Practice, and shall or may, for the Time to come, exercise and put in Practice, within the said City of *London*, and Liberties of the same, all and every the Powers and Authorities given to and vested in any Commissioner of Sewers in any other County or Place, by Force and Virtue of any the Laws and Statutes of this Realm, or of any Commission to them granted, pursuant to the same, and shall be deemed and taken to be Commissioners of Sewers within the Limits aforesaid, subject nevertheless to the Limitations and Directions of the said Statute of the two and three and twentieth Years of the Reign of our said late Sovereign King CHARLES the Second.

The Persons authorized by the Mayor, &c. of London, have and shall exercise in London, &c. all the Powers given to Commissioners of Sewers, in any other County or Place; but subject to the Act of 22 & 23 Car 2. c. 17.

Collectors of the Rates refusing on Notice to appear before the Commissioners and to give an Account on Oath, or neglecting to collect, &c. or to pay the Money collected, shall forfeit 10 l. to be levied by Distress, &c.

To be paid into the Chamber of London, and applied to the maintaining the Sewers.

This Act not to extend to the Conservatorship of the Thames.

If any Action be brought for what is done in pursuance of this Act, the Defendant may plead the General Issue, and shall recover Treble Costs.

All the said Acts to be taken as Publick Acts.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons appointed by the said last-mentioned Statute to be Collectors of the Rates and Duties that shall be assessed, according to the Directions of the said Statute, for the Ends and Purposes therein contained, shall neglect or refuse, upon due Notice to him or them given, to appear before the said Commissioners, at the Place of their publick Meetings, and give a just and true Account, upon Oath, of all Monies by him or them collected and received for the Purposes aforesaid, which Oath the said Commissioners, or any seven of them, at any of their publick Meetings, according to the Directions of the said Statute, are hereby authorized and empowered to administer, or shall neglect or refuse to collect such Sum or Sums as shall be specified in a Roll delivered to him, or shall neglect or refuse to pay such Money so collected, as upon such Account shall appear to be in his Hands, into the Chamber of the said City, according to the Directions of the said Act, every Person so neglecting or refusing to appear, collect, or pay, shall forfeit and pay, for every such Offence, a Sum not exceeding ten Pounds, over and above what Money he shall be chargeable with, to be set and imposed by the said Commissioners, or any seven of them; which said Penalties, and all other Fines that be set and imposed by the said Commissioners, pursuant to the Authority to them given, shall be levied by Distress and Sale of the Goods of the Person so offending, by Warrant under the Hands and Seals of the said Commissioners, or any seven of them, rendering the Overplus, (if any be) after the Charges of such Distress and Sale deducted, to the Owner of the said Goods; all which Fines and Sums of Money, and all other Fines to be set and imposed by the said Commissioners, shall be paid into the Chamber of *London*, and applied for and towards the maintaining, repairing, cleansing, and scouring the publick Drains and Sewers within the said City and Liberties thereof.

III. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained, shall be adjudged deemed, or taken to extend to the Conservatorship of the River of *Thames*, or to give any Jurisdiction to the said Commissioners to intermeddle with the same, or to alter the Powers or Authorities of the Lord Mayor of the City of *London* for the Time being, touching the same, but the same shall or may continue to be managed, executed and done, as before the making of this Act; any thing herein before contained to the contrary hereof in any wise notwithstanding.

IV. And be it further enacted, That if any Action, Suit, Complaint, or Information shall, at any Time after the first Day of *May* one thousand seven hundred and nine, be commenced, sued or prosecuted against any Person or Persons for what he or they shall do, in pursuance of any of the recited Acts, or this Act, such Person or Persons, so sued or prosecuted in any Court whatsoever, shall or may plead the General Issue, and upon Issue joined, may give the said Acts or this Act, or any of them, and the special Matter, as the Case may require, in Evidence; and if the Plaintiff or Prosecutor become nonsuit, or suffer Discontinuance, or if a Verdict pass against him, her, or them, the Defendant or Defendants shall recover Treble Costs, for which they shall have the like Remedy as in any Case where Costs by Law are given to Defendants.

V. And it is also enacted, That this Act, and the said recited Acts, shall be deemed and taken for Publick Acts.

19 Car. 1. c. 3. 22 & 23 Car. 2. c. 17. See the following Chapter.

C A P. X.

An Act for rendering more effectual the Laws concerning Commissions of Sewers.

Preamble reciting the Laws in Force concerning Commissions of Sewers.

6 H. 6. c. 5.
8 H. 6. c. 3.
4 H. 7. c. 1.
23 H. 8. c. 5.
25 H. 8. c. 10.
3 & 4 Ed. 6. c. 8.

WHEREAS by the Laws now in Force concerning Commissions of Sewers, it is provided, That if any Person or Persons being assessed or taxed to any Lot or Charge for any Lands Tenements, or Hereditaments within the Limits of any such Commission, do not pay the said Lot and Charge, according to the Order and Assignment of the Commissioners, having Power of the Execution of the said Commission, that then the said Commissioners for lack of Payment of such Lot and Charge, may decree and ordain the said Lands and Tenements from the Owner or Owners thereof, and their Heirs, and the Heirs of every of them, to any Person or Persons, for Term of Years, Term of Life, Fee-simple, or Fee-tail, for Payment of the same Lot and Charge, the said Decrees and Ordinances to be executed in

1 Mar. Sr. 3. c. 11. 13 El. c. 9. 3 Jac. 1. c. 14.

such

such Manner, as by the said Laws now in Force is directed and appointed: And it is thereby provided, That the same Decrees and Ordinances shall bind all and every Person and Persons, that at the making of the same Decree had any Interest in such Lands, Tenements, and Hereditaments, in Use, Possession, Reversion, or Remainder, their Heirs and Feoffees, and every of them; and shall also bind as well the Lands, Tenements, and Hereditaments of the King of *England*, as all and every other Person and Persons and their Heirs, and such their Interest, as they shall fortune to have in any Lands, Tenements, and Hereditaments, or other casual Profit, Advantage, or Commodity whatsoever they be, whereunto the said Laws; Ordinances, and Decrees shall in any wise extend, according to the true Purport, Meaning, and Intent of the said Laws; but the said Laws of Sewers now in Force, have been found Defective, in that sufficient Power and Authority is not thereby given to Commissioners of Sewers, to make Sale of Copyhold or Customary Lands within the Limits of their Commission for the Causes aforesaid; For Remedy whereof, Be it enacted by the Queen'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 from and after the five and twentieth Day of *March* in the Year of our Lord one thousand seven hundred and nine, it shall and may be lawful to and for the Commissioners authorized by Commission from her Majesty, her Heirs and Successors, or any six or more of them, to put in Execution the Laws now in Force concerning Sewers, for Nonpayment of any Lot or Charge assessed or charged upon any Copyhold or Customary Lands within the Limits of their Commission, and by the Power and Authority of the said Commission of Sewers, to decree and ordain the said Copyhold or Customary Lands so charged from the Owner or Owners, and their Heirs, and the Heirs of every of them, to any Person or Persons, for such Estate and Interest therein, as the said Owner or Owners thereof, or any claiming in Remainder under them, at the Time of such Decree made, had in the same Copyhold Lands, Tenements, and Hereditaments; the said Decrees to be made and executed, as Decrees concerning Freehold Lands are, by the said Laws now in Force, to be made and executed.

After 25 March 1709. Commissioners of Sewers may for Non-payment of any Lot assessed on Copyhold Lands, decree the same from the Owners, &c.

The said Decrees to be executed as Decrees concerning Freeholds.

II. Provided always, That all and every Person or Persons, to whom any such Sale of Copyhold or Customary Lands or Tenements shall be made, shall before such Time as they or any of them shall enter, or take any Profit of the same Lands or Tenements, agree and compound with the Lords of the Manors, of whom the same shall be holden, for such Fines or Incomes, as heretofore hath been most usual and accustomed to be yielded or paid therefore; and that upon every such Agreement or Composition, the said Lords for the Time being, at the next Court to be holden at or for the said Manors, shall not only grant to such Vendee or Vendees upon Request, the same Copyhold or Customary Lands or Tenements by Copy of Court Roll of the said Manors, for such Estate or Interest as to them shall be so decreed or sold, and reserving the ancient Rents, Customs, and Services, but also shall in the same Court admit them Tenants of the same Copyhold or Customary Lands, as other Copyholders of the same Manors have been wont to be admitted, and to receive their Fealty accordingly.

The Buyers of such Copyhold Lands to agree with the Lords of whom holden, for the accustomed Fines, and the Lords to admit them Tenants.

III. And be it further enacted and declared, That it shall and may be lawful to and for the Commissioners of Sewers, or any six or more of them, by Warrant under their Hands and Seals, to give Authority to any Person or Persons, to levy the Sums of Money by them, from time to time, to be assessed or taxed upon the Lands, Meadows, Marshes or Grounds, liable or chargeable with any Sesses, Taxes, Impositions, or Charges, by Authority of their said Commission, by Distress and Sale of the Goods of such Person or Persons that shall not pay, or refuse to pay the same; and the Overplus of the Money arising upon such Sale, after Deduction of the reasonable Charges of making such Distress and Sale, shall be restored to the Owner or Owners of the Goods so distrained.

Six of the Commissioners may by Warrant empower any Person to levy the Assessments by Distress and Sale. The Overplus to be restored to the Owner.

C A P. XI.

An Act for ascertaining and directing the Payment of the Allowances to be made for or upon the Exportation from *Scotland*, of Fish, Beef, and Pork, cured with Foreign Salt imported before the first Day of *May* one thousand seven hundred and seven; and for disposing such Salt still remaining in the Hands of her Majesty's Subjects there; and for ascertaining and securing the Allowances for Fish and Flesh exported, and to be exported from *Scotland* for the future.

WHEREAS certain Quantities of White Herrings, and of Salmon, Codfish, Beef and Pork, cured with Foreign Salt only, which was imported into *Scotland* before the first Day of *May* one thousand seven hundred and seven (at which Time the happy Union of the two Kingdoms of *England* and *Scotland* took Effect) have been, since the said first Day of *May* one thousand seven hundred and seven, exported from several Parts of *Scotland*, such Herrings, Salmon, and Codfish respectively, having been first duly pined, cured, and packed for Exportation with the said Foreign Salt only, without any Mixture of *British* or *Irish* Salt, according to the Laws and Acts of Parliament formerly made in *Scotland*, and still in Force in that Behalf; and the said Beef and Pork having been also first duly salted with the said Foreign Salt without Mixture, as aforesaid, and exported for Sale only; and on the five and twentieth Day of *March* one thousand seven hundred and nine, certain other Quantities of White Herrings, Salmon, Codfish, Beef and Pork, do or may remain in *Scotland* ready to be entred for Exportation from thence to Parts beyond the Seas, being also salted with Foreign Salt imported into *Scotland* before the said first Day of *May* one thousand seven hundred and seven, without Mixture, as aforesaid; and such Fish being also duly pined, cured and packed, and the Beef and Pork last-mentioned, being likewise in-

tended for Sale only: And whereas the Sum total of all the Allowances claimed for the said Fish and Flesh exported, and to be exported from *Scotland*, so salted with Foreign Salt imported before the said first Day of *May* one thousand seven hundred and seven, being computed according the Rates unquestionably allowable for the like Fish and Flesh salted with Foreign Salt imported into *Scotland* after the said first Day of *May* one thousand seven hundred and seven, will not by Estimation exceed twenty-eight thousand four hundred and fifty-two pounds nineteen shillings and seven pence; Be it enacted, &c.

“ Fish, &c. cured with Foreign Salt only, imported before 1 *May* 1707. to have the same Allowances as since the Union. Debentures to be prepared for Fish, &c. exported since 1 *May* 1707. and before 15 *May* 1709, &c. And to be brought to the Commissioners of the Customs at *Edinburgh*, by 15 *July* 1709. Not to exceed 28,452 *l.* 19 *s.* 7 *d.* Treasury to issue Money for Payment to Sir *Patrick Johnson*, &c. E X P.

No Debenture to be allowed till Oath, &c.

V. And for preventing Frauds, be it enacted, That no Debentures for any Allowances to be made by Law for any Fish or Flesh exported, or hereafter to be exported from *Scotland* (the Debentures for the said allowances not exceeding the said Sum of twenty-eight thousand four hundred and fifty-two Pounds, nineteen Shillings and seven Pence, for Fish and Flesh cured with Foreign Salt imported from *Scotland* before the Union as aforesaid, only excepted) shall be prepared or allowed until such Oaths be made and taken, which the proper Officers have hereby Power to administer; and all such other Matters and Things be done and performed for preventing of Frauds to her Majesty's Prejudice, as by any Law or Statute now in Force in *England* or *Scotland* are to be made, taken, done or performed for preventing Frauds in the like Allowances for the like Kinds of Fish and Flesh respectively; and all Laws now in Force in *England* or *Scotland*, for preventing any Frauds upon the Importation and Exportation of Fish and Flesh, for which the said Allowances are to be made by Law, shall be in Force, and extended to *Scotland*.

“ VI. And whereas certain Quantities of such Foreign Salt imported into *Scotland* before the said first Day of *May* one thousand seven hundred and seven, do still remain in the Hands of several of her Majesty's Subjects there, not having been employed in the curing of Fish or Flesh, or otherwise howsoever, which Salt in Hand doth not, by Computation, exceed in the whole fifty-one thousand seven hundred seventy-seven Bushels, reckoning eighty-four pounds Weight to the Bushel; It is hereby further enacted, &c.

“ Such Foreign Salt in Hand to be weighed by the Salt Officer by 1 *June* 1709. and certified to the Commissioners by 15 *July* 1709. Not to exceed 51,777 Bushels. Stock in Hand not delivered, forfeited. Salt so delivered to be cellar'd, &c. Treasury to issue Money for Payment at 9 *s.* per Bushel, to Sir *Patrick Johnson*, &c. Sir *Patrick Johnson*, &c. to have 2 *d.* per Pound.” E X P.

How the Allowances for the future shall be ascertained.

X. And for the better ascertaining and securing all such Allowances as by Law ought to be made for any Fish or Flesh exported, or hereafter to be exported from *Scotland*, which have been or shall be duly salted and cured only with Foreign Salt imported since the said first Day of *May* one thousand seven hundred and seven, or hereafter to be imported into *Scotland*, and for which her Majesty's Duties payable by the Act of Union, have been, or shall have been first duly paid or secured; Be it further enacted by the Authority aforesaid, That all such Allowances (not being already satisfied) shall be paid by the Officer appointed to collect the Duties upon Salt payable in *Scotland*, out of the same Duties arisen or to arise in the same Port from whence any such Fish have been or shall be exported, within Thirty Days after Demand thereof, on a Debenture to be prepared by the Collectors of the Customs in the Port where such Fish or Flesh have been or shall be entered out for Exportation, and verified by the Person executing the Office of Searcher in such Port, as to the Quantity of Fish or Flesh actually shipped, and that the Oath of the Exporter or Agent be first taken before the principal Officers of the said Port, before the Debenture be allowed, who are hereby required and empowered to give the said Oath, that the Fish in every such Debenture mentioned, were caught by Her Majesty's Subjects, Inhabitants of *Great Britain*, and that the Fish and Flesh in such Debenture mentioned, were really exported to Parts beyond the Seas for Sale, and not intended to be re-landed in *Great Britain*, and were duly cured only with Foreign Salt imported into *Scotland* after the said first Day of *May* one thousand seven hundred and seven, without any Mixture of *British* or *Irish* Salt, and that her Majesty's Duties for such imported Salt shall have been duly paid or secured; all which Particulars shall be specified in such Debentures respectively, for which Debenture or Debentures no Fee or Reward shall be taken; and in case the Officer hereby directed to pay such Debenture, shall not have sufficient Money in his Hands to pay the same, then such Officer and Officers shall give a Certificate in Writing thereof, without Fee or Charge, to the Exporter or his Agent, to be directed either to the Commissioners of the Customs, or the Commissioners of Excise in *Scotland*, at the Option of the said Exporter, or his Agent, and upon producing such Certificates, together with the Debenture or Debentures so certified, to the Commissioners of the Customs, or the Commissioners of Excise for the time being, to whom such Certificate shall be directed, shall cause such Debenture or Debentures so certified, to be paid and satisfied without Fee or Charge, in Course, out of any her Majesty's Duties arising upon Salt in *Scotland*, or out of the said Revenues of Customs, and Excise in *Scotland*, or any of them, which are hereby charged therewith, and made liable thereunto, out of the first Monies arising by the said Revenues respectively, and with Preference to all other Payments whatsoever to be made out of the same; or the Charges of raising and managing those Revenues, and the Fees, Salaries, and other Charges allowed, or to be allowed by her Majesty, her Heirs or Successors, for keeping up the Court of Session and Judiciary, and the Exchequer Court in *Scotland* always excepted and foreprized; any Law, Statute, or Usage to the contrary in any wise notwithstanding; and any Officer

By 10 Annæ, c. 26. §. 108. These Salaries are chargeable on the Customs and Excise, &c. And see 5 Geo. 2. c. 20. f. 1.

or Officers, Commissioner or Commissioners, to whom it may belong to certify or pay any such Debenture or Debentures, refusing or neglecting to do his or their Duty therein, as is hereby directed, shall forfeit double the Sum so to be paid, to the Party grieved, to be recovered in the Exchequer of Scotland as aforesaid.

XI. Provided always, That nothing in this Act contained shall extend to charge any Part of, or lessen directly or indirectly the Overplus of the Customs of Scotland, exceeding the Sum of thirty thousand Pounds per Annum, mentioned in the fifteenth Article of the said Union, or any Part of the Overplus of the Excise of Scotland, exceeding the Sum of thirty-three thousand five hundred Pounds per Annum, mentioned in the same Article; any thing herein contained to the contrary notwithstanding.

Not to charge the Overplus of the Customs or Excise in Scotland.

C A P. XII.

An Act for preserving the Privileges of Ambassadors, and other publick Ministers of Foreign Princes and States.

WHEREAS several turbulent and disorderly Persons having in a most outrageous Manner insulted the Person of his Excellency Andrew Ardenonowitz Mattueof, Ambassador extraordinary of his Czarish Majesty, Emperor of Great Russia, her Majesty's good Friend and Ally, by arresting him, and taking him by Violence out of his Coach in the publick Streer, and detaining him in Custody for several Hours, in Contempt of the Protection granted by her Majesty, contrary to the Law of Nations, and in Prejudice of the Rights and Privileges which Ambassadors and other publick Ministers, authorized and received as such, have at all Times been thereby possessed of, and ought to be kept sacred and inviolable; Be it therefore declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That all Actions and Suits, Writs and Processess commenced, sued or prosecuted against the said Ambassador, by any Person or Persons whatsoever, and all Bail Bonds given by the said Ambassador, or any other Person or Persons on his Behalf, and all Recognizances of Bail given or acknowledged in any such Action or Suit, and all Proceedings upon or by Pretext or Colour of any such Action or Suit, Writ or Process, and all Judgments had thereupon, are utterly null and void, and shall be deemed and adjudged to be utterly null and void, to all Intents, Construccions, and Purposes whatsoever.

Preamble, reciting that the Czar's Ambassador having been arrested,

enacted therefore, that all Suits against him should be void.

II. And be it enacted by the Authority aforesaid, That all Entries, Proceedings, and Records against the said Ambassador or his Bail, shall be vacated and cancelled.

And all Proceedings against him and his Bail vacated.

III. And to prevent the like Infolences for the future, be it further declared by the Authority aforesaid, That all Writs and Processess that shall at any Time hereafter be sued forth or prosecuted, whereby the Person of any Ambassador, or other publick Minister of any Foreign Prince or State, authorized and received as such by her Majesty, her Heirs or Successors, or the Domestick, or Domestick Servant of any such Ambassador, or other publick Minister, may be arrested or imprisoned, or his or their Goods or Chattels may be distrained, seized, or attached, shall be deemed and adjudged to be utterly null and void to all Intents, Construccions, and Purposes whatsoever.

All Processess against any publick Minister, or any of his Servants, to be adjudged void for the Time to come. Punishment for Attornies, &c. suing forth such Process.

IV. And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall presume to sue forth or prosecute any such Writ or Process, such Person and Persons, and all Attornies and Solicitors prosecuting and soliciting in such Case, and all Officers executing any such Writ or Process, being thereof convicted, by the Confession of the Party, or by the Oath of one or more credible Witnesses or Witnesses, before the Lord Chancellor, or Lord Keeper of the Great Seal of Great Britain, the Chief Justice of the Court of Queen's Bench, the Chief Justice of the Court of Common Pleas for the time being, or any Two of them, all be deemed Violators of the Laws of Nations, and Disturbers of the publick Repose, and shall suffer such Pains, Penalties, and corporal Punishment, as the said Lord Chancellor, Lord Keeper, and the said Chief Justices, or any Two of them shall judge fit to be imposed and inflicted.

V. Provided, and be it declared, That no Merchant or other Trader whatsoever, within the Description of any of the Statutes against Bankrupts, who hath or shall put himself into the Service of any such Ambassador or publick Minister, shall have or take any Manner of Benefit by this Act; and that no Person shall be proceeded against as having arrested, detained, or any way or an Ambassador or publick Minister, by virtue of this Act, unless the Name of such Servant be first registered in the Office of one of the Principal Secretaries of State, and by such Secretary committed to the Sheriffs of London and Middlesex for the time being, or their Under Sheriffs or Deputies, to be kept in Prison, upon the Receipt thereof, hang up the same in some publick Place in their Offices, whereto all Persons may resort, and take Copies thereof, without Fee or Reward.

No Merchant, &c. to have any Benefit of this Act. Nor the Servant of an Ambassador, unless his Name be registered, &c.

VI. And be it further enacted by the Authority aforesaid, That this Act shall be taken and allowed in all Courts within this Kingdom as a Publick Act; and that all Judges and Justices shall take Notice of it without special pleading; and all Sheriffs, Bailiffs, and other Officers and Ministers of Justice, concerned in the Execution of Process, are hereby required to have regard to this Act, as they will answer the contrary at their Peril.

This Act to be taken as a Publick Act.

C A P. XIII.

An Act for the better ascertaining the Lengths and Breadths of Woollen Cloth made in the County of *York*.

WHEREAS divers Abuses and Deceits have of late Years been used in the Manufacture of Woollen Cloths in the County of *York*, with respect to the Breadth, Length, and Over-stretching and Straining of the same, which tends to the great debasing and undervaluing of the said Manufacture, both at Home and in Foreign Parts where the said Cloths are vended: For Remedy whereof, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the four and twentieth Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and nine, every Broad Cloth made in the said County of *York*, whether the same be called an End or Half Cloth, or a Long or Whole Cloth, being well scoured and fully mill'd, shall at the least, be five Quarters and an Half by the Standard Yard Wand in Breadth within the Lists, in the Water, being fully wet; and every such Cloth called an End or Half Cloth, shall not exceed in Length three and twenty Yards, being fully wet; and every such Cloth called a Long or Whole Cloth, shall not exceed forty-six Yards in Length, being fully wet; and that all Sorts of *Yorkshire* Cloths called Whole-thick-kerseys, and Whole-thick-plains, shall not be made under seventeen Yards and an Half in Length, and not less than three Quarters and an Half in Breadth by the Standard Yard Wand, when fully wet.

II. And be it further enacted by the Authority aforesaid, That if any Clothier or other Person shall, after the said four and twentieth Day of *June* in the said Year one thousand seven hundred and nine, make, offer, or expose to Sale any of the aforesaid Cloths which shall be made after the said four and twentieth Day of *June*, and not made according to the said respective Breadths and Lengths, every such Person so offending, being thereof convicted by the Oath of any Overseer or Searcher of Cloth, appointed or to be appointed within the several and respective Parishes or Townships in the said County of *York*, by any former Law now in Force, or by the Oath of one or more other credible Witnesses before any Justice of Peace within the said County, or of any Corporation within the same (provided such Justice be not a Merchant or Trader in the Woollen Manufacture) which Oath the said Justices respectively are hereby impowered to administer, shall for every Inch the said respective Cloths shall be less than the said respective Breadths, and for every Yard the said Broad Cloths called a Long or Whole Cloth, shall exceed the said Length of six and forty Yards, and for every Yard the said Broad Cloth called an End or Half Cloth shall exceed the said Length of three and twenty Yards, and for every Half Yard the said Whole-thick-kerseys or Whole-thick-plains shall be less in Length than seventeen Yards and a Half, as aforesaid, forfeit respectively the Sum of twenty Shillings.

III. And be it further enacted by the Authority aforesaid, That the Owner or Occupier of every Fulling Mill in the said County of *York*, where any of the said respective Cloths shall be milled or fulled, shall fix or cause to be fixed at each End of every such Cloth, before it is carried from the Mill, a Seal of Lead, riveted and stamp'd with his Name, mentioning in Figures the exact Number of Yards and Inches that the said Cloth contains in Length and Breadth, when wet, scoured, and milled, for which he shall be paid, by the owner of the said Cloth, the Sum of one Penny, and no more.

IV. And be it further enacted, That if the Owner or Occupier of any such Mill shall at any Time refuse or neglect to fix such Seal, as aforesaid, to any such Cloth, or if any Persons shall afterwards take off, deface, counterfeit, or alter the Figures of any such Seal, before the Cloth is exported or sold to the Retailer, or if any Person whatsoever shall, after the said four and twentieth Day of *June*, stretch or strain any Piece of the said Woollen Cloths more than one Inch in every Quarter of a Yard in the Breadth, or any Piece of the said Broad Cloths more than one Yard in every twenty Yards in Length, or any Piece of the said Whole-thick-kerseys and Whole-thick-plains more than Half a Yard in every seventeen Yards and an Half in Length, when the said respective Cloths are wet, scoured, and milled, as aforesaid; or if any Owner or Occupier of any such Fulling Mill, as aforesaid, shall, after the said twenty-fourth Day of *June*, mill or full, or cause to be milled or fulled in any one Stock at the same Time, any more than one whole Broad Cloth, or two half Broad Cloths; then, and in every such Case, every such Person that shall so neglect or offend, and be thereof convicted in Manner aforesaid, shall for every such Neglect or Offence forfeit the Sum of twenty Shillings.

V. And be it further enacted, That all such Forfeitures as shall happen by reason of this Act, shall be the one Half thereof to the Informer, and the other Half to the Poor of the Township or Place where the Offence shall be committed; and that if any Offender shall, by the Space of seven Days next after he shall be convicted, refuse or neglect to pay any Forfeiture by him incurred by reason of this Act, then, and not before, it shall and may be lawful for the Justice or Justices of the Peace before whom such Conviction shall be made, and such Justice or Justices of the Peace are hereby required, to issue out one or more Warrants under his or their Hands and Seals, to the Constables of the Town or Place where such Offender doth inhabit or can be found, within the Limits of their respective Jurisdictions, to levy the same by Distress and Sale of the Offender's Goods, returning the Overplus (if any be) to the Offender; and where no sufficient Distress can be found, to commit the Offender to the House of Correction, or Gaol of the County or Corporation, to be kept to hard Labour for such Time as the Justice of the Peace before whom such Conviction shall be made, shall direct, not exceeding one Month for any one Offence.

4 Ed. 4. c. 1.
7 Ed. 4. c. 2 & 3.
2 R. 3. c. 8.
3 H. 7. c. 11.
3 H. 8. c. 7.
5 H. 8. c. 2.
6 H. 8. c. 3. & 9.
Breadth and Length of Broad Cloth to be made in *Yorkshire*, after 24 June 1709.
For Length and Breadth of *Yorkshire* Cloth, see 1 Geo. 1. stat. 2. c. 15. §. 15.
Punishment of Clothiers exposing Cloth, otherwise made, to Sale.
For Manufacture of Cloth in the West Riding of *Yorkshire*, see 1 Geo. 1. c. 24.
7 Geo. 2. c. 25.
1 Geo. 2. c. 28.

Owners, &c. of Fulling Mills to fix a Seal of Lead, mentioning in Figures the Length and Breadth of each Cloth.
Fullers refusing or neglecting, and Persons defacing, &c. the said Seal, or stretching the Cloth more than is directed by this Act, to forfeit the Sum of 20 s.
One Half of the Forfeiture to the Informer, the other to the Poor.
Offender not paying the Forfeiture in 7 Days after Conviction, the Justice to issue his Warrant, to levy it by Distress, &c. and if no Distress, the Offender to be committed to the House of Correction, &c.

VI. Provided always, and be it enacted, That the Penalties incurred by reason of this Act, be inflicted within ten Days next after the Offences are committed, or discovered.

VII. Provided always, That if it shall happen that any such Clothes, as aforesaid, without any wilful Default of the Maker thereof, shall in some Parts (not exceeding in the whole one fifth Part of the Length) be less than the respective Breadths aforesaid, yet such Clothes may be sold without incurring any of the Penalties by this Act imposed on the Maker or Seller thereof.

VIII. And be it further enacted, That if any Person or Persons find him or themselves aggrieved by any Order or Warrant made by any Justice or Justices of the Peace upon any Conviction before him or them in pursuance of this Act, such Person or Persons may appeal to the next General Quarter-Sessions of the Peace to be held for the County or Place where such Conviction shall be made, giving sufficient Notice of such Appeal; and if the Justices of the Peace at such Sessions shall think fit to confirm or disannul the said Order or Warrant, they shall allow such Costs and Charges to the Party aggrieved thereby as they shall think reasonable, to be levied and paid in such Manner as is usual in other Cases of Appeals from the Orders of any Justices of the Peace to the Quarter-Sessions.

IX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall hereafter be commenced or prosecuted against any Person or Persons by this Act authorized to put the same in Execution, all and every Person and Persons so sued may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff shall become nonsuit, or forbear further prosecution, or suffer Discontinuance, or a Verdict pass against him, or Judgment upon Demurrer, the Defendant or Defendants shall recover his and their Treble Costs, for which he and they shall have like Remedy as in Cases wherein Costs by Law are given to Defendants; and this Act shall be taken and allowed as a Publick Act in all Courts within this Kingdom; and all Judges and Justices are hereby required to take Notice thereof as such, without special pleading of the same.

Clothes, 10 Ann. c. 16. 1 Geo. 1. st. 2. c. 15 & 41. 11 Geo. 1. c. 24. 7 Geo. 2. c. 25. 11 Geo. 2. c. 28. and 14 Geo. 2. c. 35.

C A P. XIV.

An Act for the better Preservation of Parochial Libraries in that Part of *Great Britain* called *England*.

WHEREAS in many Places in the South Parts of *Great Britain* called *England* and *Wales*, the Provision for the Clergy is so mean, that the necessary Expence of Books for the better Prosecution of their Studies cannot be defrayed by them; and whereas of late Years, several charitable and well-disposed Persons have by charitable Contributions erected Libraries within several Parishes and Districts in *England* and *Wales*; but some Provision is wanting to preserve the same, and such others as shall be provided in the same Manner, from Embezzlement; Be it therefore enacted by the Queen'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 in every Parish or Place where such a Library is or shall be erected, the same shall be preserved for such Use and Uses, as the same is and shall be given, and the Orders and Rules of the Founder or Founders of such Libraries shall be observed and kept.

II. And for the Encouragement of such Founders and Benefactors, and to the Intent they may be satisfied, that their pious and charitable Intent may not be frustrated; Be it also enacted by the Authority aforesaid, That every Incumbent, Rector, Vicar, Minister or Curate of a Parish, before he shall be permitted to use and enjoy such Library, shall enter into such Security by Bond or otherwise, for Preservation of such Library, and due Observance of the Rules and Orders belonging to the same, as the proper Ordinaries within their respective Jurisdictions, in their Discretion shall think fit; and in case any Book or Books belonging to the said Library shall be taken away and detained, it shall and may be lawful for the said Incumbent, Rector, Vicar, Minister or Curate for the time being, or any other Person or Persons, to bring an Action of Trover and Conversion, in the Name of the proper Ordinaries within their respective Jurisdictions; whereupon Treble Damages shall be given with full Costs of Suit, as if the same were his or their proper Book or Books, which Damages shall be applied to the Use and Benefit of the said Library.

III. And it is further enacted by the Authority aforesaid, That it shall and may be lawful to and for the proper Ordinary, or his Commissary or Official in his respective Jurisdiction, or the Archdeacon, or by his Direction his Official or Surrogate, if the said Archdeacon be not the Incumbent of the Place where such Library is, in his or their respective Visitation, to enquire into the State and Condition of the said Libraries, and to amend and redress the Grievances and Defects of and concerning the same, as to him or them shall seem meet; and it shall and may be lawful to and for the proper Ordinary, from time to time, as often as shall be thought fit, to appoint such Person or Persons, as he shall think fit, to view the State and Condition of such Libraries, and the said Ordinaries, Archdeacons or Officials respectively, shall have free Access to the same at such Times as they shall respectively appoint.

IV. And be it also further enacted by the Authority aforesaid, That where any Library is appropriated to the Use of the Minister of any Parish or Place, every Rector, Vicar, Minister or Curate of the same, within six Months after his Institution, Induction or Admission, shall make or cause to be made a new Catalogue of all Books remaining in, or belonging to such Library, and shall sign the said Catalogue, thereby acknowledging the Custody and Possession of the said Books; which said Catalogue so signed, shall

Penalty when to be inflicted.

If any such Clothes shall, without the Default of the Maker, be less than the Breadth aforesaid, they may be sold without Penalty.

The party aggrieved may appeal to the Sessions, who may allow Costs.

The Defendant may plead the General Issue,

and shall recover Treble Costs. Publick Act.

Further Provisions concerning

In every Parish where a Library shall be erected, it shall be preserved for the Uses to which it is given, &c.

Incumbents, &c. before they use the Library, shall give Security to preserve it.

If any Book be taken away &c. the Incumbent may bring Trover, and shall recover Treble Damages, to the Use of the Library.

The Ordinary, &c. may inquire into the State of the Library, and amend the Defects; and appoint Persons to inspect the Library.

Incumbent, &c. to make a Catalogue of the Books, to be delivered to the Ordinary, shall

and registred
without Fee.

Where Libraries
are already erect-
ed, such Cata-
logue to be made,
&c. before 29
Sept. 1709.

And where any
shall be erected,
within 6 Months
after.

Upon the Death
or Removal of
any Incumbent,
the Churchward-
ens shall lock
up the Library.

The Vestry, &c.
may meet in such
Libraries, if they
did so formerly.

The Incumbent
shall enter the
Benefactions,
and Books.

The Ordinary
and Donor may
make Orders
concerning the
Library;
which shall be
entred as afore-
said.

Books not to be
alienable without
Consent of the
Ordinary.
If any Book be
lost a Justice of
Peace may grant
a Warrant to
search for it; and
if found it shall
be restored to the
Library.

This Act shall
not extend to a
Library erected
in Ryegate in
Surrey.

shall be delivered to the proper Ordinary within the Time aforesaid, to be kept or registred in his Court, without any Fee or Reward for the same.

V. And be it further enacted by the Authority aforesaid, That where there are any parochial Libraries already erected, the Incumbent, Rector, Vicar, Minister, or Curate of such Parish or Place, shall make or cause to be made a Catalogue of all Books in the same, thereby acknowledging the Custody and Possession thereof; which Catalogue so signed, shall be delivered to the proper Ordinary, on or before the nine and twentieth Day of *September* which shall be in the Year of our Lord one thousand seven hundred and nine; and where any Library shall at any Time hereafter be given and appropriated to the Use of any Parish or Place, where there shall be an Incumbent, Rector, Vicar, Minister, or Curate in Possession, such Incumbent, Rector, Vicar, Minister, or Curate, shall make or cause to be made a Catalogue of all the Books, and deliver the same, as aforesaid, within six Months after he shall receive such Library.

VI. And to prevent any Imbezilment of Books upon the Death or Removal of any Incumbent, Be it also enacted by the Authority aforesaid, That immediately after the Death or Removal of any Incumbent, Rector, Vicar, Minister, or Curate, the Library belonging to such Parish or Place shall be forthwith shut up, and locked, or otherwise secured by the Churchwarden or Churchwardens for the Time being, or by such Person or Persons as shall be authorized or appointed by the proper Ordinary, or Archdeacon respectively, so that the same shall not be opened again, till a new Incumbent, Rector, Vicar, Minister, or Curate shall be inducted or admitted into the Church of such Parish or Place.

VII. Provided always, That in case the Place where such Library is or shall be kept, shall be used for any publick Occasion for Meeting of the Vestry, or otherwise, for the Dispatch of any Business of the said Parish, or for any other publick Occasion, for which the said Place hath been ordinarily used, the Place shall nevertheless be made use of as formerly for such Purposes, and after such Business dispatched, shall be again forthwith shut and locked up, or otherwise secured, as is before directed.

VIII. And be it also further enacted by the Authority aforesaid, That for the better Preservation of the Books belonging to such Libraries, and that the Benefactions given towards the same may appear, a Book shall be kept within the said Library for the entring and registring of all such Benefactions, and such Books as shall be given towards the same, and therein the Minister, Rector, Vicar, or Curate of the said Parish or Place, shall enter or cause to be fairly entered such Benefaction, and an Account of all such Books as shall from time to time be given, and by whom given.

IX. And for the better governing the said Libraries, and preserving of the same, It is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the proper Ordinary, together with the Donor of such Benefaction, (if living) and after the Death of such Donor, for the proper Ordinary alone, to make such other Rules and Orders concerning the same, over and above, and besides, but not contrary to such as the Donor of such Benefaction shall in his Discretion judge fit and necessary; which said Orders and Rules so to be made, shall, from time to time, be entred in the said Book, or some other Book to be prepared for that Purpose, and kept in the said Library.

X. And it is further enacted and declared by the Authority aforesaid, That none of the said Books shall in any Case be alienable, nor any Book or Books that shall hereafter be given by any Benefactor or Benefactors shall be alienated, without the Consent of the proper Ordinary, and then only when there is a Duplicate of such Book or Books; and that in case any Book or Books be taken or otherwise lost out of the said Library, it shall and may be lawful to and for any Justice of Peace within the County, Riding, or Division, to grant his Warrant to search for the same, and in case the same be found, such Book or Books so found shall immediately, by Order of such Justice, be restored to the said Library; any Law, Statute, or Usage to the contrary in any wise notwithstanding.

XI. Provided always, That nothing in this Act contained shall extend to a publick Library lately erected in the Parish of *Ryegate* in the County of *Surry*, for the Use of the Freeholders, Vicar, and Inhabitants of the said Parish, and of the Gentlemen and Clergymen inhabiting in Parts thereto adjacent; the said Library being constituted in another Manner than the Libraries provided for by this Act.

C A P. XV.

An Act for altering *Whitsuntide* and *Lammas* Terms, for the Court of *Exchequer* in *Scotland*.

WHEREAS it is found to be most convenient for the Subjects of *Scotland*, that the Terms to be kept and observed there, for the sitting of the Court of *Exchequer*, should be at the same Time that the Court of the Lords of Session is held and kept there; and that therefore it is inconvenient that *Whitsuntide* Term for the said Court of *Exchequer* should begin before the Month of *June*, or that *Lammas* Term for the same Court should continue after the Month of *July*; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That *Whitsuntide* Term for the said Court of *Exchequer* shall at all Times hereafter begin upon the first Day of *June*, and shall end upon the two and twentieth Day of the said Month of *June*, and that *Lammas* Term for the same Court shall also at all Times hereafter begin upon the seventh Day of *July*, and end upon the six and twentieth Day of the same Month, except any of the said Days, upon which the said Terms are appointed to begin and end, happen to be upon a *Sunday*, in which Case the Beginning or Ending of such Term; in which that happens, shall be upon the Day following.

Whitsuntide
Term for the
Court of Exche-
quer in *Scotland*,
to begin June 1.
and end June 22.
Lammas Term
to begin July 7.
and end July 26.
Except any of
the said Days be
Sunday.

II. And be it further enacted by the Authority aforesaid, That all Processes of the said Court of *Exchequer* which are returnable upon the first Day of *Whitsuntide* Term next ensuing, shall be returned into the said Court upon the first Day of *June* next ensuing, and all Persons obliged to appear or answer in the said Court upon the first Day of the said Term, shall be obliged to appear and answer there upon the said first Day of *June*, as fully to all Intents and Purposes, as such Returns, Appearances, or Answers ought to have been upon the five and twentieth Day of *May* next, if such Alteration of the said Term, as is above, had not been made.

All Processes returnable the first Day of Whitsuntide Term next, shall be returned the first of June.

C A P. XVI.

An Act to prevent the laying of Wagers relating to the Publick.

WHEREAS several Persons have of late Years laid Wagers, and executed several Policies for Payment of great Sums of Money, upon several Contingencies relating to the present War, and other Matters relating to the Government; which Practice hath been found to be inconvenient to the Publick; for preventing whereof for the future, Be it enacted, &c.

After the last of *March* 1709. all Wagers relating to the War, and all Policies of Assurance for Payment thereof, shall be void: And all Persons making such Wagers, all Brokers, &c. shall forfeit double the Sum of such Wagers. One Moiety to the Queen, the other to the Prosecutor. This Act shall not extend to any Assurance on any Ship, &c. nor to Bonds of Bottomry, &c.

EXP.

C A P. XVII.

An Act for making more effectual an Act made in the sixth Year of her Majesty's Reign, for the better preventing of Mischiefs that may happen by Fire

WHEREAS by an Act made in the last Session of Parliament, holden in the sixth Year of her Majesty's Reign, intituled, *An Act for the better preventing Mischiefs that happen by Fire*, it was amongst other Things enacted, That each and every Parish within the Cities of *London* and *Westminster*, and weekly Bills of Mortality, shall from time to time, and at all Times, have and keep in good Order and Repair, in some known and publick Place within each Parish, a large Engine, and also a Hand Engine, to throw up Water for the extinguishing of Fires, and also provide, keep, and maintain one Leather Pipe and Socket of the same Size as the Plug or Fire Cock, to the Intent the Socket may be put into the Pipe to convey the Water clean, and without Loss, or Help of the Bucket, into the Engine; and for as much as several of the Parishes within the said City of *London* were, after the great Fire which happened in the Year one thousand six hundred sixty and six, united together, or to each other, and for that some Doubt hath arisen, whether each of the said Parishes so united is not obliged to have and keep two such Engines; Therefore for explaining the same, and avoiding of any Dispute or Question that may arise touching the Construction thereof, Be it declared and enacted by the Queen'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 Parishes so united were intended to be, and shall (for the Purposes in the said Act mentioned) be esteemed and taken as one Parish only.

6 Annæ, c. 31.
11 Geo. 1. c. 28.

The Parishes in London united after the Fire, shall be taken as one Parish for the Purposes in the Act, 6 Annæ, c.

II. And whereas by the said Act a Reward of ten Shillings is to be paid to the Turn Cock belonging to any Water Work, whose Water shall be found on, or first come into the Main or Pipe where the first Plug shall be opened at any Fire; thirty Shillings to the first Engine Keeper which brings in a Parish Engine to help to extinguish any Fire; twenty Shillings to the Keeper of the second Parish Engine that shall be next brought to a Fire; and to the third ten Shillings; by the Churchwardens of each Parish where such Fire shall happen; Be it further enacted by the Authority aforesaid, That in all Cases where the said Rewards are claimed, by Reason of any Fire happening within the said City of *London*, or the Liberties thereof, the Churchwardens of the Parish where such Fire shall happen, shall not pay the said Rewards, or any of them, without the Approbation and Direction of the Alderman of the Ward wherein such Parish is situate, or his Deputy, or two of the Common Councilmen of the same Ward for the Time being; and that the said several Rewards shall likewise be paid and payable in like Proportion, and in the same Manner, to the Keeper of any other large Engine, (though not a Parish Engine) who shall bring in such large Engine to help to extinguish any Fire, in good Order, and compleat.

31.
The Rewards to the Turn Cock and others, how to be paid.

III. Provided nevertheless, and it is further enacted, That in Case the Vestries of any of the said united Parishes, or of any other Parishes within the weekly Bills of Mortality, shall at any Time conceive it necessary for the said Parish, in Respect of the Largeness thereof, to have more than one great Engine or Hand Engines, it shall and may be lawful for them to provide more great Engine or Engines, Hand Engine or Hand Engines, at the Charge of the Parish, by an Assesment to be made, as by the said former and this present Act is prescribed and provided; and that the same shall be under the like Regulations and Encouragements as the Engine or Engines respectively to be provided by the said former Act were and are to be.

The Vestries may order more Engines than one to be kept in a Parish.

IV. And to the End the said Act may be made more effectual for the Purposes the same was intended, It is further enacted, That there shall be left at the House, upon which there is a Notice of a Fire Plug, a Key to open the Stop Cock, and also a Pipe for the Water to come thereout; to be made Use of as Occasion shall require.

A Key and Pipe to be left at the House where there is Notice of a Fire Plug.

V. And

The Parish Officers, &c. may assess Rates for maintaining the Engines, &c.

to be levied as Poor Rates, but subject to the like Appeal.

In case of Removal of Mains or Pipes, the like Stop Blocks shall be fixed, and the Key removed to the House where the Fire Pipe is.

The Clause in the Act 6 Annæ, c. 31. that Party Walls should be wholly of Brick or Stone, shall not extend to Houses on London Bridge.

After May 1, 1709, all Houses within the Bills of Mortality, (except on London Bridge, &c.) that shall be built on old or new Foundations, shall have Party Walls between House and House, except Door Cafes, &c.

How the Party Walls shall be built.

For the pulling down of Party Walls, see 11 Geo. 1. c. 28. §. 1.

How Chimney Jambes, Backs, &c. shall be built.

‘ V. And whereas there is no Provision made for raising Monies to defray the necessary Charges of providing and maintaining the said Engine or Engines, Stop Blocks and Fire Cocks, and Keys, and other Implements and Materials, and Payment of the Rewards or Gratuities directed by the said Act;’ Be it further enacted by the Authority aforesaid, That the Churchwardens, Overseers of the Poor, and Inhabitants, in a Vestry duly summoned, of the several Parishes within the Limits aforesaid, shall and may, and they are hereby required from time to time (as often as there shall be Occasion) to rate and assess such competent Sum and Sums of Money as shall be needful and requisite for the Ends aforesaid, in like Manner as by Law they may do for the Maintenance and Relief of the Poor of their respective Parishes; which Rates being allowed and confirmed in like Manner as the Rates made for the Poor are or ought to be, shall be collected and levied in the same Manner as the Rates made for the Relief of the Poor by Law now may or ought to be collected and levied, subject nevertheless to the like Appeal as in case of Rates made for the Relief of the Poor; and the said Officers shall be accountable for the same in like Manner as by Law they are for the Money by them levied and collected for the Relief of the Poor.

VI. An be it further enacted by the Authority aforesaid, that where any Stop Blocks of Wood with Plugs, or any Fire Cocks have been or shall hereafter be made and fixed upon any Mains and Pipes belonging to any Water Works by virtue of this or the said former Act, the Owners of the said Water Works shall afterwards remove, change, or alter the said Mains or Pipes; then in every such Case the Owners of the said Mains or Pipes shall, at their own proper Charges, place and fix the same or the like Stop Blocks, Plugs, and Fire Cocks upon such new Main or Pipe so to be new laid, to be placed where the Churchwardens for the Time being of the Parish where the same were placed, shall direct and appoint; and in such Case of Removal, the Key and Pipe shall be removed to the House upon which Notice shall be of such Fire Plug.

‘ VII. And whereas by the said Act it was further enacted, That all and every House and Houses that should be erected and built, either upon old or new Foundations, in any Place or Places in and about the Cities of *London* and *Westminster*, or other Parishes or Places comprized within the weekly Bills of Mortality, shall have Party Walls between House and House wholly of Brick or Stone, and of two Bricks thick at the least in the Cellar and Ground Stories, and thirteen Inches thick upwards from the Foundation quite through all the Stories of each House, and eighteen Inches above the Roof, and that no Mundillion or Cornish of Timber or Wood under the Eaves, should thereafter be made or suffered in any such new House or Houses; but that all Front and Rear Walls of every House and Houses, shall be built of Brick or Stone, to be carried two Foot and an Half high above the Garret Floor, and coped with Stone or Brick;’ Be it declared and enacted by the Authority aforesaid, That the said recited Clause was not intended, or shall be construed to extend to any House or Houses hereafter to be erected and built upon any Part of *London Bridge*, but that the same may be erected and built with Wood and Timber, as hath been always hitherto used; the said recited Clause, or any other Clause in the said Act contained to the contrary thereof in any wise notwithstanding.

VIII. And be it further enacted by the Authority aforesaid, That from and after the first Day of *May* which shall be in the Year of our Lord one thousand seven hundred and nine, all and every House and Houses that shall be erected and built, either upon old or new Foundations, in any Place or Places in and about the Cities of *London* and *Westminster*, or other Parishes or Places comprized within the weekly Bills of Mortality, (except Houses on *London Bridge* and on the River of *Thames* below Bridge) shall have Party Walls between House and House, wholly of Brick or Stone (except Door Cafes, Windows, Lentils, Breast Summers, Story Posts, and Plates) of two Bricks thick at the least in the Cellar, and one Brick and an Half thick upwards to the Top of the Garret Floor, and all Gable Ends to be one Brick in Length, and eighteen Inches above the Roof, and to have no Beams or Rafters lie or stand, or be in the Brick Works of the Gable Ends.

‘ IX. And whereas many Suits of Law have been brought about Differences in Party Walls,’ Be it further enacted by the Authority aforesaid, That all Party Walls that shall hereafter be built, shall be built nine Inches on each Man’s Ground, whether the old Party Wall be Brick, Stone, or Timber, and that the first Builders shall have Power to pull down the same, and build up the new Party Wall, as aforesaid, and be paid by the Owner of the next House after the Rate of five Pounds *per Rod* as soon as he shall have built the said Party Wall; and for all Houses hereafter to be built that will not yield the Rent of twenty Pounds *per Annum* more than the Ground Rent, to be left to the Discretion of the Builders: Provided that all Party Walls for the same be built with Brick.

X. And be it further enacted by the Authority aforesaid, That all Chimney Jambes and Backs that shall hereafter be erected or built, shall be nine Inches thick from the Cellars to the Roof, and all Withs the Insides of such Chimnies, shall be four Inches and an Half in Breadth, and all the Funnels plaistered or pargetted the Inside from the Bottom to the Top, and that all Chimnies be turned or arched under the Hearths with Brick, (except upon a Ground Floor) and that no Timber shall lie nearer than five Inches to any Chimney, Funnel, or Fire Place; and all Mantles between the Jambes arched over with Brick, and no Wood or Wainscot shall be placed or affixed to the Front of any Jamb or Mantle of any Chimney, nearer than five Inches from the Inside of such Jamb or Mantle; and that all Gable Ends called nine Inches thick in Party Walls, be rendred on the ruffest Side; and that all Stoves and Boylers, Cop-yers, and Ovens that shall be hereafter set up with Brick or Stone, shall not be nearer than nine Inches at the least to the adjoining House, and no Timber to lie nearer than five Inches to any Fire Place or Flew.

‘ XI. And whereas the distilling of Turpentine, and the drawing of Oil of Turpentine and Rosin by distilling of common Turpentine, and the boiling of the said Oil and Turpentine together for making of common Varnish, within the City of London, and the Liberties thereof, has often been, and may hereafter prove of the most dangerous Consequence to the Neighbourhood where such Trade or Practice has been used, by the frequent Fires that have and may happen thereby:’ For preventing whereof for the future, be it enacted by the Authority aforesaid, That from and after the nine and twentieth Day of September one thousand seven hundred and nine, it shall not be lawful for any Person or Persons to distil or boil any Turpentine, nor draw any Oil of Turpentine and Rosin by distilling of common Turpentine, nor boil the said Oil and Turpentine together, above the Quantity of ten Gallons at any one Time, of all or any the said Commodities, within the said City of London, and Liberties thereof, and the City of Westminster, and Borough of Southwark, and the Liberties thereof, in any Workhouse contiguous to any other Building, but shall stand distant from any other Building at least fifty Foot, except such Houses as are already built in Southwark, and are at present used for the said Trade, and except the Still and Furnace built by Daniel Tombes at his House at Holbourn Bridge for the Distillation of Oil of Turpentine; upon Pain that every Person offending therein, shall, for every Offence, forfeit the Sum of one hundred Pounds, which Forfeitures shall and may be recovered, with Treble Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any of her Majesty’s Courts of Record at Westminster, wherein no Effoin, Protection, Privilege, or Wager of Law shall be granted or allowed, nor any more than one Impar lance; one Moiety whereof shall be to her Majesty, her Heirs and Successors, and the other Moiety to such Person or Persons as shall inform and sue for the same.

Not above 10 Gallons of Turpentine, &c. shall be boiled or distilled at one Time in any Workhouse contiguous to other Buildings (except in Houses already built in Southwark, &c.)

upon Pain of forfeiting 100l. to be recovered with Treble Costs;

one Moiety to the Queen, the other to him who will sue, &c.

‘ XII. And whereas frequent and great Damage happens to Houses by Fire, as likewise constant Decay and Ruin, by setting Brick-work upon Timber, Be it enacted by the Authority aforesaid, That from and after the first Day of June one thousand seven hundred and nine, no Brick or Stone-work in the Fronts, Party, or Partition Walls of any House, Tenement, or other Building whatsoever, which shall be erected upon any new or old Foundation within the Cities of London and Westminster, or their Liberties, shall be supported, depend, or any otherwise bear upon any Sort of Timber or Wood Work (excepting upon Piles and Planks where they are absolutely necessary for Foundations in marshy and unsound Ground, and excepting likewise all Houses upon London Bridge, and on the River of Thames below Bridge); upon Pain that every Person so offending shall, for every such Offence, suffer Imprisonment for three Months without Bail or Mainprize.

After June 1709 no Brick or Stone-work in the Fronts, &c.

shall bear upon Timber, &c. on the Penalty of 3 Months Imprisonment.

‘ XIII. And whereas, since Frames of Wood have been in use for Doors and Windows, it has been the common Practice of Workmen, to set them very near, and often quite ranging with the Outside Face of the Wall, by which Means (being under no Shelter from the Weather) they soon rot and perish, occasioning great Cost and Expence in perpetual Repairs:’ For Prevention of such Evil and unskilful Practice for the future, be it enacted by the Authority aforesaid, That from and after the said first Day of June one thousand seven hundred and nine, no Door Frame, or Window Frame of Wood to be used in any House or Building, which shall be erected upon old or new Foundations within the aforesaid Cities of London and Westminster, or their Liberties (except Houses on London Bridge, and on the River of Thames below Bridge) shall be set nearer to the Outside Face of the Wall than four Inches.

No Door Frame, &c. of Wood to be nearer the Outside of the Wall than 4 Inches.

See 33 Geo. 2. c. 30. f. 23.

C A P. XVIII.

An Act to preserve the Rights of Patrons to Advowsons.

‘ FORASMUCH as the Pleading in a Quare Impedit is found very difficult, whereby many Patrons are either defeated of their Rights of Presentation, or put to great Charge and Trouble to recover their Right, which is occasioned by the Law as it now it is:’ For Remedy whereof, be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That no Usurpation upon any Avoidance in any Church, Vicaridge, or other Ecclesiastical Promotion, shall displace the Estate or Interest of any Person entitled to the Advowson or Patronage thereof, or turn it to a Right, but he or she that would have had a Right, if no Usurpation had been, may present or maintain his or her Quare Impedit upon the next, or any other Avoidance, if disturbed, notwithstanding such Usurpation; and if Coparceners, or Joint Tenants, or Tenants in common be seized of any Estate of Inheritance in the Advowson of any Church or Vicaridge, or other Ecclesiastical Promotion, and a Partition is or shall be made between them to present by Turns, that thereupon every one shall be taken and adjudged to be seized of his or her separate Part of the Advowson to present in his or her Turn; as if there be two, and they make such Partition, each shall be said to be seized, the one of the one Moiety to present in the first Turn, the other of the other Moiety to present in the second Turn; in like Manner, if there be three, four, or more, every one shall be said to be seized of his or her Part, and to present in his or her Turn.

Refer to 13 Ed. 1.

stat. 1. c. 5.

17 Ed. 2. c. 8.

25 Ed. 3. stat.

3. c. 3 & 7.

13 R. 2. stat. 1.

c. 1.

4 H. 4. c. 22.

No Usurpation shall displace the Estate of the Patron; but he may maintain a Quare impedit.

If Coparceners, &c. be seized of an Advowson, &c. and a Partition is made to present by Turns, each shall be

seized of a separate Estate to present accordingly.

seized of a separate Estate to present accordingly.

seized of a separate Estate to present accordingly.

seized of a separate Estate to present accordingly.

seized of a separate Estate to present accordingly.

seized of a separate Estate to present accordingly.

seized of a separate Estate to present accordingly.

C A P. XIX.

An Act to enable Infants who are seized or possessed of Estates in Fee, in Trust, or by Way of Mortgage, to make Conveyances of such Estates.

‘ **W**HEREAS many Inconveniencies do and may arise by Reason that Persons under the Age of one and twenty Years, having Estates in Lands, Tenements, or Hereditaments, only in Trust for others, or by Way of Mortgage, cannot (though by the Direction of the *Cestuy que Trust*, or Mortgagor) convey any sure Estate in any such Lands, Tenements, or Hereditaments, to any other Person or Persons: For Remedy thereof, he it enacted by the Queen’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 from and after the tenth Day of *May* one thousand seven hundred and nine, it shall and may be lawful to and for any such Person or Persons, under the Age of one and twenty Years, by the Direction of the High Court of *Chancery* or the Court of *Exchequer*; signified by an Order made upon hearing all Parties concerned, on the Petition of the Person or Persons for whom such Infant or Infants shall be seized or possessed in Trust, or of the Mortgagor or Mortgagors, or Guardian or Gardians of such Infant or Infants, or Person or Persons entitled to the Monies secured by or upon any Lands, Tenements, or Hereditaments, whereof any Infant or Infants are or shall be seized or possessed by Way of Mortgage, or of the Person or Persons entitled to the Redemption thereof, to convey and assure any such Lands, Tenements, or Hereditaments, in such Manner as the said Court of *Chancery* or the Court of *Exchequer* shall; by such Order so to be obtained, direct, to any other Person or Persons; and such Conveyance or Assurance so to be had and made as aforesaid, shall be as good and effectual in Law, to all Intents and Purposes whatsoever, as if the said Infants or Infant were, at the Time of making such Conveyance or Assurance, of the full Age of one and twenty Years; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

After 10 May 1709, any Person under the Age of 21, being Trustee, &c. may by the Directions of the Courts of Chancery, or Exchequer, convey such Lands, &c.

and such Conveyance shall be good.

An Infant being Trustee, &c. may be compelled to make such Conveyance, &c.

II. And be it further enacted by the Authority aforesaid, That all and every such Infant or Infants, being only Trustee or Trustees, Mortgagor or Mortgagors as aforesaid, shall and may be compelled by such Order, so as aforesaid to be obtained, to make such Conveyance or Conveyances, Assurance or Assurances as aforesaid, in like Manner as Trustees or Mortgagors of full Age are compellable to convey or assign their Trust Estates, or Mortgages.

C A P. XX.

An Act for the publick registering of Deeds, Conveyances, and Wills, and other Incumbrances which shall be made of, or that may effect any Honors, Manors, Lands, Tenements, or Hereditaments, within the County of *Middlesex*, after the twenty-ninth Day of *September* one thousand seven hundred and nine.

‘ **W**HEREAS by the different and secret Ways of conveying Lands, Tenements, and Hereditaments, such as are ill-disposed have it in their Power to commit Frauds, and frequently do so, by Means whereof several Persons (who through many Years Industry in their Trades and Employments, and by great Frugality, have been enabled to purchase Lands, or to lend Monies on Land Security) have been undone in their Purchases and Mortgages by prior and secret Conveyances, and fraudulent Incumbrances; and not only themselves, but their whole Families thereby utterly ruined: For Remedy whereof, may it please your most Excellent Majesty (at the humble Request of the Justices of the Peace, Gentlemen and Freeholders of the County of *Middlesex*) that it may be enacted, and be it enacted by the Queen’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 a Memorial of all Deeds and Conveyances, which from and after the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and nine, shall be made and executed, and of all Wills and Devises in Writing, made or to be made and published, where the Devisor or Testatrix shall die after the said twenty-ninth Day of *September*, of or concerning, and whereby any Honors, Manors, Lands, Tenements, or Hereditaments in the said County, may be any Way affected in Law or Equity, may be registered in such Manner as is herein after directed; and that every such Deed or Conveyance, that shall at any Time after the said twenty-ninth Day of *September* be made and executed shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagor for valuable Consideration, unless such Memorial thereof be registered as by this Act is directed, before the registering of the Memorial of the Deed or Conveyance under which such subsequent Purchaser or Mortgagor shall claim; and that every such Devise by Will shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagor for valuable Consideration, unless a Memorial of such Will be registered at such Times and in such Manner as is herein after directed.

A Memorial of Conveyances, made after Sept. 29, 1709, and of all Wills, &c. that may affect any Honors, &c. within the County of Middlesex, may be registered; and every Conveyance made after such Memorial registered, shall be void, &c. unless such Memorial be registered before the registering of the Conveyance, under which, &c.

The like of a Devise by Will. 6 Annæ, c. 35. Abr. Ca. Eq. 358. Registers appointed.

II. And for settling and establishing a certain Method, with proper Rules and Directions for registering such Memorials as aforesaid, be it further enacted by the Authority aforesaid, That one publick Office for registering such Memorials of and concerning any Honors, Manors, Lands, Tenements, and Hereditaments, that are situate, lying, and being within the said County, shall be erected and established in Manner following; that is to say, That for the better and more effectual putting in Execution the several Matters and Things in this Act contained, the sworn Clerk to execute the Office of Inrolment in the

High

High Court of *Chancery*, who is appointed to inrol for the County of *Middlesex*, the chief Clerk to inrol Pleas in the *Queen's Bench*, the Clerk of the Warrants in the Court of *Common Pleas*, and the Queen's Remembrancer, or his Deputy in the Court of *Exchequer*, shall be the Registers or Masters of the Office for the Matters and Things in this Act contained, and also shall and may, from Time to Time, nominate and appoint one or more able and sufficient Person or Persons, for whom they shall be accountable, to be their Deputy or Deputies; which said Registers or their Deputies shall well and truly do and perform all and every the Matters and Things intended by this Act to be done and performed, in some convenient Office or Place to be provided by the said Clerks or Registers in or near some of the Inns of Court or *Chancery*, whereto all Persons may have free Resort at the Times appointed by this Act; and that the said Clerks or Registers shall present such Deputy or Deputies to the Lord High Chancellor, or Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain*, to the Chief Justice of the *Queen's Bench*, to the Chief Justice of the *Common Pleas*, and to the Chief Baron of the Court of *Exchequer* for the Time being, to be by them, or any three of them, approved of, before such Deputy or Deputies shall enter upon the Execution of the said Office; and that such Deputy or Deputies shall and may be displaced and removed by the said Lord High Chancellor, or Lord Keeper, or Lords Commissioners of the Great Seal, the Chief Justices of the *Queen's Bench* and *Common Pleas*, and Chief Baron, or any three of them, by any Writing under their Hands and Seals; and that the said Lord Chancellor, or Lord Keeper, or Lords Commissioners of the Great Seal, the two Chief Justices, and Chief Baron, or any three of them, shall, from Time to Time, have full Power and Authority to make such Rules and Orders for the better Management and Government of the said Office, agreeable to the Form and true Intention of this Act, as they shall find convenient and necessary.

See 25 Geo. 2. c. 4. for appointing Master of the Kings Bench one of the Registers. Who may make a Deputy. Office to be kept in or near the Inns of Court or Chancery. Deputy to be approved of by the Lord Chancellor, &c. and may be displaced in like Manner. Lord Chancellor, &c. may make Rules for the Management of the Office.

III. And be it further enacted, That every such Register or Master, before he enter upon the Execution of the said Office, shall be sworn before the Lord Chancellor, or Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain*, or the Chief Justice of the *Queen's Bench*, Chief Justice of the *Common Pleas*, and Chief Baron of the Court of *Exchequer*, or any one of them (who are hereby impowered and required to administer such Oath) in these Words:

Register to be sworn.

YOU shall swear, That you will truly and faithfully perform and execute the Office and Duty that is directed and required by you to be done by Act of Parliament, intituled, *An Act for the publick registering of Deeds, Conveyances, and Wills, and other Incumbrances which shall be made of, or that may affect any Honors, Manors, Lands, Tenements, or Hereditaments, within the County of Middlesex, after the twenty-ninth Day of September one thousand seven hundred and nine*; and that you have not given or promised, directly or indirectly, nor authorized any Person to give or promise any Money, Gratuity, or Reward whatsoever, for procuring or obtaining the said Office for you:

His Oath.

So help you God.

IV. And be it further enacted by the Authority aforesaid, That if such Person so appointed Register or Master, shall be lawfully convicted of any Neglect, Misdemeanor, or fraudulent Practice in the Execution of the said Office, he shall be liable to pay Treble Damages, with full Costs of Suit, to every Person that shall be injured thereby, to be recovered as is herein after directed.

Register misde-meaning himself, how punished.

V. And be it further enacted by the Authority aforesaid, That all and every Memorials, so to be entered and registred, shall be put into Writing in Velium or Parchment, and brought to the said Office, and in case of Deeds and Conveyances shall be under the Hand and Seal of some or one of the Grantors, or some or one of the Grantees, his or their Heirs, Executors or Administrators, Guardians or Trustees; attested by two Witnesses, one whereof to be one of the Witnesses to the Execution of such Deed or Conveyance; which Witness shall, upon his Oath before one of the said Registers, or Masters, or before a Master in *Chancery* ordinary or extraordinary, prove the Signing and Sealing of such Memorial, and the Execution of the Deed or Conveyance mentioned in such Memorial; and in case of Wills, the Memorial shall be under the Hand and Seal of some or one of the Devisees, his or their Heirs, Executors or Administrators, Guardians or Trustees, attested by two Witnesses, one whereof shall, upon his Oath before the said Registers or Masters, or before such Master in *Chancery* as aforesaid, prove the Signing and Sealing of such Memorial; which respective Oaths the said Registers or Masters, and Masters in *Chancery*, are hereby impowered to administer, and shall indorse a Certificate thereof on every such Memorial, and sign the same.

Memorials to be in Parchment, &c.

Memorials of Deeds, &c. how to be attested, and how Memorials of Wills.

VI. And be it further enacted, That every Memorial of any Deed, Conveyance, or Will, shall contain the Day of the Month and the Year when such Deed, Conveyance, or Will bears Date, and the Names and Additions of all the Parties to such Deed or Conveyance, and of the Devisor or Testatrix of such Will, and of all the Witnesses to such Deed, Conveyance, or Will, and the Places of their Abode, and shall express or mention the Honors, Manors, Lands, Tenements, and Hereditaments contained in such Deed, Conveyance, or Will, and the Names of all the Parishes, Townships, Hamlets, Precincts, or Extraparochial Places within the said County where any such Honors, Manors, Lands, Tenements, or Hereditaments are lying or being, that are given, granted, conveyed, devised, or any Way affected or charged by any such Deed, Conveyance, or Will, in such Manner as the same are expressed or mentioned in such Deed, Conveyance, or Will, or to the same Effect; and that every such Deed, Conveyance, and Will, or Probat of the same, of which such Memorial is so to be registred as aforesaid, shall be produced to the said Registers or Masters at the Time of entering such Memorial, who shall indorse a Certificate on every such Deed, Conveyance, and Will, or Probat thereof, and therein mention the certain Day, Hour, and Time on which such Memorial is so entered or registred, expressing also in what

Memorials to contain the Day and Year of the Date, &c.

Every such Deed, &c. shall be produced to the Registers, &c. who shall indorse a Book, Certificate,

which shall be allowed as Evidence.

The Page of the Register Books, and the Memorials entred shall be numbered. Register to keep an Alphabet of all Parishes, &c. and duly file the Memorials in order of Time.

If there be more Writings than one which affect the same Hereditaments, &c. they need be named but once in the Memorial, and the Dates, &c. of the rest only to be set down.

Memorials of Wills to be registred in 6 Months after Testator's Death, dying within Great Britain, and 3 Years if beyond Sea.

If the Devisee be disabled, the Registry in 6 Months after the Disability removed shall be sufficient.

Will concealed, &c. if not registred in 5 Years after the Devisor's Death, shall not defeat a Purchase. Fees of the Register.

Register to give due Attendance,

and make Searches when required.

Register, &c. to enter into a Recognizance for the faithful Performance of his Office.

Book, Page, and Number the same is entred; and that the said Registers or Masters shall sign the said Certificate when so indorsed; which Certificates shall be taken and allowed as Evidence of such respective Registries in all Courts of Record whatsoever; and that every Page of such Register Books, and every Memorial that shall be entred therein, shall be numbered, and the Day of the Month, and the Year, and hour, or Time of the Day when every Memorial is registred, shall be entred in the Margents of the said Register Books and in the Margents of the said Memorial; and that every such Register or Master shall keep an Alphabetical Kalendar of all Parishes, Extraparochial Places and Townships within the said County, with Reference to the Number of every Memorial that concerns the Honors, Manors, Lands, Tenements, or Hereditaments in every such Parish, Extraparochial Place or Township respectively, and of the Names of the Parties mentioned in such Memorials; and that such Register or Master shall duly file every such Memorial in Order of Time as the same shall be brought to the said Office, and enter or register the said Memorials in the same Order that they shall respectively come to his Hands.

VII. Provided always, and be it enacted, That where there are more Writings than one, for making and perfecting any Conveyance or Security, which do name, mention, or any Ways affect or concern the same Honors, Manors, Lands, Tenements or Hereditaments, it shall be a sufficient Memorial and Register thereof, if all the said Honours, Manors, Lands, Tenements and Hereditaments, and the Parishes, Townships, Hamlets or Extraparochial Places wherein the same lie, be only once named or mentioned in the Memorial or Register of any one of the Deeds or Writings made for the perfecting of such Conveyance or Security; and that the Dates of the rest of the said Deeds or Writings relating to the said Conveyance or Security, with the Names and Additions of the Parties, and Witnesses, and the Places of their Abodes, be only set down in the Memorials and Registers of the same, with a Reference to the Deed or Writing whereof the Memorial is so registred, that contains or expresses the Parcels mentioned in all the said Deeds, and Directions how to find the registring the same.

VIII. Provided also, and it is hereby enacted, That all Memorials of Wills that shall be registred in Manner as aforesaid, within the space of six Months after the Death of every respective Devisor or Testatrix, dying within the Kingdom of *Great Britain*, or within the Space of three Years after the Death of every respective Devisor or Testatrix, dying upon the Sea, or in any Parts beyond the Seas, shall be as valid and effectual against subsequent Purchasers, as if the same had been registred immediately after the Death of such respective Devisor or Testatrix; any thing herein contained to the contrary thereof in any wise notwithstanding.

IX. Provided always, That in case the Devisee, or Person or Persons interested in the Honors, Manors, Lands, Tenements or Hereditaments, devised by any such Will, as aforesaid, by Reason of the Concealment, or Suppression, or contesting such Will, or other inevitable Difficulty, without his, her, or their wilful Neglect and Default, shall be disabled to exhibit a Memorial for the Registry thereof within the respective Times herein before limited, and that a Memorial shall be entred in the said Office of such Contest, or other Impediment within the Space of two Years after the Death of such Devisor or Testatrix, who shall die within the Kingdom of *Great Britain*, or within the Space of four Years next after the Decease of such Person who shall die upon the Sea, or beyond the Seas; then, and in such Case, the Registry of the Memorial of such Will, within the Space of six Months next after his, her, or their Attainment of such Will, or a Probat thereof, or Removal of the Impediment whereby he, she, or they are disabled or hindred to exhibit such Memorial, shall be a sufficient Registry within the Meaning of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

X. Provided nevertheless, That in case of any Concealment, or Suppression of any Will, or Devisee, any Purchaser or Purchasers shall not be disturbed, or defeated in his or their Purchase, unless the Will be actually registred within five Years after the Death of the Devisor or Testatrix.

XI. And be it further enacted, That every such Register or Master shall be allowed for the Entry of every such Memorial, as is by this Act directed, the Sum of one Shilling, and no more, in case the same do not exceed two hundred Words; but if such Memorial shall exceed two hundred Words, then after the Rate and Proportion of six Pence an Hundred for all the Words contained in such Memorial, over and above the first two hundred Words, and the like Fees for the like Number of Words contained in every Certificate or Copy given out of the said Office, and no more, and for every Search in the said Office, one Shilling and no more.

XII. And be it further enacted by the Authority aforesaid, That every such Register or Master shall give due Attendance at his Office every Day in the Week (except *Sundays* and Holy-days) between the Hours of Nine and Twelve in the Forenoon, and the Hours of Two and Five in the Afternoon, for the Dispatch of all Business belonging to the said Office; and that every such Register or Master, as often as required, shall make Searches concerning all Memorials that are registred, as aforesaid, and give Certificates concerning the same under his Hand (if required by any Person) testified by two credible Witnesses.

XIII. And be it further enacted by the Authority aforesaid, That each of the said Registers or Masters at the Time of his being sworn into the said Office, as aforesaid, shall enter into a Recognizance with two or more sufficient Sureties (to be approved of by the Lord Chancellor, or Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain*, or the Chief Justice of the *Queen's Bench*, Chief Justice of the *Common Pleas*, and Chief Baron of the Court of *Exchequer*, or any one of them) of the Penalty of two thousand Pounds unto her Majesty, her Heir and Successors, to be taken by one of the said Chief Justices, conditioned for his true and faithful Performance of his Duty in the Execution of his said Office, in all Things directed and required by this Act; the same to be transmitted by such Chief Justice within one Month next after the Date thereof, into the Office of her Majesty's Remembrancer of the *Exchequer*, there to remain amongst the Records of the said Court.

XIV. And be it further enacted, That the Damages before-mentioned, to be forfeited by any such Register or Master, for any Neglect, Misdemeanor, or fraudulent Practice in the Execution of his Office, shall be recovered by Action of Debt, Bill, Plaint, or Information in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law shall be allowed, nor any more than one Imparlanche.

Forfeiture for his Neglect, how to be recovered.

XV. And be it further enacted, That if any Person or Persons shall at any Time forge or counterfeit any Entry of the Acknowledgment of any such Memorial, Certificate or Indorsement, as is herein mentioned or directed, and be thereof lawfully convicted, such Person or Persons shall incur and be liable to such Pains and Penalties as in and by an Act made in the fifth Year of Queen ELIZABETH, intituled, *An Act against Forgers of false Deeds and Writings*, are imposed upon Persons for forging and publishing of false Deeds, Charters or Writings, sealed Court Rolls or Wills, whereby the Freehold or Inheritance of any Person or Persons of, in or to any Lands, Tenements, or Hereditaments shall or may be molested, troubled or charged; and that if any Person or Persons shall at any Time forswear himself before the said Registers or Masters, or before any Judge, or Master in *Chancery*, in any of the Cases herein mentioned, and be thereof lawfully convicted, such Person or Persons shall incur and be liable to the same Penalties as if the same Oath had been made in any of the Courts of Record at *Westminster*.

Persons forging an Entry of any Memorial, liable to the Punishments in the Act of 5 Eliz. c. 14.

Perjury before a Register, how to be punished.

XVI. And be it further enacted by the Authority aforesaid, That in case of Mortgages, whereof Memorials shall be entered in the said Register Office pursuant to this Act, if at any Time afterwards a Certificate shall be brought to the said Registers or Masters, signed by the Mortgagee or Mortgagees in such Mortgage, his, her, or their Executors, Administrators or Assigns, and attested by two Witnesses, whereby it shall appear that all Monies due upon such Mortgage have been paid or satisfied in Discharge thereof, which Witnesses shall upon their Oaths before the said Registers or Masters, or before a Master in *Chancery*, ordinary or extraordinary (who are hereby respectively impowered to administer such Oath) prove such Monies to be satisfied or paid accordingly, and that they saw such Certificate signed by the said Mortgagee or Mortgagees, his, her, or their Executors, Administrators or Assigns; that then, and in every such Case, the said Registers or Masters shall make an Entry in the Margents of the said Register Books against the Registry of the Memorial of such Mortgage, that such Mortgage was satisfied and discharged according to such Certificate, to which the same Entry shall refer, and shall after file such Certificate, to remain upon Record in the said Register Office.

Upon Certificate and Proof made to the Register, that Money due on a Mortgage entered in the Registry, has been satisfied, the Register shall make an Entry in the Margent, against the Inrolment, &c.

XVII. Provided always, and be it further enacted, That this Act shall not extend to any Copyhold Estates, or to any Leases at a Rack Rent, or to any Lease not exceeding one and twenty Years, where the actual Possession and Occupation goeth along with the Lease, or to any of the Chambers in *Serjeants Inn*, the Inns of Court, or Inns of *Chancery*; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

This Act not to extend to Copyhold Estates, &c.

XVIII. And be it further enacted by the Authority aforesaid, That no Judgment, Statute or Recognizance, (other than such as shall be entered into in the Name, and upon the proper Account of her Majesty, her Heirs and Successors) which shall be obtained or entered into after the said twenty-ninth Day of *September* in the said Year of our Lord one thousand seven hundred and nine, shall affect or bind any Honors, Manors, Lands, Tenements or Hereditaments, situate, lying, and being in the said County of *Middlesex*, but only from the Time that a Memorial of such Judgment, Statute, or Recognizance shall be entered at the said Register Office, expressing and containing, in case of such Judgment, the Names of the Plaintiffs, and the Names, Additions, and Places of Abode, (if any such be in such Judgment) of the Defendants, the Sums thereby recovered, and the Time of the signing thereof; and in case of Statutes and Recognizances, expressing and containing the Date of such Statute or Recognizance, the Names, Additions, and Places of Abode of the Cognizers and Cognizees therein, and for what Sums, and before whom the same were acknowledged; and that in order to the making an Entry of such Memorials of Judgments, Statutes and Recognizances, as aforesaid, the Party and Parties desiring the same shall produce to, and leave with the said Registers or Masters, to be filed in the said publick or Register Office, a Memorial of such Judgment, Statute, or Recognizance, signed by the proper Officer or his Deputy, who shall sign such Judgment in the same Office, or by the proper Officer, in whose Office such Statute, or Recognizance shall be inrolled, together with an Affidavit sworn before one of the Judges at *Westminster*, or a Master in *Chancery*, that such Memorial was duly signed by the Officer whose Name shall appear to be thereunto set; which Memorial such respective Officer is hereby required to give such Plaintiff or Plaintiffs, Cognizee or Cognizees, or his, her, or their Executors or Administrators, or Attorney, or any of them, he, she, or they paying for the same the Sum of one Shilling, and no more.

After 29 Sept. 1709. no Judgments, &c. (other than such as are entered into in the Name of the Queen, &c.) shall bind Hereditaments in *Middlesex*, but from the Time a Memorial thereof shall be entered, &c.

XIX. And be it further enacted, That the said Register or Master shall make an Entry, and likewise (if required) shall give a Certificate in Writing under his Hand, testified by two credible Witnesses, of every such Memorial of any Judgment, Statute, or Recognizance brought to him to be so registred, as aforesaid, and therein mention the certain Day on which such Memorial is so registred or entred, expressing also in what Book, Page, and Number the same is entred.

The Register to make an Entry, and (if required) to give a Certificate of such Memorial, &c.

XX. And be it further enacted, That this Act shall be taken and allowed in all Courts within this Kingdom as a Publick Act, and all Judges, Justices, and other Persons therein concerned, are hereby required as such to take Notice thereof, without special pleading the same.

Publick Act.

XXI. And be it enacted by the Authority aforesaid, That no Member of Parliament shall be capable of being Register, or of executing by himself or any other Person or Persons, the said Office, or to have, take, or receive any Fee or other Profit whatsoever issuing out of the said Office, or for or in Respect thereof; nor shall any such Register, or his Deputy, or any Person or Persons receiving Profit out of the said Office, be at any Time hereafter capable of being, or being chosen, a Member to serve in Parliament.

No Member of Parliament capable to be Register, &c. Nor any Register to be a Member of Parliament.

C A P. XXI.

An Act for improving the Union of the Two Kingdoms.

5 Ann. c. 8.
6 Ann. c. 6.

After 1 July 1709. High Treason and Misprision in England shall be so in Scotland, and no other. And the Queen, &c. may grant Commissions of Oyer and Terminer in Scotland under the Seal of Great Britain to hear and determine such Treasons, &c.

A Justice General who had Jurisdiction before this Act, to be in the Commission, and one of the Quorum.

The Justice Court, &c. shall try Treasons in Scotland by a Jury.

Indictments of Treason, &c. before Justices of Oyer, &c. may be removed by Certiorari into the Justice Court, and there tried as in England.

Persons attainted of Treason in Scotland, to be liable to the same Penalties as in England.

A Person seized of an Estate Tail in Scotland, and married before the said first of July, shall forfeit his Lands upon such Attainder but for his Life only, and his issue shall inherit. Treasons committed by Scotsmen upon the High Sea, or out of Great Britain, shall be determined by the Justice Court,

‘ WHEREAS nothing can more conduce to the improving the Union of the Two Kingdoms, which by her Majesty’s great Wisdom and Goodness hath been happily effected, than that the Laws of both Parts of *Great Britain* should agree, as near as may be, especially those Laws which relate to High Treason, and the proceedings thereupon, as to the Nature of the Crime, the Method of Prosecution and Trial, and also the Forfeitures and Punishments of that Offence; which are of the greatest Concern both to the Crown, and the Subjects:’ To the end therefore that the said Union may be more effectually improved, be in it enacted by the Queen’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 from and after the first Day of *July* in the Year of our Lord one thousand seven hundred and nine, such Crimes and Offences which are High Treason or Misprision of High Treason within *England*, shall be construed, adjudged, and taken to be High Treason or Misprision of High Treason within *Scotland*; and that from thenceforth no Crimes or Offences shall be High Treason or Misprision of High Treason within *Scotland*, but those that are High Treason or Misprision of High Treason in *England*; and that from and after the said first Day of *July* in the said Year of our Lord one thousand seven hundred and nine, the Queen’s Majesty, her Heirs and Successors, may issue out Commissions of Oyer and Terminer in *Scotland*, under the Seal of *Great Britain*, to such Persons, as her Majesty, her Heirs and Successors, shall think fit, and that Three of the Lords of the Justiciary be in the said Commission of Oyer and Terminer, whereof one to be of the *Quorum*, to enquire of, hear and determine such High Treasons and Misprision of High Treason, in such Manner as is used in *England*.

II. Provided always, and be it enacted by the Authority aforesaid, That where any Commission of Oyer and Terminer shall issue pursuant to this Act, and is to be executed within any District where there is a Justice General, or Person having Right of Justiciary, who had Jurisdiction in Cases of High Treason and Misprision of High Treason at the Time of the making of this Act, from and after the Time that such Right be made appear before the Lords of Session, and by them certified to the Lord Chancellor of *Great Britain*, such Justice General, or such Person having Right of Justiciary, or their respective Deputy, shall be in the said Commission, and one of the *Quorum*.

III. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and nine, the Justice Court and other Courts having Power to judge in Cases of High Treason and Misprision of High Treason in *Scotland*, shall have full Power and Authority, and are hereby required, to enquire by the Oaths of Twelve or more good and lawful Men of the County, Shire or Stewartry where the respective Courts shall sit, of all High Treasons and Misprisions of High Treason committed within the said Counties, Shires, or Stewartries, and thereupon to proceed, hear and determine the said Offences whereof any Person shall be indicted before them, in such Manner as the Court of *Queen’s Bench* or Justices of Oyer and Terminer in *England* may do by the Laws of *England*: And if any Person be indicted of High Treason or Misprision of High Treason before any Justices of Oyer and Terminer, or in the Circuit Courts, or other Courts having Power to judge in Cases of High Treason or Misprision of High Treason in *Scotland*, then upon the Request of the Queen’s Advocate General to the Lord High Chancellor or Lord Keeper of the Great Seal of *Great Britain* for the time being, the Lord Chancellor or Lord Keeper shall award her Majesty’s Writ of *Certiorari* under the said Great Seal, directed to the Justices of Oyer and Terminer, or the Justices of the Circuit Courts, and such other Courts, thereby commanding them, or any of them, to certify such Indictment into the Justice Court; which Court shall have full Power and Authority, and is hereby required, to proceed upon, hear and determine the same, as the Court of *Queen’s Bench* in *England* may do upon Indictments removed or certified into the said Court; and that from and after the said first Day of *July* in the said Year of our Lord one thousand seven hundred and nine, all Persons convicted or attainted of High Treason or Misprision of High Treason in *Scotland*, shall be subject and liable to the same Corruption of Blood, Pains, Penalties, and Forfeitures, as Persons convicted or attainted of High Treason or Misprision of High Treason in *England*.

IV. Provided always, That where any Person now is, or shall be, before the said first Day of *July*, seized of any Messuages, Lands, Seigniories, Rents, Tenements, or Hereditaments in *Scotland*, of an Estate Tail, that is to say, an Estate Tailzie, affected with Irritant and Resolutive, or Prohibitive Clauses, and is, or before the said first Day of *July* shall be married, if any Issue of that Marriage be living, or there be Possibility of such Issue at the Time of the High Treason committed, that then in such Case the said Messuages, Lands, Seigniories, Rents, Tenements, and Hereditaments, shall not be forfeited upon the Issue and Heirs in Tail of such Marriage shall inherit the same, the said attainder notwithstanding.

V. And be it further enacted by the Authority aforesaid, That all Treasons and Misprisions of Treasons, which from and after the said first Day of *July* shall be done or committed by any Native of *Scotland* upon the High Sea, or in any Place out of this Realm of *Great Britain*, shall be enquired of, heard and determined before the said Justice Court, or before such Commissioners of Oyer and Terminer, and in such Shire, Stewartry, or County of *Great Britain*, as shall be assigned by the Queen’s Commission, and by good and lawful Men of the same Shire, in like Manner to all Intents and Purposes as if such Treasons or Misprisions of Treasons had been done or committed in the same Shire where they shall be enquired of, heard and determined, as aforesaid: And that from and after the said first Day of *July* in the said Year

of our Lord one thousand seven hundred and nine, no Person accused of any capital Offence, or other Crime in *Scotland*, shall suffer, or be subject or liable to any Torture: Provided that this Act shall not extend to take away that Judgment which is given in *England* against Persons indicted of Felony, who shall refuse to plead, or decline Trial.

VI. Provided also, and be it further enacted by the Authority aforesaid, That every Person may be summoned and returned to be a Juryman in any such Trials, as aforesaid, who shall at the Time of such Trial have and be seized of in his own Right, or in the Right of his Wife, of Lands or Tenements, of an Estate of Inheritance, or for his or her Life, or the Life of some other Person, within the County, Stewartry, or Place where any such Trial shall be, or from whence the Jury is to come, of the yearly Value of forty Shillings Sterling at least; and for want thereof, or for any other lawful Cause, shall be subject to be challenged and set aside.

VII. And whereas the Crimes after-mentioned are by several Acts of Parliament in *Scotland* declared to be Treason, and the Committers thereof are appointed to be punished with the same Pains and Faultures as Committers of Treason, and that after the first Day of *July* aforesaid, the aforesaid Act of Parliament in *Scotland* will have no Force nor Effect, seeing no Facts nor Offences are to be deemed Treason within *Scotland* after that Time, but such as are so by the Acts and Statutes now in force in *England*: Be it therefore by the Authority aforesaid further enacted, That Theft in landed Men, Murder under Trust, wilful Fire-raising, firing Coalheughs, and Assassination, which were declared to be Treason by particular Statutes in *Scotland*, shall after the aforesaid Time be only adjudged and deemed to be capital Offences, and the Committers thereof shall be only liable to such Pains and Punishments as by the Law of *Scotland* are to be inflicted upon the Committers of capital Crimes and Offences, and the Persons Committers thereof are to be punished and tried in the same Manner as by the Laws of *Scotland* is provided in the Cases of other capital Crimes; any thing in this Act to the contrary notwithstanding.

VIII. And be it also enacted by the Authority aforesaid, That if any Person shall, from and after the said first Day of *July*, slay any of the Lords of Session, Lords of Justiciary, sitting in Judgment in the Exercise of their Office within *Scotland*, that the doing thereof shall be construed, adjudged and taken to be High Treason.

IX. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *July*, if any Person counterfeit her Majesty's Seals appointed by the twenty-fourth Article of the Union, to be kept, used, and continued in *Scotland*, that the doing thereof shall be construed and adjudged to be High Treason.

X. Provided always, and be it further enacted by the Authority aforesaid, That after the Decease of the Person who pretended to be Prince of *Wales* during the Life of the late King JAMES, and since pretends to be King of *Great Britain*, and at the End of the Term of three Years after the immediate Succession to the Crown, upon the Demise of her present Majesty, shall take effect, as the same is and stands limited by an Act made in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*; and by one other Act made in the twelfth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, no Attainder for Treason shall extend to the disheriting of any Heir, nor to the Prejudice of the Right or Title of any Person or Persons, other than the Right or Title of the Offender or Offenders, during his, her, or their natural Lives only; and that it shall and may be lawful to every Person or Persons to whom the Right or Interest of any Lands, Tenements or Hereditaments, after the Death of any such Offender or Offenders, should or might have appertained, if no such Attainder had been, to enter into the same.

XI. And be it further enacted by the Authority aforesaid, That from and after the Decease of the Person who pretended to be Prince of *Wales* during the Life of the late King JAMES, and since pretends to be King of *Great Britain*, and at the End of the Term of three Years after the immediate Succession to the Crown, upon the Demise of her present Majesty, shall take effect, as the same is and stands limited by an Act made in the first Year of the Reign of their late Majesty's King WILLIAM and Queen MARY, intituled, *An Act for declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*, and by one other Act made in the twelfth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, when any Person is indicted for High Treason, or Misprision of Treason, a List of the Witnesses that shall be produced on the Trial, for proving the said Indictment, and of the Jury, mentioning the Names, Profession, and Place of Abode of the said Witnesses and Jurors, be also given at the same Time that the Copy of the Indictment is delivered to the Party indicted; and that Copies of all Indictments for the Offences aforesaid, with such Lists, shall be delivered to the Party indicted, ten days before the Trial, and in Presence of Two or more credible Witnesses; any Law or Statute to the contrary notwithstanding.

1 Geo. 1. Stat. 2. c. 48.

and farther, 21 Geo. 2. c. 19. and 22 Geo. 2. c. 48. for regulating Trials for High Treason in *Scotland*.

C A P. XXII.

An Act for the Queen's most gracious, general, and free Pardon.

ANNE R.

THE Queen's most Excellent Majesty calling to mind how many Ways her loving and obedient Subjects have, from time to time, expressed their dutiful Affections towards her Majesty, and consider-

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or before Commissioners, &c.
No Person in Scotland shall be liable to Torture.
This Act not to take away Judgment in England, where Felons refuse to plead.
Qualifications of a juryman in Scotland.

No Offences to be Treason in Scotland, but what are so by the Laws in England.

Slaying any Lord of Session, &c. High Treason.

Counterfeiting the Great Seal in Scotland High Treason.

After the Decease of the Pretender, and 3 Years after the Succession to the Crown by the Demise of the Queen shall take effect, 1 W. & M. Sess. 2. c. 2. 12 W. 3. c. 2. 17 Geo. 2. c. 39. no Attainder for Treason shall disinherit any Heir; but he may enter after the Death of such Offender.

After the Times last above limited, a Copy of the Indictment for Treason, &c. shall be delivered to the Party indicted, 10 Days before the Trial, 1 W. & M. Sess. 2. c. 4. 12 W. 3. c. 2. See 17 Geo. 2. c. 39. 20 Geo. 2. c. 30 & 46.

ing that divers of her said Subjects may by sundry Ways have fallen into the Danger of very many Penalties and Forfeitures, ordained by the Laws and Statutes of this Realm, from which they can in no wise be freed but by her Majesty's great Goodness and Clemency; and being graciously inclined to encourage and invite all her loving Subjects to live and continue in their due Obedience to her Majesty, rather by Acts of Grace and Mercy, than by a severe Execution of Justice; and having an especial Trust and Confidence in her said Subjects, that they will with more Cheerfulness and Affection apply themselves to the Discharge of their respective Duties towards her Majesty, and her Government, when they shall be released and freed from the many Pains, Penalties, and Forfeitures to which they are now liable, hath thought fit to grant her general and free Pardon, in a large and more bountiful Manner than hath heretofore been done: And therefore her Majesty is well pleased and contented that it be enacted by the Authority of this present Parliament; And be it enacted, &c.

C A P. XXIII.

An Act for raising the Militia for the Year one thousand seven hundred and nine, although the Month's Pay formerly advanced be not repaid. EXP.

C A P. XXIV.

An Act for continuing the former Acts for the Encouragement of the Coinage, and to encourage the bringing Foreign Coins and *British* or Foreign Plate to be coined, and for making Provision for the Mints in *Scotland*, and for the prosecuting Offences concerning the Coin in *England*.

18 Car. 2. c. 5. continued by 25 Car. 2. c. 8. and both revived by 1 Jac. 2. c. 7. continued by 4 & 5 W. & M. c. 24. §. 3. and further continued by 12 & 13 W. 3. c. 11. Continued by 9 Geo. 1. c. 19. §. 1. for 7 Years from 1 March 1723. farther continued from March 1730. for 7 Years by 4 Geo. 2. c. 12. The Rates, Duties, &c. granted by 18 Car. 2. c. 5. and continued as above, upon Wines, Vinegar, &c. further continued to the Queen, &c. for 7 Years, to commence 1 March 1708, and till the End of the first Session of Parliament, and the said Act of 18 and 25 Car. 2. c. 8. and the Act 4 Annæ, c. 22. are revived and continued for the Time before-mentioned. Farther continued by 19 Geo. 2. c. 14. 27 Geo. 2. c. 11. 1 Geo. 3. c. 16.

WHEREAS great Benefit and Advantage hath accrued to this Kingdom by one Act of Parliament passed in the eighteenth Year of the Reign of his Majesty King CHARLES the Second, intituled, *An Act for encouraging of Coinage*, and continued by another Act made in the five and twentieth Year of the Reign of his said Majesty King CHARLES, intituled, *An Act for continuing a former Act concerning Coinage*; both which said Acts were revived by an Act made in the first Year of the Reign of his Majesty King JAMES the Second, and were continued by an Act made in the fourth and fifth Year of the Reign of King WILLIAM and Queen MARY, of blessed Memory, and were further continued by an Act made in the twelfth and thirteenth Year of the Reign of the late King WILLIAM of glorious Memory, to be in force for seven Years, from the first Day of *June* one thousand seven hundred and one, and from thence to the End of the first Session of Parliament then next following, and no longer; so that unless the said Acts be revived and continued, the Encouragement given thereby will cease, and this Kingdom be deprived for the future of so great a Good as it hath for many Years last past enjoyed: Now we your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do give and grant unto your Majesty the Rates, Duties, and Impositions herein after mentioned, for and during the Term and Time herein after expressed; and do humbly pray that it may be enacted; And be it enacted by the Queen'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 such and the like Rates, Duties, and Impositions, as by the said Act of Parliament of the eighteenth Year of the Reign of King CHARLES the Second were granted, and by the said subsequent Acts were continued, for and upon the Importation of Wines, Vinegar, Cyder, Beer, Brandy, and Strong Waters imported, during the respective Terms therein mentioned, shall be further continued, and be paid and payable to her Majesty, her Heirs and Successors, for and upon all Wines, Vinegar, Cyder, Beer, Brandy, and strong Waters, which shall be imported or brought into *Great Britain*, within or during the Space of seven Years, to commence from the first Day of *March* one thousand seven hundred and eight, and until the End of the first Session of Parliament then next following, and no longer; and that the said Act of the eighteenth Year of the Reign of King CHARLES the Second, and also one other Act made in the five and twentieth Year of the Reign of his said Majesty King CHARLES the Second, intituled, *An Act for continuing a former Act concerning Coinage*; and one other Act made in the fourth Year of her now Majesty's Reign, intituled, *An Act to empower the Lord High Treasurer, or Commissioners of the Treasury, to issue out of the Monies arising by the Coinage Duty, any Sum not exceeding five hundred Pounds, over and above the Sum of three thousand Pounds yearly, for the Uses of the Mint*; and every Clause, Article and Sentence in the said Acts, or any of them contained, shall be, and are by virtue of this Act, revived and continued, and shall be in Force, and be extended to all Wines, and such other Liquors, as aforesaid, which shall be imported or brought into *Great Britain*, for and during all such Term and Time as are before-mentioned.

The Lord High Treasurer, &c. may require the Master of the Mint to issue out of the Overplus Money arising by the Coinage Duty, 6000 l. for the Payment of 2 s. ob. per

II. And whereas the giving a further Encouragement at this Time to the Coinage of Silver Money, may be an Advantage to the Publick, Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer of *Great Britain*, or Commissioners of the Treasury for the Time being, or any three or more of them, by his or their Warrant or Warrants, to authorize and require the Master and Worker of her Majesty's Mint or Mints for the Time being, out of the Office of Receipt of the said Mint or Mints, according to the Manner and Course of the same, to issue or dispose of the Overplus of the Money that hath arisen or shall arise by the Coinage Duty, any Sum or Sums not exceeding six thousand Pounds, for and towards the Payment of any Sum or Sums not exceeding two Ounces, of Foreign Coin, Plate, &c. brought into the Mint, after 20 April 1709, till 1 Dec. 1709.

Pence Halfpenny *per* Ounce for every Ounce of Foreign Coins, and Foreign or *British* Wrought Plate, of the Standard of eleven Ounces two Penny-weight fine, or reduced thereunto, as shall be brought into the said Mint or Mints from and after the twentieth Day of *April* one thousand seven hundred and nine, until the first Day of *December* one thousand seven hundred and nine then next following, and no longer, there to be coined into the Current Coins of *Great Britain*; any Law, Statute, or Usage to the contrary notwithstanding.

III. Provided also, and it is hereby further enacted by the Authority aforesaid, That over and above the Sums not exceeding three thousand Pounds *per Annum*, and five hundred Pounds *per Annum*, mentioned in the said former Acts, it shall and may be lawful to and for the Lord Treasurer of *Great Britain*, and Under Treasurer, or Commissioners of the Treasury, or any three or more of the said Commissioners for the Time being, by Order or Warrants, to issue out of the Exchequer, or dispose of the Monies arising by the said Coinage Duties, yearly and every Year, from and after the Commencement, and during the Continuance of this Act; and no longer, such Sum as he or they shall think necessary and reasonable, not exceeding in the whole the Sum of twelve hundred Pounds for the Fees and Salaries of the Officers of the Mint or Mints in *Scotland*, and towards the providing, maintaining, and repairing the Houses, Offices, and Buildings, and other Necessaries for assaying, melting down, and coining in the Mints of *Scotland*; any Thing in the said before recited Acts, or any other Law, Statute, or Usage to the contrary notwithstanding.

IV. Provided always, and it is hereby enacted by the Authority aforesaid, That (over and above the Sums not exceeding three thousand Pounds *per Annum*, and five hundred Pounds *per Annum*, mentioned in the said former Acts, for the Uses of the Mint) it shall and may be lawful to and for the Lord High Treasurer of *Great Britain*, and the Under Treasurer, or the Commissioners of the Treasury for the Time being, by Orders or Warrants, to issue out of the Exchequer, or dispose of the Monies arising by the said Coinage Duty, yearly and every Year, from and after the first Day of *June* one thousand seven hundred and nine, any Sum or Sums not exceeding the yearly Sum of four hundred Pounds, for the Charges and Expences of the Officers, and others employed and to be employed in the Prosecution of Offences in counterfeiting, diminishing, or otherwise concerning the current Coins of *Great Britain*, in that Part thereof called *England*; and any Officer or Officers employed, as aforesaid, may have and receive the said Sum not exceeding four hundred Pounds, or any Part thereof, without being liable to any Forfeiture, Disability, or Incapacity whatsoever; the said recited Acts, or any other Law, Statute or Usage to the contrary notwithstanding.

C A P. XXV.

An Act for making perpetual an Act for the better preventing the Counterfeiting the current Coin of this Kingdom, as also an Act for giving like Remedy upon promissory Notes as is used upon Bills of Exchange, and for the better Payment of Inland Bills of Exchange, and also for continuing several Acts made in the fourth and fifth Years of her Majesty's Reign for preventing Frauds committed by Bankrupts.

‘ W H E R E A S the temporary Laws following, which by Experience have been found beneficial and useful, are expired, or near expiring;’ Therefore for continuing the same, be it enacted by Queen'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 an Act made in the Session of Parliament held in the eighth Year of the Reign of his late Majesty King WILLIAM the Third of glorious Memory, intituled, *An Act for the better preventing the Counterfeiting the current Coin of this Kingdom*, which was to continue for one Year, was by a Clause in another Act made in the ninth Year of his said Majesty's Reign, continued in Force unto the five and twentieth Day of *March* one thousand seven hundred and one; which Act was further continued by an Act made in the first Year of her present Majesty's Reign, till the five and twentieth Day of *March* one thousand seven hundred and nine, and from thence to the End of the first Session of Parliament then next ensuing, shall be, and is hereby continued, and shall be in Force, and is hereby made perpetual.

‘ II. And whereas by an Act made in the eighth Year of his late Majesty's Reign, intituled, *An Act for the better preventing the Counterfeiting the current Coin of this Kingdom*, it is ordained, That no Prosecution shall be made for any Offence against the said Act, unless such Prosecution be commenced with three Months after such Offence committed;’ Be it enacted by the Authority aforesaid, That the Prosecution of such Person or Persons as offend against the said Act, by making or mending, or beginning or proceeding to make or mend any coining Tool or Instrument therein prohibited, or by marking of Money round the Edges with Letters or Grainings, may be commenced at any Time within six Months after such Offence committed; any thing in the said Act to the contrary in any wise notwithstanding.

III. And be it further enacted by the Authority aforesaid, That an Act made in the Session of Parliament held in the third and fourth Years of her Majesty's Reign, intituled, *An Act for giving like Remedy upon promissory Notes as is used upon Bills of Exchange, and for the better Payment of Inland Bills of Exchange*, which was to continue for the Space of three Years from the first Day of *May* one thousand seven hundred and five, and from thence to the End of the next Session of Parliament, shall be, and is hereby continued, and shall be in Force, and is hereby made perpetual.

‘ The Statute 4 Annæ, c. 17. and 5 Annæ, c. 22. concerning Bankrupts, continued from the 25th of April 1709, for five Years, and from thence to the End of the next Session of Parliament. E X P.

Over and above the 3000 l. per Annum, and the 500 l. per Annum, mentioned in the former Acts, the Lord Treasurer, &c. may issue out of the Exchequer any Sum not exceeding 1200 l. per Annum, for the Salaries of the Officers of the Mint.

After 1 June 1709, the Lord Treasurer, &c. may further issue, &c. 400 l. per Annum, for the Charges of Officers, to be employed in prosecuting Offences in counterfeiting, &c. the Coin of Great Britain.

The Act 8 W. 3. c. 26.

Continued by 9 W. 3. c. 2. and further continued by 1 Annæ stat. 1. c. 9. made perpetual.

8 Annæ, c. 26.

The Prosecution of Offences against 8 W. 3. c. 26. may be commenced in 6 Months after the Offence.

The Act 3 & 4 Annæ, c. 9. concerning promissory Notes and Bills of Exchange, made perpetual.

C A P. XXVI.

An Act for appointing Commissioners to treat and agree for such Lands, Tenements and Hereditaments as shall be judged proper to be purchased for the better fortifying *Portsmouth*, *Chatham*, and *Harwich*.

“ **W**HEREAS for the better securing her Majesty’s Docks, Ships of War, and Stores, ’tis highly necessary to enlarge and strengthen the Fortifications at or near *Portsmouth*, *Chatham*, and *Harwich*; and in Order thereunto, to purchase several Lands, Tenements, and Hereditaments, some of which are or may be the Estates of Infants, Femes Covert, Ecclesiastical Corporations, or other Persons who by Law are disabled to make any Contracts or Conveyances; in all which Cases, as likewise where any Proprietors designing to obstruct the publick Service, or to make any unreasonable Gain to themselves, insist on extravagant Rates, ’twill be necessary to have Recourse to the usual Methods that have been taken in such like Cases; Be it therefore enacted, &c.

“ The Queen to appoint Commissioners to survey, &c. the Lands to be purchased. Any five of the Commissioners appointed to treat and agree with the Owners of the Lands, &c. Persons refusing to treat, or incapable, the Commissioners may issue Warrants to the Sheriff to impanel and return a Jury, who shall enquire into the true Value, &c. Farther Provision for the Land Owners by 8 Annæ, c. 21. §. 1. and their Verdict shall be certified into the Chancery by the 23d of *October* 1709. The Commissioners not to be liable to the Penalties in the Act of 25 Car. 2. c. 2. nor 1 W. & M. Sess. 1. c. 8. Nor 13 & 14 W. 5. c. 6. The Commissioners not to be disqualified from sitting in the House of Commons. P R.”

Anno Regni ANNÆ Reginae octavo.

“ **A**T the Parliament summoned to be holden at *Westminster* the eighth Day of *July*, *Anno Dom.* 1708. in the seventh Year of the Reign of our Sovereign Lady *ANNE*, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, Queen, Defender of the Faith, &c. and by several Writs of Prorogation begun and holden, on the sixteenth Day of *November* 1708, being the first Session of this present Parliament; and from thence continued by several Prorogations to the fifteenth Day of *November* one thousand seven hundred and nine, * being the second Session of this present Parliament.

* In the Record is added, and by several Adjournments continued till the fifth Day of April, in the ninth Year of her Majesty’s Reign.

C A P. I.

An Act for granting an Aid to her Majesty, to be raised by a Land Tax in *Great Britain* for the Service of the Year one thousand seven hundred and ten. 4s. in the Pound.

7 Annæ, c. 8. §. 9.

7 Annæ, c. 7.

“ **CXIII.** **A**ND whereas in and by an Act of Parliament made and passed in the seventh Year of her Majesty’s Reign (amongst other Things therein contained) it is provided and enacted, That it should and might be lawful to and for the Governor and Company of the Bank of *England* (in case their general Court should so think fit) to contract and agree at any Time before the last Day of *December* one thousand seven hundred and nine, with the Lord High Treasurer of *Great Britain*, to circulate (over and above the Bills undertaken to be circulated by another Act of the same Session therein mentioned) such further Bills not exceeding six hundred and twelve thousand seven hundred thirty-nine Pounds, as should be made forth at her Majesty’s Exchequer for her Majesty’s Supply: And whereas by Indenture bearing Date the eight and twentieth Day of *September* one thousand seven hundred and nine, made between the most Honourable *Sidney* Earl of *Godolphin*, then and now Lord High Treasurer of *Great Britain*, of the one Part, and the said Governor and Company of the Bank of *England*, of the other Part, reciting, That the said Governor and Company of the Bank of *England* in a general Court by them holden, did agree to circulate in Exchequer Bills, the Sum of four hundred thousand Pounds, Part of the said Sum not exceeding six hundred and twelve thousand seven hundred thirty-nine Pounds, it was made known and declared, that in pursuance of the said recited Act of Parliament in that Behalf, they the said Governor and Company of the Bank of *England* had contracted and agreed, and did by the said Indenture contract and agree with the said *Sidney* Earl of *Godolphin*, Lord High Treasurer of *Great Britain*, to circulate such further and other Bills, for any Sum not exceeding the said Sum of four hundred thousand Pounds, as should be made forth at her Majesty’s Exchequer for her Majesty’s Supply, as aforesaid: Now to the Intent that the said Bills which have been made or issued, or shall be made and issued, as aforesaid, not exceeding the said Sum of four hundred thousand Pounds, may have and bear the like Credit, Interest, Allowances, Currency, Privileges, and Advantages in all Respects, as the Bills formerly issued in pursuance of the said other Act of Parliament herein before mentioned, whereby the general Fund for circulating and discharging Exchequer Bills was settled and established; Be it enacted, &c.

“ The

“ The Exchequer Bills for 400,000*l.* and the quarterly Bills to be issued, shall bear 2*d.* per Cent. per Diem Interest, and 3*l.* per Centum per Annum, &c. Powers of the former Act to be in Force. Deficiency to be made good by Parliament. Monies called in, to be added to the Capital Stock. All Privileges, &c. to extend to the Capital Stock, so enlarged. E X P. See 8 Ann. c. 13. f. 28. and 9 Ann. c. 7.

C A P. II.

An Act to prohibit the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch, and Low Wines, Spirits, Worts, and Wash drawn from malted Corn.

“ W H E R E A S the Price of Corn at this Time within the Kingdom of *Great Britain* is become very great, and (in some Parts thereof) excessive, which tends to the Impoverishment of many of her Majesty’s good Subjects, especially of poor Manufacturers, and others of a meaner Condition, and by Reason that Corn in several other Parts of *Europe* is scarcer and dearer than in *Great Britain*, it is likely that several Persons, for their private Advantage or Lucre, will not only export or carry great Quantities of Corn from this Kingdom, but likewise distil excessive Quantities of Low Wines and Spirits from Malt, Corn, or Grain, in order to export the same to Foreign Parts, whereby the Price of Corn will be further inhanfed, to the Detriment of her Majesty’s good Subjects, and the Destruction of many of them, if a timely Remedy in this Behalf be not provided; Be it therefore enacted, &c.

“ No Corn, Low Wines, &c. to be exported before 29 Sept. 1710. Master and Mariners offending to be imprisoned for three Months. Officers of the Customs may seize all such Corn, &c. Proviso for Corn, &c. to be exported for Ship’s Use: Or for the Factories in *Africa*, or Colonies in *America*: Or for the *British* Fishery in those Parts. Exporter to declare the Colony, &c. for which the Corn, &c. is bound, and give Security. Malt or Barley may be transported from *Southampton* for *Ferfey* or *Guernsey*, not exceeding 5000 Quarters. Corn, &c. may be carried Coastwise, &c. Her Majesty by Proclamation may permit the Exportation of Corn, &c. before 29 Sept. 1710. Commissioners of Customs to give Account to next Session of Parliament of all Corn, &c. exported. E X P.

C A P. III.

An Act for charging and continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of E X P: the Year one thousand seven hundred and ten. See 8 Ann. c. 13. f. 28.

C A P. IV.

An Act for continuing Part of the Duties upon Coals, Culm, and Cynders, and granting new Duties upon Houses having twenty Windows or more, to raise the Sum of fifteen hundred thousand Pounds, by Way of a Lottery, for the Service of the Year one thousand seven hundred and ten.

“ M A Y it please your most Excellent Majesty; We your Majesty’s most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous, by the most easy and effectual Ways and Means, to raise such Supplies as are necessary for the Prosecution of the present War, and for enabling your Majesty, at the End thereof, to establish a good and lasting Peace, have for that End and Purpose given and granted, and do by this present Act give and grant unto your Majesty, the several and respective Rates, Duties, Impositions and Sums of Money, as well for and upon such Coals, Culm, and Cynders, as for and upon such Houses as are herein after mentioned; and do most humbly beseech your Majesty, that it may be enacted: And be it enacted by the Queen’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 for and during the Term of thirty-two Years, commencing from the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and ten, and no longer, there shall be raised, levied, collected, and paid unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Coals, Culm, and Cynders, herein after expressed, (except Charcoals made of Wood) the several and respective additional or new Impositions, Rates, Duties, and Sums of Money herein after mentioned, (over and above all such Duties as are already granted or payable for or in respect of the same, or any of them, by any Law or Statute now in Force) that is to say, For all Coals which at any Time or Times, within or during the said Term, shall be imported or brought into the Kingdom of *Great Britain* from any Part beyond Sea. (in case they are such Coals as are most usually sold by Weight) the Sum of three Shillings of lawful Money of *Great Britain* for every Tun, reckoning the Tun to consist of twenty hundred Weight and every hundred to consist of one hundred and twelve Pounds Weight of *Aver-dupoize*, and after that Rate for any greater or lesser Quantity; and for all Coals so imported from any Part beyond Sea, being most usually sold by the Chalder, or by any other Measure whatsoever reducible to the Chalder, the Sum of four Shillings and six Pence of like Money for every Chalder, reckoning the Chalder to consist of six and thirty Bushels *Winchester* Measure, and after that Rate for a greater or lesser Quantity of such Coals so imported or brought in from any Foreign Parts; the said Duties for Foreign Coals imported or brought in, as aforesaid, to be paid by the respective Importer or Importers thereof; and for all Sorts of Coals, from time to time, shipped or waterborn in order to be shipped or laid on board any Ship or Vessel to be carried by Sea, and which shall be carried by Sea in any Ship or Vessel from any Port or Place within the said Kingdom of *Great Britain*, and which at any Time or Times, within

For 32 Years, from 29 Sept. 1710. the additional Rates following to be paid for all Coals, &c. viz. (made perpetual by 5 Geo. I. c. 19. f. 1.) For all Coals imported into Great Britain. 3*s.* per Ton.

and 4*s.* 6*d.* per Chalder.

For Coals waterborn, 3*s.* per Chalder.

or during the said Term, shall be imported, brought, or landed in any other Port or Place within the said Kingdom of *Great Britain*, being most usually sold by the Chalder, or by any other Measure whatsoever reducible to the Chalder, the Sum of three Shillings of like Money for every Chalder, to be reckoned, as aforesaid, and after that Rate for a greater or lesser Quantity; and for all Sorts of Coals from time to time so shipped or waterborn in order to be shipped and carried by Sea from any Port or Place of the Kingdom of *Great Britain*, and which at any Time or Times, during the said Term, shall be imported, brought, or landed in any other Port or Place of the same (in case they are such as are most usually sold by Weight) the Sum of two Shillings for every Tun; and according to that Proportion for more or less, the said several Duties for Coals so shipped or waterborn to be shipped and carried by Sea, as aforesaid, from time to time to be paid at the respective Ports and Places of Importation or Landing of such Coals, and to be charged upon the respective Owner and Owners, Master or other Person having the Charge of every such Ship or Vessel, or of the Coals so carried, imported, or brought in the same; and for all Culm whatsoever, which at any Time, during the said Term of thirty-two Years, shall be waterborn in order to be shipped within the said Kingdom of *Great Britain*, or brought into the same, the Sum of seven Pence and two Tenths of a Penny for every Chalder, and after that Rate, to be paid at the respective Ports and Places of Importation or Landing of such Culm, and to be charged on the respective Owner and Owners, or Master or Masters, or other Person having the charge of the Ship or Vessel, or of the Culm so carried, imported, or brought in the same; and for all Cynders made of Pit Coal, which at any Time or Times, during the said Term of thirty-two Years, shall be shipped or waterborn in order to be shipped within the said Kingdom of *Great Britain*, or brought into the same, the Sum of three Shillings of like Money for every Chalder, reckoning the Chalder to consist of thirty-six Bushels *Winchester* Measure, and after that Rate for a greater or lesser Quantity, to be paid at the respective Ports and Places of Importation or Landing of such Cynders, and to be charged upon the respective Owner and Owners, Master and Masters, or other Persons having the Charge of the Ship or Vessel in which the said Cynders shall be carried, imported, or brought.

II. And for the better levying and raising the said several Duties, and Sums of Money, by this Act imposed upon such Coals, Culm, and Cynders, as aforesaid; It is hereby enacted, That such of the said Duties, and Sums of Money, as shall arise, or be due or payable in that Part of *Great Britain* called *England, Wales*, or the Town of *Berwick upon Tweed*, for or upon such Coals, Culm, and Cynders, as aforesaid, shall from time to time, be under the Management and Government of the Commissioners of the Customs in *England* for the Time being, who shall cause those Duties, from time to time, to be raised, levied, collected, and paid to the Receiver or Receivers General of the Customs in *England* for the Time being; and that such Receiver or Receivers General in *England* for the Time being, shall pay all the Monies arising thereby (the necessary Charges of receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty's Receipt of Exchequer, distinct and apart from all other Branches of the publick Revenue, weekly, to wit, on *Wednesday* in every Week, if it be not an Holyday, and if it be, then on the next Day after, that is not an Holyday, for the Purposes in this Act expressed, and under the Penalties, Forfeitures, and Disabilities herein after mentioned; and that such of the said Duties, and Sums of Money, by this Act imposed upon Coals, Culm, and Cynders, as aforesaid, as shall arise, or be due or payable in that Part of *Great Britain* called *Scotland*, shall, from time to time, be under the Management and Government of the Commissioners of the Customs in *Scotland* for the time being, who shall cause those Duties, from time to time, to be raised, levied, collected, and paid to the Receiver or Receivers General of the Customs in *Scotland* for the Time being; and that such Receiver or Receivers General of the Customs in *Scotland* for the Time being, shall transmit and pay, or cause to be paid, all the Monies arising thereby (the necessary Charges of receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty's Receipt of Exchequer in *England*, distinct and apart, as aforesaid, from time to time, as such Receiver or Receivers General in *Scotland* shall have received any such Monies, as aforesaid, for the Purposes in this Act expressed, and under the Penalties, Forfeitures, and Disabilities herein after mentioned.

III. And it is hereby enacted by the Authority aforesaid, That the said several Duties by this Act imposed within and throughout the said Kingdom of *Great Britain*, for and upon all such Coals, Culm, and Cynders, as aforesaid, shall during all the Time and Term by this Act granted therein, be raised, levied, collected, and paid into her Majesty's Exchequer (for the Purposes in this Act expressed) in such or the like Manner and Form, and subject to such Allowances and Repayments, and under such Penalties, Forfeitures, and Disabilities, and according to such Rules, Methods, and Directions, as are prescribed or appointed by any Law or Statute now in force, for and concerning the Duties upon the like Coals, Culm, and Cynders, which have Continuance until the thirtieth Day of *September* one thousand seven hundred and ten, by virtue of the Act of Parliament made in the fourth Year of her Majesty's Reign, intituled, *An Act for continuing an additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Culm, and Cynders, and additional Duties of Excise; and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities, to be sold for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned; and that all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things now in Force, contained in the Act last-mentioned, or in any other Acts or Statutes thereby referred unto, for the governing, managing, raising, levying, securing, collecting, receiving, paying, and accounting for the said Duties upon Coals, Culm, and Cynders, which were granted or continued until the said thirtieth Day of *September* one thousand seven hundred and ten, as aforesaid, shall be and are, by force and virtue of this present Act, revived, and shall be in full force, and be duly observed, practised, and put in Execution, in and*

and 2 s. per Tun.

For Culm waterborn 7 d. two Tenths per Chalder.

For Cynders waterborn, 3 s. per Chalder.

Under whose Management these Duties shall be.

How these Duties shall be raised, &c.

4 Annæ, c. 6.

Concerning Duty on Coals, &c. see farther 9 Ann. c. 6 & 22. 12 Ann. St. 2. c. 9. 5 Geo. I. c. 9. 6 Geo. I. c. 4. 22 Geo. 2. c. 37. 30 Geo. 2. c. 19. f. 28.

and for the governing, managing, raising, levying, securing, collecting, receiving, paying, and accounting for the Duties upon Coals, Culm, and Cynders, by this Act granted, for and during the Term hereby granted of and in the same, and all Arrearages thereof, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were again expressed, and particularly repeated and re-enacted in the Body of this present Act.

“ Twenty Windows to pay 10s. additional Duty; 30 Windows 20 s. Made perpetual by 3 Geo. 1. c. 8. 7 & 8 W. 3. c. 18.
 “ §. 17. & 5 Geo. 1. c. 19. §. 1. Repealed 20 Geo. 2. c. 3. To be paid half yearly, viz. on 25 March 8 & 9 W. 3. c. 20.
 “ and 29 Sept. and to be charged on the Inhabitants. Justices of Peace to be Commissioners for the Du- 1 Annæ, stat. 1.
 “ ties on Houses. Her Majesty may appoint Surveyors, and Receivers General. How these Duties shall c. 13.
 “ be raised, &c. Houses in Warwick having 20 Windows, chargeable, &c. Edifices in the Universities, 5 Annæ, c. 13.
 “ having 20 Windows, severally in the Tenure of any Person, chargeable. See 6 Geo. 1. c. 21. f. 61. 7 Annæ, c. 7.
 “ 21 Geo. 2. c. 10. 26 Geo. 2. c. 17.

XI. And it is hereby enacted and declared by the Authority aforesaid, That all the said several Duties Appropriation of by this Act granted, as well for and upon such Coals, Culm, and Cynders, as upon such Houses, as the several Du- aforesaid, shall be liable to, and be charged and chargeable with the yearly Fund herein after mention- ties, ed, and all the Annuities to be payable out of the same, in pursuance of this Act, during the whole Term of thirty-two Years herein after expressed, and all the same Duties (except the necessary Charges before- mentioned) are and shall be appropriated thereunto, in such Manner, that all the Monies which shall, from time to time, be or remain due or in Arrear, for or upon the said Annuities, or any of them, or for any Arrears thereof (if any such be) shall, from time to time, in the first place be paid and satisfied out of the said several and respective Duties by this Act granted, or some of them, with Preference to any other Payments that shall or may hereafter be charged upon the same Duties, or any of them, and under such Penalties, Forfeitures, and Disabilities, as are hereafter in this Act contained in that Behalf. See 3 Ann. c. 13. f. 28.

XII. And to the end all the Monies arising by the said Duties upon Coals, Culm, and Cynders, and by the said Duties upon Houses by this Act granted, may be duly and certainly raised and brought into the said Receipt of Exchequer for the Purposes aforesaid; It is hereby further enacted by the Authority aforesaid, That from time to time, during the Continuance of this Act, there shall be appointed such and so many Justices of the Peace, Commissioners of the Customs, Receivers General, Collectors, Surveyors, and other Officers, as shall be proper and necessary for managing, governing, levying, collecting, receiving, and paying the respective Duties by this Act granted, and for keeping and rendering the Accounts of the same; and that the said Receivers General, Collectors, Surveyors, and other Officers, who are or shall be concerned in the raising, collecting, receiving, and paying the said respective Duties hereby granted, or any of them, and keeping and rendering the several Accounts thereof, shall perform their several Duties therein, as to them respectively shall appertain, under such and the like Penalties, Forfeitures, and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the said Monies, as are prescribed and to be inflicted by Virtue of an Act of Parliament, made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies, for the like Offence or Neglect relating to the Duties on Salt, and upon stamp Vellum, Parchment, and Paper, thereby granted or referred unto, or for detaining, diverting, or misapplying any Part of the Monies, which were granted, or appropriated by the Act last mentioned.* 9 W. 3. c. 44.

XIII. And be it enacted by the Authority aforesaid, That yearly and every Year during the said Term of thirty-two Years, reckoning the first Year to begin from the nine and twentieth Day of September one thousand seven hundred and ten, the full Sum of one hundred thirty-five thousand Pounds, by or out of the Monies to arise by the said Duties on Coals, Culm, and Cynders, and by the said Duties on Houses by this Act granted, or any of them, and to be brought into the Receipt of the Exchequer, as aforesaid, in case the same shall extend thereunto, shall be the whole and entire yearly Fund; and in case all the Monies arising into the Exchequer, of or for the said Duties, shall not amount to one hundred thirty-five thousand Pounds per Annum, then the Monies so arising, so far as the same will extend, shall be Part of the yearly Fund, for and towards the answering or paying of the Annuities herein after mentioned; and in case the said Duties by this Act granted, shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year, to be reckoned, as aforesaid, the said Monies arising into the Exchequer, for or upon Account of the same Duties, shall not amount to so much as one hundred thirty-five thousand Pounds, or to so much as shall be sufficient to discharge and satisfy all the Annuities by this Act appointed, or intended to be paid, within or for the same Year respectively, That then and so often, and in every such Case, so much as shall be wanting to make up the said Fund for every or any such Year, shall be supplied and made good, from time to time, out of the first Aid to be granted in Parliament next after such Deficiency shall appear, and shall from time to time be transferred thereunto, as soon as the same shall be granted. 135000l. to be the yearly Fund. Deficiency to be made good by Parliament.

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute for or towards advancing the Sum of one million five hundred thousand Pounds, for carrying on the said War, by paying, at or before the first Day of September one thousand seven hundred and ten, to any Receiver or Receivers to be appointed for that Purpose, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds, upon this Act; and that for the raising the said Sum of one million five hundred thousand

thousand Pounds, any Person, who will become an Adventurer, shall and may advance the Sum of ten Pounds, for which Sum so advanced, he she, or they, for thirty-two Years, shall be entitled to receive a Share or Dividend of the said yearly Fund, as hereafter is expressed; and that every Adventurer may advance as many entire Sums of ten Pounds, as he, she, or they, shall think fit, and for every such Sum of ten Pounds so advanced, he, she, or they, is or are to be interested in one Lot or Share of and in the said yearly Fund.

“ Her Majesty to appoint Managers for the Lottery. Books to be provided with 3 Columns, &c. Receivers to be appointed by the Lord Treasurer, &c. Managers to examine the Books, and deliver them to the Receivers, &c. Tickets how to be delivered out. Receivers to re-deliver the Books, &c. by 12 Sept. 1710. Middle Column Tickets to be rolled up, and put in a Box, marked *A*. Innermost to remain in the Books. There shall be printed one hundred and fifty thousand Tickets, and three thousand seven hundred and fifty Tickets shall be *Fortunate*; that is to say, One of them one thousand Pounds yearly; Three of them, severally, five hundred Pounds; Four of them, four hundred Pounds; Four of them, three hundred Pounds; Four of them, two hundred Pounds, and twenty of them one hundred, and thirty of them fifty Pounds, one hundred of them twenty Pounds yearly, six hundred and one of them ten Pounds, and two thousand nine hundred eighty-three of them, severally, five Pounds, yearly: Fifty Pounds yearly to the first drawn Ticket, and fifty Pounds yearly to the last drawn Ticket. If 1,500,000 l. be not paid in, then the Fund to be proportionable to the Sum advanced. Blanks to have 14 s. *per Annum* for 32 Years. The Manner of drawing the Tickets. Managers to adjudge to whom the fortunate Tickets belong. Forging Tickets Felony. Fortunate to be paid their Advantages half yearly. Unfortunate to be paid yearly, at the Feast of *St Michael*. Eight Pounds *per Cent*. allowed for prompt Payment. A Transfer Office to be kept in *London*. Money lent Tax-free. Half yearly and yearly Payments to be made in Course. Benefit Tickets to be paid in Arithmetical Progression, and the Tickets for 14 s. *per Annum*. Overplus disposable by Parliament. [Part of these Annuities were subscribed into *South Sea Stock* pursuant to 5 Geo. 1. c. 19. & 6 Geo. 1. c. 4.]

Coals, &c. carried from *Sterling* to *Dunbar*, &c. not taxable.

“ XXXIX. And whereas a Doubt may arise whether Coals, Culm, or Cynders carried from the Bridge of *Sterling*, which is on the Firth of *Forth*, to the Town of *Dunbar*, are liable to the Duties by this Act imposed, as if they were carried to Sea; It is hereby provided, enacted, and declared, That such Coal, Culm, and Cynders, so carried from the Bridge of *Sterling* to the Town of *Dunbar*, or to any Part betwixt them, shall not, by reason of such Carriage, be liable to the Duties by this Act imposed; any thing in this Act contained to the contrary notwithstanding.

C A P. V.

An Act to continue the Act for recruiting her Majesty's Land Forces and Marines, for the Service of the Year one thousand seven hundred and ten. E X P.

C A P. VI.

An Act for employing the Manufacturers by encouraging the Consumption of Raw Silk and Mohair Yarn.

“ W H E R E A S the Maintenance and Subsistence of many thousands of Men, Women, and Children, within this Kingdom of *Great Britain*, depends upon the making of Silk, Mohair, Gimp, and Thread Buttons and Button Holes with the Needle, and great Numbers of Throwsters, Twisters, Spinners, Winders, Dyers, and others, are employed in preparing the Materials of which such Buttons and Button Holes are made; and whereas the Silk and Mohair wherewith the said Buttons and Button Holes are made, is purchased in *Turkey* and other Foreign Parts, in Exchange for the Woollen Manufacture of *Great Britain*, to the great Consumption thereof; and for the Encouragement of such numerous Manufacturers and Manufactures, an Act was made in the tenth Year of the Reign of his late Majesty King WILLIAM the third, of glorious Memory, intituled, *An Act to prevent the making or selling Buttons, made of Cloth, Serge, Drugget, or other Stuffs or Materials*, under the Forfeitures therein mentioned; but that the intended Encouragement by the said Act, has, in a great Measure, been rendered ineffectual, by a late and unforeseen Practice of making and binding of Button Holes with Cloth, Serge, Drugget, or other Stuffs, to the great Discouragement of and Abatement in the Consumption of Raw Silk and Mohair Yarn, and the utter Ruin of numerous Families, who used to manufacture the said Materials, if not speedily prevented: For Remedy whereof, and making the said recited Act of Parliament more effectual, be it enacted by the Queen'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 from and after the five and twentieth Day of *March* one thousand seven hundred and ten, no Taylor or other Person or Persons whatsoever within the Kingdom of *Great Britain* shall make, sell, set on, use or bind, or cause to be made, sold, set on, used or bound on any Clothes, or Wearing Garments whatsoever, any Buttons or Button Holes made of, or used or bound with Serge, Drugget, Frize, Camlet, or any other Stuffs of which Clothes and Wearing Garments are usually made, upon Forfeiture of the Sum of five Pounds for every Dozen of such Buttons or Button Holes so made, sold, set on, used or bound, or caused to be made, sold, set on, used or bound, as aforesaid, and in like Proportion for any

30 W. 3. c. 2.

After March 25, 1710. None shall make, sell, &c. any Buttons or Button Holes made or bound with Serge, &c. on Forfeiture of 5 l. for every Dozen, &c.

any lesser Quantity; one Moiety thereof to be to the use of her Majesty, her Heirs and Successors, and the other Moiety thereof to him, her, or them that shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record, wherein no Essoin, Protection, or Wager of Law, or more than one Imparance shall be allowed: Or upon Complaint to any two Justices of the Peace of the County, Riding, Division, City, or Town Corporate, where the Matter in Controversy ari- seth, who are hereby impowred to summon and examine Witnesses on Oath concerning the same, and le- vy the Penalty in this Act mentioned, and return the Overplus, if any be, to the Owner or Owners there- of; but in case any Person shall think himself aggrieved by any Judgment or Order of the said Justices, it shall and may be lawful for such Person to appeal against the Judgment and Order of the said two Jus- tices to the Justices of the Peace in the General Quarter-Sessions of the Peace, which shall be held for the same County, Riding, Division, City, or Town Corporate, next after Notice of such Order of the said two Justices; and the Justices of the Peace in the said General Quarter-Sessions are hereby impowred to summon and examine Witnesses on Oath, and to hear and finally determine the Matter of the said Ap- peal; and case the same Justices in the said General Quarter-Sessions shall give Judgment against such Ap- pellant, then the same Justices shall award and order to the Party, on whose behalf the same Appeal is determined, such reasonable Costs and Charges to be paid by such Appellant, in regard of such Appeal, as to the same Justices shall seem meet. And this Act shall be taken and allowed in all Courts within this Kingdom as a Publick Act; and all Judges, Justices, and all other Persons therein concerned, are hereby required as such to take Notice hereof, without special pleading the same. [This Act is altered and far- ther enforced by 4 Geo. 1. c. 7. And by 7 Geo. 1. stat. 1. c. 12. §. 1. the Penalty of forty Shillings per Dozen is laid on the Wearer.]

One Moiety to the Queen, the other to him who will sue, &c. Two Justices may by Warrant levy the Penalty.

But Persons ag- grieved may ap- peal to the Ses- sions,

who are impow- ered to finally determine the Matter.

The Appellant to pay Costs, if determined against him. This to be taken as a Publick Act.

C A P. VII.

An Act for granting to her Majesty new Duties of Excise, and upon several imported Com- modities, and for establishing a yearly Fund thereby, and by other Ways and Means, to raise nine hundred thousand Pounds by Sale of Annuities, and in Default thereof, by another Lottery, for the Service of the Year one thousand seven hundred and ten.

MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous, by the most easy and effectual Ways and Means to raise the necessary Supplies for prosecuting the present War, in which your Majesty is enga- ged, and for enabling your Majesty, at the End thereof, to establish a good and lasting Peace, have for that End and Purpose given and granted, and do by this Act give and grant unto your Majesty, the several Rates, Duties, Impositions, and Sums of Money, as well for and upon such exciseable Liquors, as for and upon such Pepper, Raisins, Spices, and Snuff, as are herein after-mentioned; and do most humbly beseech your Majesty that it may be enacted; And be it enacted by the Queen's most Excellent Majesty, by and

For the Applica- tion of the Du- ties arising by this Act, see 8 Annæ, c. 13. §. 28.

For former Pro- visions concerning Excise, refer to 4 W. & M. c. 3.

12 Car. 2. c. 23 & 24. 15 Car. 2. c. 11. 16 & 17 Car. 2. c. 4. 22 & 23 Car. 2. c. 5. 1 W. & M. ff. 1. c. 24. 2 W. & M. Sess. 2. c. 10. 5 W. & M. c. 20. 7 W. 3. c. 30. 8 W. 3. c. 19. 10 W. 3. c. 21. 12 W. 3. c. 11 & 12. 1 Ann. ff. 2. c. 3. 4 Ann. c. 6.

with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parli- ament assembled, and by Authority of the same, That from and after the Feast of the Annunciation, which shall be in the Year of our Lord one thousand seven hundred and ten, there shall be, within and throughout the whole Realm of *Great Britain*, raised, levied, collected, and paid unto her Majesty, her Heirs and Successors, for and during the Term and Space of thirty-two Years from thence next and im- mediately ensuing, and fully to be compleat and ended, for Beer, Ale, Cyder, and other Liquors herein after expressed, by Way of Excise, over and above all Duties, Charges, and Impositions, by any former Act or Acts of Parliament set or imposed, the several Rates and Duties of Excise herein after expressed; that is to say,

New duties of Excise for 32 Years, from 25 March 1710. made perpetual by 6 Geo. 1. c. 4. §. 1.

For every Barrel of Beer or Ale (above six Shillings the Barrel, exclusive of the Duties of Excise) brewed by the common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, to be paid by the common Brewer, or by such other Person or Persons respective- ly, and so proportionably for a greater or lesser Quantity, three Pence.

Strong Beer.

For every Barrel of six Shilling Beer or Ale, or under, brewed by the common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, to be paid by the said common Brewer, or by such other Person or Persons respectively, as aforesaid, and so proportionably for a greater or lesser Quantity, one Penny.

Small Beer.

For all Cyder and Perry made and sold by Retail, upon every Hoghead, to be paid by the Retailer thereof, and so proportionably for any greater or lesser Measure, five Pence.

Cyder and Perry.

For all Verjuice made for Sale, upon every Hoghead, to be paid by the Maker thereof, and so propor- tionably for a greater or lesser Quantity, five Pence.

Verjuice.

For all Metheglin or Mead, made for Sale, whether by Retail, or otherwise, to be paid by the Maker thereof, upon every Gallon, one Penny.

Metheglin, or Mead.

For and upon every Barrel of Vinegar, Vinegar Beer, or Liquors preparing for Vinegar, which shall be brewed or made of any *English* or Foreign Materials, by any Person or Persons whatsoever, for Sale, and so in Proportion for a greater or lesser Quantity, to be paid by the Maker thereof, nine Pence.

Vinegar.

For every Gallon of Strong Waters or *Aqua Vitæ*, made for Sale, to be paid by the Maker thereof, one Penny.

Strong Waters.

Spirits. And for every Gallon of Spirits made in *Great Britain*, of any kind of Wine or Cyder imported, two Pence.

New Duties how to be collected. II. And be it enacted by the Authority aforesaid, That the said several Rates, Duties, and Impositions upon Beer, Ale, Cyder, and other Liqueurs aforesaid, and all Arrearages thereof, be raised, levied, collected, and paid unto her Majesty, her Heirs and Successors, during the said Space and Term of thirty-two Years, in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, and with such Power of Mitigation, and other Powers, and with such Allowances, as any the Duties of Excise upon Beer, Ale, or other Liqueurs, are by any Act or Acts of Parliament or Law whatsoever, now in Force, enacted, appointed, or allowed to be raised, levied, collected, managed, recovered, and paid; and that so much of the said Acts as are now in Force, for the raising, levying, collecting, paying, or answering the said Duties of Excise, or any of them, formerly granted, shall be continued and revived, and be practised, put in Execution, and observed, in and for the raising, levying, collecting, managing, adjudging, and answering the said Duties of Excise, by this Act granted, for and during the said Term of thirty-two Years, and all Arrearages thereof, for the Purposes in this Act expressed, as fully and effectually as if the same were particularly and at large re-enacted in the Body of this present Act.

Two-penny Ale. This Section explained by 12 Geo. 1. c. 4. §. 62. III. And be it further enacted by the Authority aforesaid, That for the Barrel of Two-penny Ale, mentioned and described in the seventh Article of the Treaty of Union, there shall be only paid and charged, by Virtue of this Act, such a proportional Part of three Pence, as two Shillings bears to four Shillings and nine Pence, over and above the other Duties wherewith the said Barrel of Ale is charged in the said Article.

Vinegar for Pickles liable to the Duties. Refer to 10 & 11 W. 3. c. 21. f. 3. IV. And whereas it may be doubted whether such Persons as make Vinegar, and use the same in the preparing or making of Pickles for Sale, are Vinegar-makers within the Meaning of this and the other Acts relating to the Duties upon Vinegar; It is hereby declared, That from and after the Commencement of this Act, the Vinegar so made and used is and shall be liable to the Duties by this Act, and the former Acts, whereby the Duties on Vinegar are imposed; and the said Persons shall, to all Intents and Purposes, be deemed and taken to be the Makers of Vinegar for Sale, within the Meaning of the same Acts.

Vinegar for making White Lead not liable. V. Provided always, That nothing in this or any other Act, shall extend, or be construed to extend, to charge with this or any other Duty, such Vinegar as shall be made by the Manufacturers of White Lead only, and used and consumed by themselves, in the making and preparing the same, and to no other use whatsoever; nevertheless, such Makers of Vinegar, so used in the preparing of White Lead (in case they shall sell or deliver out any Vinegar whatsoever by them made, to any Person or Persons, or employ the same for any other Use) shall from henceforth be chargeable with all Duties payable to her Majesty by Vinegar-makers, for all Vinegar by them made or to be made.

New Duties on Pepper, &c. for 32 Years, from 6 February 1709. Made perpetual by 6 Geo. 1. c. 4. §. 1. VI. And her Majesty's said dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do also most humbly beseech her Majesty, that it may be enacted; And be it enacted by the Authority aforesaid, That there shall be answered and paid unto her Majesty, her Heirs and Successors, for and upon all and all Manner of Pepper, Raisins, Nutmegs, Cinnamon, Cloves, and Mace whatsoever; and for such Snuff as is herein after-mentioned, imported or to be imported into the Kingdom of *Great Britain*, at any Time or Times after the sixth Day of *February* one thousand seven hundred and nine, within or during the Term of thirty-two Years from thence next and immediately ensuing (over and above all Duties, and additional Duties already payable for the same, or any of them, by any other Law now in Force) the several new Rates, Duties, and Sums of Money following; that is to say,

Long Pepper not chargeable with this Duty, 9 Annæ, c. 6. §. 59. For every Pound of Pepper, *Averdupois* Weight, imported as aforesaid, one Shilling and six Pence.

Raisins. For every Hundred Weight of Raisins, of what kind soever, imported as aforesaid, accounting one hundred and twelve Pounds *Averdupois* to the Hundred, the Sum of five Shillings.

Nutmegs, &c. See 8 Geo. 1. c. 15. §. 17. which directs how these Duties are to be paid. And for all Nutmegs, Cinnamon, Cloves, and Mace, imported, as aforesaid, as much as the same Spices respectively pay by any Law or Laws now in Force, upon the Importation thereof, it being intended by this Act, that the present Duties upon the Importation of Nutmegs, Cinnamon, Cloves, and Mace, shall be doubled.

Snuff. And for every Pound Weight *Averdupois* of all Snuff imported as aforesaid, not being of the Product or Manufacture of her Majesty's Plantations, the Sum of three Shillings.

The Old Duty only to be paid for Snuff, by 12 Geo. 1. c. 26. §. 1, 3. The said respective Duties, for and upon all Pepper, Raisins, Nutmegs, Cinnamon, Cloves, Mace, and Snuff, to be paid or secured in the manner herein after-mentioned.

Pepper imported after 17 February 1709. to be Warehoused, and Half the Subsidy paid; VII. And for the better securing the Duties upon Pepper by this and other Acts of Parliament imposed, and to the Intent that the same may not be too burdensome on the Importers of such Pepper, as shall be again exported to Parts beyond the Seas; it is hereby provided, and further enacted by the Authority aforesaid, That from and after the seventeenth Day of *February* one thousand seven hundred and nine, all such Pepper as shall be imported into the Kingdom of *Great Britain*, shall upon Entry thereof, be forthwith carried and put into such Warehouse or Warehouses, as shall for that purpose be provided by and at the Charge of the Importers of the said Pepper, and be approved of by the Commissioners of her Majesty's Customs for the time being; and half the Subsidy which by Law is payable for Pepper, imported after the said seventeenth Day of *February*, shall be paid down in ready Money by the Importer or Importers thereof, who shall have Power to Sift or Garble the said Pepper as hath been usual, and ever practised, to make it Merchantable; which said Pepper so brought into such Warehouse or Warehouses, shall not be taken

taken or carried out thence upon any Account whatsoever, other than as is herein after mentioned; that is to say, Such of the said Pepper as shall be sold to be consumed or spent in *Great Britain*, shall be delivered out of such Warehouse or Warehouses, unto the Person or Persons who shall buy the same of the Importer or Importers thereof, upon such Person or Persons paying to her Majesty's Use the Duties charged or imposed, or to be charged or imposed, by this or any other Act or Acts of Parliament in that Behalf, for or upon such Pepper so bought (other than and except the before mentioned half Subsidy;) and such of the said Pepper as shall be for Exportation to Parts beyond the Seas, shall be delivered out of such Warehouse or Warehouses, unto the Importer or Importers thereof, or such Buyer or other Person or Persons, as such Importer or Importers, shall appoint in that Behalf, upon sufficient Security to be first given by the Importers, or such Buyers or other Persons, to her Majesty, her Heirs and Successors (which Security the said Commissioners of her Majesty's Customs are hereby required and empowered to take) that the same, and every Part thereof, shall be exported, and not relanded in *Great Britain*; which said Securities shall be discharged without Fee or Reward, upon Certificate returned or produced to the said Commissioners of the Customs, under the Common Seal of the Chief Magistrate in any Place or Places in Parts beyond the Seas, or under the Hands and Seals of two known *British* Merchants, then being at such Place or Places, that such Pepper was there landed, or upon Proof by credible Persons, that such Pepper was taken by Enemies, or perished in the Seas; the Examination and Proof thereof being left to the Judgment of the said Commissioners of the Customs for the Time being.

and if to be consumed in *Great Britain*, not to be carried out till the whole Duty paid. See 2 Geo. 1. c. 15. §. 15 & 16.

If to be exported, Security to be given, &c.

VIII. And for preventing all clandestine importing or bringing any Pepper into this Kingdom of *Great Britain*, be it further enacted by the Authority aforesaid, That if any Person or Persons, or Bodies Politick or Corporate, from and after the said seventeenth Day of *February* one thousand seven hundred and nine, shall import or bring any Pepper into any Port of or in this Kingdom of *Great Britain* other than the Port of *London*; or into the Port of *London*, and shall not make due Entries of such Pepper so imported or brought in, and bring the same into the said Warehouse or Warehouses as aforesaid: The same shall be, and is hereby adjudged, deemed, accounted, and taken to be clandestine Running, and unlawful Importation thereof; and such Person or Persons, or Bodies Politick or Corporate, so offending therein, and their Abettors, shall not only forfeit and lose all such Pepper so clandestinely run as aforesaid, but also the Sum of one hundred Pounds, to be recovered and divided, one Moiety to her Majesty, her Heirs and Successors, and the other Moiety to the Person or Persons that shall seize, sue, or inform for the same, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*.

What shall be deemed clandestine Importation of Pepper.

IX. And for preventing the clandestine carrying of any of the said Pepper out of the said Warehouses, be it enacted by the Authority aforesaid, That the Keeper or Keepers of the said Warehouse or Warehouses (who shall be provided at the Charge of the Importers) shall keep one or more Book or Books, wherein he or they shall fairly enter or write down an exact, particular, and true Account of all Pepper which shall be brought into and carried out of his or their said Warehouse or Warehouses, and the Days and Times when the same was so brought in and carried out, and how much thereof was delivered out to be consumed and spent in *Great Britain*, and how much for Exportation as aforesaid; and shall at the end of every six Months transmit in Writing an exact Account thereof, upon Oath, to the Commissioners of the Customs for the Time being, together with an exact Account of how much shall be remaining in his or their said Warehouse or Warehouses respectively, and the said Commissioners are hereby empowered and enjoined, within one Month after the same shall be transmitted to them as aforesaid, to appoint one or more Person or Persons to inspect the said Book or Books, Warehouse or Warehouses, and to examine the said Accounts; and if upon Examination it shall appear that any of the said Pepper was delivered out otherwise than as aforesaid, or before paying the Duties of such of the said Pepper as shall be sold to be consumed and spent in *Great Britain*, or giving such Security as aforesaid, for such of the said Pepper as shall be delivered out for Exportation as aforesaid, then the Warehouse-keeper or Warehouse-keepers, so offending therein, shall not only forfeit and lose the Value of the said Pepper so carried out as aforesaid, and be for ever disabled from any publick Employment for the future, but also shall forfeit the Sum of one hundred Pounds for every such Offence, to be recovered and divided as aforesaid.

What shall be deemed clandestine carrying out of Pepper.

X. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Proprietor or Proprietors of the said Pepper, so lodged in any Warehouse or Warehouses as aforesaid, to affix one Lock to every such Warehouse, the Key of which shall remain in the Custody of such Proprietor or Proprietors; and that he or they may, in the Presence of the said Warehouse-keeper or Warehouse-keepers, who is and are hereby obliged to attend at all seasonable Times for that Purpose, view, sort, and deliver out the said Pepper, or any Part thereof, in Manner following; that is to say, Such of the said Pepper as shall be sold to be consumed and spent in *Great Britain*, to the Person or Persons who shall buy the same, upon paying the Duties charged or imposed thereon as aforesaid, and such of the said Pepper as shall be sold for Exportation to Parts beyond the Seas upon giving such Security as is before in that Behalf expressed.

Proprietors may affix a Lock on the Warehouse, &c.

XI. Provided always, and it is hereby enacted by the Authority aforesaid, That from and after the said seventeenth Day of *February* one thousand seven hundred and nine, no other Duty shall be taken or demanded upon or at the Importation of any Pepper into *Great Britain*, (but the half Subsidy before-mentioned) and all other the Duties and Impositions charged upon or for such Pepper as shall be delivered as aforesaid, out of the Warehouse, to be consumed and spent in *Great Britain*, shall be paid upon such Delivery out of the Warehouse as aforesaid, and not otherwise: And that from and after the said seventeenth Day of *February* one thousand seven hundred and nine, all Duties charged or imposed on such of the said Pepper, as shall be delivered out of the said Warehouse or Warehouses to be exported, and shall be exported accordingly (except the half Subsidy) shall be discharged, and from thenceforth no Draw-back discharged.

Half Subsidy only to be paid on Importation of Pepper, and the other Duties on its Delivery out of the Warehouse for Consumption here. On Exportation all other Duties back discharged.

back or Allowance shall be paid or made out of her Majesty's Customs, for or on the Account of such Exportation of any of such Pepper; any thing herein, or in any former Act or Acts of Parliament, contained to the contrary thereof, in any wise notwithstanding.

Importers of Raisins, &c. to have 12 Months for Payment, or 10 l. per Cent. for prompt Payment.

XII. Provided always, and it is hereby enacted by the Authority aforesaid, That the Importers of the said Raisins, Nutmegs, Cinnamon, Cloves, Mace, or Snuff, giving Security at the Custom-house, shall have twelve Months Time for Payment of the Duties by this Act imposed thereupon; and in case such Importer shall pay ready Money, he shall have ten Pounds *per Centum*, or after that Rate *per Annum*, of the said Duty abated to him for prompt Payment.

Nutmegs, &c. may be imported from any Ports in British Ships, &c. Farther Provisions relating hereto, 6 Geo. I. c. 21. §. 45.

XIII. Provided also, and it is hereby enacted, That it shall and may be lawful for any Person or Persons to import into the Kingdom of *Great Britain*, during the Continuance of this Act, Nutmegs, Cinnamon, Cloves, or Mace, subject to the several Duties payable for the same, from any Parts beyond the Seas in *British* Ships, so as the Master, and at least one fourth of the Mariners during the Continuance of this present War, be her Majesty's Subjects of *Great Britain*, and so as after the End of this War, and during the Continuance of this Act, the Master, and at least three Fourths of the Mariners be her Majesty's Subjects of *Great Britain*, and so as Notice be first given to the Commissioners of her Majesty's Customs, of the Quality and Quantity of the said Spices, so intended to be imported, and the Place in which they intend to import the same, and taking a Licence under the Hands of the Commissioners of the Customs for the time being, for the landing and importing thereof as aforesaid; which Licence they are hereby authorized and required to grant without any Fee or Reward, or any other Charge to the Person demanding the same; any Law, Custom, or Usage to the contrary notwithstanding.

Raisins, &c. landed without Entry, &c. forfeited.

XIV. And be it enacted by the Authority aforesaid, That in case any of the said Raisins, Nutmegs, Cinnamon, Cloves, Mace, and Snuff, hereby charged or intended to be charged as aforesaid, shall be landed or put on Shore out of any Ship or Vessel, before due Entry be made thereof at the Custom-house, in the Port or Place where the same shall be imported, and before the said Duties by this Act charged or chargeable thereupon, shall be secured or paid, as this Act doth require, or without a Warrant for the landing or delivering the same first signed by the Collectors, or other proper Officer or Officers of the Customs respectively; That all such imported Raisins, Nutmegs, Cinnamon, Cloves, Mace, and Snuff, as shall be so landed and put on Shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited, and shall and may be seized or recovered of the Importer or Proprietor thereof, (to wit) one Moiety of the same to the Use of her Majesty, her Heirs or Successors, and the other Moiety to the Use of such Person or Persons as will seize, inform, or sue for the same, or the Value thereof, by Action, Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

Raisins, &c. exported in due Time, Duty to be repaid. These 9 and 18 Months enlarged to 3 Years by 7 Geo. I. stat. I. c. 21. §. 10.

XV. Provided always, and be it further enacted and declared by the Authority aforesaid, That in case any of the said Raisins, Nutmegs, Cloves, Mace, Cinnamon, and Snuff, upon which the said new Duties, by this Act granted, are paid, or secured to be paid, be again exported at any Time or Times within eighteen Months by *British* Merchants, or within nine Months by Aliens, to be accounted from the respective Times of the Sight or Entry of the said Goods Inwards, and that due Proof be first made, upon Oath, That the said Raisins, Nutmegs, Cloves, Mace, and Cinnamon, or Snuff, so exported, be the same for which the said Duties are paid, or secured to be paid as aforesaid; That then and in every such Case, and not otherwise, the same Duties so paid, shall, without any Delay or Reward, be wholly repaid out of any the Duties on imported Commodities by this Act granted, or the Security of such of the said Duties as shall be secured, shall be vacated (on a Debenture or Debentures, regularly certified and sworn to) as to so much of the said Raisins, Nutmegs, Cloves, Mace, and Cinnamon, or Snuff, as shall be so exported; any Thing in this Act contained to the contrary notwithstanding.

New Duties how to be levied.

XVI. And be it further enacted by the Authority aforesaid, That the said new Duties upon Raisins, Nutmegs, Cloves, Mace, Cinnamon, and Snuff, by this Act imposed, during the said whole Term of thirty-two Years therein granted, shall be ascertained, secured, raised, levied, recovered and answered, for the Uses and Purposes in this Act expressed, by such Rules, Ways, Means and Methods, and under such other Penalties and Forfeitures, and subject to such Allowance for Damage, as the other Duties upon the same Goods respectively are, by any Law or Statute now in Force, to be ascertained, secured, raised, levied, recovered or answered, during the Continuance thereof respectively.

Pepper, &c. or any uncustomed Goods, unshipped without paying the Duties, forfeited, and Treble the Value, &c. by Devenurent.

XVII. And for preventing the Frauds which may be practised in unshipping, to be landed, any Pepper, Raisins, Mace, Cinnamon, Cloves, Nutmegs, Snuff, or any other Sort of Goods whatsoever, subject to the Payment of Duties, without paying the same, as also to hinder the Importation of any Sort of prohibited Goods into *Great Britain*; Be it further enacted by the Authority aforesaid, That if any Pepper, Raisins, Mace, Cinnamon, Cloves, Nutmegs, Snuff, or any other Sort of Goods whatsoever, liable to the Payment of Duties, shall be unshipped, with Intention to be laid on Land (Customs, and other Duties, not being first paid or secured) or if any prohibited Goods whatsoever, shall be imported into any Part of *Great Britain*, then not only the said uncustomed and prohibited Goods shall be forfeited and lost, but also the Persons who shall be assisting, or otherwise concerned in the unshipping the said prohibited and uncustomed Goods, or to whose Hands the same shall knowingly come, after the unshipping thereof, shall forfeit Treble the Value thereof, together with the Vessels and Boats, and all the Horses, and other Cattle and Carriages whatsoever, made use of in the landing, removing, Carriage, or Conveyance of any of the aforesaid Goods; one Moiety of all which Forfeitures and Penalties shall be to the Use of her Majesty, and the other Moiety to him or them that will seize or sue for the same, to be recovered by Bill, Plaintiff, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

Farther Provisions relating hereto, 8 Geo. I. c. 13. §. 16.

XVIII. And

‘ XVIII. And whereas several Merchants and other wholesale Traders and Dealers in Pepper, have or may have, on the eighth Day of *February* one thousand seven hundred and nine, several Stocks or Quantities of Pepper;’ it is hereby further enacted, That all and every such Merchants, Traders, and Dealers, having on the said eighth Day of *February* one thousand seven hundred and nine, in his, her or their Custody or Possession, or in the Custody or Possession of any other Person or Persons in Trust for him, her or them, or for his, her or their Use, Benefit or Account, any Stock or Quantity of Pepper, as aforesaid, within the Realm of *Great Britain*, being for Sale, shall yield and pay unto her Majesty, for every Pound of such Pepper, one Shilling and six Pence, to be paid within six Months after the said eighth Day of *February* one thousand seven hundred and nine.

Merchants to pay 1s. 6d. for Pepper in their Custody on 8 Feb. 1709.

XIX. And to the end the said Stocks of Pepper may be known, and the Duties thereupon duly ascertained and secured; it is hereby enacted, That all and every the said Merchants, Traders, and Dealers in Pepper, shall, on or before the eighth Day of *April* one thousand seven hundred and ten, make a just Entry thereof at the Custom-house nearest the Place where such Pepper doth remain as aforesaid, and permit the proper Officers of the Customs thereunto to be appointed, at any Time before the fifteenth Day of *May* one thousand seven hundred and ten, to enter into his her, or their Warehouses or other Places, where such Stocks of Pepper are to be found, and to view, weigh, and take account of the same; and if any such Merchant, Trader, or Dealer shall neglect to make such Entry at the Custom-house within the Time aforesaid, or shall refuse to permit such Officer to enter into his, her or their Warehouses or other Places (if thereunto required) there to view the said Stock as aforesaid, or any Part thereof, or shall hide, remove, or convey away the said Stock of Pepper, with Intent to defraud her Majesty, or shall not pay her Majesty’s Dues for the same, according to the true Meaning of this Act; then for every or any such Offence the Merchant, Trader, or Dealer respectively, so offending, shall forfeit and lose his, her or their said Stocks of Pepper, or the Value thereof, to be recovered and distributed as aforesaid.

How the Stock in Hand shall be ascertained.

Farther Provisions concerning Spices, 9 Ann. c. 6. f. 59. 10 Ann. c. 26. f. 45. 6 Geo. 1. c. 21. f. 45. 8 Geo. 1. c. 15. f. 15. And 8 Geo. 1. c. 18. f. 21.

XX. Provided, That if such Persons so chargeable for any Stocks of Pepper, shall pay her Majesty’s Duties for the same before the End of the said six Months, then he, she or they, shall be allowed for such prompt Payment, after the Rate of ten Pounds *per Centum per Annum* for every Sum so advanced, and in case of Exportation thereof, or any Part thereof, within eighteen Months after Entry made as aforesaid, the said Duties payable by this Act for such Stocks of Pepper shall be discharged or repaid.

10 l. per Cent. for prompt Payment.

XXI. And it is hereby enacted, That if any Dispute shall arise whether any Snuff chargeable by this Act upon the Importation thereof, be of the Produce or Manufacture of her Majesty’s Plantations, the *Onus probandi* shall lie upon the Owner or Claimer thereof.

Onus probandi.

XXII. And be it enacted and declared by the Authority aforesaid, That all the said several Duties arising by this Act upon exciseable Liquors in that Part of *Great Britain* called *England, Wales*, and the Town of *Berwick upon Tweed*, shall from Time to Time be under the Management and Government of the Commissioners of Excise in *England* for the Time being; and the said Duties upon exciseable Liquors to arise in *Scotland*, shall from Time to Time be under the Management and Government of the Commissioners of Excise in *Scotland* for the Time being; and that such of the Duties imposed by this Act upon imported Commodities as shall arise in *England, Wales*, and the Town of *Berwick upon Tweed*, shall be under the Management and Government of the Commissioners of the Customs in *England* for the Time being; and such of the said Duties on imported Commodities as shall arise in *Scotland*, shall be under the Management and Government of the Commissioners of the Customs in *Scotland* for the Time being; and that the Commissioners of Excise in *England*, and the Receiver General of the Customs in *England* for the Time being, shall pay all the Monies that they respectively shall receive of the said Duties (the necessary Charges of receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty’s Receipt of Exchequer, distinct and apart from all other Branches of the publick Revenue weekly (to wit) on *Wednesday* in every Week, if it be not an Holiday, and if it be, then on the next Day after that is not an Holiday, for the Purposes in this Act expressed, and under the Penalties, Forfeitures, and Disabilities herein after mentioned; and that such of the said Rates, Duties, and Sums of Money by this Act imposed, as shall arise in *Scotland* (the necessary Charges of receiving, levying, managing, paying, and accounting for the same, excepted) shall from Time to Time be transmitted and paid by the Commissioners of Excise, and Receiver General of the Customs in *Scotland*, for the Time being respectively, into the Receipt of her Majesty’s Exchequer in *England*, distinct and apart as aforesaid, for the Purposes in this Act expressed, and under the Penalties, Forfeitures, and Disabilities herein after mentioned.

New Duties on Excise to be under the Management of the Commissioners of Excise, &c.

and Customs under the Commissioners of the Customs.

To be paid in to the Exchequer distinct, &c.

XXIII. And it is hereby enacted and declared by the Authority aforesaid, That all the said several Duties by this Act granted, as well for and upon such exciseable Liquors, as for and upon such Pepper, Raisins, Nutmegs, Cinnamon, Cloves, Mace, and Snuff, to be imported, and the said Stocks of Pepper as aforesaid, shall be liable to and charged and chargeable with the yearly Fund herein after mentioned, and all the Annuities of what Kind soever, to be payable out of the same, in Pursuance of this Act, during the whole Term of thirty-two Years herein after expressed in that Behalf; and all the same Rates and Duties (except the necessary Charges before mentioned) are and shall be appropriated thereunto in such Manner, that all the Monies which shall from Time to Time be or remain due, or in Arrear, for or upon the said Annuities, or any of them, or for any Arrears thereof, (if any such be) shall from Time to Time, in the first Place, be paid and satisfied out of the said several and respective Rates and Duties by this Act granted, or some of them, with Preference to any other Payments, that shall or may hereafter be charged upon the same Rates and Duties, or any of them, and under such Penalties, Forfeitures, and Disabilities, as are hereafter in this Act contained in that Behalf.

New Duties appropriated.

Farther Provisions concerning Excise, 10 Ann. c. 19 & 26. 12 Ann. stat. 2. c. 9. 11 Geo. 1. c. 30. 12 Geo. 1. c. 28. 1 Geo. 2. c. 16. 19 Geo. 2. c. 34. 23 Geo. 2. c. 26. 32 Geo. 2. c. 17. 33 Geo. 2. c. 9. 1 Geo. 3. c. 7.

XXIV. And to the end all the Monies to arise by this Act may be duly and certainly raised and brought into the said Receipt of Exchequer for the Purposes aforesaid; it is hereby further enacted by the Authority

The Officers for managing these Duties liable to the Act 9 W. 3. c. 44.

rity aforesaid, That from time to time, during the Continuance of this Act, there shall be appointed such and so many Commissioners of the Customs and Excise, and other Officers, as shall be proper and necessary for the raising and levying the respective Duties and Sums of Money by this Act granted or chargeable, and for keeping and rendering the Accounts of the same; and that all Receivers General, Collectors, and other Officers, who are or shall be concerned in the raising, collecting, receiving, and paying the said respective Duties hereby granted, or any of them, and keeping and rendering the several Accounts thereof, shall perform the several Duties therein, as to them respectively shall appertain, under such and the like Penalties, Forfeitures and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the said Monies, as are prescribed, and to be inflicted by virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum, not exceeding two millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies, for the like Offence or Neglect relating to the Duties on Salt, and upon stamp Vellum, Parchment and Paper, thereby granted or referred unto, or for detaining, diverting, or misapplying any Part of the Monies which were granted or appropriated by the Act last mentioned.*

9 W. 3. c. 44.

§ 1,000 l. to be the yearly Fund.

XXV. And be it enacted by the Authority aforesaid, That yearly and every Year, during the Term of thirty-two Years, reckoning the first Year to begin from the twenty-ninth Day of September one thousand seven hundred and ten, the full Sum of eighty-one thousand Pounds *per Annum*, by or out of the Monies to arise by the said Rates, Duties, and Sums of Money by this Act granted, or chargeable, and to be brought into the Receipt of Exchequer, as aforesaid, in case the same shall extend thereunto, shall be the whole and entire yearly Fund; and in case all the Monies arising into the Exchequer, of or for the said Rates and Duties, shall not amount to eighty-one thousand Pounds *per Annum*, then the Monies so arising, so far as the same will extend, shall be Part of the yearly Fund for or towards the answering or paying of all the several and respective Annuities herein after mentioned; and in case the said Rates, Duties, and Sums of Money by this Act granted, shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year to be reckoned, as aforesaid, the said Monies arising into the Exchequer, for or upon Account of the same Rates and Duties shall not amount to so much as eighty-one thousand Pounds, or to so much as shall be sufficient to discharge and satisfy all the Annuities by this Act appointed or intended to be paid within or for the same Year respectively, That then and so often, and in every such Case, so much as shall be deficient or wanting to make up the said Fund for every or any such Year, shall be supplied and made good from time to time out of the Surplus or Remainder of the Monies which, for such Year respectively, shall arise by the Rates and Duties granted by an Act of this Session of Parliament, intituled, *An Act for continuing Part of the Duties on Coals, Culm, and Cynders, and granting new Duties upon Houses having twenty Windows or more, to raise the Sum of fifteen hundred thousand Pounds, by way of a Lottery, for the Service of the Year one thousand seven hundred and ten, after all the Annuities, Charges and Payments directed or authorized by that Act, until the End of such Year respectively, shall be fully satisfied, paid and discharged, or Monies sufficient shall be reserved for that Purpose (which Surplus or Remainder was reserved to be disposed of by Authority of Parliament;) and in Default of such Surplus or Remainder, then the said Deficiency shall be supplied or made up from time to time out of the first Aid to be granted in Parliament, next after such Deficiency shall appear, and shall from time to time be transferred thereunto, as soon as such Aid shall be granted.*

Deficiency to be made good out of the Surplus of Coals and Window Act.

§ Annæ, c. 4.

and in Default, by Parliament. Duties arising before 29 Sept. 1710. to be applied to the Annuities, &c.

Monies arising by the Duties to be entered in a Book.

XXVI. And it is hereby declared, That so much of the said Duties hereby granted as shall come into the Exchequer before the twenty-ninth Day of September one thousand seven hundred and ten, shall go in Aid of the said yearly Fund after the said twenty-ninth Day of September one thousand seven hundred and ten, for Payment of the Annuities which shall become payable upon this Act.

XXVII. And it is hereby enacted, That all the Monies arising by the Duties hereby granted, and Provisions hereby made for Payment of the several Annuities which shall be payable upon this Act, shall be fairly and duly entred in one or more Book or Books to be kept in the Offices of the Auditor of the Receipt, and Clerk of the Pells, for that Purpose, to which all Persons concerned, at all seasonable Times, shall have free Access, without Fee or Charge.

Natives or Foreigners may advance Money on this Act, &c.

XXVIII. And for the raising any Sum or Sums of Money, not exceeding in the whole the Sum of nine hundred thousand Pounds, for carrying on the said War, and other her Majesty's Occasions; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay into the Receipt of her Majesty's Exchequer, for her Majesty's Use, at or before the respective Days and Times in this Act limited in that Behalf, any Sum or Sums of Money, not exceeding in the whole the said Sum of nine hundred thousand Pounds for the absolute Purchase of any certain Annuity or Annuities, to be paid and payable, during the full Term of thirty-two Years to be reckoned from the twenty-ninth Day of September in the Year of our Lord one thousand seven hundred and ten; which certain Annuities shall be computed at the Rate of nine Pounds *per Annum* for every one hundred Pounds, and proportionably for any greater Sum so to be advanced or paid; and the Purchase Money for every such Annuity, at Rate aforesaid, is hereby appointed to be paid into the said Receipt of Exchequer, at or before the respective Days and Times herein after limited; that is to say, One fourth Part thereof on or before the first Day of May in the Year of our Lord one thousand seven hundred and ten; one other fourth Part thereof on or before the first Day of July in the Year of our Lord one thousand seven hundred and ten; one other fourth Part thereof on or before the first Day of September in the Year of our Lord one thousand seven hundred and ten; and the remaining fourth Part thereof on or before the first Day of November in the Year of our Lord one thousand seven hundred and ten: All which Annuities so to be purchased, shall

Times of Payment.

not exceed in the whole the Sum of eighty-one thousand Pounds *per Annum*, and shall be paid and payable at the four most usual Feasts, or Days of Payment in the Year; that is to say the Feasts of the Birth of our Lord Christ, the Annunciation of the blessed Virgin *Mary*, the Nativity of *St. John Baptist*, and *St. Michael* the Archangel, by even and equal Portions; the first Payment thereof to be due at the Feast of the Birth of our Lord Christ which shall be in the Year of our Lord one thousand seven hundred and ten.

XXIX. And it is hereby enacted, That in the Offices of the Auditor of the Receipt, and Clerk of the Pells, in the Exchequer severally, there shall be provided and kept a Book or Books, in which there shall be fairly entred the Names of all who shall be contributors for such certain Annuities, as aforesaid, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the Sum so paid for such Annuities: To which Book it shall be lawful for the said respective Contributors, their Executors, Administrators, and Assigns, from time to time, and at all seasonable Times, to have Resort, and to inspect the same, without Fee or Reward.

Contributors Names to be entred.

XXX. And be it further enacted by the Authority aforesaid, That all and every the Annuities so to be purchased upon this present Act, shall be and are hereby charged upon, and shall be paid and payable, from time to time, out of the Monies arising by the said Rates and Duties, and other Provisions made by virtue of this Act for the Payment thereof; and that all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money, at the Rate aforesaid, at or before the respective Days or Times in this Act limited in that Behalf, for any such Annuity or Annuities, as aforesaid, or such as he, she or they shall appoint, his, her or their respective Executors, Administrators, Successors and Assigns, shall have, receive, and enjoy, and be entitled, by virtue of this Act, to have, receive, and enjoy the respective Annuity and Annuities so to be purchased, out of the Monies by this Act appropriated or appointed for the Payment thereof, during the said whole Term of thirty-two Years, to be purchased therein, as is above-mentioned; and that all and every such Purchasers, their Executors, Administrators, Successors and Assigns respectively, shall have good, sure, absolute and undefeasible Estates and Interests in the several Annuities so by them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that all the said Annuities to be purchased on this Act, and every of them, during the Term aforesaid, shall be free from all Taxes, Charges and Impositions whatsoever.

Annuities charged upon the new Duties.

Part of these Annuities were subscribed into South Sea Stock pursuant to 6 Geo. 1. c. 4.

Tax-free.

XXXI. And be it further enacted by the Authority aforesaid, That every Contributor upon this Act, for any such Annuity or Annuities, as aforesaid, his, her or their Executors, Administrators, Successors or Assigns, upon Payment of the Consideration or Purchase-money for the same, at the Rate aforesaid, or any Part or Proportion thereof, into the said Receipt of Exchequer, within the Time or Times in this Act limited in that Behalf, shall immediately have one or more Talley or Tallies levied, importing the Receipt of so much Purchase-money as shall be so paid; and upon Payment of all the Purchase-money, for any such Annuity or Annuities, at the Rate aforesaid, every such Contributor, his, her or their Executors, Administrators, Successors or Assigns respectively, shall have an Order for paying of the said Annuity and Annuities, for and during the said Term of thirty-two Years to be purchased therein; which Order shall be signed by the Treasurer and Under Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the Time being; and after the signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act; and shall not be determinable by or upon the Deaths or Removal of any Treasurer or Under Treasurer of the Exchequer, or any Commissioner or Commissioners of the Treasury, or by or upon the Determination of the Power, Office or Offices of them or any of them; nor shall any Lord High Treasurer of *Great Britain*, Treasurer of the Exchequer, or any Commissioners of the Treasury, now or for the Time being, have Power to revoke, countermand, or make void such Orders so signed, as aforesaid, or any of them.

Contributors to have Tallies struck,

and Orders signed by the Treasurer, &c.

XXXII. And for the Encouragement of the Contributors to advance and pay readily into the Receipt of the Exchequer, the Sums by them intended to be advanced upon this Act, It is provided and enacted by the Authority aforesaid, That every such Contributor who shall advance and pay into the said Receipt of Exchequer, within the Times limited by this Act, the Purchase-money payable for any such Annuity or Annuities, as aforesaid, his, her or their Executors, Administrators, Successors or Assigns shall be allowed and paid out of the Contribution-money arising by this Act, Interest after the Rate of eight Pounds *per Centum per Annum*, for the prompt Payment of the Purchase-money, or of such Proportions of the Purchase-money as shall be so advanced before the nine and twentieth Day of *September* one thousand seven hundred and ten; the said Interest to be computed for the respective Sums so advanced and paid into the Exchequer, from the Time or respective Times of the actual advancing and paying the same into the Exchequer, until the said nine and twentieth Day of *September* one thousand seven hundred and ten.

81. per Cent. for prompt Payment.

XXXIII. And be it further enacted, That it shall and may be lawful to and for any Purchaser or Purchasers of any such Annuity or Annuities, as aforesaid, his, her or their Executors, Administrators, Successors or Assigns, at any Time or Times, during the Continuance of his, her or their Term, Estate or Interest of and in the same, by any Writing under his, her or their Hands and Seals, or under the Common Seal of a Corporation, or by his, her or their last Will in Writing, to assign or devise such Annuity, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*, and no such Assignment to be revokable, so as an Entry or Memorandum of such Assignment or Will be made in Books to be kept for that Purpose in the said Office of the Auditor of the Receipt, within the Space of three Months after such Assignment or Death of the Devisor; and that upon the producing such

Purchasers may assign their Annuities, &c.

such Assignment or Will, or Probate thereof, in the said Office of Receipt, to be entred, as aforesaid, the Party so producing the same shall bring therewith an Affidavit taken before one or more of her Majesty's Justices of the Peace, of the due Execution of the said Assignment or Will, which Affidavit shall be severally filed in the said Office; which said Entry or Memorandum the proper Officers in the said Receipt of Exchequer are hereby required to make accordingly, and to file the said Affidavits; and in Default of such Assignment or Devise by Deed or Will, the Interest of such Contributor shall go to his or her Executors, or Administrators.

No Purchase, unless one eighth be paid before 1 May 1710.

XXXIV. Provided always, That no Person or Persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain any such certain Annuity or Annuities, as aforesaid, for which Exchequer Orders are to be made forth, as aforesaid, upon this Act, unless the whole or one Fourth Part at least of the Consideration-money for the same, at such Rate as aforesaid, be advanced and paid into the said Receipt of Exchequer on or before the said first Day of *May* one thousand seven hundred and ten.

Purchasers not paying in all their Consideration-money, forfeit what is advanced.

XXXV. Provided also, That in case any such Contributor, as aforesaid, who shall on or before the said first Day of *May* one thousand seven hundred and ten, have advanced into the Exchequer one fourth Part of his, her or their Purchase-money, or his, her or their Executors, Administrators, Successors or Assigns do not advance and pay into the said Receipt of Exchequer, one other fourth Part of his or her Consideration-money, so to be paid for such respective Annuity or Annuities, as aforesaid, on or before the said first Day of *July* one thousand seven hundred and ten; and one other fourth Part thereof on or before the said first Day of *September* one thousand seven hundred and ten; and the remaining fourth Part thereof on or before the said first Day of *November* one thousand seven hundred and ten; then, and in every such Case respectively, no Order shall be drawn or signed for such respective Annuity, for which the Consideration-money shall not be fully paid as aforesaid, but so much of the Consideration-money as shall have been actually paid into the Receipt of Exchequer, for such respective Annuity, shall be forfeited to her Majesty, her Heirs and Successors, and shall be applied, together with other the Monies to be raised by this Act, for such publick Services, as aforesaid; any thing in this Act contained to the contrary notwithstanding.

Within 21 Days after 1 May 1710. Treasury to take an exact Account of all the Sums advanced for Annuities, &c.

XXXVI. And to the end there may be no Failure in raising the Supply, intended to be raised for her Majesty's Use by this Act, it is hereby further enacted by the Authority aforesaid, That within one and twenty Days after the said first Day of *May* one thousand seven hundred and ten, at the furthest, the Lord Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall cause an exact Account to be taken of all the Sums of Money which shall, at or before the said first Day of *May* one thousand seven hundred and ten, be advanced or paid by such Purchasers as aforesaid, into the Exchequer, and compute how much by the Year the certain Annuities which will be payable to such Purchasers, their Executors, Administrators, Successors and Assigns (in case the Residue of their Payments be duly complied with) will in the whole amount unto, and consequently how much (if any Remainder be) of the said yearly Fund of eighty-one thousand Pounds will then remain undisposed; which Account being certified by the said Auditor of the Receipt, and Clerk of the Pells, and allowed by the said Lord Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall be enrolled and recorded in the respective Offices of the said Auditor of the Receipt, and Clerk of the Pells; and Publication shall be made thereof, as well in the *London Gazette*, as by affixing the same upon the *Royal Exchange in London*.

Natives or Foreigners may become Adventurers in the Lottery.

XXXVII. And be it further enacted by the Authority aforesaid, That in case it shall appear, by such Account to be taken, certified, enrolled, recorded and published, as aforesaid, that there shall be such a Residue or Remainder of the said yearly Fund of eighty-one thousand Pounds undisposed, over and above so much as shall be applicable to the Payment of the certain Annuities to be purchased as aforesaid; then it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute for or towards advancing so much as (together with the Monies to be raised by the Sale of such certain Annuities as are above mentioned) shall not in the whole exceed the said Sum of nine hundred thousand Pounds, by paying, at or before the fifteenth Day of *September* one thousand seven hundred and ten, to any Receiver or Receivers to be appointed for that Purpose, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds, upon this Act; and that every such Person, who will so become an Adventurer, shall and may advance the Sum of ten Pounds; for which Sum so advanced, he, she or they, for thirty-two Years, shall be entitled to receive a Share or Dividend of the said Remainder of the said yearly Fund, as hereafter is expressed; and that every Adventurer may advance as many entire Sums of ten Pounds, as he, she or they shall think fit; and for every such Sum of ten Pounds so advanced, he, she or they is or are to be interested in one Lot or Share of and in the said Remainder of the said yearly Fund.

“ Her Majesty to appoint Managers for the Lottery. Books to be provided with three Columns, &c.
 “ Receivers to be appointed by the Lord Treasurer, &c. Managers to examine the Books, and deliver
 “ them to the Receivers, &c. Tickets to be delivered out at 10*l.* per Ticket. Receivers to re-deliver
 “ the Books, &c. by 26 *Sept.* 1710. Middle Column Tickets to be rolled up, and put in a Box. Inner-
 “ most to remain in the Books. Books with two Columns. The fortunate Tickets shall be one fortieth
 “ Part of the whole Number, and the Managers shall cause such yearly Sums to be written upon the fortunate
 “ Tickets, as the Lord Treasurer, &c. shall direct, so that the Total thereof, together with twenty
 “ Pounds yearly to the first drawn Ticket, and twenty Pounds to the last drawn Ticket, shall not charge
 “ so much of the undisposed Remainder of the yearly Fund of eighty-one thousand Pounds, but that
 “ every Ticket not having a fortunate Lot, exceeding fourteen Shillings a Year, shall be entitled to four-
 “ teen Shillings a Year for thirty-two Years. Blanks to have 14*s.* per Annum for 32 Years. The Tickets
 to

“ to be put into another Box. No Money to be received after 15 Sept. 1710. Publick Notice of the
 “ Time of cutting the Tickets. The Manner of drawing the Tickets. Forging Tickets Felony. For-
 “ tunate to be paid their Advantages Half-yearly. Unfortunate to be paid yearly, at the Feast of Saint
 “ Michael. Money here lent, Tax-free. Half-yearly and yearly Payments to be made in course. Tickets
 “ to be paid in Arithmetical Progression. Overplus disposable by Parliament. E X P.”

‘ LXIII. And for preventing the great Charges that the Officers of the Customs, seizing Goods pro- Persons to give
 ‘ hibited and uncustomed, are put to, by groundless and vexatious Claims entred thereto in the Court Security to an-
 ‘ where such Goods are profecuted;’ Be it enacted by the Authority aforesaid, That every Person upon swer Cofts oc-
 ‘ Entry of any Claim in the Court, where such prohibited and uncustomed Goods are profecuted, shall cationed by
 ‘ from and after the twentieth Day of April one thousand seven hundred and ten be obliged to give Se- claiming Goods
 ‘ curity in the Penalty of thirty Pounds, to answer and pay the Cofts occasioned by such Claim; and in seized, otherwise
 ‘ Default of giving such Security within the Time limited by the Course of that Court for entring Claims, Goods to be re-
 ‘ such Goods shall be recovered. covered.

“ Mistake in the Orders upon 5 Annæ, c. 19. rectified.” E X P.

C A P. VIII.

An Act for clearing, preserving, and maintaining the Harbour of *Cat-Water*, lying near *Plymouth*, in the County of *Devon*; and for the cleansing and keeping clean the Pool, commonly called *Sutton Pool*, lying in *Plymouth* aforesaid.

‘ WHEREAS the ancient Borough of *Plymouth* in the County of *Devon*, is very considerable for
 ‘ the Port there, and is of great Importance, as well for advancing her Majesty’s Service and Re-
 ‘ venue, as for promoting and carrying on the Trade of this Kingdom; near unto which Borough hath
 ‘ been Time out of Mind, and yet is a Harbour commonly called *Cat-water*, the which was a very com-
 ‘ modious and safe Station, as well for her Majesty’s Ships of War, as for other Ships employed by Mer-
 ‘ chants, until of late that several Shoals and great Banks of Sand have been caused there by the Tides
 ‘ and Violence of Storms; which Shoals and Banks have yearly increased, whereby the said Harbour is
 ‘ not only at present rendered unsafe to Ships in their going into and out of the said Harbour, but is like to
 ‘ be entirely ruined, unless a timely and effectual Care be taken to prevent the same: And whereas the Pool
 ‘ of Water, commonly called *Sutton Pool*, (lying in the Bosom of the said Town of *Plymouth*, and there-
 ‘ by of great Use and Advantage, as well to her Majesty’s Ships for their Supply of Provisions, as to all
 ‘ Merchants, who have Occasion to bring up their Vessels to lade or unlade their Cargoes at the Custom-
 ‘ house, and other Keys lying within the said Town) hath been of late Years, so filled and choaked up
 ‘ with Ouse and Mud, as that, by Means thereof the said Pool is likely to become wholly unserviceable
 ‘ for the Uses aforesaid, if due care be not forthwith taken for preserving the same, by deepning thereof,
 ‘ and cleansing the same: And whereas *Benjamin Foules* of *Plymouth* aforesaid, hath made Proposals for the
 ‘ deepning and cleansing, and for the keeping clean and clear the said Harbour and Pool, at his own pro-
 ‘ per Cofts and Charges, so and in such Manner, as that the doing thereof will be a great Benefit to the
 ‘ Publick:’ To the end therefore, that so good a Work may be effected, and that the said Harbour and
 ‘ Pool may be restored to their former Usefulness, and may continue the same, and that the said *Benjamin
 ‘ Foules* may receive a suitable Encouragement for such his Undertakings, and his Performance of the said
 ‘ Work; Be it enacted, &c.

“ *Benjamin Foules*, &c. shall cleanse the Harbour of *Cat-water*, so as to encrease the Water in Depth one
 “ Foot yearly for five Years successively, to be computed from *March 25, 1710.* and for such further Time
 “ as the Supervisors hereby appointed shall order, till a fourth Rate Ship may go over the Shoal at half
 “ Flood without Danger. The said *Benjamin Foules*, &c. to keep the Water at the same Depth, at his
 “ own Cofts, during the Continuance of this Act. He shall likewise carry away 2000 Tun of Ouze, &c.
 “ and make Proof of having so done at the End of every Year, to the Satisfaction of the Supervisors.
 “ Supervisors appointed. After 25 *March 1710.* the said *Benjamin Foules*, &c. to have the sole Privilege
 “ of Ballasting, &c. for 71 Years. Masters of Ships, &c. to receive Ballast from no other Person. He
 “ may take the Gravel, &c. of *Cat-water* for Ballast. Rates appointed for Ballasting. He shall employ
 “ such a Number of Hoys, &c. for carrying Ballast as the Supervisors shall judge sufficient. Hoys, &c. to
 “ be gaged. He shall attend the Ballasting. Proviso, that the Master, &c. give 24 Hours Notice, what
 “ Ballast he shall want. Lime Stones or Shindle to be furnished at the same Rates as other Ballast. No
 “ Ballast to be thrown into any of the Harbours, &c. No Master, &c. to detain the Hoys, &c. longer
 “ than needful. This Act not to prejudice the Right, &c. of any Person to the said Water, &c. nor to
 “ hinder any Bargeman, &c. from dredging, &c. If the said *Benjamin Foules*, &c. do not perform, &c.
 “ all the Orders, &c. above specified, all the Grants contained in this Act shall cease. The Supervisors
 “ not liable to any Penalty for not receiving the Sacrament. Continuance of this Act for 73 Years, from
 “ 25 *March 1710.* Not to prejudice the Rights of the Borough of *Salisbury*. This Act not to hinder the
 “ clearing of the Harbour of *Cat-water*. Saving the Rights of the Queen, and of all Persons claiming
 “ by any Grant from the Crown, any Privilege, &c. in the Harbours, &c. P R.

C A P. IX.

An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks, and Apprentices, towards raising her Majesty's Supply, for the Year one thousand seven hundred and ten.

For the Application of Duties arising from this Act, see 8 Annæ, c. 1, §. 28.

Duty on Candles for 5 Years, from 1 May 1710, made perpetual by 9 Annæ, c. 21. §. 7.

Wax Candles imported, 4 d.
Tallow Candles imported, 2 q.

Wax Candles made here, 4 d.
Tallow Candles, 2 q.

Candles landed before Entry, &c. forfeited, &c.

How these Duties shall be raised.

Candles imported to be under the Management of the Commissioners of the Customs.

MAY it please your most Excellent Majesty; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, duly considering your Majesty's great Occasions for Money to defray the Expences of the present War, and other necessary Services, have for that End and Purpose cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty, as well the several Duties for and upon all Candles made in *Great Britain*, or imported into the same, as also the several Duties or Rates upon Monies to be given, or agreed to be given, with such Clerks, Apprentices or Servants, as are herein after-mentioned, for and during the respective Terms herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the Queen'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 there shall be raised, levied, collected, and paid unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Candles which, at any Time or Times within or during the Term of five Years, to be reckoned from the first Day of *May* one thousand seven hundred and ten, shall be imported or brought into the Kingdom of *Great Britain* (over and above all Customs, Subsidies, and other Duties already imposed thereupon) the several and respective Duties herein after-mentioned; that is to say, For all Candles made of Wax, or usually called or sold for Wax Candles (notwithstanding the Mixture of any other Ingredients therewith) which shall be so imported, the Sum of four Pence, for every Pound Weight Averdupois, and after that Rate for a greater or lesser Quantity; and for all Candles made of Tallow, and other Candles whatsoever (except the Wax Candles before charged) which shall be so imported, one Halfpenny, for every Pound Weight Averdupois, and after that Rate for a greater or lesser Quantity; the said several Duties for and upon all imported Candles, to be paid down in ready Money by the Importers thereof, before the landing of the same respectively; and there shall be raised, levied, collected, and paid to and for the Use of her Majesty, her Heirs and Successors, for and upon all Candles, which at any Time or Times, within or during the said Term of five Years, shall be made within the said Kingdom of *Great Britain*, the several and respective Duties herein after-mentioned; that is to say, For all Candles of Wax, or usually called or sold for Wax Candles (notwithstanding any Mixture as aforesaid) which shall be so made in *Great Britain*, the Sum of four Pence, for every Pound Weight Averdupois, and after that Rate for a greater or lesser Quantity; and for all Candles of Tallow, and other Candles whatsoever (except the Wax Candles before charged) which shall be so made in *Great Britain*, one Halfpenny, for every Pound Weight Averdupois, and after that Rate for a greater or lesser Quantity; the said several Duties for the said Candles so to be made in *Great Britain*, to be paid by the Makers thereof respectively.

II. And be it enacted by the Authority aforesaid, That in Case any of the said imported Candles shall be landed, or put on Shore out of any Ship or Vessel, before due Entrey be made thereof at the Custom-house in the Port or Place where the same shall be imported, and before the said Duties by this Act charged or chargeable thereupon shall be duly paid, or without a Warrant for the landing or delivering the same, first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively; that all such imported Candles of what Kind soever, as shall be so landed and put on Shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the value of the same, shall be forfeited, and shall and may be seized or recovered of the Importer or Proprietor thereof, to wit, one Moiety of the same to the Use of her Majesty, her Heirs and Successors, and the other Moiety to the Use of such Person or Persons, as will seize, inform or sue for the Candles so imported and forfeited, or the Value thereof, in any of her Majesty's Courts of Record at *Westminster*, or in her Majesty's Court of *Exchequer* in *Scotland*, by Action, Bill, Suit or Information, wherein no Effoin, Protection, or Wager of Law shall be allowed.

III. And be it further enacted by the Authority aforesaid, That the said Duties upon imported Candles, by this Act granted, during the Continuance thereof, shall be ascertained, secured, raised, levied, recovered and answered for the Uses and Purposes in this Act expressed, by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and in such Manner and Form, as the present Duties upon Candles imported, or any of them, are by any Law or Statute now in force, to be ascertained, secured, raised, levied, recovered or answered, during the Continuance thereof respectively.

IV. And be it enacted and declared by the Authority aforesaid, That such of the Duties imposed by this Act upon imported Candles, as shall arise, in *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, shall be under the Management of the Commissioners and Officers of the Customs in *England* for the time being; and such of the Duties imposed by this Act upon imported Candles, as shall arise in *Scotland*, shall be under the Management of the Commissioners and Officers of the Customs in *Scotland* for the time being; and that the respective Receivers General of the Customs in *England* and *Scotland* for the time being, shall, from time to time, pay, or cause to be paid, all the Monies that they respectively shall receive of the said Duties for imported Candles (the necessary Charges of raising and accounting for the same excepted) into the Receipt of her Majesty's *Exchequer* in *England*, distinctly and apart from all other Branches of the Publick Revenues, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures, and

Dif-

Disabilities, as are to be inflicted in this Act, for diverting or misapplying any Monies by this Act appropriated or appointed for Repayment of Loans or Satisfaction of Interest Monies, as is herein after mentioned.

V. And for the better ascertaining, charging, collecting, levying, raising, and securing the several Rates and Duties by this Act set and imposed upon all sorts of Candles made in *Great Britain*, during the Term aforesaid, according to the true Meaning of this Act, and for preventing of Frauds concerning the same, be it further enacted by the Authority aforesaid, That such of the said Rates and Duties by this Act granted, as are chargeable upon Candles made in *England, Wales*, or the Town of *Berwick upon Tweed*, shall be under the Management of the Commissioners and Officers of the Excise in *England* for the time being; and such of the Duties as are imposed by this Act upon Candles made in *Scotland*, shall be under the Management of the Commissioners and Officers of the Excise in *Scotland* for the time being; and that all the Monies arising by the said Duties upon Candles made in *Great Britain* (the necessary Charges of raising and accounting for the same excepted) shall be paid into the Receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other Branches of the publick Revenues, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures, and Disabilities, as are to be inflicted by this Act, for diverting or misapplying any Monies by this Act appropriated or appointed for Repayment of Loans, or Satisfaction of Interest Monies, as is herein after mentioned.

Candles made in Great Britain, under the Commissioners of Excise.

VI. And it is hereby enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who, on or before the first Day of *May* in the Year of our Lord one thousand seven hundred and ten, shall make any Candles for Sale, or not for Sale, shall, on or before the same first Day of *May* one thousand seven hundred and ten, give Notice in Writing, at the Office of Excise next to the Place where such Candles shall be made, of every Melting-houfe, Work-houfe, Ware-houfe, Store-houfe, Shop, Room, and other Place, by him, her, or them respectively made use of for the making or keeping of such Candles, or for the melting or keeping any Wax, Tallow, or other Materials proper to be made into Candles, and also of all Coppers, Furnaces, Moulds, or other Vessels by them made use of for the melting of Wax, Tallow, or other Materials to be made into Candles: And that from and after the said first Day of *May* one thousand seven hundred and ten, during the Continuance of the said Duties upon Candles, no maker of Candles shall erect, set up, alter, change, enlarge, or make use of any Melting-houfe, Work-houfe, Ware-houfe, Store-houfe, Shop, Room, or other Place for the making or keeping of Candles, or for the melting or keeping any Wax, Tallow, or other Materials proper to be made into Candles, or use any Copper, Furnace, Moulds, or other Vessel for the melting of Wax, Tallow, or other Materials to be made into Candles, without first giving Notice thereof in Writing, or unless Notice thereof shall have been before given in Writing, at the next Office of Excise: And if any Maker of Candles shall erect, set up, alter, enlarge, or make use of any Melting-houfe, Work-houfe, Ware-houfe, Store-houfe, Shop, Room, or other Place for the making or keeping of Candles, or for the melting or keeping any Wax, Tallow, or other Materials proper to be made into Candles, or shall use any Copper, Furnace, Moulds, or other Vessels for the melting of Wax, Tallow, or other Materials to be made into Candles, without giving such Notice thereof, as aforesaid, contrary to the true Meaning of this Act; then, and in every such Case, the Offender therein, for every such Offence, shall forfeit and lose the Sum of fifty Pounds, the one Moiety thereof to the Use of her Majesty, her Heirs and Successors, and the other Moiety to such Person or Persons who will inform, or sue for the same.

Persons making Candles, to give Notice of their Work-houfes, &c.

and not to alter, &c. the same, without like Notice, at the next Office,

on Penalty of 50 l.

VII. And it is hereby enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and ten, during the Continuance of the said Duty upon Candles hereby granted, all and every Person and Persons whatsoever, who shall make any Candles in *London, Westminster*, or in any Parts within the Limits of the weekly Bills of Mortality, shall monthly, and every Month, and all and every Person or Persons whatsoever, who shall make any Candles in any other Part of *Great Britain*, shall, once in every six Weeks, make a true Entry in Writing, at the next Office of Excise, of all the Candles by him or them severally made within such Month or six Weeks respectively; which said Entries shall contain the Weight, Number, and Size of the Candles mentioned therein respectively, and what Quantity thereof was made at each Course in the several Weeks to which such Entry shall relate, on Pain to forfeit for every Neglect of Entry the Sum of twenty Pounds; which Entries shall be made upon Oath by the Makers of such Candles, or by their chief Workman or Servant, employed in making the same, according to the best of their Knowledge and Belief, unless such Maker, Workman, or Servant be a known Quaker, and the solemn Affirmation of such Maker, Workman or Servant, to the same Effect, in case he or she be a known Quaker, shall and may be taken instead of such Oath; and the said Entries, Oaths, and Affirmations, to verify the same, shall, for such Candles as shall be made within the Limits of the Weekly Bills of Mortality, be made with and administered by such Officer or Officers as shall be appointed by the Commissioners of Excise in *England*, or the major Part of them, for the time being, who shall attend at the general Excise Office in *London* for that Purpose; and for all Candles made in all other Parts of *Great Britain*, with and by the respective Collectors or Supervisors of the District or Division within which the respective Makers of Candles shall inhabit, without any Fee or Charge whatsoever to be demanded or taken for the same.

Persons in London, &c. to enter monthly,

in any other Parts, within 6 Weeks.

Entry to be on Oath, &c.

VIII. Provided always, That no Maker of Candles shall be obliged to go or send further than the Market Town where his or her Candles are made, or the next Market Town to the Place where his or her Candles are made, for the making of such Entries, as aforesaid.

Entry to be at next Market Town.

IX. And be it further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who shall make any Candles in *London, Westminster*, or within the Limits of the said Weekly Bills of Mortality, shall, within four Weeks, and all and every Person and Persons whatsoever, who shall make any

Persons in London, &c. to clear in four Weeks; in any

other Parts in six Weeks after Entry.

any Candles in any other Part of *Great Britain*, shall within six Weeks after he, she or they shall make or ought to have made such Entry, as aforesaid, pay and clear off all the said Duties for Candles, which shall be due from him, her or them respectively; and that all and every such Makers of Candles, who shall refuse or neglect to make such Payment as aforesaid, shall forfeit and lose, for every such Offence, double the Sum of the said Duty whereof the Payment shall be so refused or neglected; and that no such Maker of Candles, after such Default in Payment made, shall sell, deliver or carry out any Candles, until he hath paid and cleared off his Duty as aforesaid, on Pain to forfeit double the Value of such Candles so delivered or carried out.

Penalty, double the Sum, &c.

Officers may enter the House and Weigh the Candles, &c.

X. And be it further enacted by the Authority aforesaid, That all and every the Officers for the said Duties, shall, at all Times, by Day or by Night, and if in the Night, then in the Presence of a Constable, or other lawful Officer of the Peace, be permitted upon his or their Request, to enter the House, Melting-house, Ware-house, or other Place whatsoever, belonging to, or used by any Person or Persons who, within or during the said Term of five Years, shall be a Maker or Makers of any Candles whatsoever, and by Weighing or Tale of the Candles, or otherwise, as to such Officer shall seem most proper and convenient, to take an Account of the just Quantity of the Candles which shall have been made by such Maker or Makers of Candles from time to time; and shall thereof make Return or Report in Writing to the respective Commissioners of Excise, or such as they shall respectively appoint to receive the same, leaving a true Copy (if demanded) of such Report in Writing under his Hand, with or for such Maker or Makers of Candles respectively; and such Report or Return of the said Officer or Officers shall be a Charge upon such Maker or Makers of Candles respectively; and if the said Officer shall refuse or neglect to give or leave a true Copy of his Report in Writing with or for such Maker or Makers of Candles, at the Time of taking such Account, upon demand, as aforesaid, every such Officer, for every such Offence, shall forfeit and pay the Sum of forty Shillings to every such Maker or Maker of Candles respectively.

and make Return thereof to the Commissioners. Such Return a Charge on the Maker.

A Copy to be left with the Maker on Pain of 40 s.

Officer to be sworn.

XI. Provided always, That every Officer who shall be empowered to make such Charge, as aforesaid, shall in the first Place be sworn for the due and faithful Execution of his Office, and the Oath in that Behalf shall and may be administered by all or any the Commissioners of Excise, or by any of her Majesty's Justices of the Peace, who shall give to such Officer a Certificate thereof; and all and every such Maker and Makers of Candles respectively are hereby required to keep sufficient and just Scales and Weights at the Place or Places where he, she or they do make such Candles, and permit and assist the Officer to make use thereof, for the Purposes in this Act, under the Penalty of ten Pounds, to be forfeited and lost for not keeping such Scales and Weights, or for not permitting and assisting the Officer to use the same, as aforesaid.

Makers to keep Scales, &c. on Penalty of 10 l.

Officers to take an Account of the Quantities of Wax, Tallow, &c. in Custody of Maker, and afterwards missing the same, to charge the Maker, &c.

XII. And the better to prevent any Frauds and Concealments, whereby her Majesty, her Heirs or Successors, may be injured or deprived of the Duties upon Candles granted by this Act; It is hereby likewise enacted and declared by the Authority aforesaid, That all and every the Officers for the said Duties upon Candles, shall also be permitted to take an Account, by gaging, weighing, or otherwise, of the Quantities of Wax, Tallow, and other Materials, proper to be made into Candles, that shall be in the Custody or Possession of any Maker of Candles, during the Continuance of the said Duties hereby granted; and in case such Officer or Officers shall miss any Quantity or Quantities of such Wax, Tallow, and other Materials aforesaid, which he had taken an Account of at the last Time he was at such Makers of Candles, and shall not upon reasonable Demand receive Satisfaction what is become of such Wax, Tallow, and other Materials so missing; then and in every such Case, it shall be lawful for such Officer to charge such Maker of Candles, with such Quantity of Candles as such Wax, Tallow, and Materials so missing, in his Judgment would reasonably have made, not exceeding one hundred and eight Pounds of Candles, for every one hundred and twelve Pounds of Wax, Tallow, and other Materials so missing, as aforesaid, and so in Proportion for a greater or lesser Quantity.

Maker obstructing Officer, forfeits 20 l.

XIII. And be it enacted, That if any Maker or Makers of Candles shall obstruct or hinder any of the said Officers in the Execution of the Powers and Authorities given to him or them by this Act, for the ascertaining and securing the said Duties upon Candles, the Person or Persons offending therein shall for every such Offence forfeit and lose the Sum of twenty Pounds.

Maker not to remove Candles before Account taken thereof, on Forfeiture of 20 l.

XIV. And it is hereby further enacted, That no Maker or Makers of Candles, after the said first Day of *May* one thousand seven hundred and ten, during the Continuance of the said Duties on Candles, shall (under Pain of forfeiting the Sum of twenty Pounds for every Offence) remove, carry, or send away, or suffer to be removed, carried, or sent away, any Candles by him, her, or them made, of which no Account shall have been first taken by the proper Officer for the said Duties, from the Place where the same Candles shall have been made, without giving to the proper Officer or Officers, within the Limits of the Weekly Bills of Mortality, twenty-four hours Notice at the least, and to the proper Officer or Officers, in other Parts of *Great Britain*, two days Notice at the least, of his, her or their Intention to remove, carry or send away the same, that so the said Officer, without his own wilful Neglect or Default may have Time to take an Account thereof.

Candles not surveyed, to be kept separate on Forfeiture of 5 l.

XV. And for the better ascertaining the said Duties upon Candles, be it further enacted by the Authority aforesaid, That all Makers of Candles shall from time to time keep all the Candles by them to be made, and which shall not have been surveyed and taken an Account of by the said Officers for the said Duties on Candles, separate and apart from all other their Candles, which shall have been surveyed and taken an Account of by such Officers, for the Space of twenty-four Hours after the making thereof, within the Limits of the Weekly Bills of Mortality, or for the Space of two Days after the making the said Candles in any other Parts of *Great Britain*, unless such Candles shall have been sooner surveyed and taken

taken an Account of by the said Officers respectively, on Pain to forfeit for every Offence therein the Sum of five Pounds.

XVI. And be it further enacted, That if any of the said Makers of Candles shall fraudulently hide, or conceal, or cause to be hid or concealed, any Candles chargeable by this Act, or any the Materials for making the same, to the Intent to deceive her Majesty of her just Duties by this Act granted, that then and in every such Case, the Party so offending shall forfeit the Sum of twenty Pounds for every such Offence.

Candles concealed
forfeit 20 l.

XVII. And be it further enacted by the Authority aforesaid, That all the Candles, Wax, Tallow, and other Materials for making Candles, which shall be found in any private Melting-house, Work-house, Ware-house, and other Place, and all private Coppers, Furnaces, and other Vessels, for which no Entry shall be made, or Notice given, as aforesaid, shall be forfeited and lost, and the same, or the value thereof, shall and may be seized and recovered by the said Officer or Officers for the said Duties upon Candles, to her Majesty's Use.

Candles, &c.
found in private
Melting-house,
&c. forfeited.

XVIII. And it is hereby further enacted by the Authority aforesaid, That during the Continuance of the Duties upon Candles hereby granted, no Person or Persons whatsoever shall use, or cause, procure or suffer to be used, in the Inside of his, her or their Dwelling-house, any Lamp or Lamps, wherein any Oyl or Fat (other than Oyl made of Fish within *Great Britain*) shall be burnt for giving Light, under the Penalty of forty Shillings for every Offence therein; and that no Persons during such Continuance of this Act, shall expose to Sale any Candles, unless it be in his, her, or their Shops or Warehouses publickly used for that Purpose, or in some publick Fair or Market, under the Penalty of five Pounds for every Offence in so doing; any Law, Custom, or Usage to the contrary notwithstanding.

No Lamps in
Dwelling Houses
but with British
Oyl, on Pain
of 40 s.

No Candles to
be sold, but in
Shops or Markets,
on Pain of 5 l.

XIX. And is hereby enacted, That all the Candles, and all the Materials and Utensils for the making of Candles, in the Custody of any Maker or Makers of Candles, or of any Person or Persons, to the Use of, or in Trust for such Maker or Makers of Candles, shall be liable and subject to, and are hereby made chargeable with all the Debts and Duties for Candles, in Arrear and owing by such Maker or Makers, for any Candles by him, her or them, or in his or their Working-house, or Places aforesaid; and shall also be subject to all Penalties and Forfeitures incurred by such Person or Persons, so using such Work-house, or other Place, for any Offence against this Act, relating to the said Duties upon Candles; and that it shall and may be lawful, in all such Cases, to levy Debts and Penalties, and use such Proceedings as may lawfully be done by this Act, in case the Debtor or Offender were the true and lawful Owner of the same.

Candles, &c. li-
able to all Debts
and Duties in
Arrear.

XX. And whereas many of her Majesty's Subjects do make Candles not to sell, or make any Profit thereof, but to be consumed in their own private Houses only; For the better Accommodation of such Persons, it is hereby further provided and enacted by the Authority aforesaid, That the said Commissioners of Excise for the time being respectively, or the major Part of them, or such Person or Persons, as they, or the major Part of them respectively, shall appoint for that Purpose, and in Default of such Appointment, then the Collector or Supervisor for the District or Division within which such Person doth or shall inhabit, shall and may compound and agree with such Person or Persons, for the said Duties of such Candles, that shall grow due or payable from him, her or them, by this Act, from the Commencement thereof, until the End of the Term hereby granted, at the Rate of one Shilling *per Annum*, for every Head, which at any Time or Times, during the Continuance of such Composition, shall be of the Family of such Person or Persons respectively, and to receive such Composition-money quarterly; and that the Houses, Out-houses, or other Places of such particular Persons, making such Composition and Agreement, and paying such Composition-money quarterly, shall not be liable to the said Duty upon Candles, or to be surveyed or searched by any Gager or Officer for the said Duties upon Candles, for or by reason of his or their making such Candles, as aforesaid, or to the said Penalty for using Lamps.

Commissioners
of Excise, may
compound with
private Persons
at 1 s. per Head.

Such Compound-
ers not liable to
the Duty, nor to
the Survey of
the Gager.

XXI. Provided, That if any such Person, after such Composition made, shall sell, exchange, barter, or deliver out any Candles to any other Person or Persons, or shall permit any other Person or Persons to make any Candles in his, her, or their Houses or Out-houses, or shall have more Persons of their Families than they shall so compound for, without giving Notice of them in Writing, at the next Office of Excise, at or before the next Quarter Day, and paying the like Composition for them, then every such Person shall forfeit the Sum of five Pounds, and after such Offence committed shall lose the Benefit of his, her or their Composition, and shall be liable to the said Duties upon Candles, and to the Survey and Search of such Officers, as if no such Composition had been made; and for every Pound of Candles so fraudulently sold, exchanged, bartered, or delivered out, or fraudulently made, every such Person shall forfeit the Sum of five Shillings; any thing in this Act to the contrary notwithstanding.

Compounders
selling Candles,
&c. forfeit 5 l.

and liable to the
Duty, &c.

XXII. Provided always, That if any such Compounder shall leave off House-keeping before the End of the said Term, and give Notice thereof in Writing at the next Office of Excise, and shall pay the Duty for the Quantity of Candles made by him or her, that shall remain in his or her hands, or in the Hands of any other Person or Persons to his or her Use, at the Time of leaving off such House-keeping, and all Arrears of the Payments that shall be due on such Composition, that then such Composition shall cease from the End of the Quarter in which he or she shall so leave off House-keeping; any thing herein contained to the contrary notwithstanding.

Compounder
leaving off
House-keeping,
Composition to
cease.

XXIII. And be it further enacted by the Authority aforesaid, That for all Candles which any Wax Chandler, Tallow Chandler, or other Sellers and Dealers in Candles in *Great Britain*, or any Person or

Candles in Cus-
tody of Sellers or
Dealers in Can-
dles, on 1 May, to pay the same Duty as Candles made
Per-

Stock in Hand on 1 May, to be entered at the Excise Office, on Forfeiture of 50*l.* and Candles;

and Duty to be paid in 6 Days after Entry, or Security to pay in 6 Months, 10*l.* per Cent. for prompt Payment. Refusers to pay, forfeit double the Duty.

Officers may take Account of Stock in Hand on 1 May,

and may enter into any Shop, &c. on Pain of 20*l.*

Stock of Candles clandestinely removed forfeits 20*l.* and the Candles.

Those in whose Custody such Candles found, forfeit 5*s.* per 1*lb.*

Candles, for which the Duty hath been paid, may be exported, &c.

Such Candles re-landed, forfeited, &c.

Exporters of Candles, on Oath that the Duty has been paid, or secured, and on Certificate and Debenture, to be repaid the Duty, or Security discharged, &c.

Persons in Trust for him, her or them, or for his, her or their Use, shall be possessed of, or interested in, upon the said first Day of *May* one thousand seven hundred and ten, for Sale, there shall be yielded and paid to her Majesty, the like respective Rates as are by this Act to be paid for the like Sorts of Candles to be made after the said first Day of *May*; and that all and every the said Wax Chandlers, Tallow Chandlers, or other Sellers and Dealers in Candles, and all and every other Person and Persons, who, in Trust for them, or any of them, or for the Use of them, or any of them, shall be possessed of or have in his, her or their Custody or Possession, or in his, her or their Melting-house, Work-house, Ware-house, Store-house, Shop, Room, or other Place or Places whatsoever, upon the said first Day of *May* one thousand seven hundred and ten, any Stock, Parcel, or Quantity of Wax Candles, Tallow Candles, or other Candles whatsoever, for Sale, shall, on or before the said first Day of *May* one thousand seven hundred and ten, make a true and particular Entry thereof at the Excise Office, within the Limits of which they shall respectively inhabit, upon Pain to forfeit the Sum of fifty Pounds, and the Candles for which no such Entry shall have been made; and within six Days after he, she or they shall have made, or ought to have made such Entries as aforesaid, shall pay down the Duties hereby payable for such Candles, or within the said six Days shall give Security to the proper Officers, for paying the same Duties to her Majesty's Use within three Months then next ensuing; and in case the said Duties for such Stock of Candles be paid down within the said six Days, then there shall be allowed out of the same Duty, for such prompt Payment, an Allowance after the Rate of ten Pounds *per Centum per Annum*, for the said Time of three Months; and that all and every such Chandlers, and other Sellers and Dealers in Candles, who shall refuse or neglect to make such Payment, or to give such Security for Payment of the said Duties for his, her or their said Stock of Candles, within the time by this Act limited for that Purpose, shall forfeit double the Sum of the said Duty which should have been so paid or secured by him, her or them as aforesaid; and that it shall and may be lawful to and for the proper Officers for the said Duties respectively, to take a true and particular Account of all such Stock or Quantity of Candles, as any such Chandlers, or other Sellers and Dealers in Candles, or any in Trust for them, shall, on the said first Day of *May* one thousand seven hundred and ten, have or be possessed of; and for that Purpose shall be permitted, in the Day-time, to enter into any Shop, Ware-house, Melting-house, or any Dwelling-house, Out-house, or other Places belonging to such Chandlers, and other Sellers and Dealers in Candles, and every of them, who are hereby required to permit such Officer and Officers, upon his or their Request, to make such Entrance on the said first Day of *May* one thousand seven hundred and ten, or afterwards, at any Time before the Duty last mentioned shall be paid or secured, and to take an Account of the Quantity of such Candles, under the Penalty of twenty Pounds; and if any Person or Persons having on the said first Day of *May* one thousand seven hundred and ten, in his, her or their Custody or Possession, any Stock or Quantity of Candles chargeable by this Act with the said Duty for Stock as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away the same, or any Part thereof, before her Majesty's Duties thereupon shall be paid or secured as aforesaid, or shall fraudulently conceal or hide, any Part of his, her or their said Stock of Candles, that then, and in every such Case, he, she or they so offending, for every such Offence, shall forfeit the Sum of twenty Pounds; and in all and every such Case and Cases, the Stock or Quantity of Candles which shall be so clandestinely removed or carried away or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any the said Officers for the said Duties on Candles; and the Person or Persons in whose Custody such Stock of Candles shall be found, who shall not, before the Discovery thereof, give Notice at the next Office for the said Duties upon Candles of the Stock or Quantity of Candles so in his, her or their Custody, shall also forfeit and lose the Sum of five Shillings for every Pound Weight.

XXIV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, who shall have actually paid her Majesty's Duties by this Act payable for any Quantity of Candles whatsoever, and to and for any other Person or Persons, who shall buy or be lawfully entitled to any such Quantity of Candles from the said Person or Persons who actually paid her Majesty's Duties for the same, to export such Candles for any foreign Parts by way of Merchandize, giving sufficient Security before the shipping thereof for Exportation, That the particular Quantity of Candles which shall be intended to be exported as aforesaid, and every Part thereof, shall be shipped and exported, and that the same, or any Part thereof, shall not be re-landed or brought again into any Part or Parts of *Great Britain*; which Security the Customer or Collector of the respective Port for such Exportation is hereby directed and authorized to take in her Majesty's Name, and to her Use.

XXV. Provided always, That if after the shipping of any such Candles to be exported as aforesaid, and the giving or tending such Security as aforesaid, in order to obtain the Allowance or Drawback herein after mentioned, the Candles so shipped to be exported, or any of them, shall be re-landed in any Part of *Great Britain*, that then and in every such Case, over and above the Penalty of the Bond, which shall be levied and recovered to her Majesty's Use, all the Candles which shall be landed, or the Value thereof, shall be forfeited.

XXVI. And it is also hereby enacted, That any Person or Persons who shall export any Candles to any foreign Parts, shall or may make Proof upon Oath, or by such Affirmation as aforesaid, That the Duty of such Candles hath been paid or secured according to this Act (which Oath or Affirmation the Collector who received the said Duty is hereby required and impowered to administer) and thereupon the said Collector for the said Duty upon Candles, shall give to such Person or Persons *gratis* a Certificate or Certificates, expressing the Kinds and Quantities of such Candles, and the Duties paid or secured to be paid for the same, pursuant to this Act, which Certificate being produced to the Customer or Collector of the Port where the said Candles shall be exported, and Oath or Affirmation as aforesaid, being also made

made by the Exporter before the said Customer or Collector of the Port (who is hereby also authorized and required to administer the same, without Fee or Charge) that the Candles so exported are the same mentioned in the said Certificate; then the said Customer or Collector of the Port where such Candles shall be exported, shall give to the Exporter thereof a Debenture expressing the true Quantity of the Candles so exported; which Debenture being produced to the Collector appointed to receive the said Duties upon Candles, in such County or Place where the said Candles were exported, he shall forthwith pay the said Duty which shall have been received upon this Act, to the Persons or Agents so exporting the same; and if such Collector shall not have Money in his Hands to pay the same, then the said respective Commissioners of Excise are hereby required to pay the said Debenture out of the Duties upon Candles arising by this Act, or if the Duty of such Candles so exported were only secured, and shall remain unpaid, then the same shall be discharged upon the Securities for the same; any Thing in this Act contained to the contrary notwithstanding.

XXVII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauses, Matters, and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*, or by any other Law now in Force relating to her Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled, or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Duties thereby granted, or any of them (other than in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duties upon Candles hereby granted, during the Continuance of this Act, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters and Things, were particularly repeated, and again enacted in the Body of this present Act.

The Powers of 12 Car. 2. c. 24. and other Excise Acts applied to this Duty.

XXVIII. And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, in relation to the said Duties by this Act imposed upon Candles, shall be sued for, levied, and recovered, or mitigated, by such Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered or mitigated, by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*; and that one Moiety of every such Fine, Penalty, and Forfeiture shall be to her Majesty, her Heirs and Successors, and the other Moiety to him or them that shall discover, inform, or sue for the same.

Fines, &c. how to be recovered.

XXIX. And whereas Candles are, or often may be cracked, or spoiled in making, and unfit for Sale; it is hereby provided and enacted, That upon shewing the same to the Officer appointed for charging the said Duties upon Candles, such Officer shall quite deface such cracked or spoiled Candles, and make an Allowance of the Duty hereby chargeable for the Candles so by him utterly defaced; any Thing herein contained to the contrary notwithstanding.

Candles spoiled to be defaced, &c.

XXX. And whereas standing Contracts may have been made before the fourteenth Day of *March* one thousand seven hundred and nine, by Chandlers or other Dealers in Candles, for serving Publick Offices, Societies, or other Persons with Candles, to be delivered in Point of Time after the said first Day of *May* one thousand seven hundred and ten; It is hereby enacted, That the Persons serving such Candles, after the said first Day of *May* one thousand seven hundred and ten, in pursuance of such former Contracts, shall be allowed to add the Duties hereby charged upon such Candles to the Price thereof, and shall be intituled by virtue of this Act to be paid for the same accordingly.

On Contracts for Candles before 14 March 1709, the Duty to be added to the Price.

XXXI. Provided always, That this Act shall not extend, or be construed to extend, to charge the Duties herein before mentioned, on such small Rush Lights as shall be made by any Persons, to be used in their own Houses only, so as none of them be sold or delivered out, or be made for Sale; and so as such small Rush Lights be only once dipped in, or once drawn throw Grease or Kitchen-stuff, and not at all through any Tallow melted or refined; any Thing herein contained to the contrary notwithstanding.

Small Rushlights once dipped, not chargeable.

For Duties, &c. on Candles, see farther 9 Ann.

c. 6. 10 Ann. c. 26. 11 Geo. 1. c. 30. 23 Geo. 2. c. 21. and 26 Geo. 2. c. 32.

XXXII. And be it further enacted by the Authority aforesaid, That there shall be, throughout the Kingdom of *Great Britain*, raised, collected, and paid to her Majesty, her Heirs and Successors, the further Rates, Duties, and Sums of Money following, that is to say, The Duty, Rate, or Sum of six Pence for every twenty Shillings, for every Sum of fifty Pounds or under, and the Duty, Rate, or Sum of one Shilling, of every twenty Shillings, of all and every Sum and Sums amounting to more than fifty Pounds, which shall, at any Time or Times, from and after the first Day of *May* one thousand seven hundred and ten, and during the Term of five Years from thence next ensuing, be given, paid, contracted, or agreed for, with or in Relation to every Clerk, Apprentice, or Servant, which shall be, within the Kingdom of *Great Britain*, put or placed to or with any Master or Mistres to learn any Profession, Trade, or Employment, and proportionably for greater or lesser Sums; which said Duties, Rates, and Sums shall be paid by the said Masters or Mistresses respectively.

From 1 May 1710, 6d. for every 20 s. of 50l. or under, and 12d. for every Sum of above 50l. to be paid for every Clerk or Apprentice put out, for five Years, made perpetual by 9 Annæ, c. 21. §. 7.

To be paid by the Master.

XXXIII. And be it further enacted by the Authority aforesaid, That for the better and more effectual levying, collecting, and paying unto her Majesty, her Heirs and Successors, the said Duties after the Rates of six Pence, and one Shilling for every such respective Sum of twenty Shillings as aforesaid, the same shall be under the Government, Care, and Management of the Commissioners for the Time being

This Duty to be under the Management of the Commissioners of the Stamp Duties.

appointed to manage her Majesty's Duties on stamp Vellum, Parchment, and Paper; and the same Commissioners shall employ and appoint such inferior Officers as shall be necessary for managing and collecting the Duties last mentioned, and hereby granted, and for keeping Accounts thereof, and for stamping all such Indentures and other Writings, which are hereby required to be stamped, as herein after is mentioned, and otherwise to act in and relating to the same Duties, as her Majesty's Service in this Behalf shall require; and to cause such Sum and Sums of Money to be expended and paid, from Time to Time, out of the Duties last mentioned, and hereby granted, for Salaries, and other incident Charges, as shall be necessary in and for the receiving, collecting, levying, or managing the same Duties during the said Term; any Thing in this Act contained to the contrary notwithstanding.

To be paid to the Receiver General of the stamp Duties, and by him into the Exchequer, weekly.

XXXIV. And it is hereby further enacted by the Authority aforesaid, That the Duties last mentioned, and hereby granted, shall be all paid or transmitted, from Time to Time, as this Act directs, into the Hands of the Receiver General for the Time being of the said Duties on stamp Vellum, Parchment, and Paper, who shall keep a separate and distinct Account thereof, and pay the same into the Receipt of the Exchequer of her Majesty, her Heirs and Successors, weekly, on *Wednesday* in every Week, unless it be an Holiday, and then the next Day after which shall not be an Holiday, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures, and Disabilities, as are to be inflicted by this Act, for diverting or misapplying any Monies by this Act appropriated or appointed for Repayment of Loans, or Satisfaction of Interest Monies as is herein after mentioned.

to be inserted in the Indenture, &c. on Forfeiture of double the Sum,

XXXV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and ten, the full Sum or Sums of Money received, or in any wise directly or indirectly given, paid, agreed, or contracted for, during the Term aforesaid, with or in Relation to every such Clerk, Apprentice, and Servant as aforesaid, shall be truly inserted and written in Words at length, in some Indenture or other Writing, which shall contain the Covenants, Articles, Contracts, or Agreements, relating to the Service of such Clerk, Apprentice, or Servant as aforesaid, and shall bear Date upon the Day of the signing, sealing, or other Execution of the same; upon Pain, that every Master or Mistress, to or with whom, or to whose Use, any Sum of Money whatsoever shall be given, paid, secured, or contracted, for or in Respect of any such Clerk, Apprentice or Servant as aforesaid, which shall not be truly and fully so inserted and specified in some such Indenture or other Writing, shall, for every such Offence, forfeit double the Sum so given, paid, secured or contracted for; the one Moiety of which Forfeitures shall be to her Majesty, her Heirs or Successors, and the other Moiety, with full Costs, to any Person or Persons who shall inform and sue for the same, by Action of Debt, Bill, Plaint, or Information, in any Court of Record at *Westminster*, or in the *Exchequer of Scotland*, at any Time after the executing, making, or signing of any such Indenture or Writing, or making any such Contract or Agreement, and within one Year after the Time limited or appointed for the Service of any such Clerk, Apprentice, or Servant, to or with such Master or Mistress, shall be expired.

Two new Stamps to be provided, &c.

Concerning Stamps, see farther 9 *Ann. c. 11* & 23.
10 *Ann. c. 19*
& 26.

12 *Ann. stat. 1. c. 2.*

12 *Ann. stat. 2. c. 9.*

5 *Geo. 1. c. 19. f. 48.*

6 *Geo. 1. c. 21.*

11 *Geo. 1. c. 8.*

12 *Geo. 1. c. 33.*

XXXVI. And be it further enacted by the Authority aforesaid, That the said Commissioners for managing the said Duties on stamp Vellum, Parchment and Paper, shall, before the said first Day of *May* one thousand seven hundred and ten, provide two new Stamps to be used in pursuance of this Act, (over and besides the Stamps heretofore requisite for or in Respect of such Indenture, or other Writing, by Virtue of the Statutes in that Case made) the one of which new Stamps shall denote the said Duty of six Pence in the Pound, and the other of the said new Stamps shall denote the said Duty of one Shilling in the Pound; and that all such Indentures, or other Writings, containing the Sums truly given, paid, agreed, or contracted for as aforesaid, which shall, within or during the said Term of five Years, be entered into, executed, or signed, within the Cities of *London* or *Westminster*, or within the Limits of the Bills of Mortality, shall be brought to the Head Office for stamping or marking of Vellum, Parchment and Paper, and the Duties hereby charged and payable for the Sums therein to be inserted as aforesaid, shall be paid to the Receiver General for the Time being, of the said Duties on stamp Vellum, Parchment and Paper; and upon such Payment thereof, the same shall be stamped with one of the said new Stamps, as the Case shall require, within one Month after the respective Dates thereof.

9 *Geo. 2. c. 32.* 16 *Geo. 2. c. 26.* 29 *Geo. 2. c. 12* & 13. 30 *Geo. 2. c. 19.* 32 *Geo. 2. c. 35.*

Indentures to be brought to the Head Office, &c. in 2 Months after Date,

XXXVII. And be it enacted by the Authority aforesaid, That all the said Indentures, and other Writings, which shall or ought to contain the whole Sum truly given, paid, agreed, or contracted for as aforesaid, which shall, within or during the said Term of five Years, be entered into, executed, or signed, in any Part of *Great Britain*, (not being within the Limits of the said weekly Bills of Mortality) shall (at the Option of the Party concerned) be brought or sent, either to the Head Office within the Limits of the said weekly Bills, or else to some of the Collectors, appointed or to be appointed for her Majesty's Duties upon stamp Vellum, Parchment, and Paper, who shall reside without the Limits of the said weekly Bills, in *England*, *Wales*, or the Town of *Berwick upon Tweed*, or to some of the Officers to be appointed for the Duties by this Act granted in *Scotland*, within two Months after the Date, Execution, or Signing of every such Indenture or Writing respectively; and upon producing of every such Indenture or Writing, either at the said Head Office, or to such Collector or other Officer as aforesaid, her Majesty's Duties hereby granted shall be paid, either to the said Receiver General at the said Head Office, or to such Collector or other Officer as aforesaid; and in case the said Payment shall be made to the immediate Hands of the Receiver General in the said Head Office, for her Majesty's Use, then the Indenture or Writing, for which such Payment shall be made, shall be forthwith stamped with one of the said new Stamps, as the Case shall require; and in case such Payment shall be made to the Hands of such Collector, or other Officer, without the Limits of the said weekly Bills, the same Collector or other Officer is hereby required to indorse on such Indenture or other Writing, a Receipt for the Monies so paid, in

and there the Duty to be paid and Indenture stamped, &c. or the Collector to endorse a Receipt, &c.

Words

Words at length, bearing Date the Day on which such Payment shall be made, and to subscribe his Name thereto, (to the Intent that he may thereby be charged with every Sum so paid to him) and forthwith deliver back the said Indenture or Writing so endorsed to the bringer thereof.

XXXVIII. And it is hereby enacted by the Authority aforesaid, That every such Indenture or Writing so endorsed (in case the same be entred into, executed or signed within the Space of fifty Miles, to be computed from the Limits of the said weekly Bills of Mortality) shall, within three Months after the Date or making thereof, and if the same be entred into, executed or signed in any Part of *Great Britain* at a greater Distance from the Limits aforesaid, shall, within six Months after the Date or making thereof, be brought or sent to the said Head Office, where the same (being produced with the said Receipt endorsed) shall be immediately stamped with one of the said new Stamps, as the Case shall require, by the Officer appointed, or to be appointed for that Purpose.

Within what Time Indentures shall be stamped.

XXXIX. And be it further enacted by the Authority aforesaid, That all such Indentures or Writings as aforesaid, wherein shall not be truly inserted and written the full Sum and Sums of Money received, or in any wise directly or indirectly given, paid, secured, or contracted for, with or in Relation to such Clerk, Apprentice or Servant as aforesaid, or whereupon the Duties payable by this Act shall not be duly paid, or lawfully tendred, or which shall not be stamped, or lawfully tendred to be stamped, according to the Tenor and true Meaning of this Act, within the respective Times herein for that Purpose severally and respectively limited, shall be void, and not available in any Court or Place, or to any Purpose whatsoever, and the Clerk, Apprentice or Servant, whom the same shall concern or relate to, shall in such Case be utterly incapable of being free of any City, Town, Corporation or Company, and of following or exercising the intended Profession, Trade or Employment; any Charter, Law or Custom to the contrary notwithstanding.

Indentures, in which the full Sum received, is not charged, &c. void.

And Clerk, &c. incapacitated.

XL. Provided always, That nothing in this Act contained shall be construed to extend to charge any Master or Mistress with the Payment of any of the said Duties, in Respect of any Money by him or her received with any Apprentice or Servant, who shall be put or placed out at the common or publick Charge of any Parish or Township, or by or out of any publick Charity, or to require the stamping with any such new Stamp as aforesaid, of any Indenture, Articles, Covenant, Agreement, or Contract relating to such Apprentice or Servant as last mentioned; any Thing herein contained to the contrary notwithstanding.

Parish or publick Charities not charged.

XLI. And be it further enacted by the Authority aforesaid, That if any Person shall forge or counterfeit the said new Stamps to be provided in pursuance of this Act, or either of them, or impress any Vellum, Parchment or Paper with any such counterfeit Stamp, or counterfeit any Receipt for any Monies payable by Virtue of this Act, every such Person, being convicted of any of the Offences before mentioned, shall be adjudged a Felon, and suffer as in Cases of Felony, without Benefit of Clergy.

Forging new Stamps Felony.

XLII. And be it further enacted by the Authority aforesaid, That every Commissioner and Officer, who shall act in or about the managing or collecting the Duties last mentioned, and hereby granted, shall, before he shall act in or about the same, take the Oath following; that is to say,

Commissioners to be sworn:

I *A. B.* do swear, That I will faithfully execute the Trust reposed in me pursuant to the Act of Parliament, intituled, *An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks and Apprentices, towards raising her Majesty's Supply, for the Year one thousand seven hundred and ten*, without Fraud or Concealment; and shall from Time to Time true Account make of my Doings therein, and deliver the same to such Person or Persons as her Majesty, her Heirs and Successors, shall appoint to receive such Account; and shall take no Fee, Reward or Profit for the Execution or Performance of the said Trust, or the Business relating thereto, from any Person or Persons, other than such as shall be paid or allowed by her Majesty, her Heirs and Successors, or some other Person or Persons under her or them to that Purpose authorized.

The Oath.

Which Oath shall and may be administered by any two or more of the Commissioners last mentioned, or any Justice of the Peace.

XLIII. And be it further enacted by the Authority aforesaid, That no Indenture or Writing required by this Act to be stamped as aforesaid, shall be given or admitted in Evidence in any Suit to be brought by any of the Parties thereunto, unless such Party, on whose Behalf the same shall be given or admitted in Evidence, do first make Oath, That to the best of his or her Knowledge, the Sum or Sums therein for that Purpose inserted or mentioned was or were really and truly all that was directly or indirectly given, paid, secured or contracted for, on Behalf or in Respect of such Clerk, Apprentice or Servant, to or for the Benefit of the Master or Mistress to or with whom such Clerk, Apprentice or Servant was put or placed.

No Indenture to be admitted in Evidence, unless Oath made of the Sums really paid, &c.

XLIV. And be it further enacted by the Authority aforesaid, That the said Commissioners for managing the said Duties on stamp Vellum, Parchment and Paper, and all other Officers who shall be employed in or about the collecting or managing of the Duties last mentioned, and hereby granted, shall in and for the better Execution of their several Offices and Trusts, observe and perform such Rules, Methods, and Orders, as they respectively shall from Time to Time receive from the Lord High Treasurer now being, or the Lord High Treasurer of the Exchequer, or Commissioners of the Treasury for the Time being; and that no Fee or Reward shall be demanded or taken by any her Majesty's Officers, relating to the said Stamp Duties, from any of her Majesty's Subjects, for any Matter or Thing to be done in pursuance of this Act; and in case any Officer intrusted, or to be intrusted in the Execution of this Act, in Relation to the said Stamp Duties, shall refuse or neglect to perform any Matter or Thing by this Act required to be done or performed by him, whereby any of her Majesty's Subjects shall or may sustain any

Commissioners to observe the Orders of the Treasury.

No Fee for Stamps. Officer neglecting his Duty answers full Damages and Treble Costs.

any Damage whatsoever, such Officer so offending shall be liable, by any Action to be founded on this Statute, to answer to the Party grieved all such Damages with Treble Costs of Suit.

Where any Thing shall be given to any Master, not being Money, the full Value of such Thing to be answered for the Duties.

See farther concerning Duties on Indentures, 9

Ann. c. 21. f. 66.

XLV. And be it declared and further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and ten, and during the said five Years, where any Thing or Things, not being lawful Money of *Great Britain*, shall directly or indirectly be given, assigned, conveyed, delivered, contracted for or secured, to or for the Use or Benefit of any Master or Mistress, with or in Respect of any such Clerk, Apprentice or Servant for whom a Duty is chargeable by this Act; the Duties hereby granted and last-mentioned shall be answered and paid for the full Value or Values of such Thing or Things, and the same Duties for the said Values shall be secured and answered in the same Manner and Form, and under the like Pains, Penalties, Forfeitures and Incapacities as are before in this Act provided for securing the said Rates upon Monies given or paid, or agreed to be given or paid, with such Clerks, Apprentices or Servants as aforesaid.

6 Geo. 1. c. 11. 18 Geo. 2. c. 22. 20 Geo. 2. c. 45. 32 Geo. 2. c. 23.

Borrowing Clause of 500,000 l. at 6l. per Cent.

XLVI. Provided also, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful, to and for any Person and Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend unto her Majesty, at the Receipt of her Majesty's Exchequer, upon Credit of the said several Duties, Rates and Sums of Money by this Act granted, and to be raised in the several Parts of *Great Britain* as aforesaid, any Sums which shall not exceed in the whole the Sum of five hundred thousand Pounds, and to have and receive for the Forbearance thereof, Interest after the Rate of six Pounds *per Centum per Annum*; and moreover, That no Money to be lent upon the Security of this Act, shall be rated or assessed by virtue of this Act, or any other Act of Parliament whatsoever.

Lenders to have Tallies and Orders struck, &c.

XLVII. And it is hereby further enacted, That all and every Person or Persons who shall lend any Money upon the Credit of this Act, and pay the same into the said Receipt of Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tallies; in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, at the Rate aforesaid, and to be paid every three Months, until the Repayment of the Principal; and that all such Orders for Repayment of Money to be lent, shall be registred in Course, according to the Dates respectively, without other Preference of one before another; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registred in the said Register Books, so as the said Person, Native or Foreigner, his Executors, Administrators, Successors or Assigns, who shall have Order or Orders first entred in the said respective Books of Register, shall be taken and accounted the first Person to be paid out of the Monies to come in by virtue of this Act; and he or they who shall have his or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come by this Act, of or for the said several Duties, Rates and Sums of Money to be raised in *Great Britain* as aforesaid, shall be in the same order liable to the Satisfaction of the Monies to be lent as aforesaid, to the respective Parties, their Executors, Administrators, Successors or Assigns respectively, without undue Preference of one before another, and not otherwise, and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever, under the Penalties, Forfeitures and Disabilities herein after mentioned; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any her Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views or Search, in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of her Majesty's Officer or Officers, their Clerks or Deputies; on Pain of Payment of Treble Damages to the Party aggrieved by the Party offending, with Treble Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then he shall also lose his Place or Office; and if any undue Preference of one before another shall be made, either in Point of Registry or Payment, or if any of the said Money shall be diverted or misapplied contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, with Damages and Costs to the Party grieved, and shall be forejudged of his Office or Place; and if such Preference be unduly made by any his Deputy or Clerk, without Directions or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Place or Office; and in Case the Auditor of the Receipt shall not direct the Order, or the Clerk of the Pells Record, or the Teller make Payment according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending, to be liable to such Action, Debt and Costs in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint shall be in any wife granted or allowed.

No Fee to be demanded.

No undue Preference, &c.

What shall not be interpreted undue Preference.

XLVIII. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those be entred first, so as he enters them all the same Day.

XLIX. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders before other Persons

sons that did not come to take their Monies, and bring their Orders in their Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them, Interest upon Loan being to cease from the Time Money is so reserved and kept in Bank for them.

L. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registred by virtue of this Act, after Order entred in the Book of Register, as aforesaid, his Executors, Administrators, or Assigns, by proper Words of Assignment, to be endorsed and written upon his Order, may assign or transfer his Right, Title, Interest, and Benefit of such Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders, which the Officers shall, upon Request, without Fee or Charge, accordingly make, shall entitle such Assignee, his Executors, Administrators and Assigns, to the Benefit thereof, and Payment thereupon; and such Assignee may, in like Manner Assign again, and so *toties quoties*, and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignments, to make void, release, and discharge the same, or any the Monies thereby due, or any Part thereof.

Orders assign-
able.

C A P. X.

An Act to continue the Act for punishing Mutiny and Desertion, and for the better Payment of the Army and Quarters. E X P.

C A P. XI.

An Act to explain so much of the Act for prohibiting the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch, and Low Wines, Spirits, Wort, and Wash drawn from malted Corn; by which Act the said Commodities are admitted to be carried from the Isle of *Wight* to several Markets; and for giving Liberty to export certain Quantities of Oatmeal for the Uses of the *British* Hospitals beyond the Seas. After the second of *March* 1710. it shall be lawful to export Corn of the Growth of the Isle of *Wight* to *Southampton*, &c. in any Vessel whatsoever, but not elsewhere, taking such Cocquets, &c. as by the former Act. After 1 *March* 1710. any Person having a Licence from the Queen, may export Oatmeal, not exceeding 400 Bushels for *Holland*, not exceeding 200 Bushels to *Barcelona*, and not exceeding the like Quantity to *Lisbon*, for the Use of the *British* Troops in those Places. E X P.

1 Annæ, c. 21
§. 7.

C A P. XII.

An Act for making a convenient Dock or Basen at *Liverpoole*, for the Security of all Ships trading to and from the said Port of *Liverpoole*. After 24 *June* 1710. the Piece of Ground granted by the Mayor, &c. of *Liverpoole*, for making a Wet Dock, shall for ever remain to that Use. The said Mayor, &c. empowered to make a Wet Dock. After the said 24th of *June*, for 21 Years, shall be paid to the said Mayor, &c. for every Ship, &c. (except the Queen's) the Rates following: For every Ship trading between the said Port and *St. David's Head*, or *Carlisle*, for every Tun two Pence; trading between *St. David's Head* and the Land's End, or beyond *Carlisle*, to any Part in or on this Side the *Shetlands*, or to and from the Isle of *Man*, for every Tun three Pence; trading to *Ireland*, for every Tun four Pence; trading up the Queen's Channel beyond the Land's End, or beyond the *Shetlands*, for every Tun four Pence; trading to *Norway*, *Denmark*, *Holstein*, *Holland*, *Hamburg*, *Flanders*, or any Parts of *France* without the Streights of *Gibraltar*, or the Islands of *Fersey* or *Guernsey*, for every Tun eight Pence; trading to *Newfoundland*, *Greenland*, *Russia*, and within the *Baltick*, *Portugal*, and *Spain*, without the Streights, *Canaries*, *Maderas*, *Western Isles*, *Azores*, for every Tun twelve Pence; and for every Ship trading to the *West Indies*, *Virginia*, or any other Part of *America*, *Africa*, *Europe*, or *Asia*, within the Streights, or not named before, any Part of *Africa* without the Streights, or *Cape de Verde* Isles, for every Tun one Shilling and six Pence. The Mayor, &c. shall be Trustees and make Bye-laws. No Custom-house Officer to make out any Cocquet for any Ship, &c. till the said Duties are paid. The Master to produce an Acquittance testifying the Receipt thereof. The Collector may go on board any Ship to demand the Duties, and if refused may distrain the Ship, &c. And if not paid in ten Days, then to be appraised and sold, returning the Overplus. No Distress till ten Days after Demand. The Collector to keep a Book to enter Receipts and Payments, and to deliver in his Accounts upon Oath. The Mayor, &c. may convey the Duties, as a Security for any Sum of Money not exceeding 6000*l*. After the 24th of *June* 1711. no Ballast, &c. to be thrown into the Dock, on Penalty of a Fine not to exceed 5*l*. The Mayor, &c. may put in or displace and Collector, &c. direct the Payments, and inspect the Accounts, call the Collectors, &c. before them, and levy the Arrears, if any, by Distress and Sale, and for want of Distress, commit to Gaol, till paid, or Security given to pay. Not to extend to hinder the Mayor, &c. from enjoying the waste Ground, or building Cranes, &c. After the Expiration of the 21 Years, one fourth of the Duties shall be paid to the Mayor, &c. Nine Commissioners to be appointed to inspect the Accounts; who may call the Collectors, &c. before them, and order the Disposal of the Monies; and shall meet at *Liverpoole*. Ships forced in not to be charged. Nor Ships to or from *Chester*. Saving to the said Corporation all the Franchises, &c. not herein provided for. Persons sued may plead the General Issue, and give this Act in Evidence; and shall recover Full Costs. To be taken as a publick Act. [Continued by 3 Geo. 1. not printed, and by 11 Geo. 2. c. 32.] P R.

C A P. XIII.

An Act for continuing several Impositions, additional Impositions, and Duties upon Goods imported to raise Money by Way of Loan, for the Service of the Year one thousand seven hundred and ten; and for taking of the Oversea Duty on Coals exported in *British Bottoms*; and for better preventing Frauds in Drawbacks upon Certificate Goods; and for ascertaining the Duties of Corans imported in *Venetian Ships*; and to give further Time to Foreign Merchants for Exportation of certain Foreign Goods imported; and to limit a Time for Prosecutions upon certain Bonds given by Merchants; and for continuing certain Fees of the Officers of the Customs; and to prevent Imbezilments by such Officers; and for appropriating the Monies granted to her Majesty; and for replacing Monies paid or to be paid for making good any Deficiencies on the Annuity Acts; and for Encouragement to raise Naval Stores in her Majesty's Plantations; and to give further Time for registering Debentures, as is therein mentioned.

For the Application of the Duties arising by this Act, see 9 Annæ, c. 21. §. 6.

Impositions on Wines and Vinegar, further continued to 1 Aug 1720. made perpetual by 9 Annæ, c. 21. §. 1.

1 Jac. 2. c. 3.

Impositions on Tobacco, further continued to 1 Aug. 1720. 1 Jac. 2. c. 4. made perpetual by 9 Annæ, c. 21. §. 1, 2, 3.

Duties on Tobacco to be levied, &c. as by 7 & 8 W. 3. c. 10.

Old Impost, &c. further continued to 1 Aug. 1720. 2 W. & M. ff. 2. c. 4. made perpetual by 9 Annæ, c. 21. §. 1.

MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, for the better enabling your Majesty to defray the Charge of this present War, and to finish the same as successfully as the the said War hath hitherto (through the Divine Goodness) been carried on, and for other your Majesty's most necessary and important Occasions, have cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty the several and respective Subsidies, Impositions and Duties herein after particularly described, for and during the Terms herein after expressed; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queens 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 Authority of the same, That the several Impositions and Duties upon Wines and Vinegar, granted by an Act made in the first Year of the Reign of his late Majesty King JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Wines and Vinegar imported between the twenty-fourth Day of June one thousand six hundred eighty-five and the four and twentieth Day of June one thousand six hundred ninety-three*, which said Act by several subsequent Acts of Parliament since made, was continued, and is to continue until the first Day of *August* one thousand seven hundred and sixteen, shall by virtue of this Act be further continued, and be payable to her Majesty, her Heirs and Successors, for and upon all Wines, and Vinegar, which shall be imported into *Great Britain* from the last Day of *July* one thousand seven hundred and sixteen to the first Day of *August* one thousand seven hundred and twenty, and no longer; and that the said Act so made in the first Year of the Reign of the said late King JAMES the Second, and all Powers, Provisions, Penalties, Articles and Clauses therein contained, for or concerning the said Impositions on Wines and Vinegar, shall continue and be in full Force and Effect until the said first Day of *August* one thousand seven hundred and twenty, and shall be applied practised, and executed, for raising, levying, collecting, answering, and paying the said Duties upon Wines and Vinegar hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully to all Intents and Purposes, as if all and every the Clauses, Matters and Things in the said Act of the first Year of the Reign of the said King JAMES the Second contained, had been again in this Act repeated and particularly enacted.

II. And be it further enacted by the Authority aforesaid, That the Rates, Duties, and Impositions upon all Sorts of Tobacco, granted by an Act made in the first Year of the Reign of the said late King JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Tobacco and Sugar imported between the twenty-fourth Day of June one thousand six hundred eighty-five and the twenty-fourth Day of June one thousand six hundred ninety-three*, which said Act, as for and concerning the said Duties and Impositions upon Tobacco only, by several subsequent Acts of Parliament since made, was continued, and is to continue until the first Day of *August* one thousand seven hundred and sixteen, shall by virtue of this Act be further continued and paid to her Majesty, her Heirs and Successors, for and upon all Tobacco to be imported into *Great Britain* from the said last Day of *July* one thousand seven hundred and sixteen to the first Day of *August* one thousand seven hundred and twenty, and no longer.

III. Provided always, and be it enacted and declared by the Authority aforesaid, That the said Duty upon Tobacco, which shall be imported within the Times by this Act limited, and all Arrears thereof, shall be secured, collected, raised, levied, answered and paid to her Majesty, in such Method, and with such Discount and Allowances, and according to such Rules and Directions, and under such Penalties, as are mentioned, referred to, or prescribed (as to the Duties or Impositions on Tobacco) in and by the Act made in the Parliament holden in the seventh Year of the Reign of King WILLIAM the Third, (of glorious Memory) intituled, *An Act for continuing several Duties granted by former Acts upon Wine, Vinegar, and Tobacco, and East India Goods, and other Merchandizes imported, for carrying on the War against France*, and not otherwise.

IV. And be it further enacted by the Authority aforesaid, That the several additional and other Rates, Impositions, Duties and Charges upon the several Sorts of Goods and Merchandizes granted by an Act made in the second Year of the Reign of King WILLIAM the Third and Queen MARY, intituled, *An Act*

for

for granting to their Majesties certain Impositions upon all East India Goods and Merchandizes, and upon all wrought Silks, and several other Goods and Merchandizes to be imported after the twenty-fifth Day of December one thousand six hundred and ninety, and which thereby, and by several Acts of Parliament already made, have Continuance until the first Day of August one thousand seven hundred and sixteen, shall be further continued and paid to her Majesty, her Heirs and Successors, for and upon the like Commodities to be imported into Great Britain, from the said last Day of July one thousand seven hundred and sixteen to the first Day of August one thousand seven hundred and twenty, and no longer; and that the said Act made in the second Year of their late Majesties Reign concerning East India Goods, and other Things therein charged, and all Powers, Provisions, Penalties, Articles and Clauses therein contained, shall continue and be of full Force and Effect, until the first Day of August one thousand seven hundred and twenty, and shall be applied, practised, and executed, for the raising, levying, collecting, answering and paying the said respective Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully, to all Intents and Purposes, as if the said last-mentioned Act, and all and every the Clauses, Matters and Things therein contained, had been again repeated and particularly enacted; except only as to such Part of the said Acts concerning the said Impositions on Wines, Vinegar, Tobacco, East India Goods, and other Merchandizes imported, touching which other Provisions or Alterations are made by any Act or Acts of Parliament now in Force; which other Provisions or Alterations are to be observed, and to continue during the Continuance of this Act, and the said Act, intituled, *An Act for continuing several Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco and East India Goods, and other Merchandizes imported, for carrying on the War against France*, and every Article, Clause, Matter, and Thing therein contained, for the raising, levying, securing, answering, and paying the Impositions and Duties on the Merchandizes and Commodities thereby charged, and which are by this Act continued, shall be of full Force and Effect until the said first Day of August one thousand seven hundred and twenty.

7 & 8 W. 3. c. 10.
made perpetual
by 9 Annæ, c.
21. §. 1.

V. And be it further enacted by the Authority aforesaid, That the additional and other Rates, Duties, Impositions, and Charges upon the several Sorts of Goods and Merchandizes granted by an Act of Parliament made in the fourth Year of their said late Majesties Reign, intituled, *An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandizes, for prosecuting the present War against France*, which by several subsequent Acts of Parliament already made, have Continuance until the first Day of August one thousand seven hundred and sixteen, shall, by virtue of this Act, be further continued, and be paid and payable to her Majesty, her Heirs and Successors, throughout Great Britain, from the last Day of July one thousand seven hundred and sixteen to the first Day of August one thousand seven hundred and twenty, and no longer; and that the said Act last mentioned, and all the Powers, Provisions Penalties, Articles and Clauses therein contained, (except as is herein after is excepted and provided) as for and concerning the said Rates, Duties, and Impositions, shall continue and be in full Force and Effect until the said first Day of August one thousand seven hundred and twenty, and shall be applied practised, and executed, for the raising, levying, collecting, answering, and paying the said Duties hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as if the said last-mentioned Act, and all and every the Clauses, Matters and Things therein mentioned, had been again repeated, and particularly enacted in this present Act. Provided also, That in all Cases where any other Provision or Alteration is made by any Act or Acts of Parliament now in Being, in or about any other Matter or Thing contained in the said Act of Parliament for the Impositions last-mentioned, such other Provisions or Alterations shall be observed, during the Continuance of the Term hereby granted; any thing herein contained to the contrary notwithstanding.

Additional Im-
post further con-
tinued to 1 Aug.
1720. 4 & 5 W.
& M. c. 5.
made perpetual
by 9 Annæ, c.
21. §. 1.

4 W. & M. c. 5.

VI. And it is hereby further enacted, That the several Impositions and Duties, for and upon all Whale-fins imported, which by an Act of Parliament in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for taking away Half the Duties imposed on Glass Wares, and the whole Duties lately laid on Stone and Earthen Wares, and Tobacco Pipes, and for granting in lieu thereof, new Duties on Whale-fins and Scotch Linen*, were granted to his said late Majesty King WILLIAM, and by subsequent Acts already passed have Continuance until the first Day of August one thousand seven hundred and sixteen, shall be and are hereby continued and payable to her Majesty, her Heirs and Successors, upon all Whale-fins to be imported into Great Britain, from the last Day of July one thousand seven hundred and sixteen to the first Day of August one thousand seven hundred and twenty, and no longer; and shall be raised, levied, collected, and paid in such Manner and Form, and by such Ways and Means, and under such Penalties, as are mentioned in the said Act for granting the said Impositions on Whale-fins and Scotch Linen; which Act with all the Powers, Provisions, Penalties, Articles, and Clauses therein contained, or thereby referred to, shall continue and be in full Force until the said first Day of August one thousand seven hundred and twenty, and shall be applied, practised, and put in Execution, for raising and levying the said Duties on Whale-fins hereby continued, and all Arrears thereof, as fully and effectually as if all the Clauses, Matters, and Things therein contained, concerning the said Duties on Whale-fins, were repeated, and again enacted in the Body of this present Act.

Duties on Whale-
fins, further con-
tinued to 1 Aug.
1720. 9 & 10
W. 3. c. 45.
made perpetual
by 9 Annæ, c.
21. §. 1.

VII. And whereas the said Impositions on Wines, Vinegar, and Tobacco, which were first granted to King JAMES the Second in the first Year of his Reign, and the said Impositions on East India Goods, and other Goods charged therewith, which were first granted to their late Majesties King WILLIAM and Queen MARY in the second Year of their Reign, and the said additional Impositions, which were first granted to them in the fourth Year of their Reign, and the said Duties on Whale-fins imported, which were granted to his said late Majesty King WILLIAM in the ninth Year of his Reign, were by several subsequent Acts of Parliament continued, with some Exceptions and Alterations as aforesaid,

1 Jac. 2. c. 3 & 4.
2 W. & M. Sess.
2. c. 4.
4 W. & M. c. 5.
9 W. 3. c. 45.

After the Principal, &c. of the former Acts are discharged, the several Duties appropriated for the Uses of this Act.

' said, until the first Day of *August* one thousand seven hundred and sixteen, in the Manner therein mentioned, and are thereby made subject and liable (together with such other Duties as are therein expressed) to the Satisfaction of several principal Sums which were borrowed, or authorized to be borrowed, upon those Acts respectively, and the Interest due, and to be due for the same, which Principal and Interest are to be duly paid off and discharged in the first Place: Now it is hereby further declared and enacted by the Authority aforesaid, That from and immediately after the Time that all the Principal and Interest Monies, which by the said former Acts, or any of them, are charged or chargeable on the several Impositions and Duties last particularly mentioned (jointly with other Duties) as aforesaid, shall be fully paid off and satisfied according to the true Meaning of the said former Acts, or that sufficient Money shall be reserved in the Exchequer for that Purpose; then all the Monies which from thenceforth shall arise by the said Impositions upon Wines, Vinegar, and Tobacco, which were first granted to King JAMES the Second in the first Year of his Reign, and the said Impositions on *East India* Goods, and other Goods charged therewith, which were first granted to their late Majesties King WILLIAM and Queen MARY in the second Year of their Reign, and the said additional Impositions which were first granted to them in the fourth Year of their Reign, and the said Duties on Whale Fins imported, which were granted to his late Majesty King WILLIAM in the ninth Year of his Reign, for the Remainders of the Terms formerly granted, and therein then to come and unexpired (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall from time to time be paid into the Receipt of the Exchequer distinctly, for the Purposes in this Act expressed, and for no other Use, Intent or Purpose whatsoever.

Borrowing Clause at 6l. per Cent.

VIII. Provided always, and it is hereby enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to her Majesty, at the Receipt of her Majesty's Exchequer, as well upon Credit of the above-mentioned Impositions and Duties by this Act granted or continued, as also upon Credit of the Monies which by the said former Acts, after Satisfaction of the Principal and Interest thereupon, as aforesaid, shall arise by the Impositions and Duties thereby granted, any Sums which shall not exceed in the Whole one million two hundred and ninety-six thousand five hundred fifty-two Pounds nine Shillings and eleven Pence three Farthings, for the Service of the War, and other her Majesty's Occasions; and that all the Lenders of such Sums respectively shall have and receive Interest, for the Forbearance thereof, after the Rate of six Pounds *per Centum per Annum*; and that no Money to be lent upon the Security of this Act, shall be taxed, rated or assessed by any Act of Parliament whatsoever.

Lenders to have Tallies and Orders.

IX. And it is hereby further enacted, That all and every Person or Persons, who shall lend any Money upon such Credit, as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tallies; in or upon which Order shall also be contained a Warrant for Payment of Interest for the Forbearance thereof, at the Rate aforesaid, and to be paid every three Months, until Repayment of the Principal; and that all such Orders for Repayment of Money to be lent, shall be registred in Course, according to their Dates respectively, without other Preference of the one before another; and that all and every Person or Persons shall be paid in Course, according as their Orders shall stand registred in the said Register Book, so as the said Person, Native or Foreigner, his, her or their Executors, Administrators, Successors or Assigns, who shall have his, her or their Order or Orders first entred in the said respective Books of Register, shall be taken and accounted the first Person to be paid out of the Monies to come in by this Act; and he, she or they who shall have his, her or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in, of or for the several Impositions or Duties by this Act granted or continued, as aforesaid, as also the Monies, which by the said former Acts (after Satisfaction of the Principal and Interest thereupon, as aforesaid) shall arise by the Impositions and Duties thereby granted, as aforesaid, shall be liable in the same Order to the Satisfaction of the Monies to be lent, as aforesaid, to the respective Parties, their Executors, Administrators, Successors and Assigns respectively, without undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever; and that no Fee, Reward or Gratuity, directly or indirectly be demanded or taken of any of her Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views or Search, in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of her Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party grieved by the Party offending, with Treble Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then he shall also lose his Place or Office; or if any undue Preference of one before another shall be made either in Point of Registry or Payment, or if any of the said Money shall be diverted or misapplied contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, with Damages and Costs to the Party grieved, and shall be forejudged of his Office and Place; and if such Preference be unduly made by any his Deputy or Clerk, without the Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Place and Office; and in Case the Auditor of the Receipt shall not direct, or the Clerk of the Pells record, or the Teller make Payment according to each Person's due Place and Order, as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending, to be liable to such Action, Debt and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs, to be incurred by any of the Officers of the Exchequer, or any of their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Suit or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein

No Fee for Entries, &c.

No undue Preference, &c.

no Effoin, Protection, Privilege, or Wager of Law, Injunction or Order of Restraint, shall in any wise be granted or allowed.

X. Provided always, and it is hereby declared, That if it happen that several Tallies of Loan, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those he entred first, so as he enters them all the same Day. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, or the Clerk of the Pells record, or the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in their Course, so as that there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them, Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

XI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registred by Virtue of this Act, after Order entred in the Book of Register, as aforesaid, his Executors, Administrators or Assigns, by proper Words of Assignment, to be indorsed and written upon his Order, may assign or transfer his Right, Title, Interest and Benefit of such Order or any Part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid, for Orders, which the Officer shall, upon Request, without Fee or Charge accordingly make, shall entitle such Assignee, his Executors, Administrators and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release and discharge the same, or any the Monies thereby due, or any Part thereof.

XII. And whereas in and by one Act of the fifth Year of her Majesty's Reign, a Credit was given for any Sums not exceeding eight hundred twenty-two thousand three hundred eighty-one Pounds fifteen Shillings and six Pence Farthing; and by another Act of the sixth Year of her Majesty's Reign a further Credit was given for any Sums not exceeding seven hundred twenty-nine thousand and sixty-seven Pounds fifteen Shillings and six Pence three Farthings; and by another Act of the seventh Year of her Majesty's Reign a further Credit was given for any Sums, not exceeding six hundred forty-five thousand Pounds, to be borrowed upon those Acts respectively, at an Interest after the Rate of six Pounds *per Centum per Annum*, upon the several Subsidies, Impositions, and Duties in the same Acts respectively mentioned; and the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, are by the same Acts respectively authorized and directed to cause the Officers of the Exchequer to receive from time to time, by way of Loan, at the like Interest, at the said Receipt, any further Sum or Sums of Money, as should be sufficient to make good the Payment of all the Interest Monies appointed or allowed by the same Acts respectively, every three Months, until the Subsidies, Impositions, and Duties therein mentioned should come into the Exchequer, and be sufficient for that Purpose, pursuant to the Intent and true Meaning of the same Acts respectively: Now it is hereby provided and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend to the taking away, altering or lessening the said Power and Direction of borrowing Monies to make the Payment of the said Interest Monies every three Months, until the said Subsidies, Impositions and Duties, in the said respective Acts mentioned, shall come in, and be sufficient for that Purpose, as aforesaid, or in any wise to alter or prejudice the Security given by the said several Acts of the fifth, sixth and seventh Years of her Majesty's Reign, or any of them, for the Payment and Satisfaction of the same, or any other Principal and Interest Monies, which were secured, or intended to be secured by the same Acts respectively; but that the Orders for the same shall be registred in Course, and paid in the same Manner, upon each and every of those Acts, as if this Act had never been made; this present Act, or any thing therein contained, or any other Matter or Thing whatsoever to the contrary in any wise notwithstanding.

XIII. And whereas by an Act of Parliament made in the fifth Year of the Reign of their said late Majesties King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against France*, certain Duties upon Salt and Rock Salt were granted from the five and twentieth Day of March one thousand six hundred ninety-four until the seventeenth Day of May one thousand six hundred ninety-seven; and by an Act made in the seventh Year of the Reign of his said late Majesty King WILLIAM, intituled, *An Act for continuing to his Majesty certain Duties upon Salt, Glass Wares, Stone and Earthen Wares, and for granting several Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War against France, and for establishing a National Land Bank, and for taking off the Duties upon Tonnage of Ships, and upon Coals*, the same Rates and Duties upon Salt and Rock Salt were granted or continued to be paid to his said late Majesty, his Heirs and Successors, Kings and Queens of England, for ever; and by an Act made in the first Year of her now Majesty's Reign, intituled, *An Act for making good Deficiencies, and for preserving the publick Credit*, the said Hereditary Duties upon Salt and Rock Salt are (amongst other Things) appropriated and directed to be applied towards making good certain deficient Funds therein mentioned, by the Payment and Satisfaction of all the Principal Monies thereupon, then really due, and all Interest Monies due and to grow due for the same, in the Manner therein mentioned, as by the same Acts may severally appear: Now to the end a Provision may be made for or towards the better Payment of the Interest Monies, which shall grow due by this present Act every three Months, for all the Monies which shall be advanced or lent thereupon;

What shall not be interpreted undue Preference.

Orders assignable.

5 Annæ, c. 27.
§. 12.
6 Annæ, c. 19.
§. 16.
7 Annæ, c. 8.
§. 13.

This Act not to prejudice the Security of the Acts 5, 6, & 7 Annæ.

5 & 6 W. & M. c. 7.

7 & 3 W. 3. c. 31.

1 Annæ, stat. 1. c. 13.

After all the Monies secured by the Act 1 Annæ, are paid off, then the Duties on Salt, &c. by 7 & 8 W. 3. shall be applied to this Act.

Clause of Loan to secure the intermediate Interest.

It is hereby further enacted by the Authority aforesaid, That immediately from and after the Time that all the Principal and Interest Monies secured by the said Act of the first Year of her said Majesty's Reign, intituled, *An Act for making good Deficiencies, and for preserving the publick Credit*, shall be fully paid off and satisfied, or that sufficient Monies shall be reserved in the Exchequer for that Purpose, then all the Monies which from thenceforth until the said first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and sixteen, shall arise, or be due, or payable, or be secured, or in Arrear, of and for the foresaid Duties upon Salt and Rock Salt, granted or continued by the said Act of the seventh Year of the Reign of his said late Majesty King WILLIAM the Third as aforesaid (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall, from time to time be paid into the Receipt of Exchequer, and shall be issued and applied, so far as the same will extend, to and for the Payment and Satisfaction of the Interest which shall, from time to time, grow due for the Monies which shall be lent upon or in pursuance of this Act, or of any the Powers or Clauses therein contained, and to none other Use, Intent or Purpose whatsoever; any Law or Statute to the contrary notwithstanding.

XIV. Provided always, and it is hereby enacted by the Authority aforesaid, That it shall and may be lawful to and for the Treasurer of the Exchequer for the time being (or any three or more of the Commissioners of the Treasury for the time being) and they are hereby authorized and directed to cause the Officers of the said Receipt of the Exchequer to receive, from time to time, by way of Loans, from any Person or Persons, Bodies Politick or Corporate, willing to make the same at the said Receipt, such further Sum and Sums of Money (over and above the Sums which shall be lent for the Service of the War, and other her Majesty's Occasions as aforesaid) as shall be sufficient, together with the Monies coming in by the Duties upon Salt and Rock Salt as aforesaid, to compleat and make good the full Payment of all the Interest-Monies due or payable by this Act, or by any Clause therein contained, every three Months, until the said Impositions and Duties granted by this Act, or the Arrears arising by the said former Acts, or any of them, first happening, shall come into the Exchequer, and be sufficient for that Purpose, pursuant to the true Intent and Meaning hereof; and that the Loans so to be made for the said intermediate Interest, shall bear the like Interest, and shall be free from Taxes, and the Principal thereof shall be paid in Course, according to the Dates of the respective Tallies for the same, and the Interest thereof, every three Months, out of the Duties granted, and other Provisions made by this Act, in the same Manner, and as fully and effectually as if such Loans were Part of the said Sum not exceeding one million two hundred ninety-six thousand five hundred fifty-two Pounds nine Shillings and eleven Pence three Farthings, hereby authorized to be lent as aforesaid; any thing herein contained to the contrary in any wise notwithstanding.

Oversea Duties on Coals in British Bottoms, after 25 Dec. 1710. to cease, 6 Annæ, c. 22.

XV. And whereas by an Act of Parliament made in the sixth Year of her Majesty's Reign, intituled, *An Act for continuing several Duties therein mentioned upon Coffee, Chocolate, Spices, Pictures, and Muslins, and additional Duties upon several of the said Commodities, and certain Duties upon Callicoes, China Wares, and Drugs, and for continuing the Duties called the two Third Subsidies of Tonnage and Poundage, for preserving the publick Credit; and for ascertaining the Duties of Coals exported to Foreign Parts; and for securing the Credit of the Bank of England; and for passing several Accounts of Taxes raised in the County of Monmouth; and for promoting the Consumption of such Tobacco as shall have paid her Majesty's Duties; it is amongst other Things enacted, That all Coals exported beyond the Seas, from and after the End of the then present Session of Parliament until the twenty-fifth Day of *March* one thousand seven hundred and fifteen, and from thence to the end of the then next Session of Parliament, from *Great Britain* in *British* Bottoms, shall only pay three Shillings the Chaldron, and after that Rate for greater or lesser Quantities; any former Law or Statute to the contrary notwithstanding, as by the same Act more at large may appear: And whereas the said Duty is a great Hindrance to the *British* Navigation, and lessens the Exportation of Coals from *Great Britain* to Parts beyond the Seas; Be it therefore enacted by the Authority aforesaid, That from and after the five and twentieth Day of *December* in the Year one thousand seven hundred and ten, the said Duty of three Shillings *per* Chaldron shall cease, and be no longer paid; any thing in the said Act to the contrary thereof in any wise notwithstanding.*

Concerning Duty on Coals, see farther 9 Ann. c. 6. § 22. 12 Ann. §. 2. c. 9. 5 Geo. 1. c. 9. 6 Geo. 1. c. 4. 22 Geo. 2. c. 37. 30 Geo. 2. c. 19. §. 28.

Clause to prevent Frauds in Drawbacks upon Certificate Goods.

XVI. And whereas by the Laws of this Realm, every Person importing Tobacco, and other Foreign Goods, from any Part of *Great Britain*, is intituled to a Drawback of Part of the Duties paid or secured at the Importation thereof; and it hath been found by Experience, that great Quantities of such Tobacco and other Foreign Goods after they have been shipped for Exportation, have been privately re-landed in this Realm; and the Remedies already provided by Law, have not been sufficient to obviate a Practice so very prejudicial to her Majesty's Revenue, and to all fair and honest Traders in such Goods: For the better Prevention whereof for the future, Be it further enacted by the Authority aforesaid, That from and after the seven and twentieth Day of *March* one thousand seven hundred and ten, in case any Tobacco, or other Foreign Goods, contained or specified in any Certificate whereupon any such Drawback is to be made, or whereupon any Debenture is to be made forth for any such Drawback, shall not be really and *bona fide* shipped and exported (the Danger of the Seas and Enemies excepted) or shall be landed again in any Part of *Great Britain*, unless in case of Distress to save the Goods from perishing, which shall be presently made known to the Person or Persons which are or shall be appointed by her Majesty to manage her Customs, or principal Officers of the Port; then not only all such Tobacco and other certificate Goods shall be forfeited and lost, but also the Person or Persons (being the Exporters, or any others) who shall bring back, or cause, or procure to be re-landed such Tobacco, and other certificate Goods, or any of them, in any Part of *Great Britain*, or be assisting, or otherwise concerned in the unshipping the same, or to whose Hands the same shall knowingly come, after the unshipping thereof, or by whose Privy, Knowledge or Direction the said Tobacco and other Goods, or any Part thereof, shall be

See 12 Annæ, stat. 2. c. 8. §. 12. & 5 Geo. 1. c. 11. §. 5.

be so re-landed, shall forfeit double the Amount of the said Drawback for such Goods, together with the Vessels and Boats, and all the Horses or other Cattle and Carriages whatsoever, made use of in the Landing, Removing, Carriage or Conveyance of the same; one Moiety of all which Penalties or Forfeitures shall be to the Use of her Majesty, and the other Moiety to him or them that shall inform, seize or sue for the same, to be recovered by Bill, Plaint or Information, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, at any Time or Times within five Years after the Offence shall be committed; wherein no Essoin, Protection, or Wager of Law shall be allowed.

Such Goods re-landed, forfeited, and double the Value of the Drawback, with the Vessel, &c. Seizures made by Virtue of this Act, to be determined by two Justices of the Peace, 8 Geo. c. 13. §. 16.

XVII. And it is hereby enacted, That if any Officer of the Customs shall connive or assist in any Fraud, relating to such certificate Goods as aforesaid, such Officer (over and above any other Penalties to which he is or may be liable by this or any other Act) shall forfeit his Office, and be rendered incapable of serving her Majesty for the future, and suffer six Months Imprisonment, without Bail or Mainprize; and if any Master, Commander or other Person belonging to any Ship or Vessel, shall assist in, or connive at the fraudulent landing any such certificate Goods as aforesaid, he, she or they (over and above all other Penalties provided by this or any other Act or Acts now in force) shall for every such Offence suffer Imprisonment by the Space of six Months, without Bail or Mainprize.

Officers conniving, incapacitated, and imprisoned for 6 Months. Master conniving, imprisoned for 6 Months.

XVIII. And for preventing the running of Tobacco into this Kingdom, under Pretence of exporting the same to *Ireland*; Be it enacted by the Authority aforesaid, That no Debenture shall be paid or allowed for any Tobacco exported from any Port of *Great Britain*, to the Kingdom of *Ireland*, until a Certificate shall be produced under the Hands and Seals of the Collector, Comptroller, and Surveyor of the Customs of any Port in *Ireland*, or any two of them, where such Goods shall be landed, testifying the landing thereof, (the Danger of the Seas or Enemies excepted) any Law to the contrary notwithstanding; which Certificate the Collector, Comptroller, and Searcher of the Customs, or any two of them, of each Port in *Ireland*, are impowered and required to deliver forthwith, upon the Discharge of such Tobacco, and not to take above one Shilling Fee for making out and Delivery of such Certificate.

No Debenture for Tobacco to *Ireland*, till a Certificate from the Collector, &c. in *Ireland*, of the landing of the same there, by 6 Geo. 1. c. 21. §. 48. 2 l. c. 21. §. 48. 2 l. per Cent. to be allowed for Tobacco exported to *Ireland* in case of Waste. Fees 1 s.

XIX. And as a further Security of her Majesty's Revenues, both in *Great Britain* and *Ireland*; Be it enacted by the Authority aforesaid, That the Master of every Ship carrying such certificate Goods to *Ireland*, shall demand and take from the Collector of every respective Port of *Great Britain*, a Duplicate of his Content in Writing, certified under the Hand and Seal of the Collector and Comptroller of such Port (which said Duplicate the Collector and Comptroller of each Port in *Great Britain*, are hereby required to deliver to every Master, without Fee or Reward) and such Master shall be obliged to deliver such Duplicate to the Officers of the Customs in *Ireland* on his Arrival, before he be permitted to land such Goods there.

Master carrying certificate Goods to *Ireland* to take a Duplicate of his Content from the Collector, &c.

XX. And whereas an illegal Trade is usually carried on in small Vessels or Boats; Be it enacted by the Authority aforesaid, That no Debenture shall be made forth, nor any Drawback be paid or allowed for any Tobacco exported to any Place, in any Ship or Vessel under the Burthen of twenty Tuns; any Law, Statute, or Usage, to the contrary notwithstanding.

No Debenture for Tobacco exported in any Ship under 20 Tuns.

XXI. And whereas by an Exception or Clause contained in an Act made in the third Year of her Majesty's Reign, intituled, *An Act for granting to her Majesty a further Subsidy on Wines and Merchandizes imported*, it was provided, That such Corans as should be imported in *English* built shipping, navigated according to Law, should be exempted from paying the Two thirds Subsidy granted by the said Act: And whereas by a Clause in an Act made in the fourth Year of her Majesty's Reign, for continuing an additional Subsidy of Tonnage and Poundage, it was amongst other Things enacted and declared, That the Exception contained in the aforesaid Act, whereby Corans imported in *English* built Shipping, navigated according to Law, were exempted from the said Duty, should be extended to such Corans as, after the five and twentieth Day of *March* one thousand seven hundred and six, should be imported in Ships belonging to any of the Subjects of the Republick of *Venice*, so that they also should be exempted from Payment of the Two thirds Subsidy granted by the aforesaid Act; any thing therein contained to the contrary notwithstanding: And whereas by an Act made in the sixth Year of her Majesty's Reign, for continuing the several Duties therein mentioned, the said Two thirds Subsidies were continued for three Years, from the seventh Day of *March* one thousand seven hundred and eight, with an Exception as to Corans imported in *English* built Shipping, according to the said Act of the third Year of her Majesty's Reign, and no Notice is taken of the Explanation thereof in the said Act of the fourth of her Majesty's Reign, as to *Venetian* Shipping also, whereby some Doubts have arisen, whether Corans imported in *Venetian* Shipping ought to be exempted from the Continuation of the Two thirds Subsidy, according to the Provision before recited in the said Act of the fourth Year of her Majesty's Reign, extending the Exemption to them: For preventing which Doubts, and in Regard it would be very hard to restrain the Subjects of *Venice* from importing the Goods of their own Growth in their own Shipping; Be it therefore declared and enacted by the Authority aforesaid, That the said Clause in the Act of the fourth Year of the Queen's Reign, for exempting Corans imported in *Venetian* Shipping from paying the Duty of Two thirds Subsidy, was intended, and is to be understood, from the time of passing the same Act, to be a perpetual Clause attending the Continuation of that Duty, and not limited unto the first Grant thereof; any thing in the said Act of the sixth, or in any other subsequent Act, to the contrary in any wise notwithstanding.

Recital of 3 & 4 Annæ, c. 5.

4 Annæ, c. 6.

6 Annæ, c. 22.

3 & 4 Annæ, c. 5.

4 Annæ, c. 6.

Corans imported in *Venetian* Ships subject to 4 Annæ.

XXII. And whereas by an Act of Parliament made and passed in the second and third Year of the Reign of her present Majesty our most gracious Sovereign Lady Queen ANNE, intituled, *An Act for granting*

Recital of 2 & 3 Annæ, c. 9.

granting to her Majesty an additional Subsidy of Tonnage and Poundage for three Years, and for laying a further Duty upon French Wines condemned as lawful Prize, and for ascertaining the Value of unrated Goods imported from the East Indies, it is therein, amongst other Things, enacted, That all English Merchants should, from and after the eighth Day of March one thousand seven hundred and three, have eighteen Months Time allowed them from the Entry inwards for the Exportation of all Tobacco, Sugar, Ginger, Pepper, Bugles, Cast and Bar Iron, Dying Wood, Dying Wares, and Drugs, and should have the like Benefit and Drawback by such Exportations, as if the same had been exported within twelve Months: And whereas the Time allowed to Foreigners for Exportation of such Goods is limited to nine Months, which by Experience is found to be too short, and very inconvenient to Trade; Be it therefore enacted by the Authority aforesaid, That all Foreign Merchants, or all British Merchants commissioned by them, shall from and after the seven and twentieth Day of March one thousand seven hundred and ten, have fifteen Months Time from the Entry Inwards of all Tobacco, Sugar, Ginger, Pepper, Bugles, Cast and Bar Iron, Dying Wood, Dying Wares, and Drugs (already imported or to be imported) allowed them to export the same, and shall have the like Benefit and Drawback by such Exportation, as if the same had been exported within nine Months, according to the second Rule in the Book of Rates; the said Rule, or any other Law or Custom now in Force relating thereunto notwithstanding: Provided Certificates be taken forth, and Oath made, and all other Requisites performed, according to the Laws now in Being.

Foreign Merchants to have 15 Months Time for Exportation of certain Foreign Goods. These fifteen Months enlarged to 3 Years, &c. by 7 Geo. 1. stat. 1. c. 21. §. 10.

Clause to limit a Time for Prosecutions upon Plantation Bonds.

12 Car. 2. c. 18. 22 & 23 Car. 2. c. 16.

25 Car. 2. c. 7.

Concerning Plantations, see farther 9 Ann. c. 17 & 27. 10 Ann. c. 22 & 26.

4 Geo. 1. c. 11.

8 Geo. 1. c. 12.

13 Geo. 1. c. 5.

3 Geo. 2. c. 12.

& 28. 5 Geo. 2. c. 7 & 9.

6 Geo. 2. c. 13.

8 Geo. 2. c. 19.

12 Geo. 2. c. 30.

15 Geo. 2. c. 31.

& 33. 24 Geo. 2. c. 51 & 53.

29 Geo. 2. c. 5.

& 35. 30 Geo. 2. c. 9.

XXIII. And whereas the Laws of this Realm do require, That for Ships trading to or in her Majesty's Plantations, lading Sugars and other enumerated Commodities there, Bonds be given, which are commonly called Plantation Bonds, with Condition to bring the same Goods to Great Britain, or to some other of her Majesty's Plantations, or to that effect: Now to prevent the Discouragement which Persons trading to and from the said Plantations do or may lie under by the said Bonds lying out against them, although the Conditions thereof are or shall have been performed; Be it enacted by the Authority aforesaid, That as to such of the said Plantation Bonds as have been entered into at any Time or Times before the eight and twentieth Day of March one thousand seven hundred and ten, and are now remaining in the Hands of any of her Majesty's Officers, in case there shall be no Prosecution for some Breach or Non-performance of the respective Conditions thereof before the eight and twentieth Day of March one thousand seven hundred and thirteen, or if upon such Prosecution Judgment be not obtained for her Majesty before the eight and twentieth Day of March one thousand seven hundred and fifteen, then such of the said Plantation Bonds, so already entered into, shall (for want of such Prosecution or Judgment) be void; and as to such Plantation Bonds as shall be entered into after the said eight and twentieth Day of March one thousand seven hundred and ten, in case there shall be no Prosecution for some Breach or Non-performance of the respective Conditions thereof, within three Years after the Dates thereof, or if upon such Prosecution as is last-mentioned Judgment be not obtained for her Majesty within the Space of two Years after the same Prosecution commenced; then every such Plantation Bond, which shall hereafter be entered into as aforesaid (in Default of such Prosecution to be commenced, and Judgment to be obtained within the Times before limited) shall also be void: And all the said Plantation Bonds so made void by this Act, shall be delivered up by the Officers having the same in their keeping, to be cancelled, without Fee or Reward.

Or upon wrought Silk and other Commodities mentioned in 71 & 12 W. 3. c. 10.

XXIV. And whereas by an Act made in the eleventh Year of the Reign of his said late Majesty King King WILLIAM the Third, intituled, *An Act for the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom*, upon the Exportation of wrought Silks, and other Commodities therein mentioned, Security is to be taken in the Manner therein expressed: Now in Regard it may happen some of these Goods may be vended in Foreign Parts, from which no Certificate can be produced, as the said Act requires, to discharge the Security last-mentioned; Be it enacted by the Authority aforesaid, That as to such of the Securities last-mentioned, as have been entered into at any Time or Times, before the Eight and twentieth Day of March one thousand seven hundred and ten, and are now remaining in the Hands of any of her Majesty's Officers, in case there shall be no Prosecution for some Breach, or Non-performance of the respective Conditions thereof, before the eight and twentieth Day of March one thousand seven hundred and thirteen, or if upon such Prosecution Judgment be not obtained for her Majesty before the eight and twentieth Day of March one thousand seven hundred and fifteen; then such of the said Securities so already entered into upon Exportation of such Silks, and other Commodities last-mentioned, shall (for want of such Prosecution or Judgment) be void; and as to such Securities as shall be entered into, after the said eight and twentieth Day of March one thousand seven hundred and ten, upon Exportation of such wrought Silks, and other Commodities as are last-mentioned, in Case there shall be no Prosecution for some Breach, or Non-performance of the respective Conditions thereof, within three Years after the Dates thereof, or if upon such Prosecution as is last-mentioned, Judgment be not obtained for her Majesty within the Space of two Years after the same Prosecution commenced; then every such Security relating to wrought Silks or such other Goods as are last-mentioned, which shall hereafter be entered into as aforesaid, (in Default of such Prosecution to be commenced, and Judgment to be obtained within the Times before limited) shall also be void; and all such Securities so made void by this Act, shall be delivered up by the respective Officers, having the same in their keeping, to be cancelled without Fee or Reward.

Officer not delivering up such Bonds to pay Damages and Treble Costs.

XXV. And it is hereby enacted by the Authority aforesaid, That if any Officer of her Majesty's Revenue, having the Custody of any of the Bonds by this Act required to be delivered up to be cancelled as aforesaid,

aforesaid, shall upon reasonable Demand refuse or neglect to deliver up such Bonds, according to the Purport and true Meaning of this Act, then the Officer so offending shall for every such Offence be and is hereby made liable to answer to the Party grieved all his Damages, together with Treble Costs of Suit.

XXVI. And in regard the Subsidy of Tonnage and Poundage on Merchandizes exported is to determine from and after the last Day of July one thousand seven hundred and ten, but it is nevertheless necessary, that the respective Officers of the Customs, as well outwards as inwards, do continue to perform the Duties of their respective Offices, as well to prevent Frauds in Relation to the Drawbacks upon certificate Goods, as to hinder the Exportation of Goods prohibited to be exported, and for other Causes wherein the publick Service is or may be concerned; Be it therefore enacted by the Authority aforesaid, That the Fees of the Officers of the Customs, as well in the Port of London as in other Ports of Great Britain, which were established or allowed by the Act of Tonnage and Poundage, made in the twelfth Year of the Reign of King CHARLES the Second, or by any of the Rules annexed thereunto, or by any Act or Acts of Parliament since made, touching any such Fees, and which may lawfully be taken by any such Officers, or their Deputies, from any her Majesty's Subjects or Strangers, until the first Day of August one thousand seven hundred and ten, for any Coquets, Certificates, Entries, Clearings, Bonds, Debentures, Endorsements, Sufferances, Transires, Lett-passes, Warrants, and other Matters and Things relating to the Duties of their Respective Offices, shall after the said last Day of July one thousand seven hundred and ten continue, and be paid and payable for the same, until the said Fees, or any of them shall be altered by the Commons of Great Britain in Parliament, as fully as if the said Fees, or any Table or Tables thereof formerly allowed, were particularly set down, or referred to in the Body of this Act; the Determination of the said Subsidy outwards, or any Act or Acts of Parliament, or other Matter or Thing to the contrary notwithstanding.

Custom Fees allowed by 12 Car. 2. c. 4. continued till altered by Parliament.

XXVII. And be it enacted by the Authority aforesaid, That if any Officer or Officers of the Customs, shall, contrary to his Duty, imbezil any Goods or Merchandizes lodged in any Warehouse, in his or their Custody or Possession, such Officer and Officers, for every such Offence, shall forfeit double the Value of the Goods so imbezilled, to the Parties grieved, with full Costs, to be recovered as other Penalties by this Act are recoverable.

Officer imbeziling any Goods, forfeits double the Value, with Full Costs.

XXVIII. And be it enacted by the Authority aforesaid, That all the Monies lent and to be lent unto her Majesty, on one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty, to be raised by a Land Tax in Great Britain, for the Service of the Year one thousand seven hundred and ten*, and so much Money (if any such be) of the Tax thereby granted, as shall arise, and remain after all the Loans made or to be made upon that Act, and the Interest thereof, and the Charges thereby allowable for the raising the said Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Monies lent and to be lent unto her Majesty, upon another Act of this Session of Parliament, intituled, *An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and ten*, and so much Money of the said Duties of Malt, Mum, Cyder, and Perry, thereby granted, as shall arise and remain, after all the Loans made or to be made upon that Act, or thereby transferred or directed to be transferred thereunto, and the Interest thereof, and the Charge thereby allowable for raising the said Duties thereby granted, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Money arisen or to arise by another Act of this Session of Parliament, intituled, *An Act for continuing Part of the Duties upon Coals, Culm, and Cynders, and granting new Duties upon Houses having twenty Windows or more, to raise the Sum of fifteen hundred thousand Pounds, by Way of a Lottery, for the Service of the Year one thousand seven hundred and ten*; and all the Money arisen or to arise by another Act of this Session of Parliament, intituled, *An Act for granting to her Majesty new Duties of Excise, and upon several imported Commodities; and for establishing a yearly Fund thereby, and by other Ways and Means, to raise nine hundred thousand Pounds, by Sale of Annuities; and (in Default thereof) by another Lottery, for the Service of the Year one thousand seven hundred and ten*; and all the Monies lent or to be lent unto her Majesty upon one other Act of this Session of Parliament, intituled, *An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks and Apprentices, towards raising her Majesty's Supply for the Year one thousand seven hundred and ten*; and the Sums intended to be raised by Loans, in pursuance of this present Act; shall be appropriated for or towards the several Uses and Purposes herein after expressed: That is to say, For or towards the defraying the Charges of the Ordinary of her Majesty's Navy, and for Victuals, Wages, Wear and Tear, and other Services of the Navy, and the victualling thereof, performed and to be performed; and for the Sea Service in the Office of the Ordnance, performed and to be performed; and for or towards the Land Service, performed and to be performed by the Office of the Ordnance, including the Charge of the Fortifications of Gibraltar, and to and for Subsistence, Off-reckonings and Clearings for one Year, from the three and twentieth Day of December one thousand seven hundred and nine, to her Majesty's Guards and Garrisons in Great Britain, and the contingent Charges of the same, and for Payment of Invalids for the said Year, beginning from the said three and twentieth Day of December one thousand seven hundred and nine; and for or towards the defraying the Charges of her Majesty's Army, and such Forces as are or shall be added thereunto in the Low Countries, or Germany, within or for one Year, to be reckoned from the said three and twentieth Day of December one thousand seven hundred and nine, and the contingent Charges thereunto belonging; and for or towards her Majesty's Proportion of the Charge of three thousand Palatines, formerly taken into the Service of her Majesty and the States General for the Year one thousand seven hundred and ten; and for or towards her Majesty's Proportion of the Charge of four thousand six hundred thirty-nine Saxons, formerly taken into the Service of her Majesty, and the States General, for the Year one thousand seven hundred and ten; and for or towards her Majesty's Proportion of the Charge

Appropriation of the Monies given this Session.

8 Annæ, c. 1.

8 Annæ, c. 2.

8 Annæ, c. 4.

8 Annæ, c. 7.

8 Annæ, c. 9.

of *Bothmar's* Regiment of Dragoons, consisting of eight hundred Men, formerly taken into the Service of her Majesty and the States General, for the Year one thousand seven hundred and ten; and for defraying her Majesty's Proportion of the Charge of the Troops of Augmentation, which have been resolved to be continued for the Service of the Year one thousand seven hundred and ten; and for defraying the Charge of maintaining the Forces in her Majesty's Pay, to serve in *Spain* and *Portugal* or elsewhere, for the Service of the said Year one thousand seven hundred and ten; and for or towards the Payment of her Majesty's Proportion of the Subsidies due upon Treaties made or to be made with her Majesty's Allies, and other Charges for the Service of the War, for any Time before or until the five and twentieth Day of *December* one thousand seven hundred and ten; and for or towards the Payment of a Year's Interest further on the unsatisfied Debentures charged upon the *Irish* Forfeitures; and for or towards the transporting of Land Forces, performed and to be performed; and for or towards the discharging the *Premiums*, and other Charges for the circulating the old Exchequer Bills for another Year; and for or towards the defraying extraordinary Charges of the War already incurred, and not before this Time provided for by Parliament; and for Payment of the General Officers to serve in *Flanders* in the Year one thousand seven hundred and ten, according to the Seasons in which they have or shall have served by their respective Commissions; and to no other Use, Intents and Purposes whatsoever: Provided always, That out of the Monies to be issued to the Guards and Garrisons as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, towards the Charge of maintaining the Soldiers raised and to be raised for Sea Service, with their Officers, and the contingent Charges thereunto belonging; and out of the Monies to be issued for the Service of the Navy and Sea Service as aforesaid, there shall be taken and applied such Sums, as, together with the said Sum, not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any Thing herein contained to the contrary notwithstanding.

Clause for replacing Monies paid for making good any Deficiencies on the Annuity Acts.

1 Annæ, stat. 2.
c. 5.
2 & 3 Annæ,
c. 3.
3 & 4 Annæ,
c. 2.
5 Annæ, c. 19.
6 Annæ, c. 5
& 11.
8 Annæ, c. 7.

XXIX. And whereas in several Acts of Parliament that have passed since her Majesty's Accession to the Throne, upon or by virtue whereof certain Annuities for Lives, Years, or in Perpetuity, have been purchased, obtained, or secured to be paid at the Receipt of her Majesty's Exchequer, it has been specially provided or enacted to the Purport or Effect following; that is to say, That in case the Duties or Revenues, settled or established by the said respective Acts to be the Fund or Funds upon which such Annuity or Annuities, or any of them, are severally charged, should at the End of any Year of the respective Terms, Estates, or Interests by the said Acts severally granted, of and in such Annuities, exceed, by their Income into the said Exchequer within such Year, all the Monies due for or upon the same Annuity or Annuities, in or for the same Year respectively, and all Arrearages thereof, such Excess or Surplus should be disposable, from Time to Time, by Authority of Parliament, for the publick Use and Service, and not otherwise, as in and by the said several Acts, Relation being thereunto had, may more fully appear: And whereas some Doubt has arisen, whether the Monies not being Monies of the said Funds, or any of them, which have been, or may be directed to be applied, from Time to Time, to aid the Deficiency or Deficiencies of any of the Funds upon which the said Annuity or Annuities, or any of them, are severally charged, can or may be made good again out of the Excess or Surplus, remaining undisposed by Authority of Parliament, of the particular Fund or Funds aided by such Monies or Surplus, when such Excess or Surplus shall at the End of every Year happen to arise: For Remedy whereof, it is hereby enacted; and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer of *Great Britain*, or for any three or more of the Commissioners of the Treasury for the Time being, by Warrant under his or their Hands, at any Time or Times hereafter, to charge the said undisposed Surplus or Excess which shall remain at the End of every or any Year, of the Fund or Funds which have been or shall hereafter happen to be deficient, with the Repayment and Satisfaction of such Sum and Sums of Money as have been, or shall, from Time to Time, be applied to aid or make good such particular Deficiency; and all and every such Sum and Sums of Money shall and may, from Time to Time, be retained and kept out of every such Excess and Surplus, and be issued and applied to such Uses and Purposes as the Monies, so from Time to Time issued to aid or make good such particular Deficiency or Deficiencies, should or might have been applied in case such Deficiency or Deficiencies had not happened; any Clauses, Matters, or Things in the said Acts, or any of them, or in any other Act or Acts of Parliament to the contrary thereof in any wise notwithstanding.

Clause to encourage the raising Naval Stores in her Majesty's Plantations.

3 & 4 Annæ,
c. 10.

XXX. And whereas by an Act of Parliament made in the third Year of her Majesty's Reign, intitled, *An Act for encouraging the Importation of Naval Stores from her Majesty's Plantations in America*, the Sum of four Pounds per Ton is allowed, as a *Premium* or Encouragement for importing of Pitch and Tar; and three Pounds per Ton for importing of Rosin and Turpentine from the said Plantations into this Kingdom; as likewise six Pounds per Ton for all water-rotted Hemp, bright and clean; and one Pound per Ton for all Masts, Yards, and Bowsprits imported as aforesaid; and in Regard it is by Experience found, That the said *Premiums* and Encouragements are defective, and that the good and profitable Ends by the said Act of Parliament proposed, cannot be attained without sufficient Numbers of skilful People, and proper Utensils and Materials necessary to be employed for raising such Naval Stores; Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for her Majesty to apply any Sum or Sums out of the Supplies granted in this present Session of Parliament, not exceeding the Sum of ten thousand Pounds in the whole, for and towards the Subsistence and Employment of a Number of skilful People, and for furnishing of fit Utensils and Materials for effectually carrying on the said good and profitable Designs of raising such Naval Stores from the Growths and Products of the said Plantations.

XXXI. And

‘XXXI. And whereas several Officers and other Proprietors of Debentures made forth by the late Paymaster of the Army, Commissioners for Transports, and by the Commissioners of Accounts in that behalf authorized respectively, have omitted to register the said Debentures within the Times limited by Acts of Parliament for that Purpose: For the Relief therefore of all such Officers and other Proprietors of the said unregistered Debentures, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for all such Officers and other Proprietors of the said unregistered Debentures, who have not registered the same, to register their Debentures on or before the nine and twentieth Day of *December* one thousand seven hundred and ten; which said Debentures being so registered, shall and are hereby intitled to all the Benefit of Interest, and other Advantages, as if registered on or before the nine and twentieth Day of *September* one thousand seven hundred and nine.

Unregistered Debentures may be registered before 29 Dec. 1710.

C A P. XIV.

An Act for the better Security of Rents, and to prevent Frauds committed by Tenants.

FOR the more easy and effectual Recovery of Rents reserved on Leases for Life or Lives, Term of Years, at will or otherwise; Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* which shall be in the Year of our Lord one thousand seven hundred and ten, no Goods or Chattels whatsoever, lying or being in or upon any Messuages, Lands or Tenements, which are or shall be leased for Life or Lives, Term of Years, at Will or otherwise, shall be liable to be taken by Virtue of any Execution on any Pretence whatsoever, unless the Party at whose Suit the said Execution is sued out, shall before the Removal of such Goods from off the said Premises, by Virtue of such Execution or Extent, pay to the Landlord of the said Premises or his Bailiff, all such Sum or Sums of Money as are or shall be due for Rent for the said Premises at the Time of the taking such Goods or Chattels by Virtue of such Execution; Provided the said Arrears of Rent do not amount to more than one Year's Rent; and in case the said Arrears shall exceed one Year's Rent, then the said Party, at whose Suit such Execution is sued out, paying the said Landlord or his Bailiff, one Year's Rent, may proceed to execute his Judgment, as he might have done before the making of this Act; and the Sheriff or other Officer is hereby impowered and required to levy and pay to the Plaintiff as well the Money so paid for Rent, as the Execution Money.

After the first of May 1710. no Goods, &c. shall be taken in Execution, &c. unless the Party before Removal of the Goods, &c. pay the Landlord the Rent due. 52 H. 3. c. 4. 13 Ed. 1. c. 37. 1 & 2 P. & M. c. 12. 2 W. & M. stat. 1. c. 5. Provided it amount to no more than 1 Year's Rent.

II. And be it further enacted by the Authority aforesaid, That in case any Lessee for Life or Lives, Term of Years, at Will or otherwise, of any Messuages, Lands, or Tenements, upon the Demise whereof any Rents are or shall be reserved or made payable, shall, from and after the said first Day of *May*, fraudulently or clandestinely convey or carry off or from such demised Premises his Goods or Chattels, with Intent to prevent the Landlord or Lessor from distraining the same for Arrears of such Rent so reserved as aforesaid, it shall and may be lawful to and for such Lessor or Landlord, or any Person or Persons by him for that Purpose lawfully impowered, within the Space of five Days next ensuing such conveying away or carrying off such Goods or Chattels as aforesaid, to take and seize such Goods and Chattels where-ever the same shall be found, as a Distress for the said Arrears of such Rent; and the same to sell or otherwise dispose of, in such Manner, as if the said Goods and Chattels had actually been distrained by such Lessor or Landlord, in and upon such demised Premises for such Arrears of Rent; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

The Sheriff, &c. to levy the Rent as well as the Execution Money. If any Lessee, &c. shall fraudulently carry off Goods, &c. the Lessor, &c. may within 5 Days after seizure of such Goods, &c. and sell the same as if they had been distrained.

III. Provided nevertheless, That nothing in this Act contained shall extend, or be construed to extend, to impower such Lessor or Landlord to take or seize any Goods or Chattels as a Distress for Arrears of Rent, which shall be sold *bona fide*, and for a valuable Consideration, before such Seizure made; any thing herein contained to the contrary notwithstanding.

Provido, such Lessor, &c. shall not seize any Goods, &c. which shall be

bona fide sold before.

11 Geo 2. c. 19.

‘IV. And whereas no Action of Debt lies against a Tenant for Life or Lives, for any Arrears of Rent, during the Continuance of such Estate for Life or Lives, Be it enacted by the Authority aforesaid, That from and after the said first Day of *May* it shall and may be lawful for any Person or Persons, having any Rent in Arrear or due upon any Lease or Demise for Life or Lives, to bring an Action or Actions of Debt for such Arrears of Rent, in the same Manner as they might have done, in case such Rent were due and reserved upon a Lease for Years.

Debt may be brought against Tenant for Life for Rent.

V. And it is hereby further enacted and declared by the Authority aforesaid, That all Distresses hereby impowered to be made as aforesaid, shall be liable to such Sales, and in such Manner, and the Monies arising by such Sales to be distributed in like Manner, as by an Act made in the second Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for enabling the Sale of Goods distrained for Rent, in case the Rent be not paid in reasonable Time*, is in that Behalf directed and appointed.

Distresses liable to such Sales, and to be distributed, as by the Act 2 W. & M. ff. r. c. 5.

‘VI. And whereas Tenants *pur auter vie* and Lessees for Years or at Will, frequently hold over the Tenements to them demised, after the Determination of such Leases: And whereas after the Determination of such, or any other Leases, no Distress can by Law be made for any Arrears of Rent that grew due on such respective Leases before the Determination thereof; It is hereby further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and ten, it shall and may be lawful, for any Person or Persons, having any Rent in Arrear or due upon any Lease for Life or Lives, or for Years, or at Will, ended or determined, to distrain for such Arrears, after the

Rent in Arrear upon a Lease for Life, &c. expired, may be distrained for after the Determination of the Lease,

Determination of the said respective Leases, in the same Manner as they might have done, if such Lease or Leases had not been ended or determined.

Distress to be
within six
Months after the
End of the Lease,
and during the
Landlord's Title
and Tenant's Possession.

VII. Provided, That such Distress be made within the Space of six Kalendar Months after the Determination of such Lease; and during the Continuance of such Landlord's Title or Interest, and during the Possession of the Tenant from whom such Arrears became due.

This Act shall
not hinder the
Queen, &c. to
levy, &c. any
Debts, Fines, &c.
due to the
Crown.

See 4 Geo. 2.
c. 28. and 11

Geo. 2. c. 19. containing farther Provisions concerning Distresses.

VIII. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to let, hinder or prejudice her Majesty, her Heirs or Successors, in the levying, recovering or seizing any Debts, Fines, Penalties or Forfeitures, that are or shall be due, payable or answerable to her Majesty, her Heirs or Successors; but that it shall and may be lawful for her Majesty, her Heirs and Successors, to levy, recover, and seize such Debts, Fines, Penalties and Forfeitures, in the same Manner as if this Act had never been made; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

C A P. XV.

An Act for explaining and enlarging an Act of the sixth Year of her Majesty's Reign, intituled, *An Act for the Security of her Majesty's Person and Government.*

6 Annæ, c. 14.

WHEREAS by an Act made in the sixth Year of her present Majesty's Reign, intituled, *An Act for the better Security of her Majesty's Person and Government*, it is amongst other Things enacted, That all Officers, Civil and Military, in that Part of the Kingdom of *Great Britain* called *Scotland*, who were obliged and required to take in *Scotland* an Oath, called the Oath of Allegiance and Assurance, before the Privy Council there, should be obliged, on or before the twentieth Day of *April* one thousand seven hundred and eight, to take and subscribe the Oath by the said Act appointed, before the Privy Council while it should continue, and after the Determination thereof before and in the Court of Session, or the Court of Judiciary, or the Court of Exchequer there; and that all others then in any of the Affairs aforesaid, who in Respect thereof had used and been obliged to take the said Oath of Allegiance and Assurance in any other Court and Place, should be obliged to take and subscribe the same at the next Quarter-Sessions of the Peace that should be held for any County or Place in which any such Officer should be resident or abiding; and that all and every Person or Persons whatsoever, who should after be admitted into any Office, Civil or Military, within that Part of *Great Britain* called *Scotland*, should, within three Months after his Admittance into any such Office, be obliged to take the Oath appointed by the said Acts in the respective Courts above mentioned, according to the Distinction therein and above mentioned, for Persons then in Office: And whereas several Persons bearing such Offices, and who were likewise Members of Parliament, or otherwise necessarily absent, were at the Time of making the said Act, detained in *England*, by their Service in Parliament, and upon other publick and important Occasions, so that they were rendered incapable of repairing to the Courts aforesaid, within the Time in the said Act directed: And whereas it may happen, that Persons provided to Offices in *Scotland*, may, for attending the publick Service, or for other important Causes, be detained in *England*, and thereby cannot take the Oaths in *Scotland*, within the Time required by the Laws: For Remedy whereof, Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That if any Person or Persons that have been, or are in any Office, Civil or Military in *Scotland* aforesaid, shall, on or before the eight and twentieth Day of *June* one thousand seven hundred and ten, take and subscribe the Oath of Abjuration in the aforesaid Act mentioned, and shall also take and subscribe the Oath of Allegiance, and subscribe the Assurance in the Words following, *viz.*

Any Officer, either Civil or Military, in *Scotland*, may before 28 June 1710, take and subscribe the Oath of Abjuration, &c. and likewise subscribe the Assurance.

I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to her Majesty Queen ANNE.

So help me God.

I A. B. do in the Sincerity of my Heart, assert, acknowledge, and declare, That her Majesty Queen ANNE is the only lawful undoubted Sovereign of this Realm, as well *de Jure*, that is, of Right Queen, as *de Facto*, that is, in the Possession and Exercise of the Government: And therefore I do sincerely and faithfully promise and engage, That I will, with Heart and Hand, Life and Goods, maintain and defend her Majesty's Title and Government, against the pretended Prince of *Wales*, and his Adherents, and all other Enemies, who either by open or secret Attempts, shall disturb or disquiet her Majesty in the Possession and Exercise thereof.

In any of the Courts of Westminster.

And that either in her Majesty's Courts of *Chancery*, *Queen's Bench*, *Common Pleas* or *Exchequer* at *Westminster*; the same shall be, to all Intents, Constructions, and Purposes, as effectual as if such Person or Persons had taken the Oaths by the said Act appointed, within the Time, and at the Places therein mentioned.

II. And

II. And be it further enacted by the Authority aforesaid, That in all Time coming all and every Person or Persons whatsoever, who shall be admitted into any Office, Civil or Military, within that Part of *Great Britain* called *Scotland*, who by reason of such Office are obliged to take the Oaths before-mentioned in *Scotland*, shall within three Months after his Admittance into any such Office, take and subscribe the Oaths, and subscribe the Assurance aforesaid, either in her Majesty's Courts of Session, Justiciary, or *Exchequer* in *Scotland*, or at the Quarter-Sessions there, for the City or County where such Person or Persons inhabit or dwell, or in any other Court where the Oaths have usually been administered in *Scotland*, or in her Majesty's Courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer* at *Westminster*.

Officers in Scotland to take the Oaths, &c. there, within three Months after Admittance into their Offices, in the Courts of Session, &c.

III. And be it further enacted by the Authority aforesaid, That the said Courts of *Chancery*, *Queen's Bench*, *Common Pleas*, and *Exchequer* at *Westminster*, shall, from time to time, administer to such Persons as shall tender themselves to take and subscribe the aforesaid Oaths, and subscribe the said Assurance for Offices, Civil and Military, and in the same Manner that other Oaths of the like Nature have been in Use to be assured; and they shall give to all and every Person or Persons taking the Oaths as aforesaid, a Certificate of their having taken the same, for which there shall be paid a Sum not exceeding two Shillings.

The Courts at Westminster to administer the Oaths to all Persons offering to take them, and to give a Certificate thereof.

IV. And be it further enacted, That all and every Person who shall be employed in any Office, Civil or Military, within that Part of *Great Britain* called *Scotland*, and who, by virtue of this present Act, takes the Oaths before and in the Courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer* at *Westminster*, shall be obliged to transmit, within the Space of three Months, to the Courts of Session of Justiciary, or *Exchequer* in *Scotland*, or to any the principal Clerks of Session, the principal Clerk of Justiciary, or the Queen's Remembrancer in the Court of *Exchequer*, the Certificate they shall receive in Manner above-mentioned; where the said Certificate shall be kept, and to which all Persons shall have free Access, without Fee or Reward.

Officers in Scotland, who shall take the Oaths at Westminster, must transmit the Certificate to the Courts of Session, &c. in Scotland, within three Months.

V. Provided always, That every such Person or Persons who shall neglect or refuse to take and subscribe the Oaths, and subscribe the Assurance aforesaid, either in her Majesty's Court of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer* at *Westminster*, or in the proper Courts in *Scotland*, and shall after such refusal or Neglect execute any Office, for and in respect of which the Oaths and Assurance aforesaid ought to be taken and subscribed, shall incur the Penalties, Disabilities and forfeitures in the said Act mentioned.

Persons neglecting or refusing to take the Oaths, &c. shall incur the Penalties in the Act. 6 Annæ, c. 14.

VI. Provided also, that every such Person or Persons, who having taken and subscribed the Oaths, and subscribed the Assurance aforesaid, in her Majesty's Courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer* at *Westminster*, shall, within the Space of three Months, neglect to transmit the Certificate given by the said Courts in Manner above mentioned, shall forfeit his Office, and also the Sum of one hundred Pounds, to be recovered by such Person or Persons as shall sue for the same, by summary Process in the said Court of Session.

Taking the Oaths, &c. and neglecting to transmit the Certificate, shall forfeit his Office, and 100 l. to any Court of Session.

who will sue for it in the

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, that is or shall be employed in any Office or Offices in *Scotland* aforesaid, to take the Oath *de Fidei*, or Oaths for the due Execution of his or their Office or Offices, before one of the Judges of *England*; and that such Oath or Oaths so taken, shall to all Intents, Constructions and Purposes, be as effectual as if such Oath or Oaths had been taken before any Judge or Judges of either of her Majesty's Courts in *Scotland* aforesaid, or otherwise howsoever.

Officer in Scotland may take the Oath *de Fidei*, before one of the Judges of England.

VIII. And whereas *Henry Newton* Doctor of Laws, her Majesty's Envoy extraordinary to the Great Duke of *Tuscany*, being appointed Master of *St. Catherine's* Hospital near the Tower of *London*, cannot return home till the Time for qualifying himself, by receiving the Sacrament of the Lord's Supper, taking the Oaths, and making the Declaration and Subscriptions required by Law, will be expired; Be it enacted by the Authority aforesaid, That in case the said *Henry Newton* shall receive the Sacrament of the Lord's Supper within three Months after his Return from beyond the Seas, and shall take the Oaths, and make the Declaration and Subscriptions required by Law, in one of her Majesty's Courts of Record at *Westminster* the next Term, or at the next Quarter-Sessions held for the County of *Middlesex*, after the said three Months, the same shall be good and available to the said *Henry Newton*, to all Intents, Constructions; and Purposes whatsoever; and the said *Henry Newton* shall be deemed to have qualified himself as fully and effectually as if he had taken the said Oaths, and made the said Declaration and Subscriptions within the precise Time required by Law; any Law or Statute to the contrary in any wise notwithstanding.

Clause for allowing Dr. Newton, Envoy to the Great Duke of Tuscany, three Months after his Return to England, to take the Oaths as Master of *St. Catherine's* Hospital.

C A P. XVI.

An Act for discharging the Attendance of Noblemen, Barons, and Freeholders, upon the Lords of Justiciary in their Circuits, in that Part of *Great Britain* called *Scotland*, and for abolishing the Method of exhibiting criminal Informations by the porteous Roll.

WHEREAS since the Union of the two Kingdoms, the Attendance of Noblemen, Barons, and Freeholders, in that Part of *Great Britain* called *Scotland*, upon the Lords of Justiciary in their Circuits, in the Manner the same was heretofore used, is now become hurthenfome and unnecessary; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of

After 1 May
1710. none to
attend the Lords
of Justiciary in
their Circuits,
except the Sheriff,
&c. at the Place
and Time where
the Circuit
Courts are held;

the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by Authority of the same, That from and after the first Day of *May* one thousand seven hundred and ten, no Person whatsoever shall be obliged, by himself, his Tenants, or Servants, to attend the Lords of Justiciary, either in going to, or coming from the respective Places where the Circuit Courts are held, except the Sheriff, or his Deputies, and their Officers; and that no Sheriff, by himself, or his Deputies, or his Officers, be obliged to attend the said Lords of Justiciary at any Time or Place out of the Bounds of the respective County whereof such Person is Sheriff, except at the Place, and during the Time, where the several Circuit Courts of the respective Districts shall be held.

and except such
as are summon-
ed to give Evi-
dence, or on a
Jury; or such as
are bound to ap-
pear, or such as
shall make Per-
sentments.
Justices of Peace
may depute one
of their Number.
Except also those

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *May* no Person whatsoever shall be obliged to attend at the Place where the Circuit Court is held, during such Time as the said Court shall continue there, except such Person or Persons who shall be summoned upon any Grand or Petty Jury, or who shall be summoned or bound to give Evidence in any Matter or Cause before the said Court, or who shall be bound over to appear at such Justice Court, or such Person or Persons as shall make Presentments, in order to Trials before the said Justices at their Circuits: Provided, That when Presentments are made by the Justices of Peace at their Quarter-Sessions, or at the yearly Meetings in *July* and *February* after mentioned, it shall be lawful to the said Justices to depute one or more of their Number to attend in Place of the whole; and except such other Person or Persons, who, by the Duty of his or their Offices or Trusts, are bound to attend the said Court.

who attend by the Duty of their Offices.

6 Annæ, c. 6.

III. And whereas by an Act made in the sixth Year of her Majesty's Reign, intituled, *An Act for the rendering the Union of the two Kingdoms more entire and complete*, it is, amongst other Things, enacted, That the Justices of the Peace in *Scotland* may do, use, and exercise over all Persons within their several Bounds, whatever doth appertain to the Office and Trust of a Justice of Peace, by Virtue of the Laws and Acts of Parliament made in *England* before the Union, in Relation to or for the Prefermentation of the publick Peace; by virtue of which Powers and Privileges vested in them for the Purposes aforesaid, they have sufficient Authority to receive Information concerning Crimes committed within the respective Counties, and to commit such Offenders, or take Security or Recognizance, and to do other necessary Acts for the effectual Prosecution of the said Crimes, in Consequence whereof the old Method of taking up Dittay, and exhibiting Informations against Delinquents by the Strefs and porteous Roll, as the same was grievous, is now become unnecessary; Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *May*, the said Method of taking up Dittay, and exhibiting Information by the Strefs and porteous Roll, shall be and is hereby totally discharged and abolished to all Intents and Purposes whatsoever; any Law or Statute to the contrary in any wise notwithstanding.

The Manner of
taking up Dittay,
&c. abolished.

Informations,
&c. to be by
Presentments,
by the Justices in
their Quarter-
Sessions, &c.

IV. And be it further enacted by the Authority aforesaid, That Informations in order to making up of Dittays, concerning Crimes to be tried in the said Circuits in *Scotland*, from and after the said first Day of *May* next, shall be by Presentments to be made by the Justices of Peace at their Quarter-Sessions, or upon Informations to be taken by the Sheriffs, Stewarts, Baillies of Regalities, and their Deputies, Magistrates of Boroughs, or other inferior Judges and Magistrates within the Jurisdiction of the respective Circuits, concerning such Crimes as are to be tried before the Lords of Justiciary in their Circuits, in the Months of *July* and *February* yearly; and the said Justices of Peace, at least two of them, are hereby required and authorized to meet at the head Burgh of the respective Shires within which they are Justices, and at the ordinary Place and Hour of Meeting, upon the twenty-first Day of the said Months of *July* and *February* respectively yearly, being lawful Days, or on the next lawful Day thereafter, there to receive such Informations as shall be offered, concerning Matters criminal to be tried in the Circuits, and to revise such Informations as have been taken before the Time of the said Meetings by two or more of the Justices of the Peace, otherwise than at their Quarter Meetings; and the said Sheriffs, Stewarts, Baillies of the Regalities, and their Deputies, Magistrates of Boroughs, and other inferior Judges and Magistrates respectively, shall meet upon the twenty-second Days of the said Months of *July* and *February* respectively, yearly, being lawful Days, or on the next lawful Day thereafter, at the ordinary Places and Hour of their Meetings, there to receive such Informations as shall be offered concerning Matters criminal, to be tried in the Circuits; and the said Justices, Sheriffs, Stewarts, Baillies of Regalities, and their Deputies, Magistrates of Burghs, and other inferior Judges and Magistrates, are hereby required and authorized to make up particular Accounts of such criminal Facts happening within their respective Bounds, as are to be tried before the respective Circuits, containing the Names and Designation of the Offenders, the Facts committed, with the Circumstances of Time and Place, and others that may serve to discover the Truth; containing also the Names and Designations of the Witnesses, and Titles of such Writes as are to be made use of at the Trials; which Informations are hereby appointed to be signed by the said Justices, or at least two of them, and their Clerk, or by the said Sheriffs, Stewarts, Baillies of Regalities, or their Deputies and Clerks, or by Magistrates of Boroughs, or other inferior Judges or Magistrates, and their Clerks respectively; and being so signed, the respective Clerks are also hereby required and authorized to transmit the same, together with such Writes or other Evidence or Proof, as are to be made use of in the Trials before the Judges at the respective Circuits, to the Lord Justice Clerk, or his Deputies at *Edinburgh*, at least forty Days before the holding of the respective Circuit Courts; that being given to her Majesty's Advocate, or such as discharge that Trust in *Scotland*, Libels and Indictments may be raised and executed against Parties, Assysers, and Witnesses, according to the former Laws and Custom.

The Sheriffs, &c.
to meet twice in
the Year to re-
ceive such Infor-
mations,

and to make up
Accounts of
Crimes to be
tried in the Cir-
cuits.

The Informa-
tions to be signed
by 2 Justices, &c.
and to be trans-
mitted to the
Lord Justice
Clerk, &c.

V. And he it further enacted by the Authority aforesaid, That the Magistrates of such Cities and Boroughs, where the respective Circuit Courts are held, shall be obliged to attend the said Lords of Justiciary, during their Abode in their respective Cities and Boroughs; and that they prepare convenient Benches and Places for the Justices of the Peace to sit on, and be present at the said Courts; who are hereby declared to have and enjoy the same Privileges in Court, as the Justices of Peace now enjoy in England.

VI. Provided nevertheless, That nothing in this Act contained shall be construed to restrain her Majesty's Advocate, or his Successors in Office, in her Majesty's Name, or any Person or Persons, to inform and prosecute any criminal Action or Cause before the Circuit Court, in the same Way and Manner as is in Use to be done before the Justiciary Court at *Edinburgh*, or to alter or innovate the Method of returning Jurymen or Assysers by the Sheriffs, upon Precepts directed to them as formerly.

The Magistrates of Cities, &c. shall attend the Lords of Justiciary, in their respective Cities, &c. and prepare Benches, &c. The Queen's Advocate shall not be restrained to prosecute any criminal Action. Juries to be returned as formerly.

C A P. XVII.

An Act for explaining and making more effectual an Act for the better enabling the Master, Wardens, and Assistants of *Trinity House* to rebuild the Light House on the *Edystone Rock*.

WHEREAS in and by one Act of Parliament made in the fourth and fifth Years of the Reign of her present Majesty QUEEN ANNE, intituled, *An Act for the better enabling the Master, Wardens, and Assistants of Trinity House to rebuild the Light House on the Edystone Rock*; It is enacted, That from and after the placing a Light useful for Shipping, in the Light House intended to be rebuilt on the said Rock, there shall be paid to the said Master, Wardens, and Assistants, their Successors, and Assigns, by the Masters and Owners of all *English* Ships, Hoys and Barques, which shall pass by the same (except Coasters) the Duty of one Penny per Ton outwards bound, and also one Penny per Ton inwards bound; that is to say, of the Merchant one Moiety, and of the Owner of the Ship, Hoy or Barque, the other Moiety; and of all such Strangers or Aliens Ships and Vessels as shall happen to pass by the said Light House, the Sum of two Pence for every Tun of the Burden of the said Ship or Vessel; and that every Coaster passing by the said Light House shall pay the Duty of two Shillings, and no more, for every Time they shall pass by the said Light House; the said Duties to be collected by such Persons as the said Master, Wardens, and Assistants, or their Successors, shall appoint, in such Port or Place whence such Ship, Hoy or Barque shall set forth, or where such Ship, Hoy or Barque shall arrive, before they load or unload the Goods therein; and to be recovered by Action of Debt, in any Court of Record at *Westminster*, wherein no Essoin, Wager of Law, or Protection shall be allowed, nor more than one Imparllance: And whereas the said Master, Wardens and Assistants, having a due Regard to the Safety and Preservation of the Shipping and Navigation of this Kingdom, did, soon after the passing the said Act, cause the said Light House to be begun, and to be rebuilt, and by the great Care and Diligence of the Persons employed therein, the said Work was carried on with such Expedition, that a Light useful for Shipping was placed therein on the eight and twentieth Day of *July* one thousand seven hundred and eight; and the said Light House hath since, with much Hazard and Difficulty, and a very great Expence, been fully built and completed, to the great Satisfaction of the Flag Officers and Commanders of her Majesty's Fleet and Ships of War, and of all others concerned in Trade and Navigation: And whereas since the rebuilding of the said Light House, several Foreign Ships that passed by, and had the Benefit of the said Light, and arrived in some of the Ports of the Kingdom of *Ireland*, have avoided Payment of the said Duties, upon Pretence that the said Act did not extend to the said Kingdom of *Ireland*: For Prevention whereof, and to the End a Work of that publick Nature, and so greatly beneficial to Navigation, may have all due and proper Encouragement; Be it enacted, &c.

4 Annæ, c. 20.

See 8 El. c. 13.

The respective Duties in the said Act, to be paid by the Master of every Ship, &c. passing by the *Edystone* Light House, &c. How the said Duties to be recovered. No Custom House Officer to make out any Cocquet, &c. till the Duties are paid, and an Acquittance produced to him. Such Persons as are mentioned in the former Act, may go on board any Foreign Ship, &c. to receive the Duties; and distrain for Non-payment. The Distress to be appraised and sold, if the Duties be not paid in three Days; rendring the Overplus to the Master, &c. This and the former Act to be allowed as Publick Acts in *Great Britain* and *Ireland*. P. R.

C A P. XVIII.

An Act to regulate the Price and Assize of Bread.

WHEREAS by the Statute made in the one and fiftieth Year of the Reign of King HENRY the Third, intituled, [*Assisa Panis et Cervisie*] Provision was made, amongst other Things, for settling the Assize of Bread; but the said Statute is expressed in Terms so obscure and impracticable in these Times, that many Doubts and Difficulties have arisen, and daily do arise, in the Construction thereof, whereby little or no Observance hath in many Places been made, either of the due Assize, or reasonable Price of Bread; and covetous and evil-disposed Persons taking Advantage of the same, have, for their own Gain and Lucre, deceived and oppressed her Majesty's Subjects, and more especially the poorer Sort of people: For Remedy whereof for the future, and that a plain and constant Rule and Method may

51 H. 3. stat. 6.

So much of the said Statute, intituled, *Affisa Panis et Cervisæ*, as relates to the Affise of Bread, repealed.

And after May 1. 1710. the Lord Mayor of London, &c. and the Mayor, &c. of other Cities, &c. and Justices of the Peace, in Places where there is no Mayor, &c. shall set

may henceforward be duly observed and kept, in the making and assizing of the several Sorts of Bread made for Sale; Be it enacted by the Queen'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 so much of the said Statute, [intituled, *Affisa Panis et Cervisæ*] as relates to the Affise of Bread, shall be and is hereby repealed, annulled and made void; and that from and after the first Day of *May* in the Year of our Lord one thousand seven hundred and ten, the Court of Lord Mayor and Aldermen, within the City of *London*, and the Liberties thereof, or the Lord Mayor of the said City for the time being, by the Order of the said Court, and the Mayor, Bailiffs, Aldermen or other Chief Magistrates for the time being, of any other City, Town Corporate or Borough, or two or more Justices of the Peace, in such Towns and Places where there shall be no such Mayor, Bailiffs, Aldermen or Chief Magistrates, shall severally and respectively, and from time to time, as there shall be Occasion, set, ascertain and appoint, within their several and respective Jurisdictions, the Affise and Weight of all Sorts of Bread, to be sold or exposed to Sale by any Baker or other Person whatsoever, within the Limits of their several Jurisdictions, having Respect to the Price, the Grain, Meal or Flour, whereof such Bread shall be made, shall bear in the several publick Markets, in or about the City, Town Corporate, Borough, or Place where such Affise shall be so set, and making reasonable Allowance to the Bakers for their Charges, Pains and Livelihoods; which said Affise shall be set in *Averdupois*, and not *Troy* Weight.

After the said first of May, no Person shall sell any Bread, other than such as shall be allowed by the Lord Mayor, &c. Bread to be made according to the Table following.

II. And that the said Affise may be the more easily ascertained and appointed; Be it likewise enacted by the Authority aforesaid, That from and after the said first Day of *May* no Person or Persons whatsoever shall make for Sale, or sell or expose to Sale, any Sort or Sorts of Bread, other than the several Sorts of Bread herein after-mentioned; that is to say, *White*, *Wheaten* and *Household*, and such other Sort and Sorts of Bread as shall be publickly licensed and allowed by the said Court of Lord Mayor and Aldermen within the said City of *London* and Liberties thereof, or by the said other Chief Magistrates or Justices of the Peace within their several and respective Jurisdictions; all which several Sorts of Bread shall be made in their several and respective Degrees, according to the Goodness of the several Sorts of Grain, whereof the same ought to be made, and the Affise and Weight of the said *White*, *Wheaten* and *Household* Bread made of *Wheat*, shall be set and ascertained according to the Table hereafter following.

EXPLANATION:

In the First and Last Columns is the Price of the Bushel of Wheat, from 2s. to 15s. the Bushel, the Allowance of the Magistrates to the Baker for Baking being included: And in the other Columns is the Weight of the several Loaves. So that (for Example) if the Price of Wheat is 5s. the Bushel, and the Magistrates allow 1s. 6d. the Bushel to the Baker for Baking, then even with the 6s. 6d. in the First or Last Column, will be found the Weight of the several Loaves; but if the Price is 3s. the Bushel, and the Allowance 1s. then the Weight of the said Loaves will be found even with 4s.

NOTE, That the *White Loaves* are one Half, and the *Wheaten* three Quarters of the Weight of Household Loaves.

| The Price of the Bushel of Wheat, and Baking, s. d. | Small Bread. | | | | | | | | | Larger Bread. | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|-----------------|-------|--------|-----------------|---------|-------|-----------|-------|---------|-----------------|-------|--------|---------|--------------------|--------|--------|---------|----------------------|--------|-------|--------|----|----|----|----|----|----|----|----|----|----|----|----|----|---|---|
| | The Penny Loaf. | | | Two-penny Loaf. | | | | | | Six-penny Loaf. | | | | Twelve-penny Loaf. | | | | Eighteen-penny Loaf. | | | | | | | | | | | | | | | | | | |
| | White | Whe. | Houf. | White | Wheaten | | Household | | Wheaten | Household | | | Wheaten | Household | | | Wheaten | Wheaten | | | | | | | | | | | | | | | | | | |
| | Ounces | Drams | Ounces | Drams | Ounces | Drams | Ounces | Drams | Pounds | Ounces | Drams | Pounds | Ounces | Drams | Pounds | Ounces | Drams | Pounds | Ounces | Drams | Pounds | | | | | | | | | | | | | | | |
| 23 | 3 | 34 | 12 | 46 | 5 | 2 | 14 | 5 | 4 | 5 | 8 | 5 | 12 | 11 | 13 | 0 | 9 | 17 | 6 | 1 | 2 | 26 | 1 | 2 | 34 | 12 | 2 | 39 | 1 | 10 | 52 | 2 | 3 | 2 | 0 | |
| 20 | 10 | 30 | 14 | 41 | 3 | 2 | 9 | 3 | 3 | 13 | 13 | 5 | 2 | 6 | 11 | 9 | 6 | 15 | 7 | 3 | 23 | 2 | 12 | 30 | 14 | 5 | 34 | 12 | 2 | 46 | 5 | 8 | 2 | 2 | | |
| 18 | 9 | 27 | 13 | 37 | 1 | 2 | 5 | 1 | 3 | 7 | 10 | 4 | 10 | 2 | 10 | 6 | 13 | 13 | 14 | 7 | 20 | 13 | 11 | 27 | 12 | 14 | 31 | 4 | 8 | 41 | 11 | 6 | 2 | 2 | | |
| 16 | 14 | 25 | 4 | 33 | 11 | 2 | 1 | 11 | 3 | 2 | 9 | 4 | 3 | 7 | 9 | 7 | 11 | 12 | 10 | 4 | 18 | 15 | 5 | 25 | 4 | 7 | 28 | 7 | 0 | 37 | 14 | 11 | 2 | 2 | 9 | |
| 15 | 7 | 23 | 3 | 30 | 14 | 1 | 14 | 14 | 2 | 14 | 5 | 5 | 13 | 13 | 8 | 11 | 0 | 11 | 9 | 6 | 17 | 6 | 1 | 23 | 2 | 12 | 26 | 1 | 1 | 34 | 12 | 2 | 3 | 0 | | |
| 14 | 4 | 21 | 6 | 28 | 8 | 1 | 12 | 8 | 2 | 10 | 12 | 3 | 9 | 1 | 8 | 0 | 5 | 10 | 11 | 2 | 16 | 0 | 11 | 21 | 6 | 4 | 24 | 1 | 0 | 32 | 1 | 6 | 3 | 3 | | |
| 13 | 4 | 19 | 14 | 26 | 8 | 1 | 10 | 8 | 2 | 7 | 12 | 3 | 4 | 15 | 7 | 7 | 3 | 9 | 14 | 14 | 14 | 14 | 5 | 19 | 13 | 13 | 22 | 5 | 8 | 29 | 12 | 11 | 3 | 6 | | |
| 12 | 6 | 18 | 9 | 24 | 11 | 1 | 8 | 11 | 2 | 5 | 1 | 3 | 1 | 7 | 6 | 15 | 4 | 9 | 4 | 5 | 13 | 14 | 7 | 18 | 8 | 10 | 20 | 13 | 11 | 27 | 12 | 14 | 3 | 9 | | |
| 11 | 9 | 17 | 6 | 23 | 3 | 1 | 7 | 3 | 2 | 2 | 12 | 2 | 14 | 5 | 6 | 8 | 4 | 8 | 11 | 0 | 13 | 0 | 9 | 17 | 6 | 1 | 19 | 8 | 13 | 26 | 1 | 1 | 4 | 0 | | |
| 10 | 14 | 16 | 6 | 21 | 13 | 1 | 5 | 13 | 2 | 0 | 11 | 2 | 11 | 10 | 6 | 2 | 2 | 8 | 2 | 14 | 12 | 4 | 4 | 16 | 5 | 11 | 18 | 6 | 7 | 24 | 8 | 9 | 4 | 3 | | |
| 10 | 5 | 15 | 7 | 20 | 10 | 1 | 4 | 10 | 1 | 14 | 14 | 2 | 9 | 3 | 5 | 12 | 11 | 7 | 11 | 9 | 11 | 9 | 6 | 15 | 7 | 3 | 17 | 6 | 1 | 23 | 2 | 12 | 4 | 6 | | |
| 9 | 12 | 14 | 10 | 19 | 8 | 1 | 3 | 8 | 1 | 13 | 4 | 2 | 7 | 0 | 5 | 12 | 11 | 7 | 5 | 1 | 10 | 15 | 10 | 14 | 10 | 3 | 16 | 7 | 7 | 21 | 15 | 4 | 4 | 9 | | |
| 9 | 4 | 13 | 14 | 18 | 9 | 1 | 2 | 9 | 1 | 11 | 13 | 2 | 5 | 1 | 4 | 15 | 7 | 6 | 9 | 15 | 10 | 6 | 13 | 13 | 14 | 7 | 15 | 10 | 4 | 20 | 13 | 11 | 5 | 0 | | |
| 8 | 8 | 13 | 4 | 17 | 10 | 1 | 1 | 10 | 1 | 10 | 8 | 2 | 3 | 5 | 4 | 15 | 7 | 6 | 9 | 15 | 9 | 14 | 14 | 13 | 3 | 14 | 14 | 14 | 15 | 13 | 13 | 19 | 13 | 13 | 5 | 3 |
| 8 | 7 | 12 | 10 | 16 | 14 | 1 | 0 | 14 | 1 | 9 | 4 | 2 | 1 | 11 | 4 | 11 | 13 | 6 | 5 | 2 | 9 | 7 | 11 | 12 | 10 | 4 | 14 | 3 | 8 | 18 | 15 | 5 | 5 | 6 | | |
| 8 | 1 | 12 | 1 | 16 | 2 | 1 | 0 | 2 | 1 | 8 | 3 | 2 | 0 | 4 | 4 | 8 | 9 | 6 | 0 | 11 | 4 | 8 | 1 | 1 | 12 | 1 | 7 | 13 | 9 | 10 | 18 | 2 | 2 | 5 | 0 | |
| 7 | 12 | 11 | 9 | 15 | 7 | 0 | 15 | 7 | 1 | 7 | 3 | 1 | 14 | 14 | 4 | 5 | 8 | 5 | 12 | 11 | 8 | 11 | 1 | 11 | 9 | 6 | 13 | 0 | 9 | 17 | 6 | 1 | 6 | 0 | | |
| 7 | 7 | 11 | 2 | 14 | 13 | 0 | 14 | 13 | 1 | 6 | 4 | 1 | 13 | 11 | 4 | 2 | 12 | 5 | 9 | 0 | 4 | 2 | 12 | 5 | 9 | 0 | 12 | 8 | 3 | 16 | 10 | 15 | 6 | 3 | | |
| 7 | 2 | 10 | 11 | 14 | 4 | 0 | 14 | 4 | 1 | 5 | 6 | 1 | 12 | 8 | 4 | 0 | 3 | 5 | 5 | 9 | 4 | 0 | 3 | 5 | 5 | 9 | 12 | 0 | 8 | 16 | 0 | 11 | 6 | 6 | | |
| 6 | 14 | 10 | 5 | 13 | 12 | 0 | 13 | 12 | 1 | 4 | 10 | 1 | 11 | 7 | 3 | 13 | 13 | 5 | 2 | 6 | 3 | 13 | 13 | 5 | 2 | 6 | 7 | 11 | 9 | 15 | 7 | 3 | 6 | 9 | | |
| 6 | 10 | 9 | 15 | 13 | 4 | 0 | 13 | 4 | 1 | 3 | 14 | 1 | 10 | 8 | 3 | 11 | 9 | 4 | 15 | 7 | 3 | 11 | 9 | 4 | 15 | 7 | 7 | 11 | 9 | 14 | 14 | 14 | 7 | 0 | | |
| 6 | 6 | 9 | 9 | 12 | 13 | 0 | 12 | 13 | 1 | 3 | 3 | 1 | 9 | 9 | 3 | 9 | 8 | 4 | 12 | 11 | 3 | 9 | 8 | 4 | 12 | 11 | 10 | 10 | 12 | 9 | 14 | 6 | 2 | 7 | 3 | |
| 6 | 3 | 9 | 4 | 12 | 6 | 0 | 2 | 6 | 1 | 2 | 9 | 1 | 8 | 11 | 3 | 7 | 10 | 4 | 10 | 2 | 3 | 7 | 10 | 4 | 10 | 2 | 6 | 15 | 4 | 9 | 4 | 5 | 8 | 7 | 6 | |
| 6 | 0 | 9 | 0 | 11 | 15 | 0 | 11 | 15 | 1 | 1 | 15 | 1 | 7 | 15 | 3 | 5 | 13 | 4 | 7 | 12 | 6 | 11 | 10 | 8 | 15 | 8 | 10 | 10 | 6 | 13 | 13 | 14 | 7 | 9 | | |
| 6 | 0 | 8 | 11 | 11 | 9 | 0 | 11 | 9 | 1 | 1 | 6 | 1 | 7 | 3 | 3 | 4 | 2 | 4 | 5 | 8 | 4 | 0 | 3 | 5 | 5 | 9 | 10 | 11 | 12 | 12 | 0 | 9 | 8 | 0 | | |
| 5 | 10 | 8 | 7 | 11 | 4 | 0 | 11 | 4 | 1 | 0 | 14 | 1 | 6 | 8 | 4 | 8 | 9 | 6 | 0 | 11 | 3 | 11 | 9 | 6 | 10 | 4 | 9 | 1 | 1 | 13 | 10 | 11 | 3 | 0 | | |
| 5 | 7 | 8 | 3 | 10 | 14 | 0 | 10 | 14 | 1 | 0 | 6 | 1 | 5 | 13 | 3 | 1 | 1 | 4 | 1 | 7 | 3 | 11 | 1 | 4 | 1 | 7 | 8 | 2 | 13 | 12 | 4 | 4 | 8 | 6 | | |
| 5 | 5 | 7 | 15 | 10 | 9 | 0 | 10 | 9 | 0 | 15 | 14 | 1 | 5 | 3 | 2 | 15 | 11 | 3 | 15 | 9 | 5 | 15 | 5 | 7 | 15 | 2 | 8 | 15 | 0 | 11 | 14 | 11 | 8 | 9 | | |
| 5 | 2 | 7 | 12 | 10 | 5 | 0 | 10 | 5 | 0 | 15 | 7 | 1 | 4 | 10 | 2 | 14 | 5 | 3 | 13 | 13 | 2 | 14 | 5 | 3 | 13 | 13 | 5 | 12 | 11 | 7 | 11 | 9 | 6 | 0 | | |
| 5 | 0 | 5 | 7 | 8 | 0 | 0 | 10 | 0 | 0 | 15 | 0 | 1 | 4 | 1 | 2 | 13 | 1 | 3 | 12 | 2 | 1 | 1 | 3 | 12 | 2 | 8 | 7 | 8 | 4 | 11 | 4 | 6 | 9 | 3 | | |
| 4 | 14 | 7 | 5 | 9 | 12 | 0 | 9 | 12 | 0 | 14 | 10 | 1 | 3 | 8 | 2 | 11 | 14 | 3 | 10 | 9 | 2 | 11 | 14 | 3 | 10 | 9 | 7 | 7 | 3 | 10 | 9 | 10 | 9 | 6 | | |
| 4 | 12 | 7 | 2 | 9 | 8 | 0 | 9 | 8 | 0 | 14 | 4 | 1 | 3 | 0 | 2 | 10 | 12 | 3 | 9 | 1 | 2 | 10 | 12 | 3 | 9 | 1 | 6 | 15 | 4 | 10 | 11 | 2 | 9 | 0 | | |
| 4 | 10 | 6 | 15 | 9 | 4 | 0 | 9 | 4 | 0 | 13 | 14 | 1 | 2 | 9 | 2 | 9 | 11 | 3 | 7 | 10 | 2 | 9 | 11 | 3 | 7 | 10 | 5 | 3 | 7 | 10 | 6 | 13 | 10 | 0 | | |
| 4 | 8 | 6 | 13 | 9 | 1 | 0 | 9 | 1 | 0 | 13 | 9 | 1 | 2 | 1 | 2 | 8 | 11 | 3 | 6 | 4 | 2 | 8 | 11 | 3 | 6 | 4 | 7 | 10 | 3 | 10 | 2 | 12 | 10 | 3 | | |
| 4 | 7 | 6 | 10 | 8 | 13 | 0 | 8 | 13 | 0 | 13 | 4 | 1 | 1 | 10 | 2 | 7 | 12 | 3 | 4 | 15 | 2 | 7 | 12 | 3 | 4 | 15 | 4 | 15 | 7 | 9 | 14 | 14 | 10 | 6 | | |
| 4 | 5 | 6 | 7 | 8 | 10 | 0 | 8 | 10 | 0 | 12 | 15 | 1 | 1 | 4 | 2 | 6 | 13 | 3 | 3 | 12 | 4 | 13 | 10 | 6 | 7 | 7 | 6 | 7 | 7 | 4 | 6 | 11 | 3 | 10 | 9 | |
| 4 | 4 | 6 | 5 | 8 | 7 | 0 | 8 | 7 | 0 | 12 | 10 | 1 | 0 | 14 | 2 | 5 | 15 | 3 | 2 | 9 | 4 | 11 | 13 | 6 | 5 | 2 | 6 | 5 | 2 | 1 | 12 | 9 | 11 | 0 | | |
| 4 | 2 | 6 | 3 | 8 | 4 | 0 | 8 | 4 | 0 | 12 | 6 | 1 | 0 | 8 | 2 | 4 | 10 | 2 | 3 | 1 | 7 | 4 | 10 | 2 | 6 | 2 | 14 | 6 | 15 | 4 | 9 | 4 | 5 | 11 | 3 | |
| 4 | 0 | 6 | 1 | 8 | 1 | 0 | 8 | 1 | 0 | 12 | 1 | 1 | 0 | 2 | 2 | 4 | 4 | 3 | 0 | 6 | 4 | 8 | 9 | 6 | 0 | 11 | 6 | 12 | 13 | 9 | 1 | 1 | 11 | 6 | | |
| 3 | 15 | 5 | 15 | 7 | 14 | 0 | 7 | 14 | 0 | 11 | 13 | 0 | 15 | 12 | 2 | 3 | 8 | 2 | 15 | 5 | 4 | 7 | 0 | 5 | 14 | 11 | 6 | 10 | 8 | 14 | 0 | 11 | 9 | | | |
| 3 | 14 | 5 | 13 | 7 | 12 | 0 | 7 | 12 | 0 | 11 | 9 | 0 | 15 | 7 | 2 | 2 | 12 | 2 | 14 | 5 | 4 | 5 | 8 | 5 | 12 | 11 | 6 | 8 | 4 | 8 | 11 | 0 | 12 | 0 | | |
| 3 | 13 | 5 | 11 | 7 | 9 | 0 | 7 | 9 | 0 | 11 | 6 | 0 | 15 | 2 | 2 | 2 | 1 | 2 | 13 | 6 | 4 | 4 | 2 | 5 | 10 | 13 | 6 | 6 | 2 | 8 | 3 | 3 | 12 | 3 | | |
| 3 | 11 | 5 | 9 | 7 | 7 | 0 | 7 | 7 | 0 | 11 | 2 | 0 | 14 | 13 | 4 | 2 | 12 | 2 | 12 | 8 | 4 | 2 | 12 | 5 | 9 | 0 | 6 | 4 | 2 | 8 | 5 | 8 | 12 | 6 | | |
| 3 | 10 | 5 | 7 | 7 | 4 | 0 | 7 | 4 | 0 | 10 | 14 | 0 | 14 | 9 | 2 | | | | | | | | | | | | | | | | | | | | | |

Bakers to mark their Bread.

Lord Mayor, &c. to direct how the Bread shall be marked.

Penalty of Offenders.

Repealed as to the Penalty, by 1 Geo. 1. stat. 2. c. 26. §. 5. and farther Provisions relating hereto.

By 3 Geo. 2. c. 29. §. 2. Offenders are to pay 10s.

To be given to the Informer.

Convictions to be certified to the Quarter-Sessions.

Prosecution to be within 3 Days.

Party grieved may appeal to the Sessions, whose determination shall be final.

And they may allow Costs, and commit the Offender till Payment.

If the Appellant make good his Appeal, the Informer shall pay Costs.

Penalty of selling Bread mixed with other Grain than appointed by the Assize, Penalty of any Magistrate neglecting his Duty.

The Lord Mayor, &c. may enter the Houses of Bakers to view the Bread,

and if it be found wanting, in Goodness, Baking, Weight, &c.

III. And to the Intent that the good Design of this Act may be effectually complied with, Be it further enacted by the Authority aforesaid, That every common Baker, and every Person, who shall make or bake for Sale, or any Ways expose to Sale, any Sort of Bread whatsoever, shall, from and after the said first Day of *May*, fairly imprint or mark, or cause to be fairly imprinted or marked, on every Loaf so by him made or exposed to Sale, the Sort, Price, and Weight of such Loaf, or any other Mark as shall be appointed by the said Court of Lord Mayor and Aldermen, or by the said other Chief Magistrates and Justices of the Peace respectively, within the Limits of their said several Jurisdictions; and the said Court of Lord Mayor and Aldermen within the City of *London*, and the Liberties thereof, and the said other Chief Magistrates or Justices of the Peace, within the Bounds of their several Jurisdictions, shall have full Power and Authority, from time, to time, to limit, direct and appoint, how and in what Manner each Sort of Bread shall be marked, for knowing the Baker or Maker, Price, Weight and Sort thereof; and to make and set down any other reasonable Rules and Orders for the better regulating the Mystery of baking Bread, and the Sorts, Assize, Price, and Weight thereof, and all things concerning the same, as in their Judgments they shall find necessary and convenient; and if any Baker or Bakers, or other Person or Persons baking or making Bread for Sale, or exposing Bread to Sale, shall not observe the Assize, to be ascertained by virtue of this Act, or shall bake or make for Sale, or sell or expose to Sale, any Bread wanting the due Weight, or that shall not be marked according to the Direction of this Act, or shall break such Regulations and Orders as shall from time to time be made by virtue of this Act, or shall in any Sort or Way break or infringe any of the Matters or Things before appointed by this Act, he or they so doing, being thereof convicted by the Confession of the Party, or by the Oath of one or more credible Witnesses or Witnesses, before the said Lord Mayor or any one or more of the said Aldermen, or before the said Chief Magistrate or Magistrates, or one of them, or in such Towns and Places where there are not any such Magistrate or Magistrates, before one or more Justices of the Peace of the County wherein the Offence shall be committed, or the Party offending apprehended, shall, for every such Offence, forfeit the Sum of forty Shillings, to be levied by Way of Distress upon the Goods and Chattels of every such Offender, by Warrant from the said Lord Mayor, Alderman or Aldermen, or Chief Magistrate or Magistrates Justice or Justices, before whom such Conviction shall be made; the said Forfeitures to be given to the Informer or Informers.

IV. And it is further enacted by the Authority aforesaid, That the Convictions made as aforesaid, upon this Act, shall be certified to the next General Quarter-Sessions of the Peace for the county or Place where such Convictions were made, to be there kept upon Record by the respective Clerks of the Peace, to be seen without Fee or Reward.

V. Provided always, That no Person shall be convicted in Manner aforesaid, for any of the before-mentioned Offences, unless the Prosecution, in Order to such Conviction, be commenced within three Days next after the Offence committed.

VI. Provided also, and be it further enacted by the Authority aforesaid, That if any Person so convicted shall think him or herself aggrieved, he or she shall and may make his or her Appeal in Writing to the next Quarter-Sessions of the Peace for the City, Town or County where such Conviction shall be made, where the same shall be heard, and finally determined; and if the said Person so appealing shall not make good such his or her Appeal, or prosecute it with Effect, the said Court of Sessions shall award such Costs as they shall think reasonable to the Prosecutor or Informer, and commit the Offender to the Common Gaol, until he or she shall make Payment of the said Costs, and also of the Penalty adjudged on the Conviction, to the Informer; but in case the said Appellant shall make good his Appeal, and be discharged of his or her said Conviction, the like reasonable Costs shall be awarded for the Appellant against such Informer, who should (in case of Conviction) have been intitled to the said Penalty, to be recovered as aforesaid.

VII. Provided also, That if any Baker or Seller of Bread shall put into any Bread by him sold or exposed to Sale, any mixture of any other Grain than what shall be appointed by the Assize settled in the Place where such Bread shall be so sold or exposed to Sale, every such Person so offending shall, for every such Offence, forfeit the Sum of twenty Shillings, to be had and recovered in the Manner and Form herein before-mentioned; and if any Mayor, Alderman or Justice of the Peace, shall, on any Information made to him of any Offences committed against this Act, wilfully and wittingly omit the Performance of his Duty thereupon, in the Execution of this Act, he shall forfeit the Sum of twenty Shillings, to be recovered by Action, Bill, Plaint or Information, in any of her Majesty's Courts at *Westminster*, wherein no Essoin, Protection or Wager of Law shall be allowed, or any more than one Impar lance.

VIII. And that the good Design of this Statute may be the more effectually accomplished, Be it further enacted, That it shall and may be lawful to and for the said Lord Mayor and Alderman of the City of *London*, or any one of them, within the said City and Liberties thereof, and also to and for the said Chief Magistrate or Magistrates, or Justices of Peace, or any one of them, within the Limits of their several Jurisdictions, at all Times hereafter, in the Day-time, to enter into any House, Shop, Stall, Bake-house, Ware-house or Out-house, of or belonging to any Baker or Seller of Bread, there to search for, view, weigh and try, all or any the Bread of such Person, or which shall there be found; and if any Bread shall there be found wanting, either in the Goodness of the Stuff, whereof the same shall be made, or be deficient in the due baking or working thereof, or shall be wanted in the due Weight, or shall not be truly marked according to the Directions of this Act, or shall be of any other Sort than shall be allowed by virtue

tue of this Act; that then and in every such Case, it shall and may be lawful to and for such Lord Mayor, Alderman or Aldermen, Chief Magistrate or Magistrates, Justices or Justice of the Peace, to seize and take the Bread so found, and cause the same to be forthwith given and distributed to the Poor of the Parish where such Seizure shall be made; and if any Baker or Seller of Bread, or other Person or Persons, shall not permit or suffer such Search or Seizure to be made, or shall oppose, hinder or resist the same, he or they so doing, shall for every such Offence forfeit the Sum of forty Shillings to the Informer or Informers, to be had and recovered in the summary Manner and Form herein before-mentioned.

may seize and give it to the Poor.
Penalty on Baker, &c. opposing such Search.

IX. And it is hereby further enacted, That if any Action or Suit shall be commenced or brought against any Mayor, Chief Magistrate, Justice of Peace, Constable or any other Officer or Person whatsoever, for doing or causing to be done, any Thing in Pursuance or Execution of this Act, or relating thereunto, the Defendant in such Action or Suit may plead the General Issue, and give the special Matter in Evidence; and if the Plaintiff be nonsuited, or discontinue his Action, or a Verdict be given for the Defendant, or Judgment be otherwise given for the Defendant, every such Defendant shall have Double Costs.

In Actions brought for the Execution of this Act, Defendant may plead the General Issue, &c.
and shall have Double Costs.

X. Provided always, That this Act, nor any thing therein contained, shall extend to prejudice any Right or Custom of the City of London, or the Practice there used, or of the Lord or Lords of any Leet, to set, enquire and punish the Breach of Assize of Bread within their respective Leets or Views of Frankpledge, nor of the Clerk or Clerks of the Market.

This Act shall not prejudice the Rights of the City of London, &c.

XI. Provided nevertheless, That no Person punished by this Act, shall be for the same Offence prosecuted by any other Law, Statute, Usage or Custom whatsoever.

Persons punished by this Act shall not be prosecuted by any other Law, &c.

XII. And whereas there have been great Abuses in assizing of Bread, by the variety of Bushels and other Measures used in different Places, and though to rectify such Abuses, several good Laws have been made pursuant to the great Charter, That there shall be but one Measure to be used throughout all the Realm, particularly one Act made in the two and twentieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for ascertaining the Measures of Corn and Salt*, and another Act made in the two and twentieth and three and twentieth Years of King CHARLES the Second, intituled, *An additional Act for ascertaining the Measures of Corn and Salt*, yet the said good Laws have not hitherto been observed as they ought to have been; Therefore for the better and stricter Observation of the same, all Justices of the Peace, Constables and other Officers, are hereby strictly commanded and required to see the said several Acts put in due Execution, and all Justices of Assize, and Justices of the Peace, are in their several and respective Charges at their Assizes or Sessions of the Peace, to enforce and press the Execution of the said Laws, and to use all legal Methods to make the said Laws, and also this present Act, to be effectually practised and observed.

The Act made 22 Car. 2. c. 8. and the Act 22 & 23 Car. 2. c. 12.

to be put in Execution, and Judges, &c. to give them in Charge.

XIII. Provided always, That neither this Act, nor any thing therein contained, shall extend or be construed to extend to prejudice the ancient Right or Custom of the two Universities of Oxford and Cambridge or either of them, or their Clerks of the Market, or the Practice within the several Jurisdictions there used, to set, ascertain and appoint the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale, within their several Jurisdictions; but that they shall and may severally and respectively, from time to time, as there shall be occasion, set, ascertain and appoint, within their several and respective Jurisdictions, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale, by any Baker or other Person whatsoever, within the Limits of their several Jurisdictions, and shall and may enquire and punish the Breach thereof, as fully and freely in all Respects as they used to do, as if this Act had never been had or made; any thing herein contained to the contrary thereof notwithstanding.

This Act shall not prejudice the Rights of either University.

XIV. Provided always, That this Act shall continue for three Years, and from thence to the End of the next Session of Parliament, and no longer.

To continue for 3 Years, &c.

[Continued by 1 Geo. 1. stat. 2. cap. 26. sect. 4. with some Alterations.

Continued by 5 Geo. 1. cap. 25. for five Years.

Continued by 10 Geo. 1. cap. 17. for seven Years, &c.

And farther continued by 3 Geo. 2. c. 29. sect. 1. until March 1738.

By 12 Geo. c. 13. and amended; and by 22 Geo. 2. c. 46. to 24 June 1757. and to the End of the next Session and amended.]

Farther Provisions relating hereto 31 Geo. 2. c. 29. 32 Geo. 2. c. 18.

C A P. XIX.

An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned.

WHEREAS Printers, Booksellers and other Persons have of late frequently taken the Liberty of printing, reprinting and publishing, or causing to be printed, reprinted and published, Books and other Writings, without the Consent of the Authors or Proprietors of such Books and Writings, to the their very great Detriment, and too often to the Ruin of them and their Families: For preventing therefore such Practices for the future, and for the Encouragement of learned Men to compose and write useful Books; may it please your Majesty, that it may be enacted, and be it enacted by the Queen'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 from and after the tenth Day of April one thousand seven hundred and ten, the Author of any Book or Books already printed, who hath not transferred to any other the Copy or Copies of such Book or Books, Share or Shares

After 10 April 1710. the Authors of Books already printed, who have not

transferred their Rights, and the Booksellers, &c. who have purchased Copies, shall have the sole Right of printing them for the Term of 21 Years: thereof

And the Authors of Books not printed, to have the sole Right of printing for 14 Years. Punishment of Bookseller, &c. printing without Consent of the Proprietor,

thereof, or the Bookseller or Booksellers, Printer or Printers, or other Person or Persons, who hath or have purchased or acquired the Copy or Copies of any Book or Books, in order to print or reprint the same, shall have the sole Right and Liberty of printing such Book and Books for the Term of one and twenty Years, to commence from the said tenth Day of *April* and no longer; and that the Author of any Book or Books already composed, and not printed and published, or that shall hereafter be composed, and his Assignee or Assigns, shall have the sole Liberty of printing and reprinting such Book and Books for the Term of fourteen Years, to commence from the Day of the first publishing the same, and no longer; and that if any other Bookseller, Printer or other Person whatsoever, from and after the tenth Day of *April* one thousand seven hundred and ten, within the Times granted and limited by this Act as aforesaid, shall print, reprint or import, or cause to be printed, reprinted or imported, any such Book or Books, without the Consent of the Proprietor or Proprietors thereof first had and obtained in Writing, signed in the Presence of two or more credible Witnesses; or knowing the same to be so printed or reprinted, without the Consent of the Proprietors, shall sell, publish or expose to Sale, or cause to be sold, published or exposed to Sale, any such Book or Books, without such Consent first had and obtained as aforesaid: Then such Offender or Offenders shall forfeit such Book or Books, and all and every Sheet or Sheets, being Part of such Book or Books, to the Proprietor or Proprietors of the Copy thereof, who shall forthwith Damask and make Waste Paper of them; and further, That every such Offender or Offenders shall forfeit one Penny for every Sheet which shall be found in his, her or their Custody, either printed or printing, published or exposed to Sale, contrary to the true Intent and Meaning of this Act; the one Moiety thereof to the Queen's most Excellent Majesty, her Heirs and Successors, and the other Moiety thereof to any Person or Persons that shall sue for the same, to be recovered in any of her Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no Wager of Law, Essoin, Privilege or Protection, or more than one Imparance shall be allowed.

Copies of Books to be entered before Publication in the Register Book of the Company of Stationers; which may be inspected at any Time without Fee. Clerk of the Company to give a Certificate of such Entry. Penalty of the Clerk refusing so to do.

II. And whereas many Persons may through Ignorance offend against this Act, unless some Provision be made, whereby the Property in every such Book, as is intended by this Act to be secured to the Proprietor or Proprietors thereof, may be ascertained, as likewise the Consent of such Proprietor or Proprietors for the printing or reprinting of such Book or Books may from time to time be known; Be it therefore further enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to extend to subject any Bookseller, Printer or other Person whatsoever, to the Forfeitures or Penalties therein mentioned, for or by Reason of the printing or reprinting of any Book or Books without such Consent, as aforesaid, unless the Title to the Copy of such Book or Books hereafter published shall, before such Publication, be entered in the Register Book of the Company of Stationers, in such Manner as hath been usual, which Register Book shall at all Times be kept at the Hall of the said Company, and unless such Consent of the Proprietor or Proprietors be in like Manner entered as aforesaid, for every of which several entries six Pence shall be paid, and no more; which said Register Book may, at all seasonable and convenient Times, be resorted to, and inspected by any Bookseller, Printer or other Person, for the Purposes before-mentioned, without any Fee or Reward; and the Clerk of the said Company of Stationers shall, when and as often as thereunto required, give a Certificate under his Hand of such Entry or Entries and for every such Certificate may take a Fee not exceeding six Pence.

III. Provided nevertheless, That if the Clerk of the said Company of Stationers for the time being, shall refuse or neglect to register, or make such Entry or Entries, or to give such Certificate, being thereunto required by the Author or Proprietor of such Copy or Copies, in the Presence of two or more credible Witnesses, That then such Person and Persons so refusing, Notice being first duly given of such Refusal, by an Advertisement in the *Gazette*, shall have the like Benefit, as if such Entry or Entries, Certificate or Certificates had been duly made and given; and that the Clerks so refusing shall, for any such Offence, forfeit to the Proprietor of such Copy or Copies the Sum of twenty Pounds, to be recovered in any of her Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no Wager of Law, Essoin, Privilege or Protection, or more than one Imparance shall be allowed.

After 25 March 1710. the Archbishop of Canterbury, &c. to settle the Prices of Books, upon Complaint made that they are unreasonable.

IV. Provided nevertheless, and it is hereby further enacted by the Authority aforesaid, That if any Bookseller or Booksellers, Printer or Printers, shall after the said five and twentieth Day of *March* one thousand seven hundred and ten, set a Price upon, or sell, or expose to Sale, any Book or Books at such a Price or Rate as shall be conceived by any Person or Persons to be too high and unreasonable; it shall and may be lawful for any Person or Persons to make Complaint thereof to the Lord Archbishop of *Canterbury* for the time being, the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain*, for the time being, the Lord Bishop of *London* for the time being, the Lord Chief Justice of the Court of *Queen's Bench*, the Lord Chief Justice of the Court of *Common Pleas*, the Lord Chief Baron of the Court of *Exchequer* for the time being, the Vice-Chancellors of the two Universities for the time being, in that Part of *Great Britain* called *England*; the Lord President of the Sessions for the time being, the Lord Justice General for the time being, the Lord Chief Baron of the *Exchequer* for the time being, the Rector of the College of *Edinburgh* for the time being, in that Part of *Great Britain* called *Scotland*; who, or any one of them, shall and have hereby full Power and Authority, from time to time, to send for, summon or call before him or them such Bookseller or Booksellers, Printer or Printers, and to examine and enquire of the Reason of the Dearthness and Inenhancement of the Price or Value of such Book or Books by him or them so sold or exposed to Sale; and if upon such Enquiry and Examination it shall be found, that the Price of such Book or Books is inehanced, or any wise too high or unreasonable, then and in such case the said Archbishop of *Canterbury*, Lord Chancellor or Lord Keeper, Bishop of *London*, two Chief Justices, Chief Baron, Vice-Chancellors of the Universities, in that Part of *Great Britain* called *England*,

and the said Lord President of the Sessions, Lord Justice General, Lord Chief Baron, and Rector of the College of *Edinburgh*, in that Part of *Great Britain* called *Scotland*, or any one or more of them, so enquiring and examining, have hereby full Power and Authority to reform and redress the same, and to limit and settle the Price of every such printed Book and Books, from Time to Time, according to the best of their Judgments, and as to them shall seem just and reasonable; and in case of Alteration of the Rate or Price from what was set or demanded by such Bookfeller or Bookfellers, Printer or Printers, to award and order such Bookfeller and Bookfellers, Printer and Printers, to pay all the Costs and Charges that the Person or Person so complaining shall be put unto, by Reason of such Complaint, and of the causing such Rate or Price to be so limited and settled; all which shall be done by the said Archbishop of *Canterbury*, Lord Chancellor or Lord Keeper, Bishop of *London*, two Chief Justices, Chief Baron, Vice-Chancellors of the two Universities, in that Part of *Great Britain* called *England*, and the said Lord President of the Sessions, Lord Justice General, Lord Chief Baron, and Rector of the College of *Edinburgh*, in that Part of *Great Britain* called *Scotland*, or any one of them, by Writing under their Hands and Seals, and thereof publick notice shall be forthwith given by the said Bookfeller or Bookfellers, Printer or Printers, by an Advertisement in the *Gazette*; and if any Bookfeller or Bookfellers, Printer or Printers, shall after such Settlement made of the said Rate and Price sell or expose to Sale any Book or Books, at a higher or greater Price than what shall have been so limited and settled as aforesaid, then and in every such Case such Bookfeller and Bookfellers, Printer and Printers, shall forfeit the Sum of five Pounds for every such Book so by him, her or them sold or exposed to Sale; one Moiety thereof to the Queen's most Excellent Majesty, her Heirs and Successors, and the other Moiety to any Person or Persons that shall sue for the same, to be recovered with Costs of Suit, in any of her Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no Wager of Law, Essoin, Privilege or Protection, or more than one Imparance shall be allowed.

and if altered from the Price of the Bookfeller, set, may order him to pay Costs to the Party complaining.

Penalty on Bookfellers selling at higher Rates. This Clause repealed by 12 Geo. 2. c. 36.

V. Provided always, and it is hereby enacted, That nine Copies of each Book or Books, upon the best Paper, that from and after the said tenth Day of *April* one thousand seven hundred and ten shall be printed and published as aforesaid, or reprinted and published with Additions, shall, by the Printer and Printers thereof, be delivered to the Warehouse-keeper of the said Company of Stationers, for the Time being, at the Hall of the said Company, before such Publication made, for the Use of the Royal Library, the Libraries of the Universities of *Oxford* and *Cambridge*, the Libraries of the four Universities in *Scotland*, the Library of *Ston College* in *London*, and the Library commonly called the Library belonging to the Faculty of Advocates at *Edinburgh* respectively; which said Warehouse-keeper is hereby required, within ten Days after Demand by the Keepers of the respective Libraries, or any Person or Persons by them or any of them authorized to demand the said Copy, to deliver the same, for the Use of the aforesaid Libraries; and if any Proprietor, Bookfeller or Printer, or the Warehouse-keeper of the said Company of Stationers, shall not observe the Direction of this Act therein, that then he and they so making Default in not delivering the said printed Copies as aforesaid, shall forfeit, besides the Value of the said printed Copies, the Sum of five Pounds for every Copy not so delivered, as also the Value of the said printed Copy not so delivered; the same to be recovered by the Queen's Majesty, her Heirs and Successors, and by the Chancellor, Masters, and Scholars of any of the said Universities, and by the President and Fellows of *Ston College*, and the said Faculty of Advocates at *Edinburgh*, with their full Costs respectively.

After 10 April 9 Copies of each Book shall be delivered to the Warehouse-keeper of the Company of Stationers, for the Use of the University Libraries, &c.

Warehouse-keeper to deliver the Books 10 Days after Demand.

Penalty of Proprietor, &c. not observing the Directions of this Act.

VI. Provided always, and be it further enacted, That if any Person or Persons incur the Penalties contained in this Act, in that Part of *Great Britain* called *Scotland*, they shall be recoverable by any Action before the Court of Session there.

Penalties in Scotland how recoverable.

VII. Provided, That nothing in this Act contained do extend, or shall be construed to extend to prohibit the Importation, Vending or Selling of any Books in *Greek*, *Latin*, or any other foreign Language printed beyond the Seas; any thing in this Act contained to the contrary notwithstanding.

This Act not to hinder the Importation, &c. of Books in Greek, &c. printed beyond Sea.

VIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or brought against any Person or Persons whatsoever, for doing or causing to be done any Thing in pursuance of this Act, the Defendants in such Action may plead the General Issue, and give the special Matter in Evidence; and if upon such Action a Verdict be given for the Defendant, or the Plaintiff become nonsuited or discontinue his Action, then the Defendant shall have and recover his full Costs, for which he shall have the same Remedy as a Defendant in any Case by Law hath.

General Issue.

IX. Provided, That nothing in this Act contained shall extend, or be construed to extend, either to prejudice or confirm any Right that the said Universities or any of them, or any Person or Persons have, or claim to have, to the printing or reprinting any Book or Copy already printed, or hereafter to be printed.

This Act not to prejudice the Right of the Universities.

X. Provided nevertheless, That all Actions, Suits, Bills, Indictments or Informations for any Offence that shall be committed against this Act, shall be brought, sued and commenced within the Months next after such Offence committed, or else the same shall be void and of none Effect.

Actions for Offences against this Act, to be brought in 3 Months.

XI. Provided always, That after the Expiration of the said Term of fourteen Years, the sole Right of printing or disposing of Copies shall return to the Authors thereof, if they are then living, for another Term of fourteen Years.

After the 14 Years, the Right of Printing, &c. to return to the

Author for other 14 Years: See 27 Geo. 2. c. 18.

C A P. XX.

An Act for raising the Militia for the Year one thousand seven hundred and ten, although the Month's Pay formerly advanced be not repaid. EXP.

C A P. XXI.

An Act for vesting certain Lands, Tenements, and Hereditaments in Trustees, for the better fortifying and securing the Harbours and Docks at *Portsmouth, Chatham and Harwich.*

7 ANNÆ, c. 26.

‘ WHEREAS in pursuance of an Act of Parliament passed in the seventh Year of her now Majesty’s Reign, intituled, *An Act for appointing Commissioners to treat and agree for such Lands, Tenements and Hereditaments, as shall be judged proper to be purchased for the better fortifying Portsmouth, Chatham and Harwich,* her Majesty was pleased by Letters Patents under the Great Seal of *Great Britain,* bearing Date at *Westminster* the seventeenth Day of *June* in the eighth Year of her Reign, to authorize certain Persons therein mentioned, or any five or more of them, to make Surveys of and particularly describe all such Lands, Tenements and Hereditaments, as are proper to be purchased for the Uses and Purposes aforesaid, and to execute all Powers, Directions, Clauses, Matters and Things in the said Act contained: And whereas five or more of the said Commissioners have made Surveys of, and particularly described by Lines, Stakes, Boundaries and Plans, such Lands, Tenements and Hereditaments, as they judged proper to be purchased for the Uses and Purposes in the said Act mentioned, and have likewise treated and agreed with several of the Owners and others interested in the said Lands, Tenements and Hereditaments, who were able and willing to treat and agree for the same: And whereas several Proprietors of Lands, Tenements and Hereditaments, in the respective Places of *Portsmouth, Chatham and Harwich,* which were by five or more of the said Commissioners judged proper to be purchased, have insisted upon extravagant Rates, and refused to agree with the said Commissioners, without unreasonable Gain to themselves; and other Proprietors by Reason of Nonage, Coverture, or especial Limitations in Settlements, were disabled to treat and agree as aforesaid; for which Reasons five or more of the said Commissioners, pursuant to the said Act, issued out their Warrants to the Sheriffs of each County, where the said several Lands, Tenements and Hereditaments respectively lay, to impanel and return before them, at such Times and Places as by such Warrants were appointed, a sufficient Jury, and at such Times and Places respectively, a sufficient Jury appeared, who upon their Oaths did enquire into, and present the true Value of all such Lands, Tenements and Hereditaments, and the Estates and Interests therein, as the said Commissioners could not agree for as aforesaid; which several Verdicts or Inquisitions have been returned and certified, with the whole Proceedings thereupon, to her Majesty, into the High Court of *Chancery,* pursuant and according to the said Act of Parliament; and it being highly necessarily, that all and singular the Proprietors, Owners and Possessors should be paid their several and respective Sums agreed for, and the several Sums assessed by the Juries on Oath as aforesaid, and that the several Lands, Tenements and Hereditaments should, upon Payment of the said Sums, be vested in her Majesty, her Heirs and Successors, to and for the Uses and Purposes aforesaid; Be it enacted, &c.

“ After 10 *April* 1710, the Messuages, &c. specified by Inquisitions returned, are settled in Trustees, for the Use of the respective Owners. The Queen may appoint Commissioners, who may determine all Rights, &c. The Commissioners to enter their Decrees in Books, &c. Which Decrees shall be certified to the Clerk of the Crown, and be final. The Commissioners shall give 30 Days Notice of their Meeting. How the Proprietors shall be paid for their respective Estates. No private Buildings to be erected on any such Lands. If any House, &c. shall belong to Persons disabled to receive the Money, the Commissioners may order it to be paid for their Use, and laid out for purchasing other Lands for the Parties interested; and till such Purchase can be had, the Commissioners to place out the Money at Interest, to be paid to the respective Parties. PR.

Anno Regni ANNÆ Reginae nono.

‘ AT the Parliament begun and holden at *Westminster* the twenty-fifth Day of *November,* Anno Dom. 1710, in the ninth Year of the Reign of our Sovereign Lady *ANNÆ,* by the Grace of God, of *Great Britain, France, and Ireland,* Queen, Defender of Faith, &c. * being the first Session of this present Parliament.’

‘ * In the Record is added, And continued by several Adjournments till the twelfth Day of July, in the tenth Year of her Majesty’s Reign.

C A P. I.

An Act for granting an Aid to her Majesty to be raised by a Land Tax in *Great Britain,* for the Service of the Year one thousand seven hundred and eleven. 4s. in the Pound. EXP.

C A P. II.

An Act to oblige Ships coming from Places infected, more effectually to perform their Quarentine.

Rep. 7 Geo. 1, c. 3. §. 22.

‘ WHEREAS several Places on or near the *Baltick* Sea are and have been, for some Time past, infected with the Plague; and her Majesty, for preventing that Infection being brought into her

Do-

‘Dominions by Persons or Merchandizes coming from Places infected, hath by several Orders made by her in Council, and by her Royal Proclamation, dated the ninth Day of *November* in the ninth Year of her Majesty’s Reign, required a Quarentine to be performed by all Ships and Persons coming from Places infected, as therein is directed: And whereas it is necessary that some Provision be made by Act of Parliament, for obliging all Persons concerned to perform their Quarentine in such Manner as hath been, or shall be, in Times of Infection, ordered by her Majesty, her Heirs and Successors, and for punishing Offenders therein, in a more expeditious Manner than at present can be in the ordinary Methods of the Law;’ Be it enacted, &c.

“All Ships coming from Places infected, to make their Quarentine in such Place, &c. as shall be directed by her Majesty, &c. No Person shall go on board such Ships without Licence; and such Ships, Persons, &c. shall be subject to the Orders of the Queen, &c. After the 25th of *Dec.* 1710, if any Master, &c. shall go on Shoar, &c. or permit any Person so to do, without Licence, the Ship, &c. shall be forfeited to the Queen. Persons coming on Shore, to be compelled to return on board, there to remain during the Quarentine. Punishment of Persons leaving such Ship. Forfeiture, how to be applied. Persons going on board such Ship, and returning on Shoar, to be compelled to return on board again, there to remain during the Quarentine. The Person who takes Care of the Quarentine, may seize any Boat belonging to the Ship, and detain it during the Quarentine. Punishment of such Person, suffering any Seamen, &c. to quit such Ship. Watches to be kept to prevent Persons from coming on Shoar or going on board. After the Quarentine is performed, and Proof made thereof upon Oath, and Certificate given, the Ship, &c. to be no longer detained. 1 s. only to be paid for such Oath and Certificate, over and above the Stamp Duties. After the Quarentine performed, the Goods to be open’d and air’d.” REP.

See farther 8 Geo. 1. c. 8, 10 & 18. 1 Geo. 2. c. 13. 6 Geo. 2. c. 34. 26 Geo. 2. c. 6. 29 Geo. 2. c. 8. 33 Geo. 2. c. 16.

C A P. III.

An Act for charging and continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and ten. EXP.

C A P. IV.

An Act to continue the Acts for recruiting her Majesty’s Land Forces and Marines, for the Service of the Year one thousand seven hundred and eleven. Officers shall receive such Person as shall voluntarily list himself before any two Commissioners, who shall cause the 14th and 23d Articles of War to be read to him, after which he shall be deemed a listed Soldier. If any Action be brought for a just Debt (not less than 20l.) against such Volunteer, and he be arrested, and then discharged as a listed Soldier, he shall within two Months be sent beyond Sea, to serve the Queen as a Soldier; otherwise he shall have no Protection as a Soldier. This Proviso altered by 9 Annæ, c. 9. sect. 2. The Person who discharges him, shall make an Entry thereof. Commissioners shall examine Persons listed, and if they are Seamen, they shall be discharged. Commissioners to meet from Time to Time. EXP.

C A P. V.

An Act for securing the Freedom of Parliaments, by the farther qualifying the Members to fit in the House of Commons.

FOR the better preserving the Constitution and Freedom of Parliament, be it enacted and declared by the Queen’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 from and after the Determination of this present Parliament, no Person shall be capable to sit or vote as a Member of the House of Commons, for any County, City, Borough or Cinque Port, within that Part of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, who shall not have an Estate, Freehold or Copyhold, for his own Life, or for some greater Estate, either in Law or Equity, to and for his own Use and Benefit, of or in Lands, Tenements or Hereditaments, over and above what will satisfy and clear all Incumbrances that may affect the same, lying or being within that Part of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, of the respective annual Value hereafter limited, *videlicet*, The annual Value of six hundred Pounds, above Reprizes, for every Knight of a Shire; and the annual Value of three hundred Pounds, above Reprizes, for every Citizen, Burgess or Baron of the Cinque Ports; and that if any Person, who shall be elected or returned to serve in any Parliament, as a Knight of a Shire, or as a Citizen, Burgess or Baron of the Cinque Ports, shall not, at the Time of such Election and Return, be seized of, or intitled to such an Estate, in Lands, Tenements or Hereditaments, as for such Knight or for such Citizen, Burgess or Baron respectively, is herein before required or limited, such Election and Return shall be void.

No Person shall be a Member, who hath not an Estate, &c. 2 *W. & M. Stat.* 1. c. 7. 5 & 6 *W.* 3. c. 7. f. 57. 5 & 6 *W.* 3. c. 20. f. 48. 7 *W.* 3. c. 4. 7 & 8 *W.* 3. c. 7 & 25. 11 & 12 *W.* 3. c. 2. f. 150. clear from Incumbrances, and lying in *England*, viz. Every Knight of a Shire, 600 l. a

Year. Every Citizen, &c. 300 l. a Year. Any Person returned, who hath not such an Estate, the Return shall be void.

II. Provided always, That nothing in this Act contained, shall extend to make the eldest Son, or Heir Apparent of any Peer, or Lord of Parliament, or of any Person qualified by this Act to serve as Knight of a Shire, incapable of being elected and returned, and sitting and voting as a Member of the House of Commons in any Parliament.

This Act not to extend to the eldest Son of a Peer, or of a Person qualified to serve as Knight of a Shire.

The Universities may elect and return Members as formerly.

III. Provided always, That nothing in this Act contained shall extend, or be construed to extend to either of the Universities in that Part of *Great Britain* called *England*, but that they, and each of them may elect and return Members to represent them in Parliament, as heretofore they have done; any thing herein contained to the contrary notwithstanding.

None to be qualified by virtue of any Mortgage, unless the Mortgagee have been in Possession seven Years before the Election.

IV. Provided always, and be it enacted by the Authority aforesaid, That no Person whatsoever shall be construed to be qualified to sit in the House of Commons, within the Meaning of this Act, by virtue of any Mortgage whatsoever, whereof the Equity of Redemption is in any other Person or Persons, unless the Mortgagee shall have been in Possession of the mortgaged Premises, for the Space of seven Years before the Time of his Election; any thing herein contained to the contrary notwithstanding.

Every Candidate, at the Request of another Candidate, or of two of the Voters, shall take the following Oath;

V. Provided always, and it is hereby enacted by the Authority aforesaid, That every Person (except as aforesaid) who from and after the Determination of this present Parliament, shall appear as a Candidate, or shall, by himself or any others, be proposed to be elected to serve as a Member for the House of Commons, for any County, City, Borough, or Cinque Port in *England*, *Wales*, or *Berwick upon Tweed*, shall, and he is hereby enjoined and required, upon reasonable Request to him to be made (at the Time of such Election, or before the Day to be prefixed in the Writ of Summons for the Meeting of the Parliament) by any other Person who shall stand Candidate at such Election, or by any two or more Persons having Right to vote at such Election, take a Corporal Oath in the Form, or to the Effect following:

The Oath:

‘ I *A. B.* do swear, That I truly and *bona fide* have such an Estate in Law or Equity, to and for my own Use and Benefit, of or in Lands, Tenements, or Hereditaments (over and above what will satisfy and clear all Incumbrances that may affect the same) of the annual Value of six hundred Pounds, above Reprizes, as doth qualify me to be elected and returned to serve as a Member for the County of _____ according to the Tenor and true Meaning of the Act of Parliament in that Behalf; and that my said Lands, Tenements, or Hereditaments, are lying or being within the Parish, Township, or Precinct of _____ Or, in the several Parishes, Townships, or Precincts of _____ in the County of _____ Or, in the several Counties of _____ (as the Case may be)

If the Candidate be for a City, &c. the Oath shall relate only to 300 l. per Ann. *mutatis mutandis*.

VI. And in case such Candidate or Person is to serve for any City, Borough, or Cinque Port, then the said Oath shall relate only to the said Value of three hundred Pounds *per Annum*, and be taken to the same Effect, *mutatis mutandis*, as is hereby prescribed for the Oath of a Person to serve as a Member for such County as aforesaid.

The Oath to be administered by the Sheriff, &c. who shall within three Months after the taking thereof, certify the same into the Queen's Bench or Chancery, or forfeit 100 l.

VII. And it is hereby enacted that the respective Oaths aforesaid shall and may be administered by the Sheriff, or Under Sheriff, for any such County as aforesaid, or by the Mayor, Bailiff, or other Officer or Officers for any City, Borough, or Port, to whom it shall appertain to take the Poll, or make the Return at such Election for the same County, Borough, or Port respectively, or by any two or more Justices of the Peace within *England*, *Wales*, and *Berwick upon Tweed*; and the said Sheriff, Mayor, Bailiff, or other Officers, and the said Justices of the Peace respectively, who shall administer the said Oaths, are hereby required to certify the taking thereof into her Majesty's High Court of *Chancery*, or the *Queen's Bench*, within three Months after the taking the same, under the Penalty of forfeiting the Sum of one hundred Pounds, to wit, One Moiety thereof to the Queen, and the other Moiety thereof to such Person or Persons as will sue for the same, to be recovered with full Costs of Suit by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*; and if any of the said Candidates or Persons proposed to be elected as aforesaid, shall wilfully refuse, upon reasonable Request to be made at the Time of the Election, or at any Time before the Day upon which such Parliament by the Writ of Summons is to meet, to take the Oath hereby required, then the Election and Return of such Candidate or Person shall be void.

One Moiety to the Queen, the other to him, who will sue &c. with Costs. Candidate refusing to take the Oath, his Election to be void.

One Shilling only for administering the Oath, 2 s. for Certificate, and 2 s. for filing; Penalty 20 l.

VIII. And it is hereby enacted, That no Fee or Reward shall be taken, for administering any such Oath, or making, receiving, or filing the Certificate thereof, except one Shilling for administering the Oath, and two Shillings for making the Certificate, and two Shillings for receiving and filing the same, under the Penalty of twenty Pounds, to be forfeited by the Offender, and to be recovered and divided as aforesaid.

Farther Provisions concerning Parliament, 10 Ann. c. 19 & 23. 1 Geo. 1. c. 38 & 56. 2 Geo. 2. c. 24. 6 Geo. 2. c. 23. 8 Geo. 2. c. 30. 9 Geo. 2. c. 38. 11 Geo. 2. c. 24. 13 Geo. 2. c. 20. 15 Geo. 2. c. 22. 19 Geo. 2. c. 28. 31 Geo. 2. c. 14. 33 Geo. 2. c. 20.

C A P. VI.

An Act for reviving, continuing, and appropriating certain Duties upon several Commodities to be exported; and certain Duties upon Coals to be water-born and carried Coastwise; and for granting further Duties upon Candles, for thirty-two Years; to raise fifteen hundred thousand Pounds, by Way of a Lottery, for the Service of the Year one thousand seven hundred and eleven; and for suppressing such unlawful Lotteries, and such Insurance Offices, as are therein mentioned.

MAY it please your most Excellent Majesty; We your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, being desirous, by the most speedy, easy, and effectual Ways and Means, to raise the necessary Supplies for prosecuting the present War (in which your Majesty hath been for several Years engaged) against the *French King*, and for enabling your Majesty, at the End thereof, to establish a good and lasting Peace, have for that End and Purpose given and granted, and do by this present Act give and grant unto your Majesty, the several Customs, Subsidies, and other Duties, for and upon such several Goods, Merchandizes, and Commodities to be exported, or which shall be shipped to be exported from or out of *Great Britain*, as are herein after expressed; and such Duties upon Coals, Culm and Cynders, which are or shall be water-born and carried from any Port or Place of *Great Britain* to any other Port or Place of the same; and such further Duties upon Candles made in *Great Britain*, or imported into the same, as are hereafter in this Act more particularly mentioned; and we do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the Queen'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, in Form following: Whereas by an Act of Parliament made and passed in the twelfth Year of the Reign of his late Majesty King CHARLES the Second (of blessed Memory) commonly called *The Act of Tonnage and Poundage* (amongst other Things therein contained) a certain Subsidy of Poundage for and upon all Manner of Goods and Merchandizes to be carried out of the Realm of *England*, or any the Dominions to the same belonging, that is to say, twelve Pence of the Value of every twenty Shillings, of the same Goods and Merchandizes, according to the several and particular Rates and Values thereof, as they were particularly and respectively rated and valued in the Book therein mentioned and referred unto, and other Duties, were granted to his said late Majesty, during his Life, except as therein is excepted: And whereas after granting the said Subsidy, as aforesaid, several other Acts of Parliament have been made, whereby the said Subsidy of Poundage, or some Part or Parts of the said Subsidy of Poundage, for and upon several of the said Goods, Merchandizes, and Commodities, exported or to be exported as aforesaid, were (together with several Customs or Duties upon Goods and Merchandizes imported) granted for several Terms successively, the last of which Terms was granted by an Act of the first Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and preserving the publick Credit*, and continued until the first Day of *August* in the Year of our Lord one thousand seven hundred and ten; and the said Subsidy of Poundage, as to several Goods, Merchandizes, and Commodities exported, which were originally charged therewith by the said Act of the twelfth Year of the Reign of King CHARLES the Second, hath been, by several Acts of Parliament, since taken away, lessened, or altered: Now it is hereby enacted by the Authority aforesaid, That so much of the said Subsidy of Poundage, and other Duties (first granted by the said Act of the twelfth Year of the Reign of King CHARLES the Second as aforesaid) on several Goods and Merchandizes exported, as did remain or had Continuance until the first Day of *August* in this present Year of our Lord one thousand seven hundred and ten, or which by Force or virtue of the said Act of the first Year of her Majesty's Reign, *For making good Deficiencies*, and the Act of the fifth Year of her Majesty's Reign, *For the Union of the two Kingdoms of England and Scotland*, or by any other Act or Acts of Parliament relating thereto, were payable or existent on the last Day of *July* in the said Year of our Lord one thousand seven hundred and ten, for any Goods or Merchandizes exported, shall, by Force and virtue of this Act be revived, and be further continued, and be paid and payable to her Majesty, her Heirs and Successors, for and upon the like Goods and Merchandizes respectively to be exported from *Great Britain*, from and after the eighth Day of *March* in the Year of our Lord one thousand seven hundred and ten, at any Time or Times, within or during the Term of thirty-two Years from thence next ensuing (other than and except such Duties as were formerly granted to be paid upon the Exportation of Sea Coals for Parts beyond the Seas, instead whereof other Duties are imposed by this present Act.)

II. And be it further enacted by the Authority aforesaid, That the said Subsidy of Poundage, and other Duties upon Goods and Merchandizes exported, hereby revived and continued, during all the Term of Years therein granted as aforesaid, and all Arrearages of the same, shall and may, from time to time, be raised, received, levied, and recovered, by such Ways and Means, and under such Penalties and Forfeitures, and with such Allowances for Goods lost or taken at Sea, and such other Allowances, and in such Manner and Form, as the like Subsidy of Poundage and other Duties, which continued until the said first Day of *August* one thousand seven hundred and ten, were or might be raised, received, levied, or recovered by any Law or Statute which was in Force on the said last Day of *July* one thousand seven hundred and ten; and that so much of the said Act of the twelfth Year of the Reign of King CHARLES the Second, and of the Order of the Commons in Parliament assembled, bearing Date the seventeenth Day of *May* one thousand six hundred and sixty-two, for settling of Officers Fees, and all such Clauses, Penalties, Forfeitures, Matters

For the Application of the Surplus arising from this Act, see 9 Annæ, c. 23. §. 85.

12 Car. 2. c. 47

1 Annæ, stat. 1. c. 13.

12 Car. 2. c. 4.

Subsidy of Poundage, &c. Outwards, revived and continued for 32 Years from 8 March 1710. made perpetual by 3 Geo. 1. c. 7. §. 1. 5 Annæ, c. 8. See 8 Geo. 1. c. 15. §. 7.

How these Duties shall be raised.

12 Car. 2. c. 4.

Matters and Things, contained in the Act last-mentioned, or in any other Act or Acts of Parliament whatsoever, as on the said last Day of *July* one thousand seven hundred and ten were in Force for the raising, receiving, levying, or recovering, or for making Allowances out of the said Subsidy of Poundage and other Duties on Goods or Merchandizes exported, which had Continuance until the said first Day of *August* one thousand seven hundred ten, shall be revived, practised and put in Execution, for raising, receiving, levying and recovering, or making Allowances out of the Subsidy of Poundage and other Duties hereby imposed on Goods and Merchandizes to be exported, during the said Term of thirty-two Years, and all Arrearages of the same, as fully and effectually, as if they were particularly and at large recited and set down in the Body of this present Act.

Subsidy, &c. taken away or diminished by Acts of Parliament, not revived.

III. Provided always, and it is hereby declared, That where the Subsidy of Poundage, or other Duties formerly granted as aforesaid, on Goods or Merchandizes exported, have been taken away, in Part, or in the whole, upon any particular Goods or Merchandizes so exported, by virtue of any Act or Acts of Parliament, or by any Clause or Clauses contained in any such Act or Acts formerly made for taking away or diminishing the same, in all such Cases, the Subsidy or Duty, or such Part of the said Subsidy or Duty so taken away, shall not be revived or continued by virtue of this present Act; any thing herein contained to the contrary notwithstanding.

Leather, &c. may be exported, paying 12 d. per Cent. for 32 Years.

Made perpetual by 3 Geo. 1. c. 7. §. 1.

Concerning Leather, see farther ch. 11. and likewise 10 Ann. c. 26. 12 Ann. St. 2. c. 9. 3 Geo. 1. c. 4. 5 Geo. 1. c. 2. 12 Geo. 2. c. 25.

IV. And it is hereby also enacted by the Authority aforesaid, That for and during the Term of thirty-two Years, to be reckoned from the eighth Day of *March* one thousand seven hundred and ten, it shall and may be lawful for any Person or Persons, Natives or Foreigners, to buy in open Fair or Market, and to export and transport from *Great Britain* into *Ireland*, or any Foreign Parts beyond the Seas, all Sorts of Leather Sheep-skins or Calves-skins, tanned, tawed, or dressed, paying for each hundred Weight of all Sorts of Leather, Sheep-skins, and Calves-skins, containing one hundred and twelve Pounds, and so proportionably for a greater or lesser Quantity, the Sum of twelve Pence, and no more; any former Law, Statute, or Usage to the contrary in any wise notwithstanding.

Duty upon Coals shipped to be exported; made perpetual by 3 Geo. 1. c. 7. §. 1.

What to be paid for Coals carried from Scotland to *Ireland*, or the *Isle of Man*. 9 Annæ, c. 23. §. 901

V. And be it further enacted by the Authority aforesaid, That the several and respective Rates and Duties herein after mentioned (and none other) shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Coals, which at any Time or Times within or during the Term of thirty-two Years, to commence from the eighth Day of *March* in the present Year of our Lord one thousand seven hundred and ten, shall be exported, or shipped to be exported beyond the Seas (that is to say) For all Coals of *Wales*, or the West of *England*, which shall be shipped for Exportation to *Ireland*, or the *Isle of Man*, the Sum of one Shilling for every Chaldre (reckoning the Chaldre to consist of thirty-six Bushels *Winchester* Measure) and after that Rate for a greater or lesser Quantity; for every Chaldre (like *Winchester* Measure) of Coals, which shall be shipped for Exportation to any of her Majesty's Plantations, the Sum of two Shillings, and proportionably for any greater or lesser Quantity; and for every Chaldre of Coals (*Newcastle* Measure) which shall be shipped for Exportation to any Parts beyond the Seas (other than as aforesaid) in Foreign built Bottoms, twelve Shillings, and in *English* built Bottoms, three Shillings; and after those Rates for greater or lesser Quantities; and for such Coals which at any Time during the said Term of thirty-two Years shall be so exported, or shipped to be exported as aforesaid, for *Ireland*, or the *Isle of Man*, or for the Plantations, or other Parts beyond the Seas (in case they are such Coals as are usually sold by Weight) the proportional Rates following: *videlicet*, For such Coals to be exported for *Ireland*, or the *Isle of Man*, eight Pence *per Tun*, reckoning the Tun to be twenty hundred Weight, and for such Coals shipped for Exportation to the Plantations, sixteen Pence for every such Tun; and for every such Tun of such Coals which shall be shipped for Exportation to any other Parts beyond the Seas, one third Part of the said Rates charged thereupon, in case they were shipped by *Newcastle* Measure as aforesaid, and proportionally for greater or lesser Quantities: The said respective Duties on Coals exported to be raised, levied, uplifted, and recovered in the same Manner, and under such Penalties and Forfeitures, and by such Rules, Ways, and Methods, as any other Customs or Duties, payable to her Majesty upon the Exportation of any Goods or Merchandizes, are by this Act, or by any other Law or Statute now in force, to be raised, levied, uplifted, or recovered in *England* or *Scotland* respectively.

Security to be given for Coals shipped for *Ireland*, or the *Isle of Man*, &c. The Duties on Coals 15 Car. 2. c. 7. and 6 Annæ, c. 22. not to be charged during this Act.

Additional Duties are laid on Coals exported in Foreign Bottoms, by 12 Annæ, stat. 2. c. 9 §. 9. and perpetuated by 6 Geo. 1. c. 4. §. 1.

VI. Provided always, and it is hereby enacted, That good Security shall be given to the Officers of the Customs in the respective Ports where any of the said Coals shall be shipped for Exportation to *Ireland*, the *Isle of Man*, or any of the said Plantations, for landing such Coals in *Ireland*, the *Isle of Man*, or such Plantations respectively, and not elsewhere (Danger of the Seas and Enemies excepted) and in case the Ship or Vessel, on which the Coals for which such Security ought to be given, shall depart or go out of Port without giving the same, then such Ship or Vessel, and the Coals therein, or the Value thereof, shall be forfeited, and shall and may be recovered, to wit, One Moiety thereof to the Use of the Queen, and the other Moiety thereof to the use of such Person or Persons as will seize, inform or sue for the same.

VII. And it is hereby provided and declared by the Authority aforesaid, That during the Term of thirty-two Years last-mentioned, no Duties shall be charged or raised to the Use of her Majesty, her Heirs or Successors, for or upon the Exportation of any Coals to or for any of her Majesty's Plantations, by the Act for the Encouragement of Trade, made in the fifteenth Year of the Reign of the said late King CHARLES the Second, or for any Coals to be exported in Foreign Bottoms, by an Act made in the sixth Year of her Majesty's Reign in that Behalf, or for any Coals whatsoever, upon the Exportation thereof to Parts beyond the Seas, other than the several and respective Rates and Duties by this Act imposed upon the same, during the Continuance thereof; any other Law or Statute whatsoever to the contrary notwithstanding.

VIII. And

VIII. And be it further enacted by the Authority aforesaid, that for and during the Term of thirty-two Years, commencing from the said eighth Day of *March* in the Year of our Lord one thousand seven hundred and ten, and no longer, there shall be raised, levied, uplifted, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Coals, Culm, and Cynders (except Charcoal made of Wood) which shall be shipped or water-born, and carried from any Port or Place in *Great Britain*, to any other Port or Place within the same, in such Manner as is herein after expressed; and for all Coals (if any such be) which shall be imported into *Great Britain* from any Foreign Parts, the several and respective Impositions, Rates, Duties, and Sums of Money herein after mentioned (over and above all such Duties as are already granted or payable for or in Respect of the same Coals, Culm, and Cynders, so water-born, and carried Coastwise, and in Respect of the said Coals so imported, or any of them) that is to say, For all Coals which at any Time or Times, within or during the said Term of thirty-two Years last-mentioned, shall be imported or brought into the said Kingdom of *Great Britain* from any Part beyond the Sea (in case they are such Coals as are most usually sold by Weight) the Sum of two Shillings for every Tun (reckoning the Tun to consist of twenty hundred Weight, and every Hundred to consist of one hundred and twelve Pounds Weight of *Averdupois*) and after that Rate for any greater or lesser Quantity; and for all Coals so imported from any Part beyond the Sea, being most usually sold by the Chalder, or by any other Measure whatsoever reducible to the Chalder, the Sum of three Shillings for every Chalder, reckoning each Chalder to consist of thirty-six Bushels *Winchester* Measure as aforesaid, and after that Rate for a greater or lesser Quantity of such Coals so imported, or brought in from any Foreign Parts; the said Duties for Foreign Coals imported, or brought in as aforesaid, to be paid by the respective Importer or Importers thereof: And for all Sorts of Coals from time to time shipped, or water-born in order to be shipped, or laid on board any Ship or Vessel to be carried by Sea, and which shall be carried by Sea, in any Ship or Vessel from any Port or Place within the said Kingdom of *Great Britain*, and which at any Time or Times, within or during the same Term, shall be imported, brought or landed in any other Port or Place within the said Kingdom of *Great Britain*, being most usually sold by the Chalder, or by any other Measure whatsoever reducible to the Chalder, the Sum of two Shillings for every Chalder, to be reckoned as aforesaid, and after that Rate for a greater or lesser Quantity; and for all Sorts of Coals from time to time so shipped, or water-born in order to be shipped, and carried by Sea from any Port or Place of the Kingdom of *Great Britain*, and which at any Time or Times during the same Term shall be imported, brought or landed in any other Port or Place of the same (in case they are such as are most usually sold by Weight) the Sum of sixteen Pence for every Tun, and according to that Proportion for more or less, the said several Duties for Coals so shipped, or water-born to be shipped and carried by Sea as aforesaid, from time to time to be paid at the respective Ports and Places of Importation, or landing of such Coals, and to be charged on the respective Owner and Owners, Master or other Persons having the Charge of every such Ship or Vessel, or of the Coals so carried, imported, or brought in the same: And for all Culm whatsoever, which at any Time during the same Term of thirty-two Years, shall be water-born in order to be shipped within the said Kingdom of *Great Britain*, or brought into the same, the Sum of four Pence, and eight tenth Parts of a Penny, for every such Chalder as aforesaid, and after that Rate to be paid at the respective Ports and Places of Importation or landing of such Culm, and to be charged on the respective Owner and Owners, or Master or Masters, or other Persons having the Charge of the Ship or Vessel, or of the Culm so carried, imported or brought in the same: And for all Cynders made of Pit-coal, which at any Time or Times during the same Term of thirty-two Years shall be shipped, or water-born in order to be shipped within the said Kingdom of *Great Britain*, or brought into the same, the Sum of two Shillings for every Such Chalder as aforesaid, and after that Rate for a greater or lesser Quantity, to be paid at the respective Ports and Places of Importation or landing such Cynders, and to be charged upon the respective Owner and Owners, Master and Masters, or other Persons having the Charge of the Ship or Vessel in which the said Cynders shall be carried, imported or brought.

IX. And it is hereby enacted by the Authority aforesaid, That the said several Duties by this Act imposed, within and throughout the said Kingdom of *Great Britain*, for and upon such Coals, Culm and Cynders which shall be water-born, and carried Coastwise, or from one Part of *Great Britain* to any other Part of the same as aforesaid, during all the Time and Term by this Act granted therein, and all Arrearages thereof, shall and may be raised, levied, collected, and recovered in such or the like Manner and Form, and subject to such Allowances and Repayments, and under such Penalties, Forfeitures, Disabilities, and according to such Rules and Methods, and Directions, as by the Act of Parliament made in the fourth Year of her Majesty's Reign, intituled, *An Act for continuing an additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Culm and Cynders; and additional Duties of Excise; and for settling and establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities, to be sold for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned*, or by any other Law or Statute whatsoever were prescribed or appointed for the raising, levying, securing, collecting, or recovering the Duties upon the like Coals, Culm, and Cynders, which had Continuance until the thirtieth Day of *September* one thousand seven hundred and ten; and that all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Disabilities, Clauses, Matters and Things, which were contained in the said Act of the fourth Year of her Majesty's Reign, or were or are in any other Acts or Statutes thereby referred unto; for the managing, raising, levying, securing, collecting, recovering, or accounting for the said Duties, upon Coals, Culm and Cynders, which were granted or continued until the said thirtieth Day of *September* one thousand seven hundred and ten as aforesaid, shall be and are, by Force and Virtue of this present Act, revived, and shall be in full Force, and be duly observed, practised, and put in Execution, in and for the managing, raising, levying, securing,

Duty upon Coals, Culm, and Cynders carried Coastwise, or imported into Great Britain; made perpetual by 3 Geo. 1. c. 7. §. 1.

Duty on Coals imported from Foreign Parts. Made perpetual by 3 Geo. 1. c. 7. §. 1.

On Coals carried Coastwise.

Duty on Culm.

Duty on Cynders.

These Duties on Coals, &c. to be levied as by the Act 4 Annæ, c. 6.

4 ANNÆ, c. 6.

curing, recovering and accounting for the Duties upon the like Coals, Culm and Cynders by this Act granted, for and during the whole Term hereby granted of and in the same, and all Arrearages thereof, as fully and effectually to all Intents and Purposes, as if the same Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Disabilities, Clauses, Matters and Things, were again expressed, and particularly repeated and re-enacted in the Body of this present Act.

Coals carried from Sterling to Dunbar or Redhead not chargeable.

For Duties on Coals see farther, 9 Ann. c. 23. 12 Ann. s. 2. c. 9. 5 Geo. 1. c. 9. 6 Geo. 1. c. 4. 22 Geo. 2. c. 37. 30 Geo. 2. c. 19. s. 28.

X. And whereas a Doubt may arise whether Coals, Culm or Cynders carried from the Bridge of *Sterling*, which is on the Firth of *Forth*, to the Town of *Dunbar*, or to *Redhead*, are liable to the Duties by this Act imposed, as if they were carried to Sea; It is hereby provided, enacted and declared, That such Coal, Culm and Cynders, so carried from the Bridge of *Sterling* to the Town of *Dunbar*, or to *Redhead*, or to any Part betwixt them, shall not, by Reason of such Carriage, be liable to the Duties by this Act imposed; any thing in this Act contained to the contrary notwithstanding.

Duties on Candles for 32 Years from 25 March 1711. Made perpetual by 3 Geo. 1. c. 7. §. 1.

XI. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Candles which at any Time or Times, within or during the Term of thirty-two Years, to be reckoned from the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and eleven, shall be imported or brought into the Kingdom of *Great Britain*, or made within the same, (over and above all other Customs, Subsidies, Duties of Excise, or other Duties already imposed thereupon, or to be paid for the same, by or during the Continuance of any Act or Acts of Parliament in that Behalf) the further Duties herein after mentioned; that is to say, For all Candles made of Wax, or usually called or sold for Wax Candles, (notwithstanding the Mixture of any other Ingredients therewith) which shall be so imported, the Sum of four Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity; and for all Candles made of Tallow, and other Candles whatsoever, (except the Wax Candles before charged) which shall be so imported, one Half-penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity; the said several Duties for and upon all imported Candles to be paid down in ready Money by the Importers thereof, before the landing of the same respectively; and there shall be raised, levied, collected, and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all Candles, which at any Time or Times, within or during the said Term of thirty-two Years last mentioned, shall be made within the said Kingdom of *Great Britain*, the further Duties herein after mentioned; that is to say, For all Candles of Wax, or usually called or sold for Wax Candles, (notwithstanding any Mixture as aforesaid,) which shall be so made in *Great Britain*, the Sum of four Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity; and for all Candles of Tallow, and other Candles whatsoever, (except the Wax Candles before charged) which shall be so made in *Great Britain*, one Half-penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity; the said several Duties for the said Candles, so to be made in *Great Britain*, to be paid by the Makers thereof respectively.

Duty on Candles to be levied as by 8 Annæ, c. 9.

XII. And it is hereby enacted by the Authority aforesaid, That the several and respective Duties by this Act imposed for and upon all Candles imported or made as aforesaid, for and during all the Term of Years hereby granted, of and in the same, and all Arrearages thereof, shall and may from time to time, be raised, received, levied, recovered and secured, by such Ways and Means, and under such Penalties and Forfeitures, and with such Power of adjudging and mitigating Penalties and Forfeitures, and with such Power of making Compositions, and other Powers, and subject to such Allowances, Drawbacks, Rules and Directions, and in such Methods, Manner and Form, as the like Duties upon Candles granted by an Act of the eighth Year of her Majesty's Reign, whereby certain Duties were laid upon Candles, towards raising her Majesty's Supply for the Year one thousand seven hundred and ten, are by that Act, or by any Law or Statute thereby referred unto, prescribed, appointed or enacted to be raised, received, levied, secured or recovered, during the Continuance thereof; and that the Act last mentioned, and all the Clauses, Penalties, Forfeitures, Powers, Authorities, Rules, Directions, Matters and Things therein contained, or thereby referred unto, for the raising, receiving, levying, recovering, securing, compounding, paying or accounting for the said Duties upon Candles thereby granted, during the Continuance thereof, or any Arrearages of the same, are and shall be by Force and Virtue of this Act continued, practised, and put in Execution, for raising, receiving, levying, recovering, securing, compounding, paying and accounting for the Duties upon Candles by this Act granted, and making Allowances out of the same, during the said Term of thirty-two Years hereby granted, and all Arrearages thereof, as fully and effectually, to all Intents and Purposes, as if they were particularly and at large repeated in the Body of this present Act.

Stock in Hand 25 March 1711.

XIII. And it is hereby further enacted by the Authority aforesaid, That for all Candles which any Wax Chandler, Tallow Chandler or other Sellers and Dealers in Candles in *Great Britain*, or any Person or Persons in Trust for him, her or them, or for his, her or their Use, shall be possessed of, or interested in, upon the said five and twentieth Day of *March* one thousand seven hundred and eleven, for Sale, there shall be yielded and paid to her Majesty, (over and above the Duties before this Time imposed thereupon) the like respective Rates, as are by this Act to be paid for the like Sorts of Candles to be made after the said five and twentieth Day of *March* one thousand seven hundred and eleven; and that all the Directions, Powers, Penalties, Forfeitures, Rules and Clauses whatsoever, contained in the said Act of the eighth Year of her Majesty's Reign, relating to the Stock of Candles which was in the Hands of any Chandlers, or other Sellers or Dealers in Candles, or of others in Trust for them or any of them, or to their Use,

8 Annæ, c. 9.

on the first Day of *May* one thousand seven hundred and ten, shall by Force and Virtue of this Act be exercised, practised and put in Execution, in and for ascertaining, securing, charging, levying, recovering and paying the Rates by this Act imposed upon the Stock of Candles, which shall be in the Hands of any such Persons as aforesaid, on the said five and twentieth Day of *March* one thousand seven hundred and eleven, and for making Allowances and Drawbacks in respect thereof.

XIV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, who by virtue or in pursuance of the Act before-mentioned of the eighth Year of her Majesty's Reign, or of this present Act, have made or shall make any Composition for the Duties on their Candles by that Act and this present Act or either of them granted, shall from time to time, during the Continuance of the said respective Duties, continue such their Composition for the Duties thereby and by this Act granted, and pay their Composition Money, according to the Purport, true Intent and Meaning of the same Acts, or in Default thereof shall be and are hereby charged and made liable to pay unto her Majesty, her Heirs and Successors, the several and respective Duties by the said Act of the eighth Year of her Majesty's Reign and this present Act charged upon all Candles, which he, she or they, or any Person or Persons in Trust for him, her or them, shall be possessed of at the Time of the Determination of such Composition; and that and every such Person and Persons who have or hath made, or shall make such Composition for their said Duties upon Candles as aforesaid, and shall make Default in continuing the same, shall, within ten Days after making such Default, make true and particular Entries upon Oath, and in case such Person be a Quaker, then upon his, her or their Affirmation, of all such Candles as they, or any of them, or any Person or Persons in Trust for them or any of them, shall be possessed of, or have in his or their Custody or Possession, at the Office of Excise, within the Limits of which they shall respectively inhabit; upon Pain to forfeit the Sum of twenty Pounds, and the Candles of which no such Entry shall be made; and within six Days after he, she or they shall have made, or ought to have made, their respective Entries as aforesaid, shall pay down to the Person appointed to receive the same, the Duties hereby and by the said Act of the eighth Year of her Majesty's Reign charged upon the same, or in Default thereof shall forfeit and lose double the Value of the said Candles; and that the Houses, Outhouses and other Places belonging to such Compounders, who shall make Default in continuing such their Compositions as aforesaid, shall be and are hereby made liable to the Search and View of any Officers for the said Duties, in the same Manner, and under the same Penalties and Forfeitures, as other Persons making Candles for Sale are liable unto.

XV. Provided always, That this Act shall not extend, or be construed to extend to charge the Duties on Candles herein before-mentioned, on such small Rush Lights as shall be made by any Persons, to be used in their own Houses only, so as none of them be sold or delivered out, or be made for Sale, and so as such small Rush Lights be only once dipped in, or once drawn through Grease or Kitchen-stuff, and not at all through any Tallow melted or refined; any thing herein contained to the contrary notwithstanding.

XVI. And whereas several People, who have made Candles for their own private Use only, have through Ignorance or Inadvertency, contrary to an Act made in the eighth Year of the Reign of her present Majesty, intituled, *An Act for laying a Duty on Candles*, neglected giving due Notice in Writing to the next Office of Excise, as the said Act requires, and as they ought to have done; Be it therefore enacted by the Authority aforesaid, That all and every such Person or Persons, shall be and are hereby freed and discharged of and from all and every the Pains, Penalties and Forfeitures of the said Act, not recovered before the six and twentieth Day of *February* one thousand seven hundred and ten: Provided, that such Person or Persons, having so neglected and offended as aforesaid, do, before the first Day of *May* one thousand seven hundred and eleven, pay or cause to be paid (unto the proper Officer as the said Act directs) the Duty which by him, her or them respectively, ought to have been paid by virtue of that Act; and in Default thereof, such Person or Persons respectively shall lose the Benefit of the Indemnity granted by this Act.

on Candles see farther, 10 Ann. c. 26. 11 Geo. 1. c. 30. 23 Geo. 2. c. 21. and 26 Geo. 2. c. 32.

XVII. And for the better levying and raising the several Duties and Sums of Money by this Act granted, which are to arise upon the Exportation or Importation of any Goods, Merchandizes or Commodities whatsoever, or upon such Coals, Culm and Cynders, as shall be waterborn and carried Coastwise as aforesaid; It is hereby enacted, That such of the same Duties and Sums of Money as shall arise or be due or payable in that Part of *Great Britain* called *England*, *Wales* or the Town of *Berwick* upon *Tweed*, shall, from time to time, be under the Management and Government of the Commissioners of the Customs in *England* for the time being, who shall cause those Duties from time to time to be raised, levied, collected and paid to the Receiver or Receivers General of the Customs in *England* for the time being; and that such Receiver or Receivers General in *England* for the time being, shall pay all the Money arising thereby (such additional Charges as shall be necessary for receiving, levying, managing, paying and accounting for the same, excepted) into her Majesty's Receipt of Exchequer, distinct and apart from all other Branches of the publick Revenue, weekly, to wit, on *Wednesday* in every Week, if it be not an Holy-day, and if it be, then on the next Day after that is not an Holy-day, for the Purposes in this Act expressed, and under the Penalties, Forfeitures and Disabilities herein after-mentioned; and that such of the said Duties and Sums of Money by this Act granted, which shall arise or be due or payable in that Part of *Great Britain* called *Scotland*, upon the Exportation or Importation of any Goods, Merchandizes or Commodities whatsoever, or upon such Coals, Culm and Cynders, as shall be waterborn or carried Coastwise as aforesaid, shall from time to time be under the Management and Government of the Commissioners of the Customs in *Scotland* for the Time being, who shall cause those Duties, from time to time, to be raised, levied, collected

Compounders to pay their Composition Money for the Duties by the Act 8 Annæ, and this Act, &c.

8 Annæ, c. 9.

Small Rush Lights once dipped, not chargeable.

8 Annæ, c. 9.

Persons ignorantly having made Candles, and not given Notice to the next Office, indemnified, paying the Duty by 1 May 1711.

Concerning Duties

The duties arising by Exportation or Importation, to be under the Management of the Commissioners of the Customs, &c.

and paid to the Receiver or Receivers General of the Customs in *Scotland* for the time being; and that such Receiver or Receivers General of the Customs in *Scotland* for the time being shall transmit and pay, or cause to be paid, all the Monies arising thereby (such additional Charges as shall be necessary for receiving, levying, managing paying and accounting for the same, excepted) into her Majesty's Receipt of Exchequer in *England*, distinct and apart as aforesaid, from time to time, as such Receiver or Receivers General in *Scotland* shall have received any such Monies as aforesaid, for the Purposes in this Act expressed, and under the Penalties, Forfeitures and Disabilities herein after-mentioned.

13 & 14 Car. 2.
c. 11.

6 Annæ, c. 8.

Duty of one per Cent. on Goods exported to the Mediterranean, &c. an on White Woollen Cloths exported, appropriated for 32 Years. Made perpetual by 3 Geo. 1. c. 7.

Appropriation of the several Duties.

The Officers for managing these Duties liable to the Act 9 & 10 W. 3. c. 44.

XVIII. And whereas by an Act of Parliament, made in the fourteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing Frauds, and regulating Abuses in his Majesty's Customs*, and by the said Act of Union relating thereunto, it is provided, that every Merchant or other Person who shall export any Goods or Merchandizes from any Port of this Kingdom, capable of a Ship or Vessel of two hundred Tuns, upon an ordinary full Sea, to any Port or Place of the *Mediterranean* Sea, beyond the Port of *Malaga*, in any Ship or Vessel that hath not two Decks, and doth carry less than sixteen Pieces of Ordnance mounted, together with two Men for each Gun, and other Ammunition proportionable, shall pay for all the Wares and Merchandizes so exported or imported, an additional Duty of one *per Cent.* as is thereby prescribed; and by an Act of the sixth Year of her now Majesty's Reign, intituled, *An Act for encouraging the Dressing and Dying of Woollen Cloths within this Kingdom, by laying a Duty upon Broad Cloth exported White*, it is enacted, That a Duty of five Shillings shall be paid to her Majesty, her Heirs and Successors, for every White Woollen Cloth, commonly called Broad Cloth, which shall be exported out of this Kingdom into Foreign Parts, as by that and several Acts may more fully appear: Now it is hereby further enacted by the Authority aforesaid, That all the Monies which at any Time or Times, within or during the said Term of thirty-two Years, to be reckoned from the said eighth Day of *March* one thousand seven hundred and ten, shall arise, or be due or payable, as well of or for the said additional Duty of one *per Cent.* for Goods to be exported in such Ships as aforesaid, as of or for the said Duty on White Woollen Cloths, formerly granted or imposed as aforesaid, shall also be under the Government and Management of the Commissioners of the Customs for the time being, in *England* and *Scotland* respectively, who shall also cause those Duties from time to time to be raised, levied, collected and paid to the said respective Receiver or Receivers General for the time being; and that the said Receiver General in *England* for the time being, shall also pay the Monies thereof which he shall receive (necessary Charges excepted) into her Majesty's Receipt of Exchequer in *England*, weekly as aforesaid, for the Purposes in this Act expressed, under the Penalties, Forfeitures and Disabilities herein after mentioned; and the said Receiver General in *Scotland* for the time being, shall likewise pay or transmit the Money which he shall receive of the particular Duties last mentioned (necessary Charges as aforesaid excepted) into the same Receipt of Exchequer in *England*, from time to time, as he shall have received the same, for the Purposes in this Act expressed, and under the Penalties, Forfeitures and Disabilities herein after-mentioned.

XIX. And it is hereby enacted and declared by the Authority aforesaid, That the said Subsidy of Poundage upon several Goods and Merchandizes to be exported; and the said Duty to arise upon the Exportation of *Leather*, *Sheep-skins*, and *Calve-skins* tanned, tawed or dressed; and the said several Duties to arise upon *Coals*, to be exported for Parts beyond the Seas, and the said several Duties to arise by *Coals*, *Culm* and *Cynders*, which shall be waterborn, and carried from one Part of *Great Britain* to any other Part of the same; and the Money hereby appointed to be brought into the Exchequer of or for the said additional Duty of one *per Cent.* on Goods exported in such Ships as aforesaid; and the said Duty on *White Woollen Cloths*; and the said Duties upon *Candles* made in *Great Britain*, or imported into the same; and all other the Duties and Sums of Money by this Act granted, shall be liable to, and charged and chargeable with the yearly Fund herein after-mentioned, and to and with all the Payments to be made out of the same in pursuance of this Act, during the whole Term of thirty-two Years herein after expressed; and all the same Subsidies, Duties and Sums of Money (except the necessary Charges for Execution of this Act) are and shall be appropriated thereunto in such Manner, that all the Monies which shall, from time to time, be or remain due or in Arrear for Principal or Interest upon this Act, shall from time to time, be paid and satisfied out of the said several and respective Duties by this Act granted or appointed for the Payments thereof, without being diverted to any other Use, Intent or Purpose whatsoever, under such Penalties, Forfeitures and Disabilities, as are hereafter in this Act contained in that Behalf.

XX. And to the End all the Monies arising by the said Subsidy of Poundage upon several Goods and Merchandizes to be exported; and by the said Duty upon *Leather* and such *Skins* to be exported, as aforesaid; and by the said several Duties to arise upon *Coals* to be exported from Parts beyond the Seas; and by the said several Duties to arise upon *Coals*, *Culm* and *Cynders*, to be waterborn, and carried Coastwise as aforesaid; and by the said additional Duty of one *per Cent.* on Goods exported to the *Mediterranean* Sea as aforesaid; and by the said Duty upon *White Woollen Cloths* to be exported; and by the said Duties upon *Candles* made in *Great Britain*, or imported into the same; or by any other the Duties by this Act granted or appropriated, and every of them, may be duly and certainly raised and brought into the said Receipt of Exchequer for the Purposes aforesaid; It is hereby further enacted by the Authority aforesaid, That from time to time, during the Continuance of this Act, there shall be appointed and kept, such and so many Commissioners of Customs and Excise, Receivers General, Collectors, Surveyors, and other judicial and ministerial Officers, as shall be proper and necessary for managing, governing, adjudging, levying, receiving, collecting and paying the said respective Duties by this Act granted or appropriated, and for keeping and rendering the Accounts of the same; and that the said Receivers General, Collectors, Surveyors and other Officers, who are or shall be concerned in the raising, collecting, receiving and paying

paying the same respective Duties or any of them, and keeping, and rendering the several Accounts thereof, shall perform their several Duties therein, as to them respectively shall appertain, under such and the like Penalties, Forfeitures and Disabilities, for any Offence or Neglect therein, or for detaining, diverting or misapplying any Part of the said Monies, as are prescribed and to be inflicted by Virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*, for the like Offence or Neglect relating to the Duties upon Salt, and upon stampd Vellum, Parchment and Paper thereby granted or referred unto, or for detaining, diverting or misapplying any Part of the Monies which were granted or appropriated by the Act last mentioned.

9 & 10 W. 3.
c. 44.

XXI. And be it enacted by the Authority aforesaid, That yearly, and every Year, during the Term of thirty-two Years, reckoning the first Year to begin from the five and twentieth Day of *March* one thousand seven hundred and eleven, the full Sum of one hundred thirty-five thousand Pounds, by or out of the Monies to arise by the several Duties, Rates, and Sums of Money by this Act granted or appropriated, or any of them, and to be brought into the Receipt of the Exchequer as aforesaid, in case the same shall extend thereunto, shall be computed and reckoned to be a yearly Fund; and in case all the Monies arising into the Exchequer for the said Duties, Rates, and Sums of Money so granted or appropriated, shall not amount to the Sum of one hundred and thirty-five thousand Pounds *per Annum*, then the Monies so arising, so far as the same shall extend, shall be Part of the yearly Fund, for and towards the answering and paying of all and every the Principal Sums herein after mentioned, amounting in the whole to the Sum of one Million nine hundred twenty-eight thousand five hundred and seventy Pounds principal Money, together with Interest for the same, after the Rate of six Pounds *per Centum per Annum*, as herein after is mentioned; and in case the said Duties by this Act granted or appropriated shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year, to be reckoned as aforesaid, the said Monies arising into the Exchequer, for or upon Account of the same Duties, shall not amount to as much as one hundred thirty-five thousand Pounds, That then, and so often, and in every such Case, so much as shall be wanting to make upon the said Fund, or Sum of one hundred thirty-five thousand Pounds for every or any such Year, shall be supplied and made good, from Time to Time, out of the first Aid or Supply to be granted in Parliament next after such Deficiency shall appear, and shall, from Time to Time, be transferred thereunto, as soon as the same shall be granted; and in case no such Aid or Supply shall be granted, then by and out of any publick Money which shall be in the said Receipt of Exchequer, not appropriated to any particular Use or Uses by Act of Parliament; and the Commissioners of the Treasury now being, or the Lord High Treasurer, or Commissioners of the Treasury for the Time being, are hereby strictly enjoined and required to make up such Deficiency accordingly, out of such unappropriated publick Money, without any further or other Warrant or Authority for the same.

735000l. to be
the yearly Fund.

Deficiency to be
made good by
Parliament, &c.

XXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute for or towards advancing the Sum of one Million five hundred thousand Pounds, for carrying on the said War, by paying at or before the respective Days and Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpose, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds, upon this Act; and that for the raising the said Sum of one Million five hundred thousand Pounds, any Person who will become a Contributor or Adventurer, shall and may advance the Sum of ten Pounds, for which Sum so advanced, he, she or they shall be intitled to receive such Principal Money, and the Interest thereof, to be paid as herein after is mentioned, by and out of the said yearly Fund, and the Surplus Monies over and above the said yearly Fund (if any such Surplus Monies shall arise) by virtue of this Act: And that every Contributor or Adventurer may advance as many entire Sums of ten Pounds, as he, she or they shall think fit; and for every such Sum of ten Pounds so advanced, he, she or they is, or are to be interested in one Lot or Share of and in the said yearly Fund, and the Surplus Money over and above the said yearly Fund (if any such Surplus shall arise) by virtue of this Act; and the same entire Sums of ten Pounds each, are hereby appointed to be paid unto such Receiver or Receivers, at or before the respective Days and Times, and in the respective Proportions herein after mentioned; that is to say, one fourth Part thereof, on or before the first Day of *May* in the Year of our Lord one thousand seven hundred and eleven; one other fourth Part thereof, on or before the first Day of *June* in the said Year of our Lord one thousand seven hundred and eleven; one other fourth Part thereof, on or before the second Day of *July* in the said Year of our Lord one thousand seven hundred and eleven; and the remaining fourth Part thereof, on or before the first Day of *August* in the said Year of our Lord one thousand seven hundred and eleven.

Natives or Foreigners may be
come Adventurers.

Times of Payment.

“ Her Majesty to appoint Managers for the Lottery. Books to be provided with three Columns, &c. Receivers, to be appointed by the Treasury. Managers to examine the Books, and deliver them to the Receivers, &c. Tickets how to be delivered out. Receivers to redeliver the Books, &c. by 12 Sept.
“ 1711. Middle Column Tickets to be rolled upon, and put into a Box, and twenty-four thousand nine hundred ninety-eight Tickets shall be fortunate; that is to say, One of them twelve thousand Pounds Principal Money; three of them five thousand Pounds; four of them four thousands; four of them three thousand Pounds; four of them two thousand Pounds; twenty of them one thousand Pounds; thirty of them five hundred Pounds; one hundred of them two hundred Pounds; two hundred and fifty of them one hundred Pounds; one thousand four hundred thirty-one of them fifty Pounds; and twenty-three thousand one hundred fifty-one of them severally, twenty Pounds Principal Money: Together
“ ther

“ther with five hundred Pounds to the first drawn Ticket, and five hundred Pounds to the last drawn Ticket; which will amount in the whole to six hundred seventy-eight thousand five hundred and seventy Pounds; which Sum being added to one Million two hundred and fifty thousand Pounds, the Principal payable on the remaining one hundred twenty-five thousand blank Tickets, amount together to one Million nine hundred twenty-eight thousand five hundred and seventy Pounds. If one Million five hundred thousand Pounds be not paid in, then the Fund to be proportionable to the Sum advanced. Blanks to have ten Pounds Principal Money, and Interest at six Pounds *per Cent.* The Tickets to be put into another Box, No Money to receive after 1 May 1711. Publick Notice of the Time of cutting the Tickets. The Manner of drawing the Tickets. The Manner of the second Drawing for the Course of Payment. A Table of the Course of Payment to be printed. Managers to adjudge to whom the fortunate Tickets belong. Fortunate Tickets to be printed. Forging Tickets Felony. Managers may commit Forgers. Managers to make a Book of the Fortunate, and transmit it to the Exchequer. Payments to be half-yearly. Managers to be sworn: Their Oath. Penalty on Officers of the Exchequer and other Officers offending. Money lent Tax-free. Tickets to be exchanged for standing Orders. Notice to be given in the *Gazette* of the Times for taking in Tickets, and delivering out Orders. Orders to be numbered in Course, and Payment accordingly. Any Number of Tickets, not exceeding one hundred, may be included in one Order, so as they be in the same thousand. Several Orders for small Sums in the same thousand, may be exchanged into one Order for larger Sums. The Monies arising by this Act, to be applied to pay of the Principal and Interest. Deficiency of one Year to be made good out of the first Money to arise in the next Year. Surplus of every Year to be applied to pay Principal. Publick Notice to be given when Orders shall become payable. Ten Pounds *per Cent.* allowed on the first Payment. Six Pounds *per Cent.* on the other three Payments. Receiver to have one Penny in the Pound, &c. Receivers may take in Monies before they receive their Books. Contributor advancing one Part of the Payment, and failing in the rest, forfeits what paid. Treasury to appoint a Paymaster, &c. Assignments of all standing Orders to be registred. Officers to be paid out of the Monies arising by this Act. Treasury may divide extraordinary Benefits of two thousand Pounds or upwards, into Orders of five hundred Pounds, &c. If Principal and Interest be fully discharged before the thirty-two Years, then Duties to cease. Overplus disposable by Parliament. Guardians may contribute for Infants. [This Fund is redeemed, and the omitted Sections are expired.]”

40 Ells of Linen Cloth to pay 60. on Exportation.

“LIII. And whereas a Doubt may arise whether all Pieces of Linen Cloth under forty Ells exported, are liable to the Duty of six Pence, by this Act or any former Act imposed, and hereby revived; It is hereby provided and enacted by the Authority aforesaid, That only forty Ells of Linen Cloth, exported to foreign Parts, shall pay six Pence, and after that Rate for a greater or lesser Quantity of Ells; any Thing in this or any former Act contained to the contrary notwithstanding.

Coals for melting Copper in Cornwall, &c. to have a Drawback of the Duty.

“LIV. And whereas all the Copper Ores found within the County of *Cornwall*, are carried to be melted at such Places where Coals pay no Duty; Be it enacted by the Authority aforesaid, That from and after the eighth Day of *March* one thousand seven hundred and ten, all Coals that shall be used for melting Copper and Tin Ores within the Counties of *Cornwall* and *Devon*, for which Duties have been first answered, shall upon Proof by Oath made before the Customer or Collector of the said Duties (which Oath he is hereby impowered to administer) have a Drawback for all the Duties on the said Coals, to be paid by the Collector of the Duties to such Person so making Proof as aforesaid.

Iron, &c. imported, and afterwards exported, to have no Drawback.

“LV. And, for the Encouragement of the Iron Manufacture of *Great Britain*, Be it further enacted by the Authority aforesaid, That from and after the five and twentieth Day of *March* one thousand seven hundred and eleven, there shall not be allowed any Drawback, or Re-payment of Customs or Duties charged upon any Iron or Steel that hath or shall be imported into *Great Britain*, and afterwards exported to or for her Majesty's Plantations or Colonies in *America*; any Clause in any former Act to the contrary notwithstanding.

See farther 23 Geo. 2. c. 29. 30 Geo. 2. c. 16.

“LVI. And whereas, notwithstanding an Act made in the tenth Year of the Reign of the late King WILLIAM, intituled, *An Act for suppressing of Lotteries*, and the Prohibitions and Penalties therein, several Persons of late have presumed, contrary to the Intent of the said Act, to set up Lotteries in Imitation of the Lottery directed to be drawn by Virtue of an Act of the last Session of Parliament, and other Lotteries, which are prejudicial to the Publick, and tend greatly to defraud her Majesty's Subjects; Be it further enacted by the Authority aforesaid, That the said Act of the tenth Year of the late King WILLIAM, shall be put in Execution: And for the more effectual suppressing and preventing such unlawful Lotteries, the Justices of the Peace, and all Mayors, Bailiffs, Head Officers, Constables, and other her Majesty's Civil Officers, within their respective Jurisdictions, are hereby impowered and required to use their utmost Endeavours to prevent the Drawing of any such unlawful Lottery, heretofore or hereafter to be set up, by all lawful Ways and Means; and that every Person who after the eighth Day of *March* one thousand seven hundred and ten shall set up, or shall by Writing or Printing, publish the setting up any such unlawful Lottery, with Intent to have such Lottery drawn, shall forfeit for every such Offence one hundred Pounds, to be recovered by Information, Bill, Plaint or Action at Law, in any of her Majesty's Courts at *Westminster*, wherein no *Essoin*, Wager of Law, nor any more than one Imparlance shall be allowed; one third Part thereof to the Use of her Majesty, her Heirs and Successors; one other third Part thereof to the Use of the Poor of the Parish where such Offence shall be committed; and the other third Part thereof, together with full Costs, to the Party who shall inform, and sue for the same.

Act 10 W. 3. c. 17. concerning Lotteries, to be put in Execution. Amended and enforced by 12 Geo. 2. c. 28.

Persons setting up such Lotteries forfeit 100 l. See farther 10 Ann. c. 26 f. 119. 5 Geo. 1. c. 9. J. 43. 8 Geo. 1. c. 2. f. 36. 9 Geo. 1. c. 19. 6 Geo. 2. c. 35. 12 Geo. 2. c. 28. 13 Geo. 2. c. 19. 29 Geo. 2. c. 7. f. 26.

“LVII. And

‘ LVII. And whereas several ill-disposed Persons, with Design to defraud her Majesty’s Subjects, have of late presumed to erect and set up Offices or Places, for making Insurances on Marriages, Births, Christnings or Service, which Practices are also prejudicial to the Publick, and tend to defraud her Majesty’s Subjects;’ Be it further enacted by the Authority aforesaid, That every Person or Persons, who after the eighth Day of *March* one thousand seven hundred and ten shall erect or set up any Office or Place, for making Assurances on Marriages, Births, Christnings and Service or on any of them, shall forfeit for every such Offence the Sum of five hundred Pounds, to be recovered and distributed in such Manner, as the Penalty of two hundred Pounds last mentioned is to be recovered and distributed; and every Person or Persons, who after the said eighth Day of *March*, in any Office or Place, before the said eighth Day of *March* erected or set up, for making Insurances on Marriages, Births, Christnings and Service or on any of them, shall make or suffer to be made therein any new Insurances, or Contracts for new Insurances on Marriages, Births, Christnings and Service or on any of them, shall forfeit for every such Offence the Sum of one hundred Pounds, to be recovered and distributed in like Manner.

Persons setting up Insurances on Marriages, Births, c. forfeit 500 l.

Contracting for new Insurances in Offices already set up, forfeits 100 l.

LVIII. Provided nevertheless, That such Offices and Places erected, set up, or used before the said eighth Day of *March*, for making Insurances on Marriages, Births, Christnings and Services or on any of them, may be continued after the said eighth Day of *March*, for making good, and executing only such Insurances or Contracts for Insurances therein respectively made before the said eighth Day of *March*, as they might have continued if this Act had not been made; any Thing herein contained to the contrary thereof notwithstanding.

Offices set up before 8 March, may be continued, for making good their former Insurances only.

‘ LIX. And whereas some Doubt hath arisen, whether Long Pepper might not be chargeable with the additional Duty of one Shilling and six Pence per Pound, chargeable upon all and all Manner of Pepper, by Virtue of the Act made the last Session of Parliament, for granting to her Majesty new Duties of Excise upon several imported Commodities;’ For preventing therefore of any Disputes concerning the same; be it declared and enacted by the Authority aforesaid, That Long Pepper shall not be deemed, construed or taken to be charged or chargeable with the said Duty of one Shilling and six Pence per Pound; any thing in the said last mentioned Act contained to the contrary thereof in any wise notwithstanding.

Long Pepper not chargeable with 1 s. 6 d. per lb. 8 Annæ, c. 7. §. 6. Further Provisions concerning Spices, 10 Annæ, c. 26. §. 45.

6 Geo. I. c. 21. f. 45. 8 Geo. I. c. 15. f. 15. and 8 Geo. I. c. 18. f. 27.

Some Benefit Tickets in the last Lottery not being adjusted, present Managers may settle them before 27 May 1711. EXP.

C A P. VII.

An Act for enabling and obliging the Bank of *England*, for the Time therein mentioned, to exchange all Exchequer Bills for ready Money upon Demand; and to disable any Person to be Governor, Deputy Governor, or Director of the Bank of *England*, and a Director of the *East India Company*, at the same Time.

‘ **M**AY it please your most Excellent Majesty; Whereas in pursuance of an Act of Parliament, made in the seventh Year of your Majesty’s Reign, (amongst other Things) for enlarging the Capital Stock of the Bank of *England*, several Bills, commonly called Exchequer Bills, have been made forth, amounting in Principal Money to two millions and five hundred thousand Pounds, for her Majesty’s Supply; and in pursuance of another Act of the same Session of Parliament, made (amongst other Things) for circulating a further Sum of Exchequer Bills; and of an Act made in the eighth Year of your Majesty’s Reign, intituled, *An Act for granting an Aid to her Majesty, to be raised by a Land Tax in Great Britain, for the Service of the Year one thousand seven hundred and ten*, further Exchequer Bills, to the amount of four hundred thousand Pounds in Principal Money, have been also made out and issued for her Majesty’s Supply: And whereas in pursuance of the said Acts, (over and above the Bills aforesaid, amounting in the whole to two millions nine hundred thousand Pounds) other Exchequer Bills for Interest, after the Rate of two Pence per Centum per Diem, and for a certain Allowance, after the Rate of three Pounds per Centum per Annum, have been made forth, and are still to be made forth quarterly, until the Funds mentioned in the said Acts shall take Effect, as is thereby directed; and the said Governor and Company of the Bank of *England*, by the said Acts or some of them, are obliged and required to exchange such of the said Exchequer Bills, which (after the making forth of the same) have been or shall have been paid to any Receivers or Collectors of any your Majesty’s Revenues, Aids, Taxes or Supplies, as have been or shall have been exchanged by such Receivers or Collectors for ready Money, and which also have been or shall have been paid by such Receivers or Collectors into her Majesty’s Exchequer, and likewise have been or shall have been reissued or repaid from her Majesty’s Exchequer, in the Manner and Form in the said Acts expressed, as the said Governor and Company shall be required to exchange by any Person or Persons whatsoever, for ready Money, and so *toties quoties*, as often as the said Bills should be paid into the Exchequer by such Receivers or Collectors, and be from thence reissued in Manner and Form thereby prescribed; and the said Governor and Company are not, by the said Acts or any of them, obliged to exchange or pay ready Money for any of the said Bills, until the said Bills shall have had a Currency in the Revenue or Taxes, and shall have been reissued at the Exchequer as aforesaid, and so *toties quoties*, in Manner and Form as aforesaid; and by the said Acts or some of them, the said Funds are further charged with a Sum of two hundred thousand Pounds yearly, for the discharging and cancelling the said Bills, as in and by the said several Acts of Parliament (Relation being thereunto re-

7 Annæ, c. 7.
7 Annæ, c. 3.
8 Annæ, c. 27.

speciely

Contract with
the Bank, for
answering Non-
specie Exchequer
Bills.

respectively had) may more fully appear: And whereas we your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, did resolve on the sixteenth Day of *January* one thousand seven hundred and ten, That an annual Sum, not exceeding forty-five thousand Pounds, should be granted, to enable your Majesty to contract for answering all Non-specie Exchequer Bills, by exchanging them from Time to Time for ready Money; and thereupon the said Governor and Company have humbly proposed, That in case a sufficient Fund should be granted to your Majesty for Payment of forty-five thousand Pounds *per Annum* to the said Governor and Company, by quarterly Payments, from the Time their Undertaking in this Behalf shall commence, until the one and thirtieth Day of *July* one thousand seven hundred and fourteen; and if a like Sum of forty-five thousand Pounds *per Annum*, to commence and take Effect from the said one and thirtieth Day of *July* one thousand seven hundred and fourteen, and to be also payable quarterly out of the Funds established by the said Acts, or some of them, for the Payment of the said Interest and Allowance, and for discharging and cancelling the said Exchequer Bills, shall (after the Payment of such Interest and Allowance, and with Preference to the cancelling or discharging any of the said Bills) be appropriated and continued to the said Governor and Company, until such Time as all the said quarterly Exchequer Bills, made or to be made for Interest or Allowance as aforesaid, upon the said Bills for two millions nine hundred thousand Pounds, together with a million of the said Bills for two millions nine hundred thousand Pounds, shall be paid and cancelled, or until such Time as of the said Bills for two millions nine hundred thousand Pounds, and quarterly Bills taken together, there shall not be standing out and uncanceled more than one million nine hundred thousand Pounds in the whole, they the said Governor and Company in Consideration thereof, (for the publick Service, further than the Acts before mentioned require) are willing to undertake, and be obliged, after such Time as should be agreed on, to exchange for ready Money all such of the said Exchequer Bills, as from Time to Time, and at all Times then after, should be in the Hands of any Person or Persons, and be demanded of the said Governor and Company to be exchanged for ready Money, whether such Bills or any of them should or should not have passed, or had a Currency in your Majesty's Revenue or Taxes as aforesaid: The said Governor and Company at the same Time also proposing, that they may be impowered to contract and agree with any Persons for advancing to the said Governor and Company, from Time to Time, such Sums on such Terms as they shall find necessary for the more secure making good such Undertaking; and that they might have such other Clauses granted them as might be reasonable for enabling them to perform the same: Now to the end the Undertaking so offered may obtain its full and due Effect for the Advantage and Service of your Majesty and your Subjects, we your Majesty's said dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen'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 Authority of the same, That for the better enabling the said Governor and Company of the Bank of *England*, and their Successors, to perform such Undertaking, the full Sum of forty-five thousand Pounds *per Annum*, or so much Money as shall be after the Rate of forty-five thousand Pounds *per Annum*, shall be well and truly paid and satisfied, by such Ways and Means, and during such Time as are herein after expressed, unto and for the Use of the said Governor and Company, and their Successors, without any Account, Imprest, or other Charge to be set upon them for the same or any Part thereof, and without any Abatement for Taxes, or other Cause or Occasion whatsoever; and that the said Sum of forty-five thousand Pounds *per Annum* or after that Rate, shall commence and take Effect from such Time as shall be prefixed by the Commissioners of her Majesty's Treasury, or any three or more of them now being, or by the High Treasurer, or any three or more of the Commissions of the Treasury for the Time being, in Writing under his or their Hands to be publickly affixed on the *Royal Exchange* of *London*, and to be also notified in the *London Gazette*, for the Commencement of the said Undertaking; and shall continue, and be paid, and payable from thenceforth, until such Time as all the said quarterly Exchequer Bills, made or to be made for Interest or Allowance as aforesaid, upon the said Bills for two millions nine hundred thousand Pounds, together with a million of the said Bills, for two millions nine hundred thousand Pounds, shall be paid off and cancelled, or until such Time as there shall not be standing out and uncanceled more than one million nine hundred thousand Pounds in the whole of the said Bills for two millions nine hundred thousand Pounds, and quarterly Bills taken together, (which of the Limitations aforesaid shall first happen) and that so much of the said yearly Sum, after the Rate of forty-five thousand Pounds *per Annum*, as is to be reckoned by the Day, for so many Days as shall incur from the Day of the Commencement of the said Undertaking exclusively, until the one and thirtieth Day of *July* one thousand seven hundred and eleven inclusively, shall be paid and satisfied unto the said Governor and Company, on the said one and thirtieth Day of *July* one thousand seven hundred and eleven; and that from and after the said one and thirtieth Day of *July* one thousand seven hundred and eleven, during the Term of three Years from thence next and immediately ensuing, the said yearly Sum of forty-five thousand Pounds shall be paid and satisfied to the said Governor and Company, and their Successors, by quarterly Payments; that is to say, on the one and thirtieth Day of *October*, the one and thirtieth Day of *January*, the thirtieth Day of *April*, and the one and thirtieth Day of *July* yearly, by even and equal Portions; and that all the Payments so to be made of or for the said yearly Sum of forty-five thousand Pounds, or after that Rate, from the Commencement of the said Undertaking, until the said one and thirtieth Day of *July* one thousand seven hundred and eleven inclusively, and from thence until the End of the said Term of three Years, to wit, until the one and thirtieth Day of *July* one thousand seven hundred and fourteen inclusively, shall be and are, by Force and Virtue of this present Act, charged and chargeable upon, and shall be discharged and satisfied

Bank to have
45000 l. per
Annum.

To continue till
all the quarterly
Exchequer Bills
made for Interest,
and a million of
the Bills be paid
off, &c.

How the same
shall be satisfied
till 23 July 1714.

fied out of all and every, or any the Aids or Supplies granted or to be granted to her Majesty in this Session of Parliament, for the carrying on the War, or other her Majesty's Occasions, and are not or shall not be actually applied thereunto on or before the twelfth Day of *March* one thousand seven hundred and ten; and the Commissioners of her Majesty's Treasury now being, and the High Treasurer, or Commissioners of the Treasury for the Time being, are hereby directed, authorized, and required (without any further or other Warrant or Authority to be sued for, had or obtained in that Behalf) from time to time, as the said Payments shall incur or grow due, at or before the said one and thirtieth Day of *July* one thousand seven hundred and fourteen, to discharge and satisfy the same out of the Aids and Supplies last-mentioned, and to cause so much of the same Aids or Supplies, in Monies, Tallies, or Orders, as shall be sufficient for that Purpose, to be reserved and set apart, and to be applied thereunto from time to time, as the said Payments shall incur and become due.

II. And it is hereby enacted by the Authority aforesaid, That all the Payments which shall grow due by or in pursuance of this Act, of or for the said Sum of forty-five thousand Pounds *per Annum*, or after that Rate, from and after the said one and thirtieth Day of *July* one thousand seven hundred and fourteen, during so long Time as the same is to continue as aforesaid, according to this Act, shall from time to time be well and truly made and satisfied, as from time to time the same Payments shall incur and grow due, unto the said Governor and Company, and their Successors, out of the Duties, Revenues or Funds, or some of them, which were by the Acts of Parliament above recited or mentioned, or any of them, settled, established, or appropriated, as well for paying the said Interest after the Rate of two Pence *per Centum per Diem*, and the said Allowance after the Rate of three Pounds *per Centum per Annum* as for discharging and cancelling the said Exchequer Bills in the Manner and Form herein after specified, that is to say, When and as soon as any Payment shall, after the said one and thirtieth Day of *July* one thousand seven hundred and fourteen, become due by virtue of this Act, of or for the said Sum of forty-five thousand Pounds *per Annum*, or after that Rate, the Commissioners of her Majesty's Treasury, or the High Treasurer for the Time being, shall, from time to time, within ten Days then next ensuing, cause an exact Account to be taken of so much as shall be due to the said Governor and Company upon the said Allowance, after the Rate of three Pounds *per Centum per Annum* for Circulation, and an Estimate to be made as near as they can, of so much as shall be then due or demandable, for the said Interest at two Pence *per Centum per Diem*; and after the Payment of the same Allowance and Interest Money, as the said former Acts do direct, or reserving from time to time Money sufficient to discharge the same, shall issue out of the said Duties, Revenues and Funds last-mentioned, unto the said Governor and Company, from time to time, the Money, which upon the taking of every such Account, shall be due to them of or for the said Sum of forty-five thousand Pounds *per Annum*, or after that Rate as aforesaid: It being the Intent and true Meaning of this Act, that the same Allowance for Circulation, and the said Interest Monies, shall take Place and be preferred in Point of Payment out of the said Funds, before the said Sum of or after the Rate of forty-five thousand Pounds *per Annum*; and that the said forty-five thousand Pound *per Annum* shall, from time to time, take place, and be preferred in Point of Payment, before the said yearly Sum of two hundred thousand Pounds *per Annum*, which was intended and settled by the said former Acts, or some of them, for cancelling and discharging the said Exchequer Bills; the said former Acts, or any of them, or any thing therein contained, or any other Law or Statute whatsoever; to the contrary notwithstanding.

III. Provided always, and it is hereby enacted by the Authority aforesaid, That after paying, or reserving sufficient to pay so much as shall, from time to time, be incurred, and grown due for or upon the said Interest after the Rate of two Pence *per Centum per Diem*, and the said several Allowances after the Rate of three Pounds *per Centum per Annum*, and forty-five thousand Pounds *per Annum* as aforesaid, the said yearly Sum of two hundred thousand Pounds, intended by the said former Acts for discharging and cancelling the Principal Money contained or to be contained in all the said Exchequer Bills, or so much thereof as the said Funds shall produce for that Purpose, shall and may be applied, from time to time, for discharging and cancelling the said Exchequer Bills, until they shall be entirely discharged and cancelled according to the said former Acts; any thing herein contained to the contrary notwithstanding.

IV. And be it further enacted by the Authority aforesaid, That the said former Acts above recited or mentioned, and all the Powers, Authorities, Privileges, and Advantages, Rules, Directions, Pains of Death, and other Penalties and Forfeitures, Clauses of Redemption, and other Clauses, Matters, and Things therein contained (being now in Force) touching or concerning the said Exchequer Bills, or any the Funds thereof, or any Way relating thereunto (such Alterations as are therein made by this Act only excepted) shall continue and be used, exercised, inflicted, raised, levied and put in Practice and Execution, to all Intents and Purposes, in the same Manner and Form as if this Act had never been made; any thing herein contained to the contrary notwithstanding. And it is hereby declared, That the said yearly Sum of forty-five thousand Pounds, or any Part thereof, shall not be liable to any Tax or Assessment whatsoever.

After 31 July 1714. to be satisfied out of the Duties arising by the Acts
7 Annæ, c. 7.
8 Annæ, c. 1.

After discharging Interest, Allowance, &c. the yearly Sum of 200,000l. to be applied for cancelling Exchequer Bills, &c.

Recited Acts to continue in force, &c.

" Bank obliged to exchange for ready Money, all the said Exchequer Bills. In Default may be sued.
" Bank may contract with others for furnishing Monies. Such Contracts not chargeable with the Stamp
" Duties. Further sealed Bank Bills may be issued to the amount of the Contract, &c. Exchequer
" Bills of 5000l. each may be issued, &c. Exchequer Bills of 6l. 5s. each may be issued, &c. Treas-
" ury to direct Imprest Money for discharging Interest on Exchequer Bills. Treasury may contract, or
" alter Endorsements, &c. EXP.

7 Annæ, c. 7.
8 Annæ, c. 1.

None may be Governor, &c. of the Bank and East India Company at the same Time.

Farther Provisions concerning Bank, 12 Ann. St. 1. c. 11. 12 Ann. St. 2. c. 3. 3 Geo. 1. c. 8.

XI. And be it enacted by the Authority aforesaid, That in all future Elections of Governor, Deputy Governor, or Directors, of the respective Corporations of the Bank of *England*, and of the united Company of Merchants of *England* trading to the *East Indies*, all and every Person or Persons, who shall be elected Governor, Deputy Governor, or Director of the Bank of *England*, shall, during the Year for which he or they shall be elected, be incapable of being chosen a Director or Directors for the Management of the Affairs of the said united Company; and all and every Person or Persons, who shall be elected a Director or Directors of the said united Company, shall, during the Year for which he or they shall be so elected, be incapable of being chosen a Governor, or Deputy Governor, or Director or Directors of the Bank of *England*.

11 Geo. 1. c. 9. 1 Geo. 2. St. 2. c. 8. 2 Geo. 2. c. 3. 11 Geo. 2. c. 27. f. 16. 15 Geo. 2. c. 13. 19 Geo. 2. c. 6. 24 Geo. 2. c. 4.

C A P. VIII.

An Act to repeal the Act of the third and fourth Year of her Majesty's Reign, intituled, *An Act for prohibiting all Trade and Commerce with France*; so far as it relates to the prohibiting the Importation of *French Wines*. After *March 25, 1711*. so much of the Act 3 & 4 Annæ, c. 13. as relates to the Importation of *French Wines* is repealed. *French Wines* may be imported in any Ship of 70 Tuns, belonging to the Subjects of any Foreign Princes in Amity with the Queen, during the War, &c. To be imported directly from *France to Ireland*, and thence to *Great Britain*. The said Ship to take on Board *English Goods* to the full Value of the *Wines* contraband Goods excepted.) Proof to be made upon Oath, that the Goods were landed, &c. in *France*. E X P.

C A P. IX.

An Act to continue the Acts for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters, and for approving of Medicines for the Army. E X P.

C A P. X.

An Act for establishing a General Post Office for all her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majesty's Occasions.

32 Car. 2. c. 35.

MOST gracious Sovereign; Whereas by an Act made in the twelfth Year of the Reign of his late Majesty King CHARLES the Second, a General Post Office was erected and established in that Part of *Great Britain* called *England*, and by the twentieth Act of the fifth Session of the first Parliament of his late Majesty King WILLIAM the Third, a General Post Office was erected and established in that Part of *Great Britain* called *Scotland*, and several Rates of Postage were thereby severally appointed to be received, under several different Powers and Authorities; which two Kingdoms being since united, it is most likely that a Correspondence by Post will be best managed and ordered for the publick Good, by uniting also the said two Post Offices under one Postmaster General: And whereas also Posts have at great Charges been established by Packet Boats between that Part of *Great Britain* called *England* and the *West Indies*, and also on the main Land in *North America*, through most of her Majesty's Plantations and Colonies in those Parts, as also to divers Parts in *Europe*, to which no Packet Boats were till lately settled, and more Posts may yet be settled and established for the publick Good and Welfare of all your Majesty's Subjects: And whereas the several Rates of Postage may in many Parts, with little Burthen to the Subject, be increased, and other new Rates granted, which additional and new Rates may, in some Measure, enable your Majesty to carry on and finish the present War, so as suitable Powers and Authorities be made for collecting the same, and sufficient Provision be made, as well for preventing the undue collecting the Delivery of Letters by private Posts, Carriers, Higlers, Watermen, Drivers of Stage Coaches, and other Persons, as all other Frauds to which the Revenue might otherwise be liable; which cannot be well and properly done, to answer the Ends aforesaid, without the Authority of Parliament in a new Act to be made for the said Office, and for the Revenues to arise thereby: We therefore your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the Queen'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 Authority of the same, That the said Act made in *England* in the twelfth Year of the Reign of his said late Majesty King CHARLES the Second, intituled, *An Act for erecting and establishing a Post Office*, and the said Act made in *Scotland* in the fifth Session of the first Parliament of his said late Majesty King WILLIAM the Third, intituled, *An Act anent the Post Office*, and every Article, Clause, and Thing therein or in either of them contained, shall be, and is and are hereby, from and after the first Day of *June* one thousand seven hundred and eleven, actually repealed, except as is herein after mentioned.

Former Acts in England and Scotland relating to the Office repealed.

12 Car. 2. c. 35.

One General Post Office to be erected,

II. And to the End a General Post Office may be established for and throughout her Majesty's Kingdoms of *Great Britain* and *Ireland*, her Colonies and Plantations in *North America*, and the *West Indies*, and all other her Majesty's Dominions and Territories, in such Manner as may be most beneficial to the People of these Kingdoms, and her Majesty may be supplied, and the Revenue arising by the said Office better improved, settled, and secured to her Majesty, her Heirs and Successors, in such Manner as is herein after mentioned; Be it enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and eleven, there be from thenceforth one General Letter Office and

and Post Office erected and established in some convenient Place within the City of *London*, from whence all Letters and Packets whatsoever may be with Speed and Expedition sent into any Part of the Kingdoms of *Great Britain* and *Ireland*, or to *North America*, the *West Indies*, or to any other of her Majesty's Dominions or Territories, or unto any other Kingdom or Country beyond the Seas, at which said Office all Returns and Answers may be likewise received; and that one Master of the said General Letter Office and Post Office shall be, from time to time, appointed by the Queen's Majesty, her Heirs and Successors, to be made and constituted by Letters Patents under the Great Seal of *Great Britain*, by the Name and Stile of her Majesty's Postmaster General; which said Master of the said Office, and his Deputy and Deputies by him thereunto sufficiently authorized, and his and their Servants and Agents, and no other Person or Persons whatsoever, shall, from time to time, and at all Times, have the receiving, taking up, ordering, dispatching, sending Post, or with Speed, carrying and delivering of all Letters and Packets whatsoever, which shall, from time to time, and at all or any Times be sent to and from all and every the Parts and Places of *Great Britain* and *Ireland*, *North America*, the *West Indies*, and other her Majesty's Dominions, and also to and from all and every the Kingdoms and Countries beyond the Seas, where he shall settle or cause to be settled Posts, or running Messengers for that Purpose: Except such Letters as shall respectively concern Goods sent by common known Carriers of Goods by Carts, Waggons, or Pack Horses, and shall be respectively delivered with the Goods such Letters do concern, without Hire, or Reward, or other Profit or Advantage for receiving or delivering such Letters; and except Letters of Merchants, and Masters, Owners of any Ships, Barques, or Vessels of Merchandize, or any the Cargo or Loading therein, sent on board such Ships, Barques or Vessels of Merchandize, whereof such Merchants or Masters are Owners as aforesaid, and delivered by any Masters of any such Ships, Barques or Vessels of Merchandize, or by any other Person employed by them for the Carriage of such Letters aforesaid, according to their respective Directions, so as such Letters be delivered to the respective Persons to whom they shall be directed without paying or receiving any Hire or Reward, Advantage, or Profit for the same in any wise; and also except Commissions, or the Return thereof, Affidavits, Writs, Process, or Proceedings or Returns thereof, issuing out of any Court; and also any Letter or Letters to be sent by any private Friend or Friends, in their Way of Journey or Travel, or by any Messenger or Messengers sent on Purpose for or concerning the private Affair of any Person or Persons.

and one Post-
master General.

Exception.

III. Provided always nevertheless, That nothing in the said Exception contained, shall extend or be construed to extend to give any Licence or Authority to any common known Carriers of Goods by Carts, Waggons, or Pack Horses, their Servants or Agents, to receive, collect or deliver, with or without Hire, any Letter or Letters, Packet, or Packets of Letters whatsoever, that do not concern Goods in their Carts, Waggons, or on their Pack Horses, nor to any Owners or Drivers of Stage Coaches, nor to any Owners, Masters or Commanders of Boats called Passage Boats, sailing between any Part of *Great Britain* or *Ireland*, and any Parts or Places beyond the Seas, or their Servants or Agents, nor to any Passenger or Passengers on board such Boats or Vessels, nor to the Owners or Watermen on board of any Boat, Barge, or Vessel passing or repassing on any River or Rivers, to and from any Parts of *Great Britain* and *Ireland*, *North America*, or the *West Indies*, or other her Majesty's Dominions and Territories, although such Drivers of Stage Coaches, Owners, Masters, or Commanders of Boats, called Passage Boats, or Passengers therein, Owners or Watermen on board of any such Boat, Barge, or Vessel passing or repassing on any such River or Rivers as aforesaid, do not receive any Hire or Reward, or other Advantage for the same; but that all such Carriers, Owners and Drivers of Stage Coaches, Owners, Masters or Commanders of Passage Boats, and the Passengers therein, and all Owners and Watermen on board of any Boat, Barge or Vessel passing or repassing on any River or Rivers, to or from any the Parts and Places aforesaid, collecting and delivering Letters as aforesaid, though without Hire or Reward, shall be deemed and taken, and are hereby declared to be Persons offending against this Act, and shall forfeit and pay such Sum and Sums of Money, as Persons collecting, receiving, taking up, conveying and delivering of Letters for Hire, or setting up, employing and maintaining any Post contrary to this Act, or that are or shall be concerned therein, are herein after enacted to forfeit and pay.

Carriers, Coach-
men, Watermen,
&c. not to carry
Letters.

Explained as to
Penny Post Let-
ters by 4 Geo. 2.
c. 33.

IV. And to the end there may be one chief Letter Office also in *North Britain* and *Ireland*, and at *New York* in *North America*, and in the *West Indies*, from whence the Distances for which the Rates hereby granted may be computed and settled; Be it enacted by the Authority aforesaid, That such Postmaster General so to be constituted as aforesaid, shall be at Liberty to keep one chief Letter Office in the City of *Edinburgh*, and one other chief Letter Office in the City of *Dublin*, and one chief Letter Office in *New York* aforesaid, and other chief Offices at some convenient Place or Places in each of her Majesty's Provinces or Colonies in *America*, and in each of the Islands in the *West Indies*, called the *Leeward Islands*, and appoint sufficient Deputies under him, for the better managing, ordering, collecting, and improving the Revenue hereby granted.

A chief Letter
Office to be
erected at *Edin-
burgh*, at *Dublin*,
and at *New York*,
&c.

V. And be it further enacted by the Authority aforesaid, That such Postmaster General for the Time being, as shall from time to time be made and constituted by her Majesty, her Heirs and Successors, and the respective Deputies or Substitutes of such Postmaster General, and no other Person or Persons whatsoever, shall prepare and provide Horses and Furniture, to let to Hire unto all or any Person or Persons riding in Post, by Commission or without, to or from all and every the Parts and Places of *Great Britain* and *Ireland*, where any Post-Roads are or shall be settled and established.

The Postmaster
General, and no
other, to provide
Horses for riding
Post.

22 G. 2. c. 25.

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such Postmaster General to be constituted and appointed as aforesaid, and his Deputy and Deputies by him thereunto sufficiently authorized, to and for the Use of her Majesty, her Heirs and Successors, to demand, have, receive and take, for the Portage and Conveyance of all such Letters and Packets which he shall so convey, carry or send Post as aforesaid, and for the providing and furnishing Horses for Persons riding in

Rates for carry-
ing Letters in
England.

By 6 Geo. 1. c. 21. §. 51. Bills of Exchange, and several Letters on one Paper, are to be charged as distinct Letters.

Rates for Scotland.

Rates for Ireland.

Rates for Letters on board any Ship.
Penny Post.

Rates for Foreign Letters.

Post as aforesaid, according to the several Rates and Sums of lawful *British* Money hereafter mentioned, not to exceed the same: (that is to say) For the Port of every single Letter or Piece of Paper, to or from any Place not exceeding eighty *English* Miles distant from the said General Post-Office in *London*, and within that Part of *Great Britain* called *England*, and not coming from or directed on Shipboard, three Pence; and for the like Port of every double Letter, six Pence; and so proportionably unto the said Rates for the Port of every Packet of Letters; and for the like Port of every Packet of Writs, Deeds and other Things, after the Rate of twelve Pence of *British* Money for every Ounce Weight; and for the Port of every single Letter or Piece of Paper, to or from any Place above eighty such *English* Miles distant from the said General Post-Office, and within that Part of the Kingdom of *Great Britain* called *England*, or to the Town of *Berwick* upon *Tweed*, and not coming from or directed on Shipboard, four Pence; and for the like Port of every double Letter eight Pence; and so proportionably unto the said Rates for the Port of every Packet of Letters; and for the like Port of every Packet of Writs, Deeds and other Things, after the Rate of one Shilling and four Pence *British* Money for every Ounce Weight: And for the Port of every single Letter or Piece of Paper, from the said General Post-Office in *London* unto the City of *Edinburgh*, in that Part of *Great Britain* called *Scotland*, or from thence to the said General Post-Office in the City of *London*, and to and from *Dumfries* or *Cockburnspath*, and between either of those Places and the said City of *Edinburgh*, not coming from, or directed on board any Ship, six Pence; and for the like Port of every double Letter, twelve Pence; and so proportionably unto the said Rates for the Port of every Packet of Letters; and for the like Port of every Packet of Writs, Deeds and other Things, after the Rate of two Shillings *British* Money for every Ounce Weight; and for the Port of every single Letter or Piece of Paper, to or from the chief Post-Office in the said City of *Edinburgh*, to or from any Place not exceeding fifty such *English* Miles distant from the said chief Post-Office in *Edinburgh*, and within that Part of the Kingdom of *Great Britain* called *Scotland*, and not coming from or directed on board of any Ship or Vessel, two Pence *British* Money; and for the like Port of every double Letter, four Pence of like Money; and so proportionably to the said Rates for the Port of every Packet of Letters; and for the like Port of every Packet of Writs, Deeds and other Things, after the Rate of eight Pence *British* Money for every Ounce Weight; and for the Port of every single Letter or Piece of Paper, to or from any Place above fifty such Miles distant from the said chief Office in *Edinburgh*, and not exceeding eighty such Miles, and within that Part of *Great Britain* called *Scotland*, and not coming from or directed on Ship-board, three Pence; and for the like Port of every double Letter, six Pence; and so proportionably to the said Rates for the Port of every Packet of Letters; and for the like Port of every Packet of Writs, Deeds and other Things, after the Rate of twelve Pence *British* Money for every Ounce Weight; and for the Port of every single Letter or Piece of Paper, to or from any Place above eighty *English* Miles distant from the said chief Office in *Edinburgh*, and within that Part of *Great Britain* called *Scotland*, and not coming from or directed on Ship-board, four Pence *British* Money; and for the like Port of every double Letter, eight Pence; and so proportionably to the said Rates for the Port of every Packet of Letters; and for the like Port of every Packet of Writs, Deeds and other Things, after the Rate of one Shilling and four Pence *British* Money for every Ounce Weight: And for the Port of every single Letter or Piece of Paper, from the said General Letter Office in *London*, unto the City of *Dublin* in *Ireland*, or from the said City of *Dublin* in *Ireland*, unto the said General Post-Office, and not coming from or directed on board of any Ship, six Pence of *British* Money; and for the like Port of every double Letter, twelve Pence *British* Money; and so proportionably unto the said Rates for the Port of every Packet of Letters; and for the like Port of every other Packet of Writs, Deeds and other Things of greater Bulk, two Shillings of *British* Money for every Ounce Weight; and for the Port of such Letters or Packets as shall be conveyed or carried from the chief Post-Office in the said City of *Dublin* unto any other Place or Places within the Kingdom of *Ireland*, or from any other Place within the said Kingdom, not coming from or directed on Ship-board, according to the Rates and Sums of *British* Money hereafter following, (*viz.*) For the Port of every single Letter from the chief Post-Office in the said City of *Dublin*, to or from any Place not exceeding forty *English* Miles distant from the said chief Office in *Dublin*, and within the said Kingdom of *Ireland*, not coming from or directed on Ship-board, two Pence; and for the like Port of every double Letter, four Pence; and so proportionably unto the said Rates for the Port of every Packet of Letters; and for the like Port of every other Packet of Writs, Deeds or other Things, after the Rate of eight Pence for every Ounce Weight; and for the Port of every single Letter or Piece of Paper, to or from any Place above forty *English* Miles distant from the said chief Office in *Dublin*, and within the said Kingdom of *Ireland*, and not coming from or directed on board of any Ship or Vessel, four Pence; and for the like Port of every double Letter, eight Pence; and so proportionably unto the said Rates for the Port of every Packet of Letters; and for the like Port of every Packet of Writs, Deeds and other Things, after the Rate of one Shilling and four Pence for every Ounce Weight: And for the Port of all and every the Letters and Packets of Letters directed on board, or fetched or brought from on board any Ship or Vessel, riding or stopping in any Port within her Majesty's Dominions, the Sum of one Penny, over and above the Rates granted in and by this Act: And for the Port of all and every the Letters and Packets, passing or repassing by the Carriage called the Penny-Post, established and settled within the Cities of *London* and *Westminster*, and Borough of *Southwark*, and Parts adjacent, and to be received and delivered within ten *English* Miles distant from the said General Letter-Office in *London*, one Penny: And for the Port of all and every the Letters, Packets and Parcels of Goods that shall be carried or conveyed to or from any of her Majesty's said Dominions, to or from any other Parts or Places beyond the Seas, according to the several and respective Rates following, the same being rated either by the Letter or by the Ounce; That is to say,

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| All Letters and Packets coming from any Part of <i>France</i> to <i>London</i> , | Single, ten Pence. Double, one Shilling eight Pence. Treble, two Shillings six Pence. Ounce, three Shillings four Pence. |
| All Letters and Packets passing from <i>London</i> , through <i>France</i> , to any Part of <i>Spain</i> or <i>Portugal</i> (Port paid to <i>Bayone</i>) and from <i>Spain</i> and <i>Portugal</i> , through <i>France</i> , unto <i>London</i> , | Single, one Shilling six Pence. Double, three Shillings. Treble, four Shillings six Pence. Ounce, six Shillings. |
| All Letters and Packets passing from <i>London</i> , through <i>France</i> , to any Part of <i>Italy</i> , or <i>Sicily</i> , by the Way of <i>Lyons</i> , or to any Part of <i>Turkey</i> , by the Way of <i>Mercecia</i> , and from any of those Parts, through <i>France</i> , unto <i>London</i> , | Single, one Shilling three Pence. Double, two Shillings six Pence. Treble, three Shillings nine Pence. Ounce, five Shillings. Single, ten Pence. |
| All Letters and Packets coming from any Part of the <i>Spanish Netherlands</i> unto <i>London</i> , | Double, one Shilling eight Pence. Treble, two Shillings six Pence. Ounce, three Shillings four Pence. |
| All Letters and Packets passing from <i>London</i> through the <i>Spanish Netherlands</i> to any Part of <i>Italy</i> or <i>Sicily</i> (Port paid to <i>Antwerp</i>) and from any Part of <i>Italy</i> or <i>Sicily</i> , through the <i>Spanish Netherlands</i> unto <i>London</i> , | Single, one Shilling. Double, two Shillings. Treble, three Shillings. Ounce, four Shillings. |
| All Letters and Packets passing from <i>London</i> through the <i>Spanish Netherlands</i> to any Part of <i>Germany</i> , <i>Switzerland</i> , <i>Denmark</i> , <i>Sweden</i> , and all Parts of the North, and from any of those Parts through the <i>Spanish Netherlands</i> unto <i>London</i> , | Single, one Shilling. Double, two Shillings. Treble, three Shillings. Ounce, four Shillings. |
| All Letters and Packets passing from <i>London</i> through the <i>Spanish Netherlands</i> to any Part of <i>Spain</i> or <i>Portugal</i> , and from any Part of <i>Spain</i> or <i>Portugal</i> , through the <i>Spanish Netherlands</i> unto <i>London</i> , | Single, one Shilling six Pence. Double, three Shillings. Treble, four Shillings six Pence. Ounce, six Shillings. |
| All Letters and Packets passing from any Part of the <i>United Provinces</i> unto <i>London</i> , | Single, ten Pence. Double, one Shilling eight Pence. Treble, two Shillings six Pence. |
| All Letters and Packets passing from <i>London</i> through the <i>United Provinces</i> for any Part of <i>Italy</i> or <i>Sicily</i> , and from any Part of <i>Italy</i> or <i>Sicily</i> , through the <i>United Provinces</i> , unto <i>London</i> , | Ounce, three Shillings four Pence. Single, one Shilling. Double, two Shillings. Treble, three Shillings. |
| All Letters and Packets passing from <i>London</i> through the <i>United Provinces</i> to any Part of <i>Germany</i> , <i>Switzerland</i> , <i>Denmark</i> , <i>Sweden</i> , and all Parts of the North, and from any of those Parts and Places, through the <i>United Provinces</i> unto <i>London</i> , | Ounce, four Shillings. Single, one Shilling. Double, two Shillings. Treble, three Shillings. |
| All Letters and Packets passing from <i>London</i> through the <i>United Provinces</i> unto any Part of <i>Spain</i> or <i>Portugal</i> , and from any Part of <i>Spain</i> or <i>Portugal</i> , through the <i>United Provinces</i> unto <i>London</i> , | Ounce, four Shillings. Single, one Shilling six Pence. Double, three Shillings. Treble, four Shillings six Pence. |
| All Letters and Packets passing from <i>London</i> through the <i>Spanish Netherlands</i> , or the <i>United Provinces</i> , to <i>Hamburgh</i> (Port paid to <i>Antwerp</i> or <i>Amsterdam</i>) and from <i>Hamburgh</i> , through the <i>Spanish Netherlands</i> or the <i>United Provinces</i> unto <i>London</i> , | Ounce, six Shillings. Single, ten Pence. Double, one Shilling eight Pence. Treble, two Shillings six Pence. |
| All Letters and Packets passing between <i>London</i> , <i>Spain</i> or <i>Portugal</i> , by Packet Boats, | Ounce, three Shillings. Treble, four Shillings six Pence. Ounce, six Shillings. Single, one Shilling six Pence. |
| All Letters and Packets passing from <i>London</i> unto <i>Jamaica</i> , <i>Barbadoes</i> , <i>Antegoa</i> , <i>Monferrat</i> , <i>Nevis</i> , and <i>Saint Christophers</i> in <i>America</i> , and from any of those Places to <i>London</i> , | Double, three Shillings. Treble, four Shillings six Pence. Ounce, six Shillings. Single, one Shilling. |
| All Letters and Packets from <i>London</i> to <i>New York</i> in <i>North America</i> , and thence to <i>London</i> , | Double, two Shillings. Treble, three Shillings. Ounce, four Shillings. Single, four Pence. |
| All Letters and Packets from any Part of the <i>West Indies</i> , to <i>New York</i> aforesaid, | Double, eight Pence. Treble, one Shilling. Ounce, one Shilling and four Pence. Single, four Pence. |
| All Letters and Packets from <i>New York</i> , to any Place within sixty <i>English Miles</i> thereof, and thence back to <i>New York</i> , | Double, eight Pence. Treble, one Shilling. Ounce, one Shilling and four Pence. |

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| <p>All Letters and Packets from from <i>New York</i> to <i>Perth Amboy</i>, the Chief Town in <i>East New Jersey</i>, and to <i>Bridlington</i>, the Chief Town in <i>West New Jersey</i>, and from each of those Places back to <i>New York</i>, and from <i>New York</i>, to any Place not exceeding one Hundred <i>English Miles</i>, and from each of those Places to <i>New York</i>.</p> | <p>Single, six Pence. Double, one Shilling. Treble, one Shilling six Pence. Ounce, two Shillings.</p> |
| <p>All Letters and Packets from <i>Perth Amboy</i> and <i>Bridlington</i> to any Place not exceeding sixty <i>English Miles</i>, and thence back again,</p> | <p>Single, four Pence. Double, eight Pence. Treble, one Shilling. Ounce, one Shilling and four Pence.</p> |
| <p>All Letters and Packets from <i>Perth Amboy</i> and <i>Bridlington</i> to any Place not exceeding one Hundred <i>English Miles</i>, and thence back again,</p> | <p>Single, six Pence. Double, one Shilling. Treble, one Shilling six Pence. Ounce, two Shillings.</p> |
| <p>All Letters and Packets from <i>New York</i> to <i>New London</i>, the Chief Town in <i>Connecticut</i> in <i>New England</i>, and to <i>Philadelphia</i> the Chief Town in <i>Pensilvania</i>, and from those Places back to <i>New York</i>,</p> | <p>Single, nine Pence. Double, one Shilling six Pence. Treble, two Shillings three Pence. Ounce, three Shillings.</p> |
| <p>All Letters and Packets from <i>New London</i> and <i>Philadelphia</i>, to any Place not exceeding sixty <i>English Miles</i>, and thence back again,</p> | <p>Single, four Pence. Double, eight Pence. Treble, one Shilling. Ounce, one Shilling four Pence.</p> |
| <p>All Letters and Packets from <i>New London</i> and <i>Philadelphia</i>, to any Place not exceeding one Hundred <i>English Miles</i>, and so back again,</p> | <p>Single, six Pence. Double, one Shilling. Treble, one Shilling six Pence. Ounce, two Shillings.</p> |
| <p>All Letters and Packets from <i>New York</i> aforesaid to <i>New-Port</i> the Chief Town in <i>Rhode Island</i>, and <i>Providence Plantation</i> in <i>New England</i>, and to <i>Boston</i> the Chief Town in <i>Massachusetts Bay</i> in <i>New England</i> aforesaid, and to <i>Portsmouth</i> the Chief Town in <i>New Hampshire</i> in <i>New England</i> aforesaid, and to <i>Annapolis</i> the Chief Town in <i>Maryland</i>, and from every of those Places to <i>New York</i>.</p> | <p>Single, one Shilling. Double, two Shillings. Treble, three Shillings. Ounce, four Shillings.</p> |
| <p>All Letters and Packets from <i>Newport</i>, <i>Boston</i>, <i>Portsmouth</i> and <i>Annapolis</i> aforesaid, to any Place not exceeding sixty <i>English Miles</i>, and thence back again,</p> | <p>Single, four Pence. Double, eight Pence. Treble, one Shilling. Ounce, one Shilling four Pence.</p> |
| <p>All Letters and Packets from <i>Newport</i>, <i>Boston</i>, <i>Portsmouth</i> and <i>Annapolis</i> aforesaid, to any Place not exceeding one hundred <i>English Miles</i> and thence back again,</p> | <p>Single, six Pence. Double, one Shilling. Treble, one Shilling six Pence. Ounce, two Shillings.</p> |
| <p>All Letters and Packets from <i>New York</i> aforesaid, to the Chief Offices in <i>Salem</i> and <i>Ipswich</i>, and to the Chief Office in <i>Piscataway</i>, and to <i>Williamsburgh</i> the Chief Office in <i>Virginia</i>, and from every of those Places to <i>New York</i>,</p> | <p>Single, one Shilling three Pence. Double, two Shillings six Pence. Treble, three Shillings nine Pence. Ounce, five Shillings.</p> |
| <p>All Letters and Packets from the Chief Offices in <i>Salem</i>, <i>Ipswich</i>, <i>Piscataway</i>, and <i>Williamsburgh</i> aforesaid, to any Place not exceeding sixty <i>English Miles</i>, and thence back again,</p> | <p>Single, four Pence. Double, eight Pence. Treble, one Shilling. Ounce, one Shilling four Pence.</p> |
| <p>All Letters and Packets from the said Chief Offices in <i>Salem</i>, <i>Ipswich</i>, <i>Piscataway</i>, and <i>Williamsburgh</i> aforesaid, to any Place not exceeding one Hundred <i>English Miles</i>, and thence back again,</p> | <p>Single, six Pence. Double, one Shilling. Treble, one Shilling six Pence. Ounce, two Shillings.</p> |
| <p>All Letters and Packets from <i>New York</i> aforesaid, to <i>Charles Town</i>, the Chief Town in <i>North</i> and <i>South Carolina</i>, and from <i>Charles Town</i> aforesaid, to <i>New York</i>,</p> | <p>Single, one Shilling six Pence. Double, three Shillings. Treble, four Shillings six Pence. Ounce, six Shillings.</p> |
| <p>All Letters and Packets from <i>Charles Town</i> aforesaid, to any Place not exceeding sixty <i>English Miles</i>, and thence back again,</p> | <p>Single, four Pence. Double, eight Pence. Treble, one Shilling. Ounce, one Shilling four Pence.</p> |
| <p>All Letters and Packets from <i>Charles Town</i> aforesaid, to any Place not exceeding one Hundred <i>English Miles</i>, and thence back again,</p> | <p>Single, six Pence. Double, one Shilling. Treble, one Shilling six Pence. Ounce, two Shillings.</p> |

Places where Posts are not yet settled, to pay according to these Rates.

VII. And be it enacted by the Authority aforesaid, That such Postmaster General so to be appointed as aforesaid, shall and may receive and take, according to the same Rates and Proportions for the Port of Letters Packets and Parcels, to or from any of the Parts or Places beyond the Seas, where Posts have not been heretofore settled, and may hereafter be settled by such Postmaster General for the time being.

VIII. And

VIII. And he it further enacted, That all Letters and Packets directed to or coming from any of the Foreign Parts or Places aforesaid, and collected or delivered at any Part or Place between *London* and any of the Ports from whence any of her Majesty's Packet Boats shall at any Time hereafter sail, or at which they shall or may arrive with the Foreign Mails, do pay the same Rates as if the same were conveyed in the said Mails to or from *London*.

Foreign Letters collected, &c between *London* and the Port whence the Packet Boats sails, or from *London*.

to pay as to

Packet Boats to go from *Donachadee* to Port *Patrick*.

IX. And he it further enacted by the Authority aforesaid, That such Postmaster General shall be at Liberty to keep and maintain Packet Boats to go weekly (Wind and Weather permitting) to and from *Donachadee*, or some other convenient Port in *Ireland*, to *Port Patrick*, or some other convenient Port in that Part of *Great Britain* called *Scotland*, for Conveyance of Letters and Packets for the Convenience of Trade and Commerce between the said Kingdoms, paying over and above the Inland Rates hereby rated and appointed to be received for such Letters and Packets, at the Place where such Letter or Letters are delivered in to be sent by such Packet Boats, according to the Rates following; that is to say, For every such Single Letter two Pence, Double four Pence, Treble six Pence, Ounce eight Pence.

X. And for as much as it may be convenient to erect some cross Stages for the better maintaining of Trade and Commerce, and mutual Correspondencies, and to settle the Rates for all By or Way Letters and Packets conveyed by Post in any of the said Kingdoms; Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and eleven, it shall and may be lawful to and for the Postmaster General for the time being, so constituted as aforesaid, to erect and set up cross Stages to and from any Place or Places whatsoever; and thereupon such Postmaster General, and his Deputy and Deputies by him thereunto sufficiently authorized, shall and may lawfully demand, have, receive and take for the Postage and Conveyance, as well of all such Letters and Packets which he or they shall so convey, carry, or send Post as aforesaid, in any such cross Stages, as for all By or Way Letters and Packets, the same Rates in Proportion to the Distances of the Places to which they shall be directed from the Places at which they shall be put in, as Letters and Packets conveyed and re-conveyed to and from *London*, are rated to pay.

Postmaster to erect cross Stages, &c.

XI. And for the better reducing all Miles in both the said Kingdoms throughout all the Post Roads within one Hundred Miles distance from the said Chief Offices, and in the cross Roads now settled, or hereafter to be settled, to one and the same Measure and Standard; and for preventing Disputes touching the same; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such Person and Persons as the Postmaster General for the time being shall appoint, to measure or cause to be measured, by the Wheel, all Roads, except such Roads where Stages are already settled; and that such Person or Persons so to be authorized, shall cause fair Surveys or Books to be made for each of the said Kingdoms; one of each whereof to be left with her Majesty's Postmaster General in *London*; another of each to be left at the chief Post Office in *Edinburgh*, with the Postmaster General's Deputy there; another of each to be left at the chief Post Office in *Dublin*, with the Postmaster General's Deputy there, to remain in the said Post Offices; and each of which said Books shall be signed by such Person or Persons making the same, and by the Postmaster General for the time being, and his Deputies in such General Offices in each Kingdom, and the Comptrollers and Surveyors belonging or to belong to the said General Post Offices in *London*, *Edinburgh*, and *Dublin*: Which Books or Surveys shall ascertain and determine the Distances on all the said Roads.

A Survey to be taken of the Distances of the Roads.

XII. Provided always, That such Person or Persons who shall be authorized to measure the said Distances, and every of them, shall be sworn to perform the same, according to the best of their Skill and Judgment; which Oath shall and may be administered by any of her Majesty's Justices of the Peace in the said Kingdoms respectively, who shall make a Certificate thereof in Writing, to be entered in the three General Post Offices aforesaid, without Fee or Charge.

Surveyor to be sworn.

XIII. Provided always, That all Merchants Accounts not exceeding one Sheet of Paper, and all Bills of Exchange, Invoices and Bills of Lading are, and shall hereby be understood to be allowed without Rate in the Price of the Letters; and likewise the Covers of Letters, not exceeding one fourth Part of a Sheet of Paper, sent by the Way of *Vienna*, *Marseilles*, *Venice* or *Leghorne*, to be sent to or from *Turkey*, shall be understood to be allowed to pass without Rate or Payment for the same.

Proviso for Merchants. 6 Geo. 1. c. 21. §. 52. This Proviso is restrained to Merchants Accounts, &c. sent beyond Sea, &c.

XIV. And in Regard the said Postmaster General and his Deputies are obliged, as well for performing the Duties of the several Stages of *Great Britain* and *Ireland*, as for furnishing such as ride Post with Horses and Furniture, to be at great Charge to maintain a convenient Number of Servants, Horses and Furniture; Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for such Postmaster General and his Deputy and Deputies, to ask, demand, take and receive of every Person, that he or they shall furnish and provide with Horses and Furniture, or with Horses, Furniture and Guide, to ride Post in any of the Post Roads as aforesaid, three Pence of *British* Money for each and every Horse-hire or Postage for every *English* Mile, and four Pence of like Money for the Person riding as Guide for every Stage; and the Deputy or Deputies of such Postmaster General shall not charge any Person riding Post, for the carrying of any Bundle or Parcel of Goods, carried along with them, in their Way of Travel, so as any such Bundle or Parcel of Goods do not exceed the Weight of eighty Pounds *Averdupois*, to be laid on the Horse rid by the Guide, and no Deputy shall be obliged to carry above that Weight for any Person riding Post.

Rates for riding Post.

XV. And whereas, upon the Arrival of Ships from Parts beyond the Seas, into several Ports within her Majesty's Dominions, many Letters directed to several Merchants and others, have been either imbezilled or long detained, to the great Damage of the Merchants and others, to whom the same were directed, in Want of that speedy Advice and Intelligence, which they might had, if the same had been forth-

At Port Towns
Deputy Postma-
ster to receive all
Letters from on
board Ships, &c.
* Perhaps Post
Town.

And to give the
Bringer a Penny
a Letter, &c.

None to carry
Letters, &c. but
the Postmaster
General or his
Deputies,

or provide Horses
for riding Post.
22 Geo. 2. c. 25.

Penalty.

Deputy Postma-
ster to account
for By or Way
Letters.

forthwith dispatched by the settled Posts, and sometimes such Letters have been delivered by the Masters or Passengers of such Ships, to ignorant and loose Hands that understand not the Ways and Means of speedy Conveyance and Delivery of Letters, whereby great Prejudice hath accrued to the Affairs of Merchants and others, as well by the Miscarriage of many Letters so brought, as oftentimes by the opening the same, to the Discovery of the Correspondency and Secrets of the Merchants; Be it therefore further enacted by the Authority aforesaid, That all Letters and Packets, that by any Master of any Ship or Vessel or any of his Company or any Passengers therein, shall or may be brought to any Port Town, or which shall arrive or touch at any Port belonging to any Port * Town, within any her Majesty's Dominions or any the Members thereof, or which shall be on board any Ship or Vessel, that shall or do touch or stay at any such Port Town (other than such Letters as are before excepted, or may be sent by common known Carriers in Manner aforesaid, or by a Friend as aforesaid) shall by such Master, Passenger or other Person or Persons, be forthwith delivered unto the Deputy or Deputies only of such Postmaster General for the Time being, by him appointed, for such Place or Port Town, and to be by such Deputy or Deputies sent Post unto the said General Post Office, to be delivered according to the several and respective Directions of the same; upon Pain of forfeiting the Sum of five Pounds of *British* Money, for every several Offence against the Tenor of this present Act.

XVI. And for the Encouragement of all such Masters of Ships or Vessels, or such other Persons, on their Arrival at such Ports as aforesaid, from any Parts beyond the Seas, to deliver unto the Deputy or Deputies of such Postmaster General for such Place or Port Town at which they shall so touch or arrive, all such Letters and Packets as they shall respectively have on board such Vessel or Vessels, every such Master or other Person, for every Letter or Packet of Letters he or they shall so deliver unto such Deputy or Deputies, shall receive the Sum of one Penny, of such Deputy or Deputies, he or they signing a Certificate of the Number of Letters delivered, and by what Vessel they came, and of the Time when he or they delivered the same to such Deputy or Deputies, and giving a Receipt for such Number of Pence as he or they shall receive of such Deputy or Deputies; which Certificate and Receipt shall be by such Deputy by the next Post returned to the said Postmaster General, together with the Letters so delivered, who shall have Credit for so much Money as any such Deputy shall pay on the Account.

XVII. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever, or Body Politick or Corporate, in any Part of these Kingdoms of *Great Britain* and *Ireland*, or other her Majesty's Plantations and Colonies in the *West Indies* and *America*, other than such Postmaster General as shall, from Time to Time, be nominated and appointed by her Majesty, her Heirs and Successors, and constituted by Letters Patents under the Great Seal of *Great Britain* as aforesaid, and his Deputy and Deputies or Assigns, shall presume to receive, take up, order, dispatch, convey, carry, recarry or deliver any Letter or Letters, Packet or Packets of Letters (other than as before excepted) or make any Collection of Letters, or set up or employ any Foot Post, Horse Post or Packet Boat, or other Vessel or Boat or other Person or Persons, Conveyance or Conveyances whatsoever for the receiving, taking up, ordering, dispatching, conveying, carrying, recarrying or delivering any Letter or Letters, Packet or Packets of Letters, by Sea or by Land or on any River, within her Majesty's Dominions or by Means whereof any Letter or Letters, Packet or Packets of Letters, shall be collected, received, taken up, ordered, dispatched, conveyed, carried, recarried or delivered, by Sea or Land, or on any River, within her Majesty's Dominions (other than as before excepted) or shall presume to keep, provide and maintain Horses, or Furniture for the horsing of any Person or Persons riding Post, that is to say, riding several Stages upon a Post Road, and changing Horses, or shall let to hire, or furnish any Person or Persons whatsoever with Horses or Furniture for riding Post as aforesaid, on any of the Post Roads or Stages now or hereafter to be appointed, with or without a Guide or Horn, for Hire or Reward, or on any Agreement or Promise of Reward, or whereby he or they may have any Profit or Advantage; on Pain of forfeiting the Sum of five Pounds of *British* Money for every several Offence against the Tenor of this present Act, and also of the Sum of one hundred Pounds of like *British* Money for every Week that any Offender against this Act shall collect, receive, take up, order, dispatch, convey, carry, recarry or deliver any Letter or Letters, Packet or Packets of Letters, by Sea or Land, or on any River, within her Majesty's Dominions (other than as before excepted) or that shall presume to set up, continue or employ any Foot Post, Horse Post or Packet Boat, or other Vessel or Boat, or any other Person or Persons, Conveyance or Conveyances whatsoever, for the receiving, taking up, ordering, dispatching, conveying, carrying, recarrying or delivering of any Letter or Letters, Packet or Packets of Letters, by Sea or Land, or on any River, within her Majesty's Dominions as aforesaid.

XVIII. And whereas divers deputy Postmasters do collect great Quantities of Post Letters called By or Way Letters, and by clandestine and private Agreements amongst themselves, do convey the same Post in their respective Mails, or By-Bags, according to their several Directions, without accounting for the same, or endorsing the same on their Bills, to the great Detriment of her Majesty's Revenues: For preventing whereof for the Time to come; be it enacted by the Authority aforesaid, That if at any Time hereafter, any Person or Persons employed as a Deputy Postmaster or otherwise, in these Kingdoms of *Great Britain* and *Ireland*, or in any of her Majesty's Dominions and Territories in the *West Indies* or in *North America*, shall not duly answer and account to her Majesty, her Heirs and Successors, for all such By or Way Letters as such Deputy or Deputies, or any by his, her or their Order shall receive the Post for, or that shall not on his or her Post Bills exactly mention all the By or Way Letters he, she or they shall or do receive, or which shall come to his, her or their Hand or Hands, Custody or Power, distinguishing them severally whether single, double, treble or Ounce Weight, or that shall destroy or embezzle any such By Letter or By Letters, Packet or Packets of Letters; every such Person so offending shall forfeit and pay for every such Offence, such Penalties and Forfeitures, as the Persons herein before

prohibited, setting up or employing other Posts, or collecting, carrying, recarrying, ordering, dispatching or delivering Letters and Packets contrary hereunto, are enacted to forfeit and pay.

XIX. And it is hereby enacted, That all and singular the said several Penalties and Forfeitures by this Act imposed on any Offender or Offenders against the same or any Part thereof, shall and may be sued for and recovered by Action or Actions of Debt, Bill, Complaint or Information, in any of her Majesty's Courts of Record, wherein no Essoin, Privilege, Protection or Wager of Law shall be admitted; and the said several and respective Penalties and Forfeitures, that shall happen from Time to Time to be recovered, shall be and remain, the one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety thereof to such Person or Persons who shall or will inform against the Offender or Offenders against this present Act, and shall and will sue for the said Penalties and Forfeitures upon the same; and on every such Recovery, such Person or Persons so informing, and prosecuting for the said Penalties and Forfeitures, shall recover, and have also taxed and paid their full Costs of Suit.

Penalties how to be recovered.

XX. Provided always, That if any Postmaster of any respective Stages on any Post Roads; in any her Majesty's Dominions, now settled or hereafter to be settled, doth not or cannot furnish any Person or Persons riding in Post, with sufficient Horses within the Space of one half Hour after Demand, that then such Person or Persons is and are hereby understood to be left at Liberty to provide themselves as conveniently as they can to the next Stage, and so at every Stage where he or they shall not be furnished as aforesaid; and the Person or Persons who shall furnish such Horses, shall not therefore be liable to any Penalties or Forfeitures contained in this Act by Reason thereof.

Proviso, when Postmaster doth not furnish Horses in one half Hour.

XXI. Provided always, That if through Default or Neglect of the Postmaster General or his Deputy for the Time being, any Person or Persons riding in Post shall fail as aforesaid, of being furnished with a sufficient Horse or Horses, for his or their Use after Demand as aforesaid, that then and in every such Case the Postmaster General or his Deputy so offending, shall forfeit the Sum of five Pounds Sterling; the one Moiety to her Majesty, her Heirs or Successors, and the other Moiety to him or them who shall sue for the same in any Court of Record, to be recovered and divided as aforesaid.

Penalty on Postmaster not providing.

XXII. Provided always, and be it further enacted, That nothing herein contained shall be understood to prohibit the carrying or recarrying of any Letters or Packets, to or from any Town or Place, to or from the next respective Post Road or Stage appointed for that Purpose, above six Miles from the said General Post Office, or the chief Offices of *Edinburgh* and *Dublin*, but that every Person shall have free Liberty to send and employ such Person or Persons as they shall think fit for to carry the said Letters or Packets as aforesaid, without any Forfeiture or Penalty therefore; any thing herein contained to the contrary notwithstanding.

Letters may be sent from any Place to the next Stage, above six Miles from the General Office.

XXIII. Provided always nevertheless, That nothing herein contained shall be construed to extend to give Licence to any Person or Persons whatsoever, to make Collection of Letters in or near the City of *London* or Suburbs thereof, under Pretence of conveying the same to any Parts or Places in the said City or Suburbs, or to the General Office of the said City, without the Licence and Leave of the Postmaster General for the Time being: And any Person or Persons acting contrary hereunto shall forfeit and pay as Persons collecting, receiving, carrying, recarrying, and delivering Letters contrary to this Act, are hereby enacted to forfeit and pay, to be recovered as aforesaid, and with full Costs of Suit.

None may collect Letters in London, &c. without Licence, &c.

XXIV. Provided always, That if the Packet or Mail shall be carried out of *Great Britain* into any Part or Place beyond the Seas, in any Ship or Vessel which is not a free Ship, and navigated with such Seamen as, by the Laws of this Land, the same are required to be, that then, and in every such Case, the Postmaster General for the Time being shall forfeit the Sum of one hundred Pounds Sterling, the one Moiety to her Majesty, her Heirs and Successors, and the other Moiety to him or them who shall sue for the same in any Court of Record, to be recovered by Bill, Complaint or other Information, wherein no Essoin, Protection or Wager at Law shall be allowed.

The Packet not to be carried out of Great Britain in Foreign Ships.

XXV. Provided always, and be it enacted by the Authority aforesaid, That such Postmaster General, and all Officers and Deputies acting under him, and all Officers belonging to the said General Post Office, within that Part of the said united Kingdom called *England*, receiving the Sacrament according to the Usage of the Church of *England*, and taking, making and subscribing the Test, and the Oaths of Allegiance and Supremacy and Abjuration, appointed by any of the Laws of the said Part of the said united Kingdom, to be taken, made, and subscribed by Officers in publick Places of Trust in the Government, and within such Times, and in such Places as are particularly appointed by any of those Laws for doing the same, shall be deemed and taken to be sufficiently qualified to act in their respective Stations and Duties, and to execute their respective Employments throughout the said whole united Kingdom, and all other her Majesty's Dominions, and shall not incur any Penalties, Forfeitures or Disabilities, for not taking the Oaths of Allegiance and Abjuration, and subscribing the Assurance appointed by any the Laws of that Part of the said united Kingdom called *Scotland* or by any Law or Laws of the said united Kingdom of *Great Britain*, to be taken and made by any Person in publick Trust, notwithstanding such Postmaster General, and such Deputies and Officers, shall exercise their respective Offices and Employments within all and every the Parts and Places of that Part of the said united Kingdom called *Scotland*: And all Deputies and Agents acting under such Postmaster General within that Part of the said united Kingdom called *Scotland*, taking and making the Oaths of Allegiance and Abjuration, and subscribing the same, with the Assurance appointed by any of the Laws of the said Part of the said united Kingdom called *Scotland*, or by any Law or Laws of the said united Kingdom of *Great Britain*, to be taken and made by any Person in publick Trust, and within such Times, and at such Places, as are particularly appointed by any of those Laws for doing the same, shall be deemed and taken to be sufficiently qualified to execute and exercise their respective Employments in the said Office throughout the said whole united Kingdom, and all

Postmaster, &c. how to qualify himself.

other her Majesty's Dominions; any Act or Acts of Parliament in either of the said united Kingdoms at any Time heretofore made to the contrary thereof in any wise notwithstanding.

Proviso for Truro, Penryn, Kendall, Penrith, &c.

XXVI. Provided also, and be it enacted by the Authority aforesaid, That a Letter or Packet Post shall twice every Week come by the Way of *Truro* and *Penryn* to the Town of *Penzance*, in the County of *Cornwall*; and once a Week to *Kendall*, by the Way of *Lancaster*; and to the Town of *Penrith* in *Cumberland*, by the Way of *Newcastle* and *Carlisle*; and to the City of *Lincoln* and the Borough of *Grimby*, in the County of *Lincoln*; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

The Postmaster to observe such Orders as her Majesty shall make.

XXVII. And for the better Management of the said Post Office, and that the People of these Kingdoms may have their Intercourse of Commerce and Trade the better maintained, and their Letters and Advices conveyed, carried and recarried with the greatest Speed, Security and Conveniency that may be; Be it further enacted by the Authority aforesaid, That the said Postmaster General so nominated, appointed and constituted as aforesaid, and his Deputies, shall, from Time to Time, observe and follow such Orders, Rules, Directions and Instructions for and concerning the Settlement of Posts and Stages upon the several Roads in *Great Britain* and *Ireland*, and other her Majesty's Dominions, and the providing and keeping a sufficient Number of Horses at the several Stages, as well for the carrying and conveying the said Letters and Packets, as for the horsing of all Persons riding in Post by Warrant, or otherwise as aforesaid, as her Majesty, her Heirs and Successors, shall, from Time to Time, in that Behalf make and ordain.

No Horses to be seized without the Owners Consent.

XXVIII. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons shall have Power to take, use or seize any Horses for the Services mentioned in this Act, without the Consent of the Owner or Owners thereof; any Law, Statute, Usage or Custom to the contrary thereof in any wise notwithstanding.

Post to pay nothing for passing Ferries in North America.

XXIX. And forasmuch as the Post must necessarily pass several Ferries in *North America*, in which the Ferrymen give great Delays, and sometimes have endeavoured to exact Money from them, notwithstanding the same have always been free for the Post; Be it therefore enacted by the Authority aforesaid, That no Deputy or Agent of such Postmaster General, travelling with any Mail of Letters, shall pay any Thing for passing or repassing any Ferry within any of the Colonies or Plantations of her said Majesty in *North America* aforesaid; but such Ferrymen shall forthwith, within one half Hour after Demand, convey such Deputies, on Pain of forfeiting for every Offence the Sum of five Pounds, to be recovered in any Court of Record within any of the Provinces or Colonies in *North America*, by Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law shall be allowed; one Moiety thereof to her Majesty, her Heirs and Successors, towards the Support of the Government of the said Provinces, and the contingent Charges thereof; and the other Moiety to the Postmaster General, who shall sue and prosecute for the same, together with full Costs of Suit.

Debts for Postage to be recovered as small Tithes are.

XXX. And whereas many Persons having received their Letters, refuse to pay for the same or often run in Debt for the Postage of their Letters, or having received some small Sum for the Port of Letters, which Sums being very small in Particulars, are properly to be recovered in a summary Way; Be it therefore enacted by the Authority aforesaid, That all Sum and Sums of Money, not exceeding five Pounds, that now is or shall be due from any Person or Persons for Letters or Packets, or any Letter or Packet, to them delivered by any Deputy or Deputies of such Postmaster General, or which now is, or shall be due from any Person or Persons for the Port of Letters or Packets to them delivered by any Deputy or Agent of such Postmaster General, not exceeding the said Value, or which have been or shall be received for the Port of Letters, not exceeding the same Value, without answering or paying the Monies so due and owing to the Receiver General of the said Revenues for her Majesty's Use, shall be recovered before Justices of the Peace, in the same Manner, and under the same Rules, as small Tithes are, by the Laws of *England*, to be recovered; and such Debt or Sums of Money shall be preferable in Payment by the Person owing the same, or from whose Estate the same is or shall be due, before any Debt of any Sort to any private Person whomsoever.

7 & 8 W. 3. c. 6.

Inland Letters to pay where delivered.

XXXI. And be it further enacted by the Authority aforesaid, That all Inland Letters sent by any Packet Post established by this Act as aforesaid, do and shall pay the Rates and Prices before mentioned at such Stages at which they are last delivered only, unless the Party that doth put in the Letters desireth to pay elsewhere, and unless any such Letters are directed on board any Ship or Vessel, or to any Person in the Army, or are sent by the Penny Post, and unless they be Letters or Packets going out of *Great Britain*, which have usually paid the Rates in *England*; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Proviso for the two Universities.

XXXII. Provided always, That this Act or any Thing therein contained, shall not in any wise be prejudicial to the Privileges of the two Universities of *Oxford* and *Cambridge* or either of them, or to the Chancellors or Scholars of the same or their Successors, but that they may use and enjoy such Privileges as heretofore they have lawfully used and enjoyed, and that all Letters and other Things may be sent or conveyed to or from the said two Universities in Manner as heretofore hath been used; any Thing herein to the contrary notwithstanding.

By Bags for By Letters.

XXXIII. Provided always, That it shall and may be lawful to and for the Postmaster General for the Time being, his Deputy and Deputies, to continue By Bags for collecting and delivering of By Letters as hath been heretofore accustomed; such Deputy and Deputies duly accounting to, and paying the respective Ports thereof to the Receiver General of the said Revenue for the Time being, for the Use of her Majesty, her Heirs and Successors.

Sums due on 1st June 1711. how recoverable.

XXXIV. Provided always, and be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money which shall or may be due and owing to her Majesty on the said first Day of *June* one thousand seven hundred and eleven, for the Duties and Revenues that have arisen, or shall or

may arise to that Time by Posts, or by Reason of the Duties and Revenues granted by either of the said former Acts, shall be paid to the Receiver General of the said Revenue, for her Majesty's Use, and be recovered and recoverable in such Manner, and by such Ways and Means, as the same were recoverable before the making of this present Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

XXXV. And towards the Establishment of a good, sure, and lasting Fund, in order to raise a present Supply of Money for carrying on the War, and other her Majesty's most necessary Occasions; Be it further enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and eleven, for and during the whole Term of thirty-two Years from thence next and immediately ensuing, the full, clear, and intire weekly Sum of seven hundred Pounds of lawful Money of *Great Britain*, out of all the Duties and Revenues, from time to time, arising by virtue of this Act, shall be brought and paid by the Postmaster General, the Receiver General of the Post-Office, or such other Person or Persons who, for the Time being shall have the Receipt of the said Duties and Revenues, who are hereby respectively enjoined and required to bring and pay the same accordingly into the Receipt of the Exchequer, upon *Tuesday* in every Week, if it be not an Holy-day, and if it be, then upon the next Day that is not an Holy-day, as one Week shall successively and immediately follow and succeed another; and in case in any Week or Weeks the whole Receipt of Monies of the said Duties or Revenues hereby charged as aforesaid, shall not be sufficient to answer the said weekly Payment or Payments hereby directed for such particular Week or Weeks, that then and so often the Deficiency and Deficiencies thereof shall be supplied and made good out of the whole Receipt of the said Duties or Revenues arising in the next Week or Weeks, when the Receipt or Receipts shall be sufficient to bear the same; all which Payments into the Exchequer shall be made for the Purposes, and under the Penalties, Forfeitures, and Disabilities hereafter in this Act expressed.

XXXVI. And it is hereby further enacted by the Authority aforesaid, That the Postmaster General for the Time being, at the Head Office in *London*, shall, from time to time, cause an Account to be kept by an Accountant General of all the Monies arising by Virtue of this Act, of or for the Duties or Revenues aforesaid, and every or any of them, as the same shall from time to time arise, be paid or brought into the said Office, to the Hands of the Receiver General for the Time being, who is or shall be appointed, from time to time, to receive the same; and that such Receiver General for the Time being shall, out of the Monies so arising, make the said weekly Payments into the Exchequer, in Manner as aforesaid; and if the said Postmaster General for the Time being shall refuse or neglect to appoint or keep such Accountant General, or if such Accountant General shall neglect to keep a just and true Account as aforesaid, or if such Receiver General shall at any Time refuse or neglect to make any such weekly Payments as aforesaid, into the Exchequer, according to the true Meaning of this Act, or if the said Postmaster General, Accountant General and Receiver General for the Time being, or any of them, or any other Officer of the said Duties, shall divert or misapply any of the Monies which should make good the said weekly Payments, or any of them, or any Part thereof, contrary to the Tenor and true Meaning of this Act, at any Time or Times, during the said Term of thirty-two Years, then and in any such case they and every of them so offending shall forfeit their several Offices and Places, and be incapable to serve the Queen, her Heirs or Successors, in any Office or Place of Trust or Profit, and shall be liable for every such Offence, to pay double the Value of the Money so diverted or misapplied, to any Person or Persons who shall or may be grieved by Reason of such Offence, and will inform or sue for the same by Action of Debt, or of the Case, Bill, Suit, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Impar lance shall be granted or allowed.

XXXVII. And to the End the said weekly Sum of seven hundred Pounds may be made a Fund or Security for the Purposes in this Act expressed; Be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the Receipt of the Exchequer, one Book, in which all the Monies which shall be paid in weekly as aforesaid, for or upon Account of the said weekly Sums out of the said Duties, shall be entred apart and distinct from all other Monies which shall be brought and paid to the said Receipt upon any other Account whatsoever.

XXXVIII. Provided always, and it is hereby enacted, That the said weekly Sum of seven hundred Pounds for the Purposes aforesaid, shall, from time to time, during all the said Term of thirty-two Years, be paid into the Exchequer as aforesaid, out of the whole Produce of the Duties and Revenues arising by virtue of this Act, with Preference to all other Payments which are, shall, or may be charged or chargeable thereupon, the necessary Charges for managing the said Post-Office, and the Duties thereof, and for receiving, answering, and accounting for the Revenues arising thereby, only excepted; and that the said Duties and Revenues arising by this Act, (after Deduction, from time to time, to be first made of so much as shall be then due and incurred, or in Arrear of or for the said weekly Payments, at any Time within or during the Term aforesaid, and after the Allowance of such necessary Charges as aforesaid, and not otherwise) shall, from time to time, be subject and liable to such Annuities, and other Payments and Incumbrances, which by any Act of Parliament now in Force were lawfully charged upon the Revenues of the Post-Office, or any of them, granted by the said former Acts hereby repealed as aforesaid, or which having been charged by any Grant upon the said Revenues, have been saved by Act of Parliament, of and for such Estate and Estates in Possession, Reversion, or Remainder, and subject to such Conditions, Limitations, Restrictions, and Appointments, and in such or the like Manner and Form (and not otherwise) as the said Revenues, payable by the said former Acts, or any of them, would have been subject or liable if this Act had not been made; any thing herein contained to the contrary notwithstanding.

After 29 September 1711. for 32 Years, 700l. to be paid Weekly into the Exchequer out of the Post-Office. Made perpetual by 3 Geo. 1. c. 7. §. 1. This Money how appropriated, 9 Annæ, c. 23. §. 54.

Accountant General, and Receiver General's Duty.

A Book to be kept in the Exchequer, for the weekly Payments.

Appropriation of the 700l. a Week.

This Revenue liable to all Annuities, Grants, &c. charged upon the former Acts.

After 1 June, 1743, the old Rates to be taken for Letters, &c. 3 Geo. 1. c. 7. §. 1.

XXXIX. Provided always, and be it enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred forty and three, the same Rates and Prices only, and no more, shall be taken or paid for the Carriage, Conveyance, and Delivery of all Letters and Packets sent by the Post from one Part of *Great Britain* to another, as also for all Letters brought to *Great Britain*, or sent from thence, from or to any Parts beyond the Seas, than were authorized or allowed to be taken by the Postmaster General, or his Deputy or Deputies, for the Postage of such Letters, by the said several Acts hereby repealed.

No Letters to be opened, detained, or delayed.

XL. And whereas Abuses may be committed by wilfully opening, imbezilling, detaining and delaying of Letters or Packets, to the great Discouragement of Trade, Commerce, and Correspondence: For Prevention thereof, Be it enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and eleven, no Person or Persons shall presume wittingly, willingly, or knowingly, to open, detain, or delay, or cause, procure, permit, or suffer to be opened, detained, or delayed, any Letter or Letters, Packet or Packets, after the same is or shall be delivered into the General or other Post-Office, or into the Hands of any Person or Persons employed for the receiving or carrying Post Letters, and before Delivery to the Persons to whom they are directed, or for their Use; except by an express Warrant in Writing under the Hand of one of the Principal Secretaries of State for every such opening, detaining, or delaying; or except in such Cases where the Party or Parties, to whom such Letter or Letters, Packet or Packets, shall be directed, or who is or are hereby chargeable with the Payment of the Post or Posts thereof, shall refuse or neglect to pay the same; and except such Letters or Packets as shall be returned for want of true Directions, and where the Party, to whom the same is or are directed, cannot be found; and that every Person or Persons offending in Manner aforesaid, or who shall imbezil any such Letter or Letters, Packet or Packets, shall for every such Offence forfeit the Sum of twenty Pounds; the said Penalties for any such Offence committed in *England, Wales, or Berwick upon Tweed*, to be recovered by Action, Bill, Plaint, or Information in any of her Majesty's Courts of Record at *Westminster*; and for any such Offence committed in that Part of *Great Britain* called *Scotland*, to be recovered in the Court of Sessions, or Exchequer there; such Penalties respectively to be recovered by such Person or Persons as will inform or sue for the same, together with full Costs of Suit; and over and above such Penalty as aforesaid, every such Person or Persons so offending as aforesaid, shall be for ever incapable of having, using, exercising, or enjoying any Office, Trust or Employment in or relating to the Post Office, or any Branch thereof.

Exception.

Postmaster, &c. to be sworn.

XLI. And be it further enacted by the Authority aforesaid, That no Person or Persons shall, after the said first Day of *June* one thousand seven hundred and eleven, be capable of having, using, or exercising the Office or Offices of Postmaster General, or any Part thereof, or any other Employment relating to the Post Office, or any Branch thereof, or be any way concerned in receiving, sorting, or delivering of Letters or Packets, unless such Person or Persons shall first have taken the following Oath before some one Justice of the Peace for the County or Place where such Person resides, which said Oath such Justice of Peace is hereby authorized to administer in the following Words:

The Oath:

I *A. B.* do swear, That I will not wittingly, willingly, or knowingly open, detain, or delay, or cause, procure, permit, or suffer to be opened, detained, or delayed any Letter or Letters, Packet or Packets, which shall come into my Hands, Power, or Custody, by Reason of my Employment in or relating to the Post Office; except by the Consent of the Person or Persons to whom the same is or shall be directed, or by an express Warrant in Writing under the Hand of one of the principal Secretaries of State for that Purpose; or except in such Cases, where the Party or Parties to whom such Letter or Letters, Packet or Packets shall be directed, or who is or are hereby chargeable with the Payment of the Post or Posts thereof, shall refuse or neglect to pay the same; and except such Letters or Packets as shall be returned for Want of true Directions, or when the Party or Parties to whom the same is or shall be directed, cannot be found: And that I will not any Way imbezil any such Letter or Letters, Packet or Packets as aforesaid.

One third of the Surplus, over and above 11,461 l. 17 s. 10 d. per Ann. and 700 l. per Week, disposable by Parliament.

XLII. And it is further enacted and declared by the Authority aforesaid, That from the said first Day of *June* in the Year of our Lord one thousand seven hundred and eleven, one third Part of the Surplus of the yearly Produce arising by the said Letter or Post Office, or Duties upon Postage of Letters and Packets by this Act granted, over and above the Sum of one hundred and eleven thousand four hundred sixty-one Pounds seventeen Shillings and ten Pence, which was the amount of the gross Receipt of the Duties arising by virtue of the said former Acts of Parliament (which are now repealed) for one Year ended the nine and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and ten, and over and above the said Sum of seven hundred Pounds per Week, shall be and is by this Act reserved to the Disposal of Parliament for the Use of the Publick, and shall not be divertible or diverted to any other Use, Intent or Purpose, other than according to such Disposal.

This Revenue not alienable, &c.

XLIII. And to the Intent the Inheritance of such Part of the said Duties and Revenue arising in and by the said General Letter Office or Post Office, which is hereby vested in her Majesty, her Heirs and Successors, undeterminable as aforesaid, may be preserved in the Crown, for the future Benefit thereof; Be it further enacted and declared by the Authority aforesaid, That the same, or any Part thereof, shall not hereafter be alienable, chargeable or grantable by her Majesty, her Heirs or Successors, for any Estate, Term, or Time whatsoever, to endure longer than the Life of her Majesty, or of such King or Queen as shall make such Alienation, Charge, or Grant respectively; and that all Gifts, Grants, Alienations, and Assurances whatsoever, to be had or made of, and Charges upon the said Duties or Revenue, or any Part thereof, contrary to the Provision of this Act, shall be null and void, without any Inquisition, *Scire facias*, or other Proceeding to determine or make void the same.

XLIV. And

XLIV. And be it further enacted by the Authority aforesaid, That no Postmaster or Postmasters General, or his or their Deputy or Deputies, or any Person employed by or under him or them, in the receiving, collecting, or managing the Revenue of the Post Office, or any Part thereof, shall, by Word, Message, or Writing, or in any other Manner whatsoever, endeavour to persuade any Elector to give or dissuade any Elector from giving his Vote for the Choice of any Person to be a Knight of the Shire, Citizen, Burgess, or Baron of any County, City, Borough, or Cinque Port, to serve in Parliament; and every Officer or other Person offending therein shall forfeit the Sum of one hundred Pounds; one Moiety thereof to the Informer, the other Moiety to the Poor of the Parish where such Offence shall be committed, to be recovered by Action of Debt, Bill, Plaint or Information in any of her Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, for the said Offences committed in *England* and *Scotland* respectively, wherein no Esloin, Protection, or Wager of Law, or any more than one Imparance shall be allowed; and every Person convict on any such Suit of the said Offence, shall thereby become disabled and incapable of ever bearing or executing any Office or Place of Trust whatsoever under her Majesty, her Heirs or Successors.

No Officer of the Post Office to intermeddle in Elections.

the Post-Office, 6 Geo. 1. c. 21. §. 51. 4 Geo. 2. c. 33. 22 Geo. 2. c. 25. 26 Geo. 2. c. 13.

Further Regulations concerning

C A P. XI.

An Act for laying certain Duties upon Hides and Skins, tanned, tawed, or dressed, and upon Vellum and Parchment, for the Term of thirty-two Years, for prosecuting the War, and other her Majesty's most necessary Occasions.

MAY it please your most Excellent Majesty; We your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, duly considering your Majesty's great Occasions for Money to carry on the present War, in order to the establishing a good and lasting Peace, and to defray other necessary Expences, wherein the common Good and Welfare of your Subjects are concerned, have cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty the several and respective Rates and Duties for and upon all such Skins and Hides, and Pieces of Skins and Hides whatsoever, and for and upon such made Wares, and for and upon all such Vellum and Parchment, as are herein after more particularly described and mentioned, for and during such Term of Years, and in such Manner and Form, as are herein after expressed; and do most humbly beseech your Majesty that it may be enacted; And be it enacted by the Queen'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 there shall be raised, levied, collected and paid unto and for the Use of her Majesty, her Heirs and Successors, for and upon such Skins and Hides, and Pieces of Skins and Hides, and for and upon such made Wares herein after particularly described and mentioned, as shall at any Time or Times, within or during the Term of thirty-two Years, to be reckoned from the four and twentieth Day of *June* one thousand seven hundred and eleven, be imported or brought into the Kingdom of *Great Britain* (over and above all other Customs, Subsidies, and Duties imposed upon, or payable for the same) the several and respective Rates and Duties herein after expressed; that is to say,

For the Appropriation of the Duties arising by this Act, see 9 Annæ, c. 23. §. 54.

Duty on Hides and Skins, &c. imported for 32 Years from 24 June 1711. made perpetual by 3 Geo. 1. c. 7. §. 1.

For and upon all Deer-skins which shall be imported or brought in as aforesaid, being dressed in Oil or Allum, or otherwise perfectly dressed, the Sum of six Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

For and upon all Loshee, Buffalo, Elke, or any other Hides dressed in Oil, which shall be imported or brought in as aforesaid, the Sum of four Pence for every such Pound Weight, and after that Rate for a greater or lesser Quantity.

Loshee, Buffalo, Elke, &c.

For and upon all *Russia* Hides which shall be imported or brought in as aforesaid, the Sum of two Pence for every such Pound Weight, and after that Rate for a greater or lesser Quantity.

Russia Hides.

For and upon all other tanned Hides and tanned Calve-skins which shall be imported or brought in as aforesaid (not before especially charged) the Sum of one Penny Half-penny for every such Pound Weight, and after that Rate for a greater or lesser Quantity.

Other Hides.

For and upon all Hides of Horses, Mares, and Geldings, which shall be imported or brought in as aforesaid, being dressed in Allom and Salt, or Meal, or otherwise tawed, the Sum of one Shilling per Hide, and after that Rate for a greater or lesser Number or Quantity.

Horse Hides.

For and upon all Hides of Steers, Cows, or any other Hides of what Kinds soever (those of Horses, Mares, and Geldings excepted) which shall be imported or brought in as aforesaid, being dressed in Allom and Salt, or Meal, or otherwise tawed, the Sum of two Shillings for every Hide, and after that Rate for a greater or lesser Number or Quantity.

Hides of Steers, &c.

For and upon all Calve-skins and Kipps which shall be imported or brought in as aforesaid, being dressed in Allom and Salt, or Meal, or otherwise tawed, the Sum of one Penny Half-penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

Calve-skins.

For and upon all Slink Calve-skins which shall be imported or brought in as aforesaid, dressed in Allom and Salt, or otherwise with the Hair on, the Sum of one Penny for every Pound Weight *Averdupois*: And for all Slink Calve-skins which shall be imported or brought in as aforesaid, dressed in Allom and Salt, or otherwise without the Hair; and for all Dogskins so dressed, which shall be imported or brought in as aforesaid, the Sum of one Half-penny for every such Pound Weight, and after those Rates for any greater or lesser Quantity.

Slinks.

Dog-skins.

For

Cordivants.

For all Skins commonly called Cordivants which shall be imported or brought in as aforesaid, the Sum of four Shillings for every Dozen, and after that Rate for any greater or lesser Number or Quantity.

Goat-skins.

For and upon all other Goat-skins (not usually called Cordivants) which shall be imported or brought in as aforesaid, being dressed in Oil, or with Allom, Salt, Meal, or otherwise drest, the Sum of six Pence for every Pound Weight *Averdupois*, and after that Rate for any greater or lesser Quantity.

Kid-skins.

For and upon all Kid-skins, which shall be imported or brought in as aforesaid, being drest or undrest, or not perfectly drest, the Sum of one Shilling for every Dozen, and after that Rate for any greater or lesser Number or Quantity: And if any of the said Kid-skins shall be dressed after the Importation thereof, it is hereby declared, That no further Duties are to be paid for the same by this Act, upon the dressing or perfect dressing them or any of them, in *Great Britain*.

Sheep and Lamb-skins.

For and upon all Sheep-skins and Lamb-skins which shall be imported or brought in as aforesaid, the respective Rates following, that is to say, For all imported Sheep-skins dressed in Oil, one Shilling and six Pence *per Dozen*; for all imported Lamb-skins dressed in Oil, one Shilling *per Dozen*; and for all imported Sheep-skins and Lamb-skins tanned, nine Pence *per Dozen*; and for and upon all imported Sheep-skins and Lamb-skins dressed in Allum and Salt, or Meal, or otherwise tawed, six Pence *per Dozen*; and in Proportion to those Rates for greater or lesser Numbers or Quantities of such Sheep-skins and Lamb-skins respectively.

Hides, &c. imported, not before charged.

And for and upon all Hides and Skins, and Pieces of Hides and Skins, which shall be imported or brought in as aforesaid, being tanned, tawed or dressed, and not herein before particularly charged, and for and upon all Wares made into Manufactures of Leather, or any Manufacture, whereof the most valuable Part shall be Leather, a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value of the Hides and Skins, and Pieces of Hides and Skins, and of the Manufactures last-mentioned, and so proportionably for a greater or lesser Quantity, to be affirmed upon the Oath of the Importer thereof; the said several and respective Rates and Duties for and upon all such Hides and Skins, and Pieces of Hides and Skins, and made Wares, to be imported or brought in as aforesaid, within or during the Term before-mentioned, to be paid by the Importers thereof respectively.

To be paid by the Importer.

Duty on Hides or skins tanned, &c. in Great Britain.

See 5 Geo. I. c. 2. §. 10.

II. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid unto and for the Use of her Majesty, her Heirs and Successors, for and upon such Skins and Hides, and Pieces of Skins and Hides, herein after more particularly described and mentioned, as shall, at any Time or Times, within or during the said Term of thirty-two Years, to be reckoned from the said four and twentieth Day of *June* one thousand seven hundred and eleven, be tanned, tawed or dressed within *Great Britain*, the several and respective Rates and Duties herein after expressed; that is to say,

Tanned Hides.

For and upon all Hides of what Kind soever, which shall be so tanned in *Great Britain*, the Sum of one Penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

Calf, Kips, Hogs, and Dog-skins.

For and upon all Calf-skins, Kips, Hogs-skins and Dogs-skins which shall be so tanned in *Great Britain*, the like Sum of one Penny for every such Pound Weight, and after that Rate for a greater or lesser Quantity.

Goat-skins.

For and upon all Goat-skins, which shall, within or during the same Term, be tanned with Shomack or otherwise, in *Great Britain*, to resemble the *Spanish Leather*, the Sum of two Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

Roans.

See 10 Annæ, c. 26. §. 2. and 3 Geo. I. c. 4. §. 13.

For and upon all Sheep-skins which, within or during the same Term, shall be tanned for Roans (being after the Nature of *Spanish Leather*) within *Great Britain*, a Duty after the Rate of one Penny for every Pound Weight *Averdupois*.

Sheep and Lamb-skins.

See 10 Annæ, c. 26. §. 2. and 3 Geo. I. c. 4. §. 13.

And for and upon all Sheep-skins and Lamb-skins which, within and during the same Term, shall be tanned for Glovers, and Bazils, within *Great Britain*, a Duty after the Rate of one Halfpenny for every such Pound Weight, and proportionably for greater or lesser Quantities of Sheep-skins and Lamb-skins to be so tanned in *Great Britain* respectively.

Tanned Skins

not before charged.

And for and upon all other Skins, and Pieces and Parts of Skins which, within or during the Term last-mentioned, shall be tanned in *Great Britain* (not before particularly charged) a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, and proportionably for greater or lesser Numbers or Quantities; the said several Rates and Duties for and upon all such Hides and Skins, and Pieces of Hides and Skins, tanned in *Great Britain*, to be paid by the tanners thereof respectively.

Tawed Horse-hides.

And for and upon all Hides of Horses, Mares and Geldings, which at any Time or Times, during the said Term of thirty-two Years, shall be dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of one Shilling for every Hide, and after that Rate for a greater or lesser Quantity or Number of such Hides.

Hides of Steers, Cows, &c.

For and upon all Hides of Steers, Cows, or any other Hides of what Kind soever (those of Horses, Mares and Geldings excepted) which shall be so dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of two Shillings for every such Hide, and after that Rate for a greater or lesser Quantity or Number.

Calve-skins and Kips.

For and upon all Calve-skins and Kips, which shall be so dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of one Penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

Slinks with the Hair on.

For and upon all Slink Calve-skins which shall be so dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, with the Hair on, the Sum of one Shilling and six Pence for every Dozen, and after that Rate for a greater or lesser Number or Quantity.

Slinks without Hair, and Dog-skins.

For and upon all Slink Calve-skins which shall be so dressed or tawed without Hair, and upon all Dog-skins which shall be tawed as aforesaid, in *Great Britain*, the Sum of six Pence for every Dozen, and after that Rate for a greater or lesser Number or Quantity.

For

For and upon all Buck and Doe-skins (except such as paid the full Duty on the Importation as aforesaid) which shall be dressed in Allom and Salt, or Meal, or be otherwise tawed as aforesaid, in *Great Britain*, the Sum of three Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity. Buck and Doe-skins.

For and upon all Kid-skins which shall be so dressed or tawed in *Great Britain* (except such as paid the full Duty on the Importation as aforesaid) the Sum of six Pence for every Dozen, and after that Rate for a greater or lesser Number or Quantity. Kid skins.

For and upon all Goat-skins which shall be so dressed in Allom and Salt, or Meal, or be otherwise tawed in *Great Britain*, the Sum of one Shilling and six Pence for every Dozen, and after that Rate for a greater or lesser Number or Quantity. Goat-skins.

For and upon all Beaver-skins which shall be so tawed in *Great Britain*, the Sum of one Shilling for every Dozen, and after that Rate for a greater or lesser Number or Quantity. Beaver-skins.

For and upon all Sheep-skins and Lamb-skins to be dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of one Halfpenny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity. Sheep and Lamb-skins. See 10 Annæ, c. 26. §. 2. and 3 Geo. I. c. 4. §. 13.

And for and upon all other Skins, and Parts and Pieces of Skins to be tawed in *Great Britain* (not before particularly charged) a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, and proportionally for greater or lesser Numbers or Quantities: Which said several Rates and Duties for and upon all Hides and Skins, and Pieces of Hides and Skins, to be dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, shall be paid by such Persons as shall be the Tawers or Makers thereof into Leather respectively. Tawed Skins not before charged.

For and upon all Hides and Skins which, within or during the Term aforesaid, shall be dressed in Oil within *Great Britain*, the Sum of four Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity. Hides and Skins dressed in Oil.

For and upon all Deer-skins, Goat-skins and Beaver-skins, which shall be so dressed in Oil within *Great Britain*, the like Sum of four Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity. Deer, Goat and Beaver-skins.

For and upon all Calve-skins which shall be so dressed in Oil within *Great Britain*, the like Sum of four Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity. Calve-skins.

For and upon all Sheep-skins which shall be so dressed in Oil in *Great Britain*, the Rate of one Penny for every such Pound Weight; and upon all Lamb-skins that shall be so dressed in Oil in *Great Britain*, the like Rate of one Penny for every such Pound Weight, and proportionally for greater or lesser Quantities of such Sheep-skins and Lamb-skins respectively. Sheep-skins and Lamb-skins.

And for and upon all other Skins and Parts or Pieces of Skins, to be so dressed in Oil in *Great Britain* (not before particularly charged) a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, and proportionally for greater or lesser Numbers or Quantities: The said several Duties for and upon all Hides and Skins, and Pieces of Hides and Skins, to be dressed in Oil within *Great Britain*, to be paid by the Oil Leather Dressers respectively. Skins dressed in Oil not before charged.

III. And for better avoiding all Doubts and Controversies concerning the several Kinds of Hides and Skins, and Pieces of Hides and Skins chargeable by this Act; It is hereby declared and enacted by the Authority aforesaid, That by tanned Hides or Skins, or by tanned Pieces of Hides or Skins, are meant only such as are tanned in Wooze made of the Bark of Trees or Shomack, or whereof the principal Ingredients shall be such Bark or Shomack; and that by Hides and Skins dressed in Oil, or Pieces of Hides and Skins dressed in Oil, are meant such as are made into Leather in Oil, or with any Liquor or Materials whereof the chiefest Ingredient shall be Oil; and that by tawed Hides or Skins, or by tawed Pieces of Hides or Skins, are meant such as are dressed or made into Leather in Allom and Salt, or Meal, or other Ingredients properly used by the Tawers of White Leather; and that when her Majesty's full Duty by this Act shall be paid for any Hide or Skin, or Part of any Hide or Skin, under any one of the said Denominations, to wit, as for tanned Leather, tawed Leather, or dressed Leather, the same Skin or Hide, or Piece of any Skin or Hide, is not to be further charged by this Act under any other of the said Denominations; any thing in this Act contained to the contrary notwithstanding. Definition of Tanned Leather. See 3 Geo. I. c. 4. §. 13. Leather dressed in Oil, and tawed Leather. See farther concerning Duty on Leather and Skins 10 Ann. c. 26. which Duties are made perpetual by 3 Geo. I. c. 7. 12 Geo. 2. c. 25.

And see 12 Ann. st. 2. c. 9. f. 64. 5 Geo. I. c. 2.

IV. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Vellum and Parchment which shall, at any Time or Times, within or during the said Term of thirty-two Years, to be reckoned from the said four and twentieth Day of *June* one thousand seven hundred and eleven, be made in *Great Britain*, or imported into the same, the several and respective Rates and Duties herein after expressed; that is to say, For and upon all Vellum so imported a Duty after the Rate of one Shilling for every Dozen; and for all Parchment so imported a Duty after the Rate of six Pence for every Dozen, and proportionally for greater or lesser Numbers or Quantities, to be paid by the Importers thereof respectively; and for and upon all Vellum which shall be made in *Great Britain* as aforesaid, a Duty after the Rate of one Shilling for every Dozen; and for all Parchment which shall be made in *Great Britain* as aforesaid, a Duty after the Rate of six Pence for every Dozen, to be paid by the Makers thereof respectively. Duty on Vellum and Parchment imported or made in Great Britain. Made perpetual by 3 Geo. I. c. 7.

V. And be it further enacted by the Authority aforesaid, That the several Rates and Duties by this Act set or imposed upon all or any of the said Hides or Skins, or Pieces of Hides or Skins, Vellum and Parchment, or made Wares, by this Act chargeable, which shall be imported or brought into *Great Britain* as aforesaid, shall, from time to time, be satisfied and paid by the Importer or Importers of the same in ready Money, upon his, her or their Entry or Entries made, and before the Landing thereof; and that in case Duty on Skins, &c. imported, to be paid by the Importer.

Goods landed before entry, &c. forfeited, or the Value.

any of the same Commodities or Manufactures shall be landed or put on Shoar out any Ship or Vessel, before due Entry be made thereof at the Custom-house in the Port or Place where the same shall be imported, and before the said Duties by this Act charged or chargeable thereupon shall be duly paid, or without a Warrant for the Landing or Delivering the same first signed by the Commissioners, Collectors or other proper Officer or Officers of the Customs respectively, that all such imported Commodities and Manufactures by this Act chargeable as aforesaid, as shall be so landed or put on Shoar, or taken out of any Ship or Vessel, contrary to the true meaning hereof, or the value of the same, shall be forfeited, and shall and may be seized or recovered of the Importer or Proprietor thereof, to wit, one Moiety of the same to the Use of her Majesty, her Heirs and Successors, and the other Moiety to the Use of such Person or Persons as will seize, inform or sue for such Commodities or Manufactures chargeable by this Act, as shall be so imported and forfeited, or the Value thereof, in any of her Majesty's Courts of Record at *Westminster*, or in her Majesty's Court of *Exchequer* in *Scotland*, by Action, Bill, Suit or Information, wherein no *Essoin*, Protection or Wager of Law, or more than one Imparlance, shall be granted or allowed.

After Duty paid Skins, &c. to be marked.

VI. And it is hereby further enacted by the Authority aforesaid, That from and after the Duties hereby granted upon such imported Hides or Skins shall be paid and satisfied, the Officer or Officers of the Customs of the Port or Place where the same shall be imported, shall cause every such Hide or Skin to be marked with such distinct Mark as this Act directs to be provided and used, to denote the Payment of the Duty of such imported Hides or Skins as aforesaid.

How these Duties shall be raised.

VII. And be it further enacted by the Authority aforesaid, That the said Duties on all such Commodities and Manufactures chargeable by this Act, as shall be imported or brought into *Great Britain*, during the Continuance thereof, shall be ascertained, secured, raised, uplifted, levied, recovered and answered, for the Uses and Purposes in this Act expressed, by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, and in such Manner and Form as her Majesty's Duties, called the Subsidies upon Poundage Goods imported or any of them, are by any Law or Statute now in Force to be ascertained, secured, raised, uplifted, levied, recovered or answered, during the Continuance thereof respectively.

Imported Goods that pay ad Valorem, how to be ascertained.

VIII. And it is hereby declared and enacted, That the Values of such of the said imported Commodities and Manufactures chargeable by this Act, as are to pay Duty *ad Valorem*, upon the Importation thereof, shall in all Cases be taken to be so much as such Imported Kinds are really worth to be sold at the Port of Importation, without any Abatement for the Duties thereupon charged by this or any former Act; and that the respective Customer or Collector, or other Person or Persons, Officer or Officers of the Customs for the time being, shall receive and levy the said Duty, payable *ad Valorem*, upon the Oath of the Merchant or Importer accordingly; and such Oath shall and may be administered, and all other Matters done for ascertaining the said Duties so payable *ad Valorem*, in the same Manner and Form as are lawfully used and practised, or ought to be practised, for ascertaining any other the Duties payable *ad Valorem*, upon the Importation of Leather.

These Duties to be under the Government of the Commissioners of the Customs.

IX. And be it enacted and declared by the Authority aforesaid, That such of the Duties imposed by this Act for or upon the said Commodities or Manufactures to be imported as aforesaid, as shall arise in *England*, *Wales*, and the Town of *Berwick upon Tweed*, shall be under the Management of the Commissioners and Officers of the Customs in *England* for the time being; and such of the Duties imposed by this Act on the said Commodities and Manufactures to be imported as aforesaid, as shall arise in *Scotland*, shall be under the Management of the Commissioners and Officers of the Customs in *Scotland* for the time being; and that the respective Receivers General of the Customs in *England* and *Scotland* for the time being shall from time to time pay, or cause to be paid, all the Monies that they respectively shall receive of the said Duties on the said Commodities and Manufactures to be imported as aforesaid (the necessary Charges of raising and accounting for the same excepted) into the Receipt of her Majesty's *Exchequer* in *England*, distinctly and apart from all other Branches of the publick Revenues, and under the like Penalties, Forfeitures and Disabilities as are to be inflicted by this Act, for diverting or misapplying any Monies by this Act required to be paid into the *Exchequer*.

1 Jac. 1. c. 22.

X. And whereas in the first Year of the Reign of King JAMES the First of happy Memory, a good and wholesome Statute was made concerning Tanners, Shoemakers, Curriers and other Artificers in Leather wherein ample Provision was made for the true and well Tanning, Currying and Working of Leather, and for and concerning the Buying and Selling of Leather, Red and Unwrought, in open Fairs and Markets, and for such other Matters and Things relating to Leather, as in the said Statute are plainly and largely expressed, the due Execution whereof hath been and is of great Importance to the publick Good and Service of this Realm, and will very much contribute to the Ascertainning and Collection of several of the Duties by this Act intended to be granted: Be it therefore enacted by the Authority aforesaid, That all Mayors, Bailiffs or other Head Officers for the time being, in the several Cities, Boroughs and Market Towns of this Realm; and the respective Lords of Liberties, Fairs and Markets; and the Masters and Wardens of the several Companies in the said Act expressed; and all Tanners, Curriers, Shoemakers, and other Artificers, and all and every other Person and Persons whatsoever, who are or ought to be concerned in the Execution of the said Statute, or to give Obedience thereunto, shall (under such Pains, Penalties and Forfeitures as are therein severally expressed) duly execute, observe and comply with the same Statute, and all the Clauses, Matters and Things therein contained, in relation to the Tanning, Dressing, Making, Buying, Selling, Trying, Sealing, Registring or other Matters concerning Leather, other than such as have been altered by any Law or Statute since that Time made, and now in Force.

Mayors, Bailiffs, &c. and all Tanners, &c. are to execute, and comply with the Stat. 1 Jac. 1. c. 22.

Penalty on gashing Hides or Skins.

XI. And for the better preventing the Gashing and Cutting of any Hides in Flaying thereof, whereby the same shall be impaired or hurt; It is hereby enacted, That from and after the four and twentieth Day of *June* one thousand seven hundred and eleven, if the Raw Hide of any Ox, Bull, Steer or Cow, or the Skin

Skin of any Calf, shall wilfully or negligently be gashed, slaughtered or cut in the Flaying thereof, or being gashed, slaughtered or cut as aforesaid, shall be offered to Sale by any Butcher, or any other Person or Persons whatsoever, then and in every such Case, the Butcher or other Person, who impaired or hurt the said Hide by Gashing, Slaughtering or Cutting as aforesaid, or the Person offering the same to Sale, shall for every such Offence forfeit and pay the Sum of two Shillings and six Pence for every such Hide, and one Shilling for every such Calve-skin, to wit, one Moiety thereof to the Poor of the Parish where the same shall be found or offered to Sale, and the other Moiety thereof to such Persons as will seize, inform or sue for the same.

XII. And be it further enacted, That if any Tanner or other Person or Persons, from and after the said four and twentieth Day of *June* one thousand seven hundred and eleven, shall shave or cause to be shaved any Hide or Calve-skin whatsoever, before the same be thoroughly tanned, whereby such Hide or Skin shall be impaired, and her Majesty's Duty thereby diminished, every such Hide or Skin or the value thereof, shall be forfeited; one Moiety to the Queen, and the other Moiety to him or them that will inform or sue for the same.

XIII. And for the better Ascertaining, Charging and Securing the Duties by this Act set and imposed upon all Hides and Skins, and Pieces of Hides and Skins, which within and during the said Term of thirty-two Years shall be tanned, tawed or dressed within *Great Britain*, according to the true Meaning of this Act, and for preventing Frauds concerning the same; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for her Majesty, her Heirs and Successors, or to and for the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of Commissioners of the Treasury for the time being, on her Majesty's Behalf, in Writing to commissionate and appoint such and so many Commissioners or Persons as they shall think fit, by one or more Commission or Commissions, from time to time, to be her Majesty's Commissioners for the Receipt and Management of the said Duties by this Act set or imposed upon all Hides and Skins, and Pieces of Hides and skins, tanned, tawed or dressed, or to be tanned, tawed or dressed in *Great Britain*; which said Commissioners or the major Part of them respectively, shall, and have hereby Power, by Commissions under their respective Hands and Seals, to substitute and appoint under them such Receivers General, Collectors, Comptrollers, Surveyors and other Officers, as shall be requisite and necessary for the Purposes aforesaid; and that the said Commissioners so to be appointed, and all the Officers for the said Duties, shall have out of the same such Salaries and Rewards for their respective Services in relation to the said Duties, as the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think reasonable to establish or allow in that Behalf; and that the said Commissioners for the said Duties respectively, for the time being, shall from time to time cause all the Monies to arise by or for the said Duties upon Hides and Skins, and Pieces of Hides and Skins, to be tanned, tawed or dressed in *Great Britain*, and for the said Vellum and Parchment to be made in *Great Britain* (the necessary Charges of managing, collecting and raising the same excepted) to be paid from time to time, as the same shall arise, into the Receipt of her Majesty's Exchequer in *England*, under the Penalties, Forfeitures and Disabilities herein after expressed.

XIV. And it is hereby enacted and declared, That the Value of such Hides and Skins, or Pieces of Hides and Skins, tanned, tawed or dressed in *Great Britain*, as are to pay Duty *ad Valorem* as aforesaid, shall in all Cases be taken to be so much as they respectively shall then be really and *bona fide* worth to be sold for, or will yield at the next Market, without Respect to the Duty hereby granted; and that the Collector for the time being shall receive the said Duties payable *ad Valorem* accordingly, upon the Oath of the Tanner, Tawer, Dresser or Maker respectively, to be administered as is herein after directed.

XV. And it is hereby further enacted by the Authority aforesaid, That all and every Tanner, Bazil Tanner, Currier, Tawer, *Spanish* Leather Dresser, and all other Dressers of Hides or Skins, or Pieces of Hides or Skins, to be tanned, tawed or dressed in Wooze, Mill, Allom, Salt, Oil, Meal or other Materials whatsoever, and all and every Maker of Vellum and Parchment in *Great Britain*, shall, before the twentieth Day of *July* one thousand seven hundred and eleven, give Notice in Writing to some one or more of the proper Officer or Officers to be appointed for the next Market to the Place where any Tan-house, Tan-yard, Work-house, Mill, or other Place, shall be made use of for the Tanning, Tawing or Dressing any such Hides or Skins, or Pieces of Hides or Skins, or making any such Vellum or Parchment as aforesaid, of their respective Names and Places of Abode, and of every such Tan-house, Tan yard, Workhouse, Mill or other Place, for the Tanning, Tawing, or Dressing any such Hides or Skins, or Pieces of Hides or Skins, or Pieces of Vellum and Parchment as aforesaid, by them respectively used, and of the Number and Situation of Pits and Fats in them or any of them, and of the Numbers and Kinds of the Hides and Skins, or Pieces of Hides and Skins, then being in the said Pits and Fats respectively; and that all and every such Tanner, Tawer, Currier, Dresser and Maker as aforesaid, as often as he, she or they shall change their Places of Tanning, Tawing or Dressing of such Hides or Skins, or Pieces of Hides and Skins, or making such Vellum or Parchment, and all and every Person and Persons, who shall at any Time or Times hereafter, during the Continuance of this Act, be the Tanner, Tawer, Currier or Dresser of any such Hides or Skins, or Pieces of Hides or Skins, or be the Maker of any such Vellum or Parchment as aforesaid, shall give or leave the like Notice of their respective Names and Places of Abode, and of their Tan-houses, Yards, Work-houses, Mills, or other Places where they shall tan, taw or dress, or intend to tan, taw or dress any such Hides or Skins, or Pieces thereof, or make any such Vellum or Parchment as aforesaid, before they or any of them do presume to make use of such Tan-house, Yard, Work-house, Mill or other Place, or any Pits or Fats therein, to the End the said Officers may, from time to time, have due Knowledge of all such Tan-houses, Tan-yards, Work-houses, Mills or other Places, with the Number and Situation of Fats and Pits where such Hides or Skins, or Pieces thereof, shall be tanned, tawed or dressed, and where the said Vellum or Parchment

Penalty on shaving Hides, before the same be thoroughly tanned.

Her Majesty, or the Commissioners of the Treasury, to appoint Commissioners for these Duties;

Who may substitute other Officers.

The Money to be paid into the Exchequer.

The Duty on Hides, &c. dressed in *Great Britain*, that pay *ad Valorem*, how to be ascertained.

Tanners, &c. before 20 July 1711. to give Notice to the proper Officer of their Names and Places of Abode, &c. of their Tan-yards, and of their Pits, &c.

ment shall be made, and be the better enabled to take an Account of all Hides and Skins, and Pieces of Hides and Skins, Vellum and Parchment, chargeable by this Act, that so her Majesty may be the better answered the Duties for the same; and if any such Tanner, Tawer, Currier, Dresser, or Maker as aforesaid, shall neglect to give or leave such Notice as is required by this Act as aforesaid, he, she or they shall, for every such Offence, forfeit the Sum of fifty Pounds; one third Part thereof to her Majesty, her Heirs or Successors, and the other two Thirds to him or them that shall inform or sue for the same.

on Forfeiture of
50l.

Tanners, &c. to
give Notice of
their Places for
drying or keep-
ing of Hides, &c.

and when they
take their Skins,
&c. out of the
Mill, &c.

and to permit
the Officers to
take an Account
of their Hides,
&c.

and within two
Days to make
Entry on Oath.

Goods not to be
removed before
entred and mark-
ed.

Officers may en-
ter Tan-yard,
&c.

Owner refusing
Entrance, for-
feits 10 l.

Tanner, &c.
using private
Tan-yard, &c.

or not giving
timely Notice,
or not making
due Entries,

or removing, or
concealing any
Skins, &c.

forfeits 20l. and
Things so con-
cealed.

XVI. And the better to prevent any Frauds or Concealments, whereby her Majesty, her Heirs or Successors, may be injured or deprived of her or their Dues; Be it further enacted, That the several Tanners, Tawers, Dressers, and Makers aforesaid, during the Continuance of this Act, shall not make Use of any Place or Places for the drying or keeping the said Hides or Skins, or any Pieces of Hides or Skins, Vellum or Parchment, chargeable by this Act, other than such Place or Places whereof he, she or they shall first have given Notice to the proper Officer of the said Duties, to be the usual Place or Places for his, her or their drying and keeping the same; and that the respective Tanners, Tawers, Dressers and Makers aforesaid, shall, from time to time, give or send Notice in Writing to the proper Officer for the said Duties, of the Time when such Tanner, Tawer, Maker, or Dresser shall take his, her or their Hides or Skins, or Pieces of Hides or Skins, or any of them, or any Vellum or Parchment, out of the Mill, Wooze, Liquor, Oil, or other Materials, wherein the same shall be tanned, tawed, steeped, or dressed, in order to be dried; which Notice shall, from time to time, be given or sent two Days at the least, before the taking such Hides or Skins, or Pieces thereof, or the said Vellum or Parchment, out of the said Wooze, Mill, Liquor, Oil, or other Materials, or before the hanging up or disposing the same to be dried; and that the respective Tanners, Tawers, Dressers, and Makers aforesaid, shall, from time to time, permit and suffer the proper Officers of the said Duties, and they are hereby impowered, to take an Account of the Number and Quality of all Hides and Skins, and Pieces thereof, Vellum and Parchment, which any such Tanner, Tawer, Dresser, or Maker, by or for himself or themselves, or by or for any other Person or Persons, shall (at any Time or Times from and after the said four and twentieth Day of *June* one thousand seven hundred and eleven, during the said Term of thirty-two Years) take out of Wooze, Mill, Liquor, Oil, or other Materials, wherein the same shall have been tanned, tawed, steeped, dressed or made, in order to be dried; and shall within two Days after the taking out of the said Wooze, Mill, Liquor, or other Materials aforesaid, and before the carrying away the same from the usual Place or Places, where such Hides or Skins, or Pieces thereof, or such Vellum or Parchment, are or shall be usually dried, make true Entry, with the proper Officer or Officers, of the Number and Quality of the Hides, Skins, and the Pieces of Hides and Skins so taken out to be dried, and shall verify such Entry upon Oath, which Oath any Justices of the Peace, or the Collectors or Supervisors, that shall be appointed for the said Duty, in their respective Districts, are hereby impowered to administer, to the end the respective Duties for the same may be answered, as is herein after directed; and that no Tanner, Tawer, Dresser or Maker of such Hides or Skins, or Pieces of Hides or Skins, or such Vellum or Parchment, so taken out of the Wooze, Mill, Liquor, or Materials aforesaid, after the said four and twentieth Day of *June*, at any Time or Times during the Term aforesaid, shall remove, carry or send away, or suffer to be removed, carried or sent away, the same, or any Part thereof, from their respective Yards, Work-houses, or other Places where they shall usually dry such Hides or Skins, or Pieces of Hides or Skins, or such Vellum or Parchment, unless the Duty payable by this Act for such Hides and Skins, and Pieces of Hides and Skins, and for such Vellum and Parchment respectively, so to be removed, be first charged and entred, and a Mark be put thereupon to denote the Charge and Entry thereof, as this Act directs.

XVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Officer and Officers so to be appointed, at all reasonable Times in the Day-time to enter into any Tan-yard, Work-house, Warehouse, Mill, or other House or Place used by any such Tanner, Tawer, Currier, or Dresser of any Hides or Skins, or Pieces of Hides or Skins, or by any Maker of Vellum or Parchment, chargeable by this Act, or where any such shall be lodged, to search and see what Quantities of such Hides and Skins, or Pieces of Hides and Skins, Vellum and Parchment, are taken out of the Wooze, Mill, Liquors or other Materials as aforesaid, in order to be dried, or made fit for Sale or Use; and if any Owner or Occupier of any such Tan-yard, Work-house, or other Place as aforesaid, shall at any Time or Times, refuse Entrance to the Officer or Officers as aforesaid, he, she or they shall for every such Refusal forfeit the Sum of ten Pounds; one third Part thereof to the Use of her Majesty, her Heirs and Successors, and the other two Thirds to the Use of him or them who will inform or sue for the same; and if any Tanner, Tawer, Currier, or Dresser of any Hides or Skins, or Pieces of Hides or Skins, or any Maker of Vellum or Parchment, chargeable by this Act, shall endeavour to defraud her Majesty, her Heirs or Successors, of any Duty by this Act payable, by using any private Tan-yard, Work house, Pit, Fat, Mill, or Place, for the tanning, tawing, steeping, dressing, drying, or keeping the same, contrary to this Act; or by not giving or sending such timely Notice of taking his, her or their Hides or Skins, or Pieces of Hides or Skins, out of the Wooze, Mill, Liquor, Oil, or other Materials, as this Act requires; or by not making due Entries, and giving an Account of the said Hides and Skins, or Pieces thereof as aforesaid; or by removing, sending, or carrying away the same, or any Part thereof, contrary to this Act; or shall fraudulently hide or conceal, or cause to be hid or concealed, any of the said Hides or Skins, or Pieces thereof, Vellum or Parchment, chargeable by this Act, to the Intent to deceive her Majesty, her Heirs or Successors, of her or their just Dues for the same; that then and in every such Case, for every such Offence, the Party so offending shall forfeit the Sum of twenty Pounds; one Moiety whereof to the Queen, and the other Moiety to him or them who will inform or sue for the same; and moreover, in all such Cases, all such Hides and Skins, and Pieces of Hides and Skins, Vellum and Parchment, which shall be found in any such private Tan-yard, Work-house, Ware-house, House, Mill, or Place,

Place, or for which no such Entry shall be made, or that shall be so unlawfully removed, sent or carried away, contrary to this Act, or shall be fraudulently hid or concealed, or the Value thereof, shall be forfeited, to wit, one Moiety thereof to the Use of her Majesty, her Heirs and Successors, and the other Moiety thereof to the Person or Persons who will seize, inform, or sue for the same.

XVIII. And for the better Collection, receiving and levying of the said Rates and Duties upon the said several Kinds of Hides and Skins, and Pieces of Hides and Skins, and upon Vellum and Parchment, by this Act severally charged as aforesaid; Be it further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who at any Time or Times, within or during the said Term of thirty-two Years, shall tan, taw, or dress any Hides or Skins, or Pieces of Hides or Skins whatsoever, chargeable by this Act, shall, at their several Yards or Places by them respectively used for drying the same, provide and keep, at their own Costs and Charges, sufficient and just Scales and Weights for weighing of all such Hides and Skins, and Pieces of Hides and Skins, which they respectively shall tan, taw, or dress, and for which the said Duties are to be paid by Weight as aforesaid; and that such and so many sworn Officers for the said Duties as shall be sufficient and necessary for the weighing the said Hides and Skins, and Pieces thereof, and performing such other Matters and Things as are to be performed by such Officer or Officers at every such Yard or Dressing-place, shall be appointed, and give due Attendance for that Purpose.

Tanners, &c. to keep Scales and Weights.

Sworn Officers to be appointed for weighing.

XIX. And it is hereby further enacted by the Authority aforesaid, That every such Tanner, Tawer, or Dresser of any such Hides or Skins, or Pieces of Hides or Skins, and every Maker of Vellum or Parchment, shall, from time to time, before any such Hides or Skins, Pieces of Hides or Skins, or such Vellum or Parchment shall be removed from his, her or their Yards, Work-houses, Places of dressing, drying, or keeping the same respectively, give Notice in Writing, by the Space of two Days, to the proper Officer or Officers for the said Duties, of all Hides and Skins, Pieces of Hides and Skins, and all such Vellum and Parchment, as he, she or they shall intend to remove, to the Intent that the Officers for the said Duties may ascertain the Duties payable for the same (for the giving of which Notice, he, she or they shall not be obliged to go further than the next Market Town) and every such Tanner or Dresser shall permit all such Hides or Skins, for which the Duties are to be charged and paid by Weight, to be weighed by the proper Officer or Officers at the Yard or Place where the same shall be dried or kept, before the same shall be removed as aforesaid, and shall bring or cause the same to be brought to the Scales, and assist in weighing thereof, and shall also permit the Officer for the said Duties to take an Account of the Numbers and Qualities of all such Skins and Hides, or Pieces of Skins and Hides, Vellum and Parchment, so intended to be removed, whereof the Duty is to be paid by Tale, and shall likewise ascertain the Value of all such Skins and Hides, or Pieces of Skins and Hides, so intended to be removed, whereof the Duty is to be charged and paid *ad Valorem*, by the Oath of the said respective Tanners, Tawers, Dressers, or Makers thereof as aforesaid: Which Oath any Justice of the Peace, for the said respective Officer or Officers, are hereby impowered to administer, before any such Skins or Hides, or Pieces of Skins or Hides, be removed from the Places of drying or keeping the same respectively.

Tanners, &c. to give Notice to the Officers two Days before Removal of Hides, &c.

and to permit and assist the Officer in weighing or telling the same, and to ascertain the Value.

XX. And it is hereby further enacted by the Authority aforesaid, That from and after the Duties of the said Skins and Hides, Pieces of Skins and Hides, Vellum and Parchment, so intended to be removed, shall be ascertained by Weight, Tale, or *ad Valorem* as aforesaid, the proper Officer or Officers for the said Duties shall fairly enter in a Book to be kept by him or them for that Purpose, the respective Weights, Tales, and Value of all such Hides and Skins, Pieces of Hides and Skins, Vellum and Parchment, whereof the Duties shall have been so ascertained as aforesaid, and shall make thereof a Return or Report in Writing to the respective Commissioners, or the Collectors, or other Persons by them appointed to receive the same, leaving a true Copy thereof under his Hand with the respective Tanners, Tawers, Dressers, and Makers of such Hides and Skins, Pieces of Hides and Skins, Vellum and Parchment: Which Return or Report of the said Officer or Officers shall be a Charge upon the Tanners, Tawers, Dressers and Makers of such Hides and Skins, Pieces of Hides and Skins, Vellum and Parchment respectively.

Officer to make a Return in Writing, see 5 Geo. 1. c. 3. §. 10.

and leave a Copy thereof, with the Tanner, &c.

XXI. And it is hereby further enacted by the Authority aforesaid, That immediately from and after the Duty of the said Hides and Skins, Pieces of Hides and Skins, Vellum and Parchment, so intended to be removed, shall be ascertained by Weight, Tale, or *ad Valorem* as aforesaid, and an Entry made thereof in a Book to be kept by the said Officer or Officers as aforesaid, the said Officer or Officers who shall so have ascertained the same, shall cause every Hide or Skin, and every Piece of a Hide or Skin, and all Vellum and Parchment, whereof the Duty shall be so ascertained, to be marked with such Mark as this Act directs to be provided and used, to denote the charging of such Duty as aforesaid.

Officer to mark each Hide, &c.

XXII. Provided always, That in case any such Tanner, Tawer, Dresser, or Maker of such Hides or Skins, Pieces of Hides and Skins, Vellum or Parchment, shall desire the said Mark to be made upon any particular Part thereof, then the Officer or Officers so appointed to mark the same, shall mark the same accordingly.

Officer to mark the Hide, &c. where Tanner, &c. desires.

XXIII. And it is hereby further enacted by the Authority aforesaid, That the respective Tanners, Tawers, Dressers, and Makers of such Hides and Skins, Pieces of Hides and Skins, Vellum and Parchment, shall pay off and discharge all the Duties of the said Hides and Skins, Pieces of Hides and Skins, Vellum and Parchment, so marked as aforesaid, in Manner herein after mentioned (that is to say) Such of the said Duties as shall arise within the Cities of London and Westminster, and the Limits of the weekly Bills of Mortality, to the Receiver of the said Duties at the Head Office of the said Commissioners, within fourteen Days after the same shall be marked as aforesaid; and such of the said Duties as shall arise and be payable in the other Parts of Great Britain, within six Weeks after the same shall be so marked and stamped as aforesaid, to the respective Collectors that shall be appointed to receive the same: And the Officers to be appointed for collecting and receiving the Duties hereby granted shall, and they are hereby required to give Receipts under their Hands *gratis*, and without delay, for all the Monies they

Persons in London, &c. to discharge the Duties in 14 Days, in any other Parts in 6 Weeks.

shall, from time to time, receive, by virtue of this Act, to or for the Use of such Person or Persons as shall pay the same.

Payment to be made at the next Market Town.

XXIV. Provided always, That no Person or Persons shall be obliged, for the Payment of the said Duties, to go farther than the next Market Town to the respective Places where the same shall be so marked as aforesaid.

Penalty on Non-payment, double the Sum, &c.

XXV. And be it further enacted by the Authority aforesaid, That every such Tanner, Tawer, Dresser, or Maker of such Hides and Skins, Pieces of Hides and Skins, Vellum and Parchment, chargeable with the said Duties, who shall neglect or refuse to make such Payment as aforesaid, shall forfeit and lose for every such Offence, double the Sum of the said Duty whereof the Payment shall be so refused or neglected: And that no such Tanner, Tawer, Dresser, or Maker, or other Person, after such Default made, shall send, deliver, or carry out any Hides or Skins, Pieces of Hides or Skins, Vellum or Parchment, until he, she or they have or hath paid and cleared off his, her or their Duty as aforesaid; on Pain to forfeit double the Value of such Hides or Skins, Pieces of Hides or Skins, Vellum or Parchment, so delivered or carried out.

Tanner not keeping just Scales, &c.

XXVI. And be it further enacted by the Authority aforesaid, That if any Tanner, Tawer, Dresser, or Maker of any Hides or Skins, or Pieces of Hides or Skins, chargeable by this Act, shall not at their respective Yards, or other Places for drying the same, keep just Scales and Weights, as this Act directs, or shall not permit his, her or their Hides or Skins, or Pieces of Hides or Skins, which are to be weighed at such Yards or drying Places as aforesaid, to be there weighed; or neglect or refuse to bring the same to the Scales, or assist at the weighing of the same, as this Act requires; or if any Tanner, Tawer, or Dresser of Hides or Skins, or Pieces of Hides or Skins, or any Maker of Vellum or Parchment chargeable by this Act, shall remove or convey, or cause or procure to be removed or conveyed from his, her or their Yard or drying Place, any of the said Hides and Skins, or Pieces of Hides and Skins, or any such Vellum or Parchment, before the said Duties shall be fully charged by Weight, or Tale, or *ad Valorem*, as this Act in the said respective Cases doth require, and before the same Hides or Skins, or Pieces of Hides and Skins, and such Vellum and Parchment respectively, shall be marked, to denote the charging of the Duty as this Act directs; or if any Buyer or Contractor shall take or carry away, or cause or procure to be carried away, from any such Yard or drying Place, any of the Kinds of Hides or Skins, or Pieces of Hides or Skins, Vellum or Parchment, before the same shall be marked as this Act directs; that then and in every such Case, all and every such Tanners, Tawers, Dressers, Makers, Buyers, Contractors, or other Persons respectively, shall for every such Offence forfeit and lose the Sum of fifty Pounds, to wit, one Moiety thereof to the Queen, and the other Moiety to him or them that will inform or sue for the same; and moreover, that all the Hides and Skins, and Pieces of Hides and Skins, Vellum and Parchment, which shall be sold or removed, contrary to this Act, shall be forfeited, and shall and may be seized by any of her Majesty's Officers, for her Majesty's Use.

or removing his Hides, &c. before the Duty is charged,

or before marking,

and the Buyer or Contractor,

to forfeit 50l. and the Hides, &c. so removed.

Tanner, &c. to account with the proper Officer once in three Months,

XXVII. And be it further enacted by the Authority aforesaid, That every Tanner, Tawer and Dresser of any Hides or Skins, or Pieces of Hides or Skins, and every Maker of Vellum and Parchment in Great Britain, shall once in every three Months at the least, make an Account with the proper Officer of every Division or District respectively, of and for all the Hides and Skins, and Pieces of Hides and Skins, which such Tanner, Tawer, Dresser, or Maker respectively, by himself, or any other, within the Time of every such Account, shall have taken out of the Wooze, Mill, Liquor, or Ingredients, used for tanning, tawing, steeping, dressing, or making the same, and of his Entries thereof with the Officer, and shall at the same Time balance the said Account, by Hides or Skins, or Pieces of Hides or Skins, Vellum or Parchment, for which the Duty shall then have been charged as aforesaid, and by such Hides and Skins, and Pieces of Hides and Skins, Vellum and Parchment, then remaining in his Possession unmarked, for which the Duty shall not have been charged as aforesaid; which Account (if demanded) every such Tanner, Tawer, Dresser, or Maker, shall truly and faithfully make, from time to time, under the Penalty of fifty Pounds, to wit, one Moiety thereof to the Queen, and the other Moiety to him or them who will inform or sue for the same; and that every such Officer, upon the taking of every such Account, shall inform himself concerning the Truth or Falshood thereof, to the End and Purpose, that if such Tanner, Tawer, Dresser, or Maker, shall have unlawfully conveyed away any of the said Hides or Skins, or Pieces of Hides or Skins, Vellum or Parchment, contrary to this Act, or shall have defrauded her Majesty, her Heirs or Successors, of any Part of the Duties hereby payable for the same, he may be proceeded against in such Manner and Form, and for such Penalties or Forfeitures, as are by this Act prescribed for such Offence.

on Penalty of 50l.

Collar-makers, &c. who dress Skins, to be accounted Tawers.

XXVIII. Provided always, and be it further enacted and declared by the Authority aforesaid, That all and every Collar-makers, Glovers, Bridle-cutters and others who dress any Skins or Hides, or Pieces of Skins or Hides, in Oil, Ailom, and Salt, or Meal or with other Ingredients, and who cut and make the same into Wares, shall be accounted Tawers or Dressers within this Act, and shall be subject to such Rules and Directions, and under such Penalties and Forfeitures for securing the Duties of the Hides and Skins, or Pieces of Hides and Skins, which they shall so dress, as are by this Act prescribed in that Behalf, and shall be charged with the Duties for the same (by Weight, Tale, or *ad Valorem*, as this Act in the respective Cases doth direct) before such Hides and Skins, or Pieces of Hides and Skins, shall be respectively cut or converted into made Wares.

XXIX. And whereas several Tanners, Tawers, Dressers, Curriers, Sellers of Hides or Skins, or Pieces of Hides or Skins, tanned, tawed, or dressed, Shoemakers, Coach-makers, Collar-makers, Bridle-cutters, Sadlers, Trunk-makers, Bottle-makers, Merchants, and other Dealers in Hides or Skins tanned, tawed, or dressed, and several Makers of Vellum and Parchment, Stationers, Book-binders, the Commissioners and Officers for the Duties on stamp Vellum, Parchment and Paper, and other Traders or Dealers

Dealers in Vellum or Parchment respectively, have or may have, on the four and twentieth Day *June* one thousand seven hundred and eleven, several Stocks or Quantities of such Hides and Skins, and Pieces of Hides and Skins, tanned, tawed or dressed, (not made into Wares) and several Stocks and Quantities of Vellum and Parchment, all which are respectively of the Produce of *Great Britain*, or imported into the same; Be it further enacted by the Authority aforesaid, That all and every such Tanner, Tawer, Dresser, Currier, Seller, Shoe-maker, Coach-maker, Trunk-maker, Bottle-maker, Merchant and other Dealer in such Hides or Skins, and all and every such Makers of Vellum and Parchment, Commissioners and Officers of the Stamp Duties, Stationers, Book-binders and other Traders and Dealers in Vellum and Parchment, having on the said four and twentieth Day of *June* one thousand seven hundred and eleven, in his, her or their Custody or Possession, or in the Custody or Possession of any other Person or Persons, for his, her or their Use, Benefit or Account, any Stock or Quantity of such Hides or Skins, or Pieces of Hides or Skins, tanned, tawed or dressed, (not made into Wares) or any Stock or Quantity of Vellum or Parchment, within the Realm of *Great Britain* being for Sale, shall yield and pay to her Majesty for the same, so much Money as one half Part of the Rates or Duties by this Act imposed on the like respective Commodities to be tanned, tawed, dressed or made in *Great Britain*, or to be imported into the same after the Commencement of this Act, shall amount unto; the said half Part for the said Stocks to be paid within three Months after the said four and twentieth Day of *June* one thousand seven hundred and eleven.

Stock in Hand,
on 24 June 1711,
to pay one half
Part of the Duty.

XXX. And to the end the said Stocks may be known and discovered, and the said Rates for the same may be ascertained and answered; Be it further enacted by the Authority aforesaid, That all and every the said Tanners, and others before mentioned, shall deliver or cause to be delivered, on or before the twentieth Day of *July* one thousand seven hundred and eleven, to the proper Officer to be appointed in this Behalf, a particular in Writing, signed by themselves or their Appointments, of their several Stocks before-mentioned, describing the whole Quantities of each Kind as follows; that is to say, By the Weight and Tale of such of the said Commodities as are to be charged with the said Duty by Weight, and by the Tale of such of the said Commodities as are to be charged with the said Duties by Tale only, and by the Quantities and Values of such of the said Commodities in the said Stock, as are by this Act to pay Duty *ad Valorem*, and shall verify the said particular upon Oath, to the best of his Knowledge and Judgment; which Oath shall and may be administered by any Justice of the Peace, or by the Collector or Supervisor for the said Duties: And the said Officers to be appointed to this Purpose, are hereby authorized and empowered to enter into any Shops; Warehouses or other Places whatsoever, where any such Stock shall be or remain, there to view the same, and to take an Account thereof: And all and every the said Person or Persons chargeable as aforesaid, for their respective Stocks, shall be obliged, by Force and Virtue of this Act, if thereunto required, to permit and suffer the proper Officer to make such Entrance and View as aforesaid; and if any such Person or Persons shall refuse to permit or suffer such Officer to enter into their Shops, Warehouses or other Places, (if thereunto required) there to view the said Stock as aforesaid, or any Part thereof, then every such Person, for such Refusal, shall forfeit the Sum of fifty Pounds; one Moiety thereof to the Queen, and the other Moiety to him or them who will inform or sue for the same.

Tanners, &c. by
29 July 1711, to
deliver to the Of-
ficer a particular
of their Stock.

Officers may en-
ter into Shops,
&c. to view
Stocks.

Refusal to per-
mit them, for-
feits 50 l.

Collector to give
a Receipt gratis.

Stock not paid
for by 24 Sept.
1711. or secured,
to be levied by
Distress and Sale.

XXXI. And it is hereby enacted, That the Collector, upon the Receipt of any such Duties for Stock shall give a Receipt for the same *gratis*; and in case such Duties for Stock shall not be paid on or before the four and twentieth Day of *September* one thousand seven hundred and eleven, or if before that Time the same be not secured to be paid on or before the four and twentieth Day of *December* one thousand seven hundred and eleven, (which Security the proper Officers are hereby impowered to take by Bond in her Majesty's Name, and to her Use) then such Officer or Officers shall and may, by Virtue of this Act, levy such Duties for the said Stock that shall not be paid or secured, by Distress of the Good and Chattels of the Person or Persons, Bodies Politick or Corporate, liable thereunto, and for Non-payment may sell such Distress within ten Days, rendering the Overplus (if any be) to the Owner, after Satisfaction of the Duty and Charges of the said Distress.

XXXII. Provided always, That if any such Person or Persons chargeable for such Stock, shall pay or cause to be paid, his or their Duties for the same, within the said Space of three Months, he, she or they shall be allowed for such prompt Payment, after the Rate of ten Pounds *per Centum per Annum* for every Sum so advanced.

Discount for
prompt Payment.

XXXIII. And be it enacted by the Authority aforesaid, That in case any of the said Tanners, Tawers, Dressers, Curriers, Sellers, Shoe-makers, Coach-makers, Collar-makers, Bridle-cutters, Merchants, Trunk-makers, Bottle-makers, and other Dealers in Hides or Skins, tanned, tawed or dressed, or any of the said Makers of Vellum and Parchment, Commissioners, Officers, Stationers, Book-binders, and other Traders or Dealers in Vellum and Parchment, having on the said four and twentieth Day of *June* one thousand seven hundred and eleven, in his, her or their Custody or Possession, or in the Custody or Possession of any other Person or Persons for his, her or their Use, Benefit or Account, any such Stock as aforesaid, shall neglect to give a Particular of the same in such Manner and Form as aforesaid, on or before the twentieth Day of *July* one thousand seven hundred and eleven, or shall wittingly or willingly omit or leave out of the same any Part of his, her or their said Stock, to the Intent to defraud her Majesty, or shall fraudulently remove, carry away or conceal his, her or their said Stock, or any Part thereof, before her Majesty's Duties thereupon shall be paid or secured as aforesaid; then and in every such Case, he, she or they so offending, for every such Offence shall forfeit the Sum of fifty Pounds, to wit, one Moiety thereof to the Queen, and the other Moiety to him or them who will inform or sue for the same; and in all and every such Case and Cases, the Stock or Quantity of Hides or Skins, and Pieces of Hides and Skins, Vellum and Parchment, for which no such Particular shall have been given, or which shall be fraudulently omitted out of the same, or which shall be so concealed or carried away before her Majesty's Duties shall

Persons not giv-
ing a just Partic-
ular of their
Stock, to forfeit
50 l. and their
concealed Stock.

be paid or secured, shall be forfeited, and shall and may be seized by any of her Majesty's Officers as aforesaid, for her Majesty's Use.

After Duty for Stock is paid, Hide, &c. to be marked.

XXXIV. And it is hereby further enacted by the Authority aforesaid, That from and after the Duties of the said Stock of any Hides or Skins, or Pieces of Hides or Skins, Vellum and Parchment, shall be paid or secured as aforesaid, the Officer or Officers for the said Duties shall cause every such Hide or Skin, and every Piece of a Hide or Skin, and all Vellum and Parchment, whereof the Duty shall be so paid or secured as aforesaid, to be marked with such distinct Mark as this Act directs to be provided and used to denote the paying or securing such Duty as aforesaid.

No Fee for Entries, &c.

XXXV. Provided always, and be it further enacted by the Authority aforesaid, That no Fee or Reward shall be had or taken by any of the said Officers, from any of the said Tanners, Tawers, Curriers, Dressers, Buyers or Sellers of Hides or Skins or others, for any Entries, Accounts, Permissions, Certificates, Marks or Receipts before in this Act mentioned, or any of them, under the Penalty of five Pounds to be forfeited to the Party grieved for every such Offence.

Two Justices may hear and determine.

XXXVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any two or more of the Justices of the Peace for the Time being, residing near to the Place where any Forfeiture upon this Act shall be incurred, or any Offence against this Act shall be committed, in any wise relating to the said Hides or Skins, or Pieces of Hides or Skins, Vellum or Parchment, chargeable by this Act, or any the Duties thereupon, or the Powers and Authorities hereby granted, or where any Offence shall be committed against the said recited Act of the first Year of the Reign of King JAMES the First, to hear and determine the same: Which said Justices of the Peace, are hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, within three Months after any Seizure made, or such Offence committed, to summon the Party accused, and also the Witnesses on either Side, and upon the Appearance or Contempt of the Party accused, in not appearing, (upon Proof of Notice given) to proceed to the Examination of the Witness or Witnesses upon Oath, (which Oath they are hereby empowered to administer) and to give Judgment or Sentence accordingly; and where the Party accused shall be convicted of the Offence alledged against him, to award and issue Warrants under their Hands for the levying any Pecuniary Penalty or Penalties so adjudged, on the Goods of the Offender, and to cause Sale to be made thereof, in case they shall not be redeemed within six Days, rendering the Party the Overplus (if any): And if either Party shall find himself aggrieved, or remain unsatisfied in the Judgment of the said Justices, then he or they shall or may, by Virtue of this Act, complain or appeal to the Justices of the Peace at the next General Quarter-Sessions for that County, Riding or Place, who are hereby empowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same, and in case of Conviction, to issue Warrants for levying the Penalties as aforesaid.

3 Jac. 1. c. 22.

Appeal to Quarter-Sessions final.

Justices may mitigate Penalties.

XXXVII. Provided nevertheless, That it shall and may be lawful to and for the said respective Justices, where they shall see cause, to mitigate or lessen any such Penalties, in such Manner as they in their Discretion shall think fit, the reasonable Cost and Charges in the Officers, as well in making the Discovery as in the Prosecution of the same, being always allowed over and above such Mitigation, and so as such Mitigation do not reduce the Penalties to less than one fourth Part thereof, over and above the said Costs and Charges; any Thing contained in this Act to the contrary notwithstanding.

Commissioners to have the same Power as the Commissioners of Excise.

XXXVIII. Provided always, and it is hereby enacted, That such Commissioners or Persons as shall be appointed in Pursuance of this Act to be the Commissioners for the said Duties upon Hides and Skins, tanned, tawed or dressed in *Great Britain*, shall and may have and exercise the same Jurisdiction, Power, and Authority, and shall and may adjudge, determine, mitigate, and order in all Cases and Matters relating to the said Duties on Hides and Skins, and Pieces thereof, tanned, tawed or dressed in *Great Britain*, and to the said Duties on Vellum and Parchment, made in *Great Britain*, as the Commissioners of Excise upon Beer, Ale and other Liquors, may or lawfully can exercise, determine, mitigate or order, in the like Cases and Matters relating to the said Duties of Excise, by any Law or Statute now in Force.

Matters in this Section farther provided for by 10 Annæ, c. 26. §. 5 & 6.

XXXIX. And to the End that all and every Person and Persons, who shall export any Hides or Calveskins, tanned, tawed or dressed, which shall have been duly marked with such Mark or Stamp as aforesaid, denoting the charging of the Duty payable by this Act for the same as aforesaid, (any Hides or Calveskins, being Part of the said Stock in Hand always excepted) and that all and every Person and Persons, who shall export any Boots, Shoes, Gloves or other Manufactures, made of any Kind of Leather chargeable by this Act to pay a Duty by Weight, may respectively upon the Exportation of such Hides or Calveskins or any such made Wares as are last mentioned, receive such respective Allowances as are herein after expressed; Be it further enacted by the Authority aforesaid, That upon the shipping of any such Hides or Calveskins, (except before excepted) or any of the made Wares last mentioned, for Exportation into foreign Parts, and upon sufficient Security to be first given to the Customer or Collector of the Customs of the Port from whence such Exportation shall be made, (which Security they have hereby Power to take in the Name and to the Use of her Majesty, her Heirs and Successors) that such Hides, Calveskins and such made Wares last before mentioned, so shipped or any Part thereof, shall not be re-landed or brought on Shore again, in any Port or Part of *Great Britain*, the said Customer or Collector shall give to the Exporter thereof a Certificate or Debenture in Writing of the Kinds and Quantities and Weight of the Hides, Calveskins, and such made Wares so exported, for which Security shall have been given as aforesaid.

On Exportation of Hides or Calveskins, or Leather Manufactures, on Security, &c. Customer, &c. to give the Exporter a Certificate of the Kinds, Quantities and Weight.

For the Drawback on tanned Leather exported, see 12 Annæ, Stat. 2. c. 9. §. 64.

XL. And it is hereby enacted, That upon producing such Certificate or Debenture for any Quantity of such Hides or Calve-skins so exported, to the Collector of the said Duties at the Port where the said Hides or Calve-skins shall be exported, in every such Case the same Collector shall forthwith, out of the Monies in his Hands for her Majesty's Use of the same Duties, and in Default thereof, then the Commissioners for the same Duties shall repay or cause to be repaid to the Person or Persons who shall produce such Certificate or Debenture from the said Customer or Collector of the Port aforesaid, two thirds of the Duties which were before charged for the said Hides or Calve-skins so exported or shipped to be exported as aforesaid, (such Hides and Calve-skins as shall have been charged as Stock in Hand as aforesaid, always excepted).

On producing such Certificate, Collector, &c. to repay two thirds of the Duties.

XLI. And it is hereby further enacted, That upon producing a Certificate or Debenture of the said Customer or Collector of such Port as aforesaid, of any Quantity of such Boots, Shoes, Gloves or such other Manufactures as are before described or mentioned, which shall be so shipped to be exported for foreign Parts, to the Commissioners who shall be appointed for the Management of the said Duties upon Leather, or to the Collector of the same Duties at the said Port of Exportation; in every such Case the said Commissioners or such Collector, shall out of the Monies which shall be in his or their Hands of the said Duties by this Act granted pay to the Person or Persons who shall bring such Certificate or Debenture of the said Customer or Collector of the Port, an Allowance after the Rate of two thirds of the Duty which by this Act was chargeable by Weight upon the Leather of which such Boots, Shoes, Gloves or other Manufactures shall have been made, although the Mark or Stamp to denote the charging or Payment of the Duty cannot or do not appear upon such made Wares respectively; any Thing herein contained to the contrary notwithstanding.

Such Repayment to be made, though the Mark to denote the charging of the Duty, do not appear on such made Wares.

XLII. And it is hereby further enacted, That if any Hides, Calve-skins, Boots, Shoes, Gloves or other Manufactures of Leather, shipped to be exported as aforesaid, shall be reloaded or put on Shore again within *Great Britain*, the same and treble the Value thereof shall be forfeited, to wit, one Moiety thereof to the Queen's Majesty, and the other Moiety to such Person or Persons who will seize, inform or sue for the same.

Such Goods reloaded, forfeited and treble the Value.

XLIII. Provided always, That no Wares made of Hides or Skins shall be entitled, by this Act, to any Drawback as made Wares, in respect only of their being carried or dressed by the Currier; any Thing in this or any former Act contained to the contrary notwithstanding.

Goods carried only, not entitled to a Drawback.

XLIV. And be it further enacted by the Authority aforesaid, That the respective Commissioners of her Majesty's Customs in *Great Britain*, shall on or before the four and twentieth Day of *June* one thousand seven hundred and eleven, provide such and so many Marks or Stamps of the same Kind, with which all the Hides and Skins, and Pieces of Hides and Skins imported as aforesaid, during the Continuance of this Act, shall be markt or stamped, upon Payment of the Duties thereof as aforesaid; and shall cause the said Marks or Stamps to be distributed amongst the respective Officers of the Customs for that Purpose; and that the respective Commissioners to be appointed for managing the said Duties upon Hides and Skins tanned, tawed or dressed in *Great Britain*, and the said Duties upon Vellum and Parchment made in *Great Britain*, shall on or before the said four and twentieth Day of *June* one thousand seven hundred and eleven provide such and so many Marks or Stamps of one and the same Kind, (but differing from the Marks or Stamps last before mentioned) with which all the Hides and Skins, and Pieces of Hides and Skins tanned, tawed or dressed in *Great Britain*, and all the Vellum and Parchment made in *Great Britain*, during the Continuance of this Act, upon the charging of the said respective Duties for the same, shall be stamped and marked; and also so many Stamps and Marks of one other Kind, with which all the Stock of Hides and Skins, and Pieces of Hides and Skins, and all Vellum and Parchment in *Great Britain*, on the said four and twentieth Day of *June*, upon Payment or securing the said Duties as aforesaid, shall be stamped and marked; and shall cause the said respective Marks or Stamps to be distributed to the respective Officers for the several Purposes before mentioned; which Officers are hereby enjoined and required in using the same, to do no Hurt or Damage, or the least Damage that may be, to the Hide or Skin, or the Piece of an Hide or Skin, or to the Vellum or Parchment to be so marked; and the said respective Commissioners, in providing the said respective Marks or Stamps, shall take Care that they be so contrived, that the Impression thereof may be durable, and so as the same may be least liable to be forged or counterfeited; and that the said Marks and Stamps or any of them, shall or may be altered or renewed, from Time to Time, as her Majesty, her Heirs or Successors shall think fit; and if any Person or Persons whatsoever, shall at any Time or Times hereafter counterfeit or forge any Stamp or Mark, to resemble any Stamp or Mark which shall be provided or made in pursuance of this Act, or shall counterfeit or resemble the Impression of the same upon any Hide or Skin, or Piece of any Hide or Skin, or any Vellum or Parchment, thereby to defraud her Majesty, her Heirs or Successors, of any of the said Duties hereby granted, or shall utter, vend or sell any Hide or Skin, or Piece of any Hide or Skin, Vellum or Parchment, with such counterfeit Mark or Impression thereupon, knowing such Mark or Impression to be counterfeited, then every such Person so offending, being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Commissioners of Customs to provide Stamps for Hides, &c. imported. Commissioners of this Duty to provide Stamps for Hides, &c. tanned, &c. in *Great Britain*.

and Stamps to mark Stock in Hand.

Officers not to damage the Hides, &c. in marking.

Stamps to be durable, &c. Forging Stamps, &c. Felony.

Concerning Stamps, see farther 9 *Ann. c. 23*, 10 *Ann. c. 19* & 26. 12 *Ann. stat. 1. c. 2*. 12 *Ann. stat. 2. c. 9*. 30 *Geo. 2. c. 19*.

5 *Geo. 1. c. 19. f. 48*. 6 *Geo. 1. c. 21*. 11 *Geo. 1. c. 8*. 12 *Geo. 1. c. 33*. 9 *Geo. 2. c. 32*. 16 *Geo. 2. c. 26*. 29 *Geo. 2. c. 12* & 13. 32 *Geo. 2. c. 35*.

XLV. And it is hereby provided and enacted by the Authority aforesaid, That every Person who shall be appointed a Commissioner for the Duties last mentioned, and every subordinate Officer under the said Commissioners, who shall receive any Salary or Allowance in respect of his Office, shall, before his acting in his respective Trust, take an Oath for his due and faithful Execution of the same, according to this Act; which Oath shall and may be administered to any such Commissioner by any other Person who shall be appointed

Commissioners and subordinate Officers to be sworn.

Pates and Tails, to pay 15l. per Centum ad Valorem, and not to be marked.

No Information to be brought to Westminster in Cases cognizable by Justices, &c.

Commissioners and Officers liable to the Act 9 W. 3.

9 W. 3. c. 44.

Commissioners, Officers, &c. not to intermeddle with Elections.

* Made perpetual, 3 Geo. 1. c. 7. See farther 12 Ann. §. 2. c. 9. 5 Geo. 1. c. 2. 12 Geo. 2. c. 25.

For the Appropriation of the Surplus arising from this Act, see 9 Annæ, c. 23. §. 85.

* Made perpetual, 1 Geo. 1. stat. 2. c. 12.

From June 1711. for four Years, Hops imported to pay 3d per Pound weight.

pointed a Commissioner as aforesaid, and to the said Officers respectively by any one of the said Commissioners, or by one Justice of the Peace, who shall give to the Officer a Certificate thereof gratis.

XLVI. Provided also, and it is hereby enacted and declared by the Authority aforesaid, That such small Pieces as have been commonly called Pates and Tails, and are tanned after they are cut off from the Hides, shall not be charged with the said Duty to be paid by Weight, but shall be chargeable with the said Duty of fifteen Pounds *per Centum ad Valorem*, to be paid before they be removed from the Place of drying or keeping the same; and that the Collector, upon receiving the said Duty *ad Valorem*, for such Pates and Tails, shall give an Acquittance expressing the Number thereof, without marking them or any of them; any Thing herein contained to the contrary notwithstanding.

XLVII. Provided, and it is hereby declared and enacted by the Authority aforesaid, That no Bill, Plaint or Information shall be brought or sued forth in any of her Majesty's Courts of Record at *Westminster*, for any Offence against this Statute, touching or concerning the Duties hereby granted, for or upon any Hides or Skins, or Pieces of Hides or Skins, Vellum or Parchment, tanned, tawed, dressed, or made in *Great Britain*, in Cases where such Offences are by this Act cognizable by Justices of the Peace; nor shall any *Certiorari* be brought or allowed to remove any the Proceedings of the Justices of the Peace relating to the same Offences, or any Forfeitures or Penalties for the same, but that the Determination of the Justices of the Peace in the County where such Offence or Offences shall be committed, shall, in Manner and Form aforesaid, be final, to all Intents and Purposes whatsoever; any thing herein contained to the contrary thereof notwithstanding.

XLVIII. And to the End all the Rates and Duties by this Act granted for and upon such Hides and Skins, and Pieces of Hides and Skins, made Wares, Vellum and Parchment, as are above-mentioned, may be duly and certainly raised, and the same (except the necessary Charges of raising and managing the said Duties, and otherwise in Execution of this Act) may be justly and duly brought into the said Receipt of Exchequer, according to the true Meaning hereof; it is hereby further enacted by the Authority aforesaid, That, from time to time, during the Continuance of this Act, there shall be appointed such and so many Commissioners and Officers as shall be proper and necessary for managing, raising, collecting, and paying the said Rates and Duties upon Hides and Skins, and Pieces of Hides and Skins, Vellum and Parchment, chargeable by this Act, and for keeping and rendering the Accounts of the same; and that the respective Commissioners and Officers concerned therein shall perform their several Duties, in relation to the Premises, as to them respectively shall appertain, under such and the like Penalties, Forfeitures and Disabilities, for any Offence or Neglect therein, or for detaining, diverting or misapplying any Part of the Monies arising by the said Rates and Duties, as are prescribed, and to be inflicted, by Virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies, for the like Offence or Neglect, relating to the Duties thereby granted or referred unto, or for detaining, diverting or misapplying any Part of the Monies which were granted or appropriated by the Act last-mentioned.*

XLIX. And be it further enacted by the Authority aforesaid, That no Commissioner, Officer, or other Person, concerned or employed in the charging, collecting, receiving, or managing any of the Duties granted by this Act, shall by Word, Message or Writing, or in any other Manner, endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for his Choice of any Person to be a Knight of the Shire, Commissioner, Citizen, Burgess or Baron, for any County, City, Borough or Cinque Port; and every Officer or other Person offending therein shall forfeit the Sum of one hundred Pounds; one Moiety thereof to the Informer, the other Moiety thereof to the Use of the Poor of the Parish or Place where such Offence shall be committed, to be recovered by any Person that shall sue for the same, by Action of Debt, Bill, Plaint or Information, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in that Part of *Great Britain* called *Scotland*, in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparance shall be allowed; and every Person convict on any such Suit shall thereby become disabled and incapable of ever hearing or executing any Office or Place of Trust whatsoever under her Majesty, her Heirs or Successors.

C A P. XII.

An Act for laying a Duty upon Hops.

MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, for the better enabling your Majesty to support the publick Credit, and for other your Majesty's most necessary Occasions, have cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty, such several and respective Duties, for and upon all Hops to be imported into *Great Britain*, and for and upon all Hops growing or to grow within the same, as are herein after mentioned, for and during the Term herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen'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 Authority of the same, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Hops which, at any Time or Times within or during the Term of four Years, to be reckoned from the first Day of *June* one thousand seven hundred and eleven, shall be imported or brought into the Kingdom of *Great Britain* (over and above all other Customs, Subsidies, and Duties imposed upon or payable for

for the same) the Sum of three Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity; the said Duty for and upon all imported Hops to be paid down in ready Money by the Importers thereof before the landing of the same respectively; and for and upon all Hops growing or to grow in *Great Britain*, which at any Time or Times within or during the said Term of four Years shall be cured and made fit for Use, the Sum of one Penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity; the said Duty for and upon the said Hops of the Growth of *Great Britain*, to be paid by the respective Owners or Possessors thereof, from time to time, within six Months after such Hops respectively shall be cured, and shall or ought to be put into Bags, as is herein after mentioned and required.

British Hops 1d. per Pound Weight.

II. And be it enacted by the Authority aforesaid, That in case any of the said imported Hops shall be landed or put on Shore out of any Ship or Vessel, before due Entry be made thereof at the Custom-house, in the Port or Place where the same shall be imported, and before the said Duties by this Act charged or chargeable thereupon, shall be duly paid, or without a Warrant for the landing or delivering the same, first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively, that all such imported Hops, of what Kind soever as shall be so landed and put on Shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited, and shall and may be seized or recovered of the Importer or Proprietor thereof, to wit; one Moiety of the same to the Use of her Majesty, her Heirs and Successors, and the other Moiety to the Use of such Person or Persons as will seize, inform, or sue for the Hops so imported and forfeited, or the Value thereof, in any of her Majesty's Courts of Record at *Westminster*, or in her Majesty's Court of *Exchequer* in *Scotland*, by Action, Bill, Suit or Information, wherein no Effoin, Protection, or Wager of Law shall be allowed.

Imported Hops landed before Entry, &c. forfeited, or the Value.

III. And be it further enacted by the Authority aforesaid, That the said Duties upon imported Hops by this Act granted, during the Continuance thereof, shall be ascertained, secured, raised, uplifted, levied, recovered, and answered, for the Uses and Purposes in this Act expressed, by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, and in such Manner and Form, as the present Duties upon Hops imported, or any of them, are by any Law or Statute now in force to be ascertained, secured, raised, uplifted, levied, recovered, or answered, during the Continuance thereof respectively.

How these Duties shall be levied.

IV. And be it enacted and declared by the Authority aforesaid, That such of the Duties imposed by this Act upon imported Hops, as shall arise in *England*, *Wales*, and the Town of *Berwick upon Tweed*, shall be under the Management of the Commissioners and Officers of the Customs in *England* for the time being; and such of the Duties imposed by this Act upon imported Hops as shall arise in *Scotland*, shall be under the Management of the Commissioners and Officers of the Customs in *Scotland* for the Time being; and that the respective Receivers General of the Customs in *England* and *Scotland* for the Time being, shall, from time to time, pay or cause to be paid all the Monies that they respectively shall receive of the said Duties for imported Hops (the necessary Charges of raising and accounting for the same excepted) into the Receipt of her Majesty's *Exchequer* in *England*, distinctly and apart from all other Branches of the publick Revenues, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures, and Disabilities, as are to be inflicted by this Act, for diverting or misapplying any Monies by this Act appropriated or appointed for the Purposes herein after mentioned.

Hops imported to be under the Management of the Commissioners of Customs:

V. And for the better ascertaining, charging, collecting, levying, raising, uplifting, and securing the several Rates and Duties by this Act set and imposed upon all Sorts of Hops of the Growth of *Great Britain*, which shall be cured, and which shall or ought to be bagged within or during the Term aforesaid, according to the true Meaning of this Act, and for preventing of Frauds concerning the same; Be it further enacted by the Authority aforesaid, That such of the same Rates and Duties by this Act granted, as are or shall be chargeable upon such Hops of the Growth of *England*, *Wales*, or the Town of *Berwick upon Tweed*, shall be under the Management of the Commissioners and Officers of Excise in *England* for the Time being; and such of the Duties as are imposed by this Act on Hops of the Growth of *Scotland*, shall be under the Management of the Commissioners and Officers of Excise in *Scotland* for the Time being; and that all the Monies arising by the said Duties on Hops of the Growth of *Great Britain* (the necessary Charges of raising and accounting for the same excepted) shall be paid into the Receipt of her Majesty's *Exchequer* in *England*, distinctly and apart from all other Branches of the publick Revenues, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures, and Disabilities as are to be inflicted by this Act, for diverting or misapplying any the Monies by this Act appropriated or appointed, as is herein after mentioned.

British Hops to be under the Commissioners of Excise.

VI. And it is hereby enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who, on or before the first Day of *August* in the Year of our Lord one thousand seven hundred and eleven, shall have any Hops planted or growing within or upon any Ground whatsoever in *Great Britain*, for Sale or not for Sale, shall, on or before the same first Day of *August* one thousand seven hundred and eleven, give or send Notice in Writing under his, her or their Hands, at the Office of Excise next to the Place, or to the Officer for the said Duties of the District, where such Hops are or shall be planted or growing, of all the Hop Grounds then in his, her or their Possession, and of the Name or Names of the Parish, Township, or Place, Parishes, Townships, or Places, wherein the same do lie, and the Name or Names of the Owners, Tenants, or Occupiers thereof respectively; and that from and after the said first Day of *August* one thousand seven hundred and eleven, during the Continuance of the said Duties upon Hops, all and every Person and Persons whatsoever, who shall plant or cause to be planted, or shall have growing any Hops upon any Ground whatsoever in *Great Britain*, for Sale or not for Sale, shall yearly, on or before the first Day of *August* in every Year, give or send like Notice of all

Planters to give Notice to the proper Officer by 1 ug. 1711. of their Hop-grounds, &c.

and afterwards yearly,

on Forfeiture of
40s. an Acre.

Notice to be
given at the
next Market
Town, and
Officer to enter
it in five Days, on
Penalty of 40s.
No Oust, Store-
house, &c. to be
used without No-
tice, on Penalty
of 50l.

Hops in six
Weeks after
gathering to be
brought to such
Oust, &c. on
Pain of 5s.
per Pound.

Notice to be
given of bag-
ging of Hops,
&c. on Penalty
of 50l.

Officer to attend
the bagging and
weighing, and
mark the Weight
on the Bag, and
make Entry and
Return ac-
cordingly.
A Copy of the
Return to be
left with the
Planter.
Officer not
leaving Return,
forfeits 5l.

Officer to be
sworn.

10l. per Cent.
allowed for Tare
of the Bag.

Planters to clear
off in six Months.

the Hop Grounds wherein any Hops shall be growing in every such Year; and if any Person or Persons, who shall plant, or cause to be planted or grow, any Hops within or upon any Ground whatsoever in *Great Britain*, shall neglect to give or send such Notice in Writing, of his, her or their Hop Grounds as aforesaid, within such Time as is before-mentioned, contrary to the true Meaning of this Act; then and in every such Case, the Offender therein, for every such Offence, shall forfeit and lose the Sum of forty Shillings, for every Acre, by Estimation, of such Ground, and after that Rate for a greater or lesser Quantity.

VII. Provided always, That the Person or Persons who are to give such Notice as aforesaid, shall not be obliged, for the doing thereof, to go or send farther than the next Market Town to the Place where the said Hops shall be planted or growing; and the Officer who shall receive the said Notice shall, within five Days after such Notice shall be given or sent to him, from time to time, enter the same in a Book to be kept at the said next Office for that Purpose, upon Pain of forfeiting, for every Neglect therein, the Sum of forty Shillings to the Party whose Notice shall not be so entered.

VIII. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever, shall at any Time or Times, from and after the first Day of *August* one thousand seven hundred and eleven, during the Continuance of the said Duties upon Hops, make use of any Oust, Store-house, or other Place, or of any Kiln, for curing or keeping of Hops, chargeable with any the Duties aforesaid, unless Notice of such Oust, Store-house, Place, or Kiln, shall have been before given, or sent in Writing as aforesaid, upon Pain of forfeiting the Sum of fifty Pounds for every Offence.

IX. And it is hereby further enacted by the Authority aforesaid, That all such Hops as in any Year, during the Continuance of this Act, shall grow in *Great Britain* as aforesaid, shall by the respective Owners or Planters thereof, within six Weeks after the gathering or picking of the same, be brought to be cured and bagged at such Ousts, or other Places to be notified as aforesaid, and none other; upon Pain of forfeiting the Sum of five Shillings for every Pound Weight of the said Hops, which shall not be so brought, cured and bagged, as aforesaid.

X. And be it further enacted by the Authority aforesaid, That the respective Planters or Owners of the said Hops to grow in *Great Britain*, or their Agents, before the bagging of the same, shall give or send Notice in Writing under his or their Hands to the next Office of Excise, or to the proper Officer for the said Duty, of the precise Day or Time on which he, she or they shall bag his, her or their Hops: Which Notice, as to such Hops as shall be bagged within the first Week after the Planter or Owner first begins to bag his Hops, shall be given or left at least four and twenty Hours before every Day's bagging of the same; and as to the Remainder of his Hops for that Year shall be given or left at least eight and forty Hours before every Day's bagging of the said Remainder, to the End some one or more of her Majesty's sworn Officers of Excise may (without his or their own wilful Neglect or Default) be present at the Bagging, Weighing, and Marking of the same, as are herein after prescribed, under Pain of forfeiting the Sum of fifty Pounds for every Neglect or Default of any such Planter or Owner, in not giving or sending such Notice as aforesaid.

XI. And be it further enacted by the Authority aforesaid, That the proper Officer of Excise for the District in which the said Hops shall grow, or some other sworn Officer of Excise, by Appointment of the Commissioners of that Revenue, shall attend and be present at the Bagging of every Parcel of such Hops as aforesaid, and at the Weighing of the same, and shall cause the true Weight of every Bag or Pocket of the said Hops, great or small (such Tare of the Bag as is allowable by this Act only excepted) to be plainly and visibly marked in one or more Places upon every Bag of the said Hops; and shall then also cause an Entry of the said Weight (the Tare being abated) to be made in his Book, and shall thereof make Return or Report in Writing to the respective Commissioners of Excise, or such as they shall respectively appoint to receive the same, leaving a true Copy (if demanded) of such Report in Writing under his Hand, with or for such Planter or Owner respectively; and such Return or Report of the said Officer or Officers shall be a Charge upon the said Planters or Owners respectively; and if the said Officer or Officers shall refuse or neglect to give or leave a true Copy of such Report in Writing, with or for such Planters or Owners respectively, at the Time of taking such Account (upon Demand as aforesaid) every such Officer for such Offence shall forfeit and pay the Sum of five Pounds to every such Planter or Owner respectively.

XII. Provided always, That every Officer, who shall be empowered to make such Charge as aforesaid, shall, in the first Place, be sworn to the due and faithful Execution of his Office; and the Oath in that Behalf shall and may be administered by all or any of the Commissioners of Excise, or by any of her Majesty's Justices of the Peace, who shall give to such Officer a Certificate thereof.

XIII. Provided always, and it is hereby declared and enacted, That an Allowance after the Rate of ten Pounds *per Centum*, shall be made upon the Weight of every Bag or Pocket of the Hops to be weighed as aforesaid, great or small, for the Tare of the same Bag; any thing herein contained to the contrary notwithstanding.

XIV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who shall be the Planters or Owners of the said Hops, shall, within six Months after the Time in which every Parcel of the said Hops shall or ought to be cured, bagged and weighed, as aforesaid, pay and clear off all the said Duties of Hops of the Growth of *Great Britain*, that shall be due from him, her and them respectively; and that all and every such Planters and Owners, who shall refuse or neglect to make such Payment as aforesaid, shall forfeit and lose to her Majesty, for every such Offence, double the Sum of the said Duty, whereof the Payment shall be so refused or neglected, that is to say, two third Parts of the said double Duties to the Use of the Queen, and the other third Part to the Use of the Informer or Prosecutor.

XV. And be it further enacted by the Authority aforesaid, That all and every the Officers of the said Duty, shall at all Times, by Day or by Night, and (if in the Night) then in the Presence of a Constable, or other lawful Officer of the Peace, be permitted, upon his or their Request, to enter into the Oust, Store-house, or other Place, made use of by any Person or Persons, within or during the said Term, for the Growing, Curing or Keeping of Hops, whereof such Notice shall or ought to have been given as aforesaid, in order to his viewing the same, and discovering any Frauds in Relation to her Majesty's Duties thereupon; and if any Planter or Owner of Hops shall obstruct or hinder any of the said Officers in the Execution of the Powers and Authorities given to him or them by this Act, for the ascertaining and securing the said Duties upon Hops, the Person or Persons offending therein, shall for every such Offence forfeit and lose the Sum of twenty Pounds.

Officer may enter any Oust, &c. to view, &c. on Pain of 20l.

XVI. And be it further enacted by the Authority aforesaid, That no Planter or Owner of Hops, after the said first Day of *June* one thousand seven hundred and eleven, during the Continuance of the said Duties upon Hops, shall (under Pain of forfeiting the Sum of fifty Pounds for every Offence) remove, carry or send away, or suffer to be removed, carried or sent away, from his, her or their Oust, Store-house, or other Place (whereof Notice shall or ought to be given as aforesaid) any Hops chargeable with the Duty by this Act imposed, until the same shall have been cured, bagged and weighed, and the Duties thereof shall be ascertained according to the true Meaning of this Act, unless in such Cases where the Officers of the said Duties (having due Notice first given or left as aforesaid) shall nevertheless neglect to attend the Bagging and Weighing of the same.

Hops not to be removed before the Duty is ascertained, on Pain of 50l.

XVII. And be it further enacted, That if any Planters or Owners of Hops shall fraudulently hide or conceal, or cause or procure to be hid or concealed, any Hops chargeable by this Act, to the Intent to deceive her Majesty of the just Duties by this Act granted; that then, and in every such Case, the Party so offending shall, for every such Offence, forfeit the Sum of twenty Pounds, and all the Hops so concealed and hid, to her Majesty's Use.

Fraudulently concealing forfeits 20l. &c.

XVIII. And whereas great Numbers of poor and indigent Persons are commonly employed in the gathering and picking of Hops, who may clandestinely carry off, and convey such Hops from the Places where they gather and pick the same, and thereby defraud her Majesty of the Duties hereby granted, without the Privy or Consent of the Proprietor of such Hops: For Prevention whereof, be it further enacted by the Authority aforesaid, That if any Picker or Gatherer of Hops, or any other Person or Persons, shall privately carry off, or convey any Hops from the Place of growing, or the Place where the same shall be put in Order to be cured, bagged, and weighed, with an Intent to defraud her Majesty of her said Duties, and the Owner of the said Hops; then, and in every such Case, the Person or Persons offending therein shall forfeit and lose the Sum of five Shillings for every Pound of Hops so clandestinely carried off and conveyed; and in every such Case it shall and may be lawful for the Officers of the said Duties, not only to seize the Hops so clandestinely carried off and conveyed, but also to apprehend the said Offender or Offenders, and carry him or them before one of her Majesty's Justices of the Peace of the County or Place where such Offence shall be committed; and in case the said Offence shall be proved before the said Justice of the Peace, and the Offender or Offenders shall not forthwith pay down the Penalties by this Act imposed on such Offender or Offenders, for the Offences so proved on him, her or them respectively as aforesaid, and no sufficient Distress can be found to levy the same, it shall and may be lawful for the said Justice of the Peace to commit such Offender or Offenders to the House of Correction, there to be whipt and kept to hard Labour, for any Time not exceeding one Month; and if any Person or Persons shall obstruct or hinder any Officer or Officers for the said Duties, in the Execution of his or their Offices, or the Powers given them by this Act, or shall beat or abuse the said Officers, or any of them, in the Execution of his or their Offices, such Person or Persons shall, for every such Offence, forfeit and lose the Sum of five Pounds; and in Default of Distress, whereby to levy the same, it shall and may be lawful for any of her Majesty's Justices of the Peace, upon due Proof of such Offence, to commit such Offender or Offenders to the House of Correction, there to be whipt and kept to hard Labour, for any Time not exceeding one Month.

Picker of Hops carrying off any such Hops forfeits 5s. per lb. or sent to hard Labour for a Month.

Persons obstructing Officer forfeits 5l. or sent to hard Labour for a Month.

XIX. And it is hereby enacted, That all the Hops in the Custody of any Planter or Owner of Hops, or any other Person or Persons, to the Use of, or in Trust for such Planter or Owner, shall be liable and subject to, and are hereby made chargeable with all the Debts and Duties for Hops in arrear and owing by such Planter or Owner respectively, and to all Penalties and Forfeitures incurred by such Planter or Owner, for any Offence against this Act; and that it shall and may be lawful in all such Cases to levy Debts and Penalties, and use such Proceedings as may lawfully be done by this Act, in case the Debtor or Offender were the true and lawful Owner of the same.

Hops chargeable with all Duties in Arrear, &c.

XX. And be it further enacted by the Authority aforesaid, That for all Hops, whether Foreign or of *British* Growth, which any Hop Merchant, or other Sellers and Dealers, Factors in Hops, or common Brewers in *Great Britain*, or any Person or Persons in Trust for him, her or them, or for his, her or their Use, shall be possessed of, or interested in, upon the said first Day of *June* one thousand seven hundred and eleven, there shall be yielded and paid to her Majesty the like respective Rates as are by this Act to be paid for the like Sorts of Hops imported or grown in *Great Britain*, after the said first Day of *June*; and that all and every the said Hop Merchants, Sellers and Dealers, Factors in Hops, common Brewers, and all and every other Person or Persons, who in Trust for them or any of them, or for the Use of them or any of them, shall be possessed of, or have in his, her or their Custody or Possession, or in his, her or their Oust, Store-house, Ware-house, or other Place or Places whatsoever, upon the said first Day of *June* one thousand seven hundred and eleven, any Stock, Parcel or Quantity of Hops whatsoever, for Sale, shall on or before the said first Day of *June* one thousand seven hundred and eleven, make a true and particular Entry thereof at the Excise Office within the Limits of which they shall respectively in-

Stock in Hand on 1 June 1711. to pay the like Duties as the same Hops after 1 June.

Owners to enter the same at the next Office on Pain of 50l. and Forfeiture of the Hops, &c.

habit, upon Pain to forfeit the Sum of fifty Pounds, and the said Hops, for which no such Entry shall have been made; and within six Days after he, she or they shall have made or ought to have made such Entries as aforesaid, shall pay down the Duties hereby payable for such Hops, or within six Days shall give Security to the proper Officers, for paying the same Duties to her Majesty's Use within three Months then next ensuing; and in case the said Duties for such Stock of Hops be paid down within the said six Days, then there shall be allowed out of the same Duties for such prompt Payment an Allowance after the Rate of ten Pounds *per Centum per Annum*, for the said Time of three Months; and that all and every such Hop Merchant, Sellers, and Dealers in Hops, Factors and Common Brewers, who shall refuse or Neglect to make such Payment, or to give such Security for Payment of the said Duties for his, her or their said Stock of Hops, within the Time by this Act limited for that Purpose, shall forfeit double the Sum of the said Duty which should have been so paid or secured by him, her or them as aforesaid; and that the proper Officers of the said Duties shall be permitted to take a true and particular Account of all such Stock or Quantity of Hops, as any such Hop Merchant, or other Sellers or Dealers in Hops, Factors, common Brewers, or any in Trust for them, shall, on the said first Day of *June* one thousand seven hundred and eleven, have or be possessed of, by weighing the same on the said first Day of *June* one thousand seven hundred and eleven, or afterwards, at any Time before the Duty last mentioned shall be paid or secured; upon pain of forfeiting twenty Pounds, and the Value of the Hops whereof the Officers shall not be permitted to take an Account as aforesaid; and if any Person or Persons, having on the said first Day of *June* in his, her or their Custody and Possession, any Stock or Quantity of Hops, chargeable by this Act with the said Duty for Stock as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away, the same or any Part thereof, before her Majesty's Duties thereupon shall be paid or secured as aforesaid, or shall fraudulently conceal or Hide any Part of his, her or their said Stock of Hops; that then, and in every such Case, he, she or they so offending, for every such Offence shall forfeit the Sum of twenty Pounds; and in all and every such Case and Cases, the Stock or Quantity of Hops, which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any of the Officers for the said Duties; and the Person or Persons in whose Custody such Stock of Hops shall be found, who shall not, before the Discovery thereof, give Notice at the next Office of Excise, of the Stock or Quantity of Hops so in his, her or their Custody, shall also forfeit and lose the Sum of ten Shillings for every Pound Weight.

XXI. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, who shall have actually paid her Majesty's Duties, by this Act payable for any Quantity of Hops, whatsoever of *British* Growth, and to and for any other Person or Persons who shall buy, or be lawfully entitled to any such Quantity of Hops of *British* Growth, from the said Person or Persons who actually paid her Majesty's Duties for the same, to export such Hops, being of *British* Growth, for *Ireland*, by Way of Merchandize, giving sufficient Security before the shipping thereof for Exportation, that the particular Quantity of Hops, which shall be intended to be exported, as aforesaid, and every Part thereof, shall be shipped and exported, and that the same, or any Part thereof, shall not be re-landed or brought again into any Part or Parts of *Great Britain*; which Security the Customor or Collector of the respective Ports for such Exportation is hereby directed and authorized to take in her Majesty's Name, and to her Use: Provided always, That if after the shipping of any such Hops to be exported as aforesaid, and the giving or tending such Security in order to obtain the Allowance or Drawback herein after mentioned, the Hops so shipped to be exported, or any of them, shall be re-landed in any Part of *Great Britain*, then, and in every such Case, over and above the Penalty of the Bond, which shall be levied and recovered to her Majesty's Use, all the Hops which shall be so landed, or the Value thereof, shall be forfeited.

XXII. And it is also hereby enacted, That any Person or Persons who shall export any Hops of *British* Growth to or for *Ireland*, shall or may make Oath that he believes the same Hops are all of *British* Growth, without any Mixture of Foreign Hops, that the Duty of such Hops hath been paid or secured, according to this Act (which Oath the Collector, who received the said Duty, is hereby required and impowered to administer) and thereupon the said Collector for the same Duties upon Hops shall give to such Person or Persons *gratis*, a Certificate or Certificates, expressing the Kinds and Quantities of such Hops, and the Duties paid, or secured to be paid for the same, pursuant to this Act; which Certificate being produced to the Customor or Collector of the Port where the said Hops shall be exported, and Oath being also made by the Exporter before the said Customor or Collector of the Port (who is hereby also authorized and required to administer the same without Fee or Charge) that the Hops so exported are the same mentioned in the said Certificate, then the said Customor or Collector shall give to the Exporter a Debenture, expressing the true Quantity of the *British* Hops so exported; which Debenture being produced to the Collector appointed to receive the said Duty upon Hops in such County or Place where the said Hops did pay Duty, he shall forthwith repay the said Duty which he shall have received upon this Act to the Persons, or their Agents, so exporting the same; and if such Collector shall not have Money in his Hands to pay the same, then the said respective Commissioners of Excise are hereby required to pay the said Debenture out of the Duties upon Hops, arising by this Act; or if the Duty on such Hops so exported were only secured, and shall remain unpaid, then the said Duties shall be discharged upon the Securities for the same; any thing in this Act contained to the contrary notwithstanding.

XXIII. And it is hereby enacted, That no Person whatsoever shall, during the Continuance of this Act, take any Hops of Foreign Growth out of the Bags in which they are imported, and rebag the same in *British* Bagging, in order to sell, dispose, or export the same as *British* Hops, under the Penalty of ten Pounds for every hundred Weight, and after that Rate for a greater or lesser Quantity; and if any Person

Discount of 10l. per Cent for Prompt Payment.

Penalty for Non-payment, &c.

Not permitting Officer to take Account of Stock, forfeits 20l. and the Value.

Clandestinely removing Hops forfeits 20l. and Hops.

Concealer forfeits 10 s. per lb.

British Hops, which have paid the Duty, may be exported for Ireland, &c.

Exporter to make Oath, &c. The Drawback on Hops exported for Ireland taken off by 6 Geo. 1. c. 11. §. 40. Collector to give a Certificate thereof, and Customor, &c. to repay the Duties.

Rebagging Foreign Hops in British Bags, forfeits 10l. per C. &c.

son or Persons shall endeavour to defraud her Majesty of her Duties hereby granted, by using twice, or oftner, the same Bag, with the Officers mark thereupon, such Person or Persons, for every such Offence, shall forfeit the Sum of forty Pounds.

‘XXIV. And in Regard it is found by Experience, That Hops used in the making of Malt-Drinks are more wholesome for those that drink or consume the same, and of greater Advantage to the Drink itself, than any other bitter Ingredient that can be used instead thereof,’ It is hereby further enacted by the Authority aforesaid, That during the Continuance of this Act, no common Brewer, Inn-keeper, or Victualler, shall use any Broom, Wormwood, or any other bitter Ingredient (to serve instead of Hops) in brewing or making any Beer or Ale to be brewed or made by him, her or them, for Sale in any Part of Great Britain, under the Penalty of forfeiting the Sum of twenty Pounds for every such Offence; the infusing of Broom or Wormwood into Beer or Ale, by the Retailer, after the same is brewed and tunned, to make the same Broom or Wormwood Ale, or Broom or Wormwood Beer, always excepted.

Brewer, &c. not to use room, &c. on Pain of 20 l.

Exception.

XXV. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Method, Penalties, Forfeitures, Clauses, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*, or by any other Law in Force relating to her Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Duties thereby granted, or any of them (other than in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, and put in Execution in and for the managing, raising, levying, collecting, mitigating, recovering and paying the said Duties upon Hops hereby granted, during the Continuance of this Act, as fully and effectually to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters and Things were particularly repeated and again enacted in the Body of this present Act.

Powers, &c. in 12 Car. 2. c. 24. and other Laws of Excise, to be in Force.

XXVI. And be it further enacted by the Authority aforesaid, That all Fines, Penalties and Forfeitures, in Relation to the said Duties by this Act imposed on Hops, except in such Cases where other Provisions are made by this Act, shall and may be sued for, levied and recovered, or mitigated by such Ways, Means and Methods, as any Fine, Penalty and Forfeiture, is or may be recovered or mitigated, by any Laws of Excise now in Force, and not by Action of Debt, Bill, Plaint or Information in any of her Majesty's Courts of Record at Westminster, or in the Court of Exchequer in Scotland, and that one Moiety of every such Fine, Penalty and Forfeiture (unless in Cases otherwise prescribed by this Act) shall be to her Majesty, her Heirs and Successors, and the other Moiety to him or them that shall discover, inform, or sue for the same.

Fines, &c. how recoverable.

‘XXVII. And in Regard the Growth of Hops, in several Parts of Great Britain, is very much increased of late Years,’ It is hereby further provided and enacted by the Authority aforesaid, That none of the Duties by this or any former Act granted upon any Hops whatsoever, (except Hops of British Growth) shall be repaid or drawn back upon the Exportation thereof for Ireland; and that no Person or Persons whatsoever shall import or cause to be imported into the said Kingdom of Ireland from Flanders or any other Parts whatsoever (other than from Great Britain) any Hops whatsoever, upon Pain of forfeiting all the Hops which shall be so imported into Ireland, contrary to the true Meaning of this Act, or the Value of the same, and also of the Ship or Vessel in which they shall be so imported, with her Tackle, Apparel and Furniture, that is to say, two third Parts thereof to the Use of the Poor of the Parish in Ireland, where such Hops shall be seized or discovered, and the other third Part thereof to the Use of such Person or Persons as will seize, inform or sue for the same, or for the Value thereof, in any her Majesty's Courts of Record at Dublin in the said Kingdom of Ireland. And it is hereby declared, That the Importation of any Foreign Hops into Ireland (other than from Great Britain) contrary to the Tenor and true Meaning of this Act, is and shall be adjudged a common Nuisance.

No Drawback on Foreign Hops for Ireland.

Hops imported from Fladers, &c. to Ireland, forfeited, and the Ship, &c. What is to be done before Hops are landed in Ireland. 1 Geo. 1. stat. 2. c. 12. §. 6.

‘XXVIII. And whereas standing Contracts may have been made before the ninth Day of May one thousand seven hundred and eleven, by Planters, Hop-Merchants, Dry Salters, and other Dealers in Hops, for serving of Hops to certain Persons or Societies in Great Britain, to be delivered in Point of Time after the said first Day of June one thousand seven hundred and eleven;’ It is hereby enacted, That the Person serving such Hops, after the said first Day of June one thousand seven hundred and eleven, in Pursuance of such former Contracts, shall be allowed to add the Duties hereby charged upon such Hops to the Price thereof, and shall be entitled by virtue of this Act to be paid for the same accordingly.

On Contracts before 9 May 1711. Planter may add the Duty to the Price.

XXIX. And to the End all the Monies arising by the Duties on Hops hereby granted (the necessary Charges of raising, paying, and accounting for the same, only excepted) may be duly and certainly raised and brought into the said Receipt of Exchequer; It is hereby further enacted by the Authority aforesaid, That, from time to time, during the Continuance of this Act, there shall be appointed such and so many Commissioners and Officers as shall be proper and necessary for the raising, paying and accounting for the said Duties; and that the same Officers respectively shall perform their several Duties therein, as to them shall respectively appertain, under such and the like Penalties, Forfeitures, and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the said Monies, as are prescribed and to be inflicted, by virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*, for the like Offence or Neglect relating to the Duties upon

Commissioners, Officers, &c. liable to the Act 9 W. 3. c. 44.

Salt,

Salt, and upon stamp Vellum, Parchment and Paper, thereby granted or referred unto, or for detaining, diverting or misapplying any Part of the Monies which were granted or appropriated by the Act last mentioned.

180,000 l. may be borrowed on this Act at 6 l. per Cent. Tax-free.

XXX. Provided always, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person and Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to her Majesty, at the Receipt of her Majesty's Exchequer, upon the Credit of the said several Rates, Duties and Sums of Money, by this Act granted, and to be raised in the several Parts of Great Britain as aforesaid, any Sums which shall not exceed in the whole the Sum of one hundred and eighty thousand Pounds, and to have and receive, for the Forbearance thereof, Interest after the Rate of six Pounds per Centum per Annum; and moreover, that no Money to be lent upon the Security of this Act, shall be rated or assessed, by virtue of this Act, or any other Act of Parliament whatsoever.

Lenders to have Tallies and Orders,

XXXI. And it is hereby further enacted, That all and every Person or Persons, who shall lend any Money upon the Credit of this Act, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tallies; in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, at the Rate aforesaid, to be paid every three Months until Repayment of the Principal; and that all such Orders for Repayment of Money to be lent, shall be registred in Course, according to the Dates respectively, without other Preference of one before another; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registred in the said Register Books, so as the said Person, Native or Foreigner, his Executors, Administrators or Assigns, who shall have his Order or Orders first entred in the said respective Books of Register, shall be taken and accounted the first Person to be paid out of the Monies to come in by Virtue of this Act; and he or they who shall have his or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in by this Act, of or for the said several Rates, Duties and Sums of Money to be raised in Great Britain as aforesaid, shall be in the same Order, liable to the Satisfaction of the Monies to be lent as aforesaid, to the respective Parties, their Executors, Administrators, Successors or Assigns respectively, without undue Preference of one before another and not otherwise; and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever; and that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any her Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views or Search, in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of her Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party aggrieved, by the Party offending, with treble Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in Point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt or on the Case, to pay the Value of the Debt, with Damages and Costs, to the Party grieved, and shall be forejudged of his Office or Place; and if such Preference be unduly made by any his Deputy or Clerk, without Directions or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall for ever be incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct the Order, or the Clerk of the Pells record, or the Teller make Payment according to each Person's due Place or Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks herein offending, to be liable to such Action, Debt, Damages and Costs in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs, to be incurred by any of the Officers of the Exchequer, or any other Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of her Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint, shall be in any wise granted or allowed.

and paid in Course.

No undue Preference.

Tallies dated the same Day, no undue Preference:

XXXII. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Repayment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those be entred first, so as he enters them all the same Day.

Nor if subsequent Orders be paid before such as were not demanded in Course.

XXXIII. Provided also, That it shall not be interpreted any due Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders of Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in their Course, so as there be so much Money reserved as will satisfy precedent Orders; which shall not be otherwise disposed, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Orders assignable.

XXXIV. And be it further enacted, That all and every Person and Persons, to whom any Money shall be due for Loans, to be registred by virtue of this Act, after Order entred in the Book of Register as aforesaid, his Executors, Administrators or Assigns, by proper Words of Assignment, to be endorsed and written upon his Order, may assign or transfer his Right, Title, Interest and Benefit of such Order or any Part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid, for Orders which the Officers shall upon Request, without Fee or Charge accordingly make, shall entitle such Assignee, his Executors, Administrators and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so toties quoties, and afterwards it shall not be in the Power of such Person or Persons who have or hath made any such Assignments, to make void, release and discharge the same, or any the Monies thereby due or any Part thereof.

[Con-

[Continued by 1 Geo. 1. stat. 2. cap. 2. till the first of *August* 1715, and made perpetual by 1 Geo. 1. stat. 2. cap. 12. sect. 5.]

c. 11. f. 40. 6 Geo. 1. c. 21. f. 25. 6 Geo. 2. c. 37. f. 6. (which is made perpetual by 31 Geo. 2. c. 42.) 7 Geo. 2. c. 39.

Farther Provisions concerning Hops, 6 Geo. 1. 7 Geo. 2. c. 39.

C A P. XIII.

An Act for the taking, examining and stating the publick Accounts of the Kingdom.

‘ WHEREAS many Aids and Provisions have been raised and assigned for the necessary Defence of your Majesty and these Kingdoms, in this great and important War, and for the Support of the Government; to the end therefore, that both your Majesty and this whole Kingdom may be satisfied, and truly informed that the same have been applied to the Uses and Purposes for which they were given and granted;’ May it please your most Excellent Majesty, that it may be enacted, &c. E X P.

C A P. XIV.

An Act for the better preventing of excessive and deceitful Gaming.

‘ WHEREAS the Laws now in Force for preventing the Mischiefs which may happen by Gaming, have not been found sufficient for that Purpose;’ Therefore for the further preventing of all excessive and deceitful Gaming, be it enacted by the Queen’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 Authority of the same, That from and after the first Day of *May* one thousand seven hundred and eleven, all Notes, Bills, Bonds, Judgments, Mortgages or other Securities or Conveyances whatsoever, given, granted, drawn or entred into, or executed by any Person or Persons whatsoever, where the whole or any Part of the Consideration of such Conveyances or Securities, shall be for any Money, or other valuable Thing whatsoever, won by gaming or playing at Cards, Dice, Tables, Tennis, Bowls or other Game or Games whatsoever, or by betting on the Sides or Hands of such as do game at any of the Games aforesaid, or for the reimbursing or repaying any Money knowingly lent, or advanced for such gaming or betting as aforesaid, or lent or advanced at the Time and Place of such Play, to any Person or Persons so gaming or betting as aforesaid, or that shall, during such Play, so play or bett, shall be utterly void, frustrate, and of none Effect, to all Intents and Purposes whatsoever; any Statute, Law, or Usage to the contrary thereof in any wise notwithstanding; and that where such Mortgages, Securities or other Conveyances, shall be of Lands, Tenements or Hereditaments, or shall be such as incumber or affect the same, such Mortgages, Securities or other Conveyances, shall enure and be to and for the sole Use and Benefit of, and shall devolve upon such Person or Persons as should or might have, or be intitled to such Lands, Tenements or Hereditaments, in case the said Grantor or Grantors thereof, or the Person or Persons so incumbering the same, had been naturally dead, and as if such Mortgages, Securities or other Conveyances, had been made to such Person or Persons so to be intitled after the decease of the Person or Persons so incumbering the same; and that all Grants or Conveyances to be made for the preventing of such Lands, Tenements or Hereditaments, from coming to or devolving upon such Person or Persons hereby intended to enjoy the same as aforesaid, shall be deemed fraudulent and void, and of none Effect, to all Intents and Purposes whatsoever.

33 H. 8. c. 9. 2 & 3 P. & M. c. 9. 16 Car. 2. c. 7. After 1 May 1711. all Notes, &c. Mortgages, &c. where the Consideration is for Money won by gaming, or for Repayment of Money lent at such gaming, &c. shall be void. And where such Mortgages, &c. shall incumber any Lands, &c. they shall devolve to such Person as should have been intitled to them, in case such Grantor had been dead, &c. And all Conveyances, &c. shall be void.

ances to hinder such Lands from devolving,

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and eleven, any Person or Persons whatsoever, who shall at any Time or Sitting, by playing at Cards, Dice, Tables or other Game or Games whatsoever, or by betting on the Sides or Hands of such as do play at any of the Games aforesaid, lose to any one or more Person or Persons so playing or betting in the whole, the Sum or Value of ten Pounds, and shall pay or deliver the same or any Part thereof, the Person or Persons, so losing and paying or delivering the same, shall be at Liberty within three Months then next, to sue for and recover the Money or Goods so lost, and paid or delivered or any Part thereof, from the respective Winner and Winners thereof, with Costs of Suit, by Action of Debt founded on this Act, to be prosecuted in any of her Majesty’s Courts of Record, in which Actions or Suits no Effoin, Protection, Wager of Law, Privilege of Parliament, or more than one Imparance shall be allowed; in which Actions it shall be sufficient for the Plaintiff to alledge, that the Defendant or Defendants are indebted to the Plaintiff, or received to the Plaintiff’s Use, the Monies so lost and paid, or converted the Goods won of the Plaintiff to the Defendant’s Use, whereby the Plaintiff’s Action accrued to him, according to the Form of this Statute, without setting forth the Special Matter; and in case the Person or Persons who shall lose such Money or other Thing as aforesaid, shall not within the Time aforesaid, really and *bona fide*, and without Covin or Collusion, sue, and with Effect prosecute for the Money or other Thing, so by him or them lost, and paid or delivered as aforesaid, it shall and may be lawful to and for any Person or Persons, by any such Action or Suit as aforesaid, to sue for and recover the same, and treble the Value thereof, with Costs of Suit, against such Winner or Winners as aforesaid; the one Moiety thereof to the Use of the Person or Persons that will sue for the same, and the other Moiety to the Use of the Poor of the Parish where the Offence shall be committed.

The Loser of 10 l. at Cards, &c. may sue for the Money within three Months.

And if the Losers do not sue, &c. any other Person may;

and recover with treble Value; one Moiety to the Informer, the other to the Poor.

III. And for the better Discovery of the Monies or other Thing so won, and to be sued for and recovered as aforesaid, it is hereby further enacted by the Authority aforesaid, That all and every the Person or Persons, who by Virtue of this present Act shall or may be liable to be sued for the same, shall be obliged

The Person sued shall answer upon Oath, to discover the Money won.

The Person who shall so discover and repay, shall be indemnified from further Punishment.

Any Person winning by Fraud, &c. above 10l. at one Sitting, and convicted thereof on Indictment, &c. shall forfeit 5 Times the Value, be deemed infamous, and suffer as in Cases of wilful Perjury.

Two Justices may cause Persons who have no visible Estate, &c. to be brought before them, and unless they make it appear that they do not maintain themselves by Gaming, shall find Securities for their good Behaviour for 12 Months or be committed.

Persons so finding Sureties and playing for 20s. during the Time, shall forfeit their Recognizance.

Affaulting, &c. on Account of Money won at Play, to forfeit all his Goods, and be imprisoned two Years.

This Act shall not extend to prevent Gaming in any of the Queen's Palaces during her Residence there, &c.

Farther Provisions concerning Gaming, 2 Geo. 2. c. 28. sect. 9. 10 Geo. 2. c. 19.

obliged and compellable to answer upon Oath such Bill or Bills as shall be preferred against him or them, for discovering the Sum and Sums of Money, or other Thing so won at Play as aforesaid.

IV. Provided always, and be it nevertheless enacted by the Authority aforesaid, That upon the Discovery and Repayment of the Money, or other Thing so to be discovered and repaid as aforesaid, the Person or Persons who shall so discover and repay the same as aforesaid, shall be acquitted, indemnified and discharged from any further or other Punishment, Forfeiture or Penalty, which he or they may have incurred by the playing for, or winning such Money or other Thing so discovered and repaid as aforesaid; any former or other Statute, Law or Usage, or any thing in this present Act contained to the contrary thereof in any wise notwithstanding.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, at any Time or Times, after the said first Day of *May* one thousand seven hundred and eleven, do or shall, by any Fraud or Shift, Couzenage, Circumvention, Deceit or unlawful Device or ill Practice whatsoever, in playing at or with Cards, Dice or any the Games aforesaid, or in or by bearing a Share or Part in the Stakes, Wagers or Adventurers, or in or by betting on the Sides or Hands of such as do or shall play as aforesaid, win, obtain or acquire to him or themselves, or to any other or others, any Sum or Sums of Money or other valuable Thing or Things whatsoever, or shall at any one Time or Sitting, win of any one or more Person or Persons whatsoever, above the Sum or Value of ten Pounds; that then every Person or Persons for winning by such ill Practice as aforesaid, or winning at any one Time or Sitting above the said Sum or Value of ten Pounds, and being convicted of any of the said Offences, upon an Indictment or Information to be exhibited against him or them for that Purpose, shall forfeit five Times the Value of the Sum or Sums of Money, or other Thing so won as aforesaid; and in case of such ill Practice as aforesaid, shall be deemed infamous, and suffer such Corporal Punishment, as in Cases of wilful Perjury; and such Penalty to be recovered by such Person or Persons as shall sue for the same by such Action as aforesaid.

VI. And whereas divers leud and dissolute Persons, live at great Expences, having no visible Estate, Profession or Calling to maintain themselves, but support those Expences by Gaming only; Be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful for any two or more of her Majesty's Justices of the Peace, in any County, City or Liberty whatsoever, to cause to come or to be brought before them, every such Person or Persons within their respective Limits, whom they shall have just Cause to suspect to have no visible Estate, Profession or Calling to maintain themselves by, but do for the most part support themselves by Gaming; and if such Person or Persons shall not make it appear to such Justices, that the Principal Part of his of their Expences is not maintained by Gaming, that then such Justices shall require of him or them sufficient Securities for his or their good Behaviour for the Space of twelve Months; and in Default of his or their finding such Securities, to commit him or them to the common Gaol, there to remain until he or they shall find such Securities as aforesaid.

VII. And be it enacted by the Authority aforesaid, That if such Person or Persons so finding Sureties as aforesaid, shall, during the Time for which he or they shall be so bound to the good Behaviour, at any one Time or Sitting, play or bett for any Sum or Sums of Money or other Thing, exceeding in the whole the Sum or Value of twenty Shillings, that then such Playing shall be deemed or taken to be a Breach of his or their Behaviour, and a Forfeiture of the Recognizance given for the same.

VIII. And for the preventing of such Quarrels as shall and may happen upon the Account of Gaming; Be it further enacted by the Authority aforesaid, That in case any Person or Persons whatsoever, shall assault and beat, or shall challenge or provoke to fight any other Person or Persons whatsoever, upon Account of any Money won by gaming, playing or betting at any of the Games aforesaid, such Person or Persons assaulting and beating, or challenging or provoking to fight such other Person or Persons upon the Account aforesaid, shall being thereof convicted upon an Indictment or Information to be exhibited against him or them for that Purpose, forfeit to her Majesty, her Heirs and Successors, all his Goods, Chattels and Personal Estate whatsoever, and shall also suffer Imprisonment without Bail or Mainprize, in the common Gaol of the County where such Conviction shall be had during the Term of two Years.

IX. Provided always, That nothing in this Act contained shall extend to prevent or hinder any Person or Persons from gaming or playing at any of the Games aforesaid, within any of her Majesty's Palaces of *St. James* or *Whitehall*, during such Time as her Majesty, her Heirs or Successors, shall be actually resident at either of the said two Palaces, or in any other Royal Palaces, where her Majesty, her Heirs or Successors, shall be actually resident, during the Time of such actual Residence, so as such Playing be not in any House, Lodging, or other Part of any of the said Palaces, the Freehold or Inheritance whereof is or shall be out of the Crown, or is or shall be in Lease to any Person or Persons, during such Time as such Freehold and Inheritance shall be out of the Crown, or such Lease shall continue, and so as such Playing be for ready Money only.

10 Geo. 2. c. 28. 12 Geo. 2. c. 28. 13 Geo. 2. c. 34. 25 Geo. 2. c. 36. 30 Geo. 2. c. 24.

C A P. XV.

An Act for making more effectual an Act of the forty-third Year of the Reign of Queen ELIZABETH, intituled, *An Act concerning the Assises of Fuel*, so far as it relates to the Assise of Billet.

WHEREAS an Act made in the forty-third Year of Queen ELIZABETH, intituled, *An Act concerning the Assises of Fuel*, extends only to Cities, Boroughs, and Towns Corporate: And whereas also there is no Forfeiture by the said Act, unless the Talewood, Billet, or Faggots therein mentioned be put to Sale, the Difficulty of knowing which is very great, (notwithstanding the said Commodities lie exposed in publick Places where they are usually bought and sold) by Reason of the Unwillingness of Persons to become Informers: And whereas also the Assise of Billet in the said Act is carried up no higher than to two Cast, which is very far short of the Scantlings of Billet now in Use in many Parts of this Realm; For remedying the Defects in the said Act, and making it more effectual, be it enacted by the Queen'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 from and after the first Day of November in the Year of our Lord one thousand seven hundred and eleven, all Billet whatsoever, that is or shall lie exposed on Wharfs, Stathes, Kays, or other Places where Billet is usually put on board, landed, laden, unladen, or that shall be put to Sale, or that shall lie in any Hoy, Barge, Keel, Lighter, or other Boat or Vessel within the Port of London, or any other Port, shall be assised, and cut or marked in Manner following, viz. all Billets, of what Scantling or Denomination soever, shall contain in Length three Foot and four Inches; every Billet named a Single, being round Bodied, shall contain in Compass seven Inches and a half; every Billet commonly called a Cast, shall be cut or marked one, and being round, shall contain in Compass ten Inches and an Half, being half round shall contain in Compass twelve Inches and a Quarter, being Quarter-Cleft, shall contain in Compass twelve Inches; every Billet commonly called a Trois, shall be cut or marked with three Notches in the Middle, and being round, shall contain in Compass thirteen Inches, being half round shall contain in Compass fifteen Inches, being Quarter-Cleft, shall contain in Compass fourteen Inches and three Quarters; every Billet commonly called two Cast, shall be marked two, and being round, shall contain in Compass fifteen Inches, being half round, shall contain in Compass seventeen Inches and a Quarter, being Quarter-Cleft, shall contain in Compass seventeen Inches; every Billet commonly called three Cast, shall be marked with a Notch at each End, and another in the Middle, and being round, shall contain in Compass eighteen Inches and a Quarter, being half round, shall contain in Compass twenty-one Inches and a Quarter, being Quarter-Cleft, shall contain in Compass twenty-one Inches; every Billet commonly called four Cast, shall be marked four, and being round shall contain in Compass twenty-one Inches and a Quarter, being half round, shall contain in Compass twenty-four Inches; every Billet commonly called five Cast, shall be marked five, and being round, shall contain in Compass twenty-three Inches and three Quarters, being half round, shall contain in Compass twenty-seven Inches and a Half, being Quarter-Cleft, shall contain in Compass twenty-seven Inches; every Billet commonly called six Cast, shall be marked six, and being round, shall contain in Compass twenty-six Inches, being half round, shall contain in Compass thirty Inches, being Quarter-Cleft, shall contain in Compass twenty-nine Inches and a Half; every Billet commonly called seven Cast, shall be marked seven, and being round, shall contain in Compass twenty-eight Inches, being half round, shall contain in Compass thirty-two Inches and a Half, being Quarter-Cleft, shall contain in Compass thirty-two Inches; every Billet commonly called eight Cast, shall be marked eight, and being round, shall contain in Compass thirty Inches, being half round, shall contain in Compass thirty-four Inches and three Quarters, being Quarter-Cleft, shall contain in Compass thirty-four Inches; every Billet commonly called nine Cast, shall be marked nine, and being round, shall contain in Compass thirty-one Inches and three Quarters, being half round, shall contain in Compass thirty-six Inches and three Quarters, being Quarter-Cleft, shall contain in Compass thirty-six Inches and a Quarter; every Billet commonly called ten Cast, shall be marked ten, and being round, shall contain in Compass thirty-three Inches and a Half, being half round, shall contain in Compass thirty-eight Inches and three Quarters, being Quarter-Cleft, shall contain in Compass thirty-eight Inches; every Billet commonly called eleven Cast, shall be marked eleven, and being round, shall contain in Compass thirty-five Inches and a Quarter; every Billet commonly called twelve Cast, shall be marked twelve, and being round, shall contain in Compass thirty-six Inches and three Quarters; every Billet commonly called thirteen Cast, shall be marked thirteen, and being round, shall contain in Compass thirty-eight Inches and a Quarter; every Billet commonly called fourteen Cast, shall be marked fourteen, and being round, shall contain in Compass thirty-nine Inches and three Quarters; every Billet commonly called fifteen Cast, shall be marked fifteen, and being round shall contain in Compass forty-one Inches; every Billet commonly called sixteen Cast, shall be marked sixteen, and being round, shall contain in Compass forty-two Inches and a Half; every Billet commonly called seventeen Cast, shall be marked seventeen, and being round, shall contain in Compass forty-three Inches and three Quarters; every Billet commonly called eighteen Cast, shall be marked eighteen, and being round, shall contain in Compass forty-five Inches; every Billet commonly called nineteen Cast, shall be marked nineteen, and being round, shall contain in Compass forty-six Inches and a Quarter; every Billet commonly called twenty Cast, shall be marked twenty, and being round, shall contain in Compass forty-seven Inches and a Half.

43 El 2. c. 83.

34 & 35 H. 8. c. 3. How Billet exposed to Sale in any Port, after Nov. 1. 1710. shall be assised, cut, and marked.

Single.

Cast.

Trois.

Two Cast.

Three Cast.

Four Cast.

Five Cast.

Six Cast.

Seven Cast.

Eight Cast.

Nine Cast.

Ten Cast.

Eleven Cast.

Twelve Cast.

Thirteen Cast.

Fourteen Cast.

Fifteen Cast.

Sixteen Cast.

Seventeen Cast.

Eighteen Cast.

Nineteen Cast.

Twenty Cast.

II. And be it further enacted by the Authority aforesaid, That all Billet that is, shall lie, or be exposed, on Wharfs, Stathes, Kays, or other Places where Billet is usually put on Board, landed, laden, unladen,

Billet exposed to Sale, not assised, &c. as above

directed. Al-
tered and ex-
plained by 10
Annæ, c. 6. §. 2.
as to Beechwood
Billet

or that shall be put or exposed to Sale, or that shall be in any Hoy, Barge, Keel, Lighter, or other Boat or Vessel, within the Port of London, or any other Port, and shall not be affixed and marked, or cut, as is in this Act before directed, That then upon Information thereof given to any Justice of Peace of the County, or to the Mayor, Bailiff, or other Head Officer of the City, Borough, or Town Corporate, where the said Billet is, or shall lie or be exposed, or be put to Sale, or be in any Hoy, Barge, Keel, Lighter, or other Boat or Vessel, as aforesaid, such Justice of the Peace, Mayor, Bailiff, or other Head Officer, shall have Power and Authority to call before them six good and lawful Men of the Town, Parish, City, Borough, or Town Corporate, where the said Billet is, shall lie, or be exposed, or be put to Sale, or be in any Hoy, Barge, Keel, Lighter, or other Boat or Vessel, as aforesaid, and shall swear them upon their corporal Oaths, truly to inquire and present, whether all or any Part of the said Billet be of good and sufficient Affize, according to the Direction of this present Act; and if they shall present upon their Oaths, that any of the said Billets are not affized and marked, or cut, as is before directed, That then the said Justice of Peace for the said County, or the said Mayor, Bailiff, or other Head Officer of the said City, Borough, or Town Corporate, by Virtue of this Act, upon their Presentment, shall and may take such of the said Billets as shall not be marked or cut, or be false affized, as forfeited, and shall deliver the same to the Overseers of the Poor in the said Town, Parish, City, Borough, or Town Corporate, to be by them given and distributed to the Poor there, according to their Discretions, from time to time, as often as such Offences shall be presented in Manner and Form, as aforesaid.

to be forfeited,
and given to the
Poor.

Any Person sued
for putting this
Act in Execu-
tion, may plead
the General
Issue, &c.

III. And be it further enacted by the Authority aforesaid, That if any Suit or Action shall happen at any Time or Times hereafter to be brought, commenced, or prosecuted against any Person or Persons for or relating to any Matter or Thing which he or they shall happen to do in putting in Execution this present Act; it shall be lawful to and for such Person or Persons, against whom such Suit or Action shall happen to be brought, as aforesaid, to plead the General Issue, and to give this Act and the special Matter in Evidence; and if the Plaintiff or Plaintiffs in such Suit or Action shall become nonsuit, or suffer a Verdict to pass against him or them, or discontinue his or their Suit or Action, or Judgment shall be given against him or them upon any Demurrer, the Defendant or Defendants in such Suit or Action shall have Judgment to recover his or their treble Costs in such Suit or Action.

and shall have
Treble Costs.
Proprietors of
Trees may mark,
&c. or not mark
their Billets as
they please for
private Use. See farther 10 Ann. c. 6. which provides that Affize of Fuel shall not extend to Billets made of Beech-Wood.

IV. Provided always, and be it enacted by the Authority aforesaid, That any Owner or Proprietor of Trees, may lop, cut, carry, mark, or omit to mark Billet of what Affize, Length or Bigness he pleases, such Billet being for the private Use of the said Owner and Proprietor only; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

C A P. XVI.

An Act to make an Attempt on the Life of a Privy Counsellor, in the Execution of his Office, to be Felony without Benefit of Clergy.

3 Hen. 7. c. 14.

WHEREAS *Anthony de Guiscard*, commonly called *Marquis de Guiscard*, a French Papist, residing in England under her Majesty's Protection, and subsisted by her Majesty's Bounty for some Years past, was charged with holding a traitorous Correspondence with France, and being taken into Custody for such his Treason by *Nathan Wilcocks*, of the Parish of *St. James Westminster* in the County of *Middlesex*, Gentleman, one of her Majesty's Messengers in Ordinary, by virtue of a Warrant of the Right Honourable *Henry Saint John* Esquire, one of her Majesty's Principal Secretaries of State, and on the eighth Day of *March* in the Year of our Lord one thousand seven hundred and ten, being under Examination before a Committee of her Majesty's most honourable Privy Council for the same, perceiving his said Treason to have been fully detected, being conscious of his Guilt, and dreading the Pain and Infamy of his approaching Punishment, in Hopes of preventing the same, and in Revenge for the Discovery of the said Offence, did, with a Penknife, in a barbarous and villainous Manner, stab the Right Honourable *Robert Harley* Esquire, Chancellor of her Majesty's Exchequer, and one of her Majesty's Privy Council, then present, and assisting in that Committee, and endeavoured to wound others of her Majesty's Privy Council there: And whereas in the preventing further Mischief from the Rage of the said *Anthony de Guiscard*, and in apprehending and securing him, he the said *Anthony de Guiscard* was necessarily and unavoidably bruised and wounded, and is since dead in the Prison of *Newgate* in the City of *London*: And whereas no sufficient Punishment is provided for assaulting or wounding a Privy Counsellor in the Execution of his Office, by any Law now in Being; To the end that all Persons may be deterred from committing such Offences, and for preventing the like Mischiefs for the Time to come; Be it enacted by the Queen'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 if any Person or Persons, from and after the first Day of *May* in the Year of our Lord one thousand seven hundred and eleven, shall unlawfully attempt to kill, or shall unlawfully assault and strike or wound any Person, being one of the most honourable Privy Council of her Majesty, her Heirs or Successors, when in the Execution of his Office of a Privy Counsellor in Council, or in any Committee of Council, that then the Person or Persons so offending, being thereof convicted in due Form of Law, shall be and are hereby declared to be Felons, and shall suffer Death as in Cases of Felony, without the Benefit of Clergy.

After 1 May
1711. whoever
shall attempt to
kill, &c. a Privy
Counsellor in
the Execution of
his Office, de-
clared a Felon,
and shall suffer
Death as such
without Clergy.

Nathan Wil-
cocks, &c. saved
harmless.

II. And be it further enacted by the Authority aforesaid, That the said *Nathan Wilcocks* (who by an Inquisition taken the seventeenth Day of the said Month of *March*, before *George Rivers* Esquire, Coroner of the said City of *London*, on View of the Body of the said *Anthony de Guiscard*, then and there lying dead) is, found to have given him the said *Anthony de Guiscard* several mortal Bruises of which he died, and all and every

every other Person and Persons, who were assisting in the Defence of the said *Robert Harley*, and in the apprehending and securing the said *Anthony de Guiscard*, and did, in so doing, assault, bruise, or wound the said *Anthony de Guiscard*, shall be, and are hereby indemnified and saved harmless therefore; and such their Actings and Doings are hereby declared to have been necessary and lawful.

C A P. XVII.

An Act for the Preservation of White and other Pine Trees growing in her Majesty's Colonies of *New Hampshire*, the *Massachusetts Bay*, and Province of *Main*, *Rhode Island*, and *Providence Plantation*, the *Narraganset Country*, or *Kings Province*, and *Connecticut*, in *New England*, and *New York*, and *New Jersey*, in *America*, for the Masting her Majesty's Navy.

WHEREAS there are great Numbers of White or other Sort of Pine Trees, fit for Masts, growing in her Majesty's Colonies of *New Hampshire*, the *Massachusetts Bay*, and Province of *Main*, *Rhode Island*, and *Providence Plantation*, the *Narraganset Country*, or *Kings Province*, and *Connecticut*, in *New England*, and *New York*, and *New Jersey*, fit for the Masting her Majesty's Royal Navy: And whereas the same growing near the Sea, and on navigable Rivers, may commodiously be brought into this Kingdom for the Service aforesaid: Wherefore, for the better Preservation thereof, be it enacted by the Queen'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 from and after the twenty-fourth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and eleven, no Person or Persons within the said Colonies of *New Hampshire*, the *Massachusetts Bay*, and Province of *Main*, *Rhode Island*, and *Providence Plantation*, the *Narraganset Country*, or *Kings Province*, *Connecticut* in *New England*, and *New York* and *New Jersey*, or any of them, do or shall presume to cut, sell, or destroy any White or other Sort of Pine Tree fit for Masts, not being the Property of any private Person, such Tree being of the Growth of twenty-four Inches Diameter and upwards at twelve Inches from the Earth, without her Majesty's Licence for so doing first had and obtained; on the Penalty or Forfeiture of one hundred Pounds Sterling for every such Offence, on Proof thereof to be made by one or more credible Witnesses on Oath before one of her Majesty's Justices of the Peace there, within or nearest to such Place where such Offence shall be committed; one Moiety of such Penalty or Forfeiture to be to her Majesty, her Heirs and Successors, the other Moiety to the Informer who shall sue for the same within six Months, to be levied by Warrant under the Hand and Seal of such Justice of the Peace.

II. And whereas the Surveyor General of her Majesty's Woods in those Parts is, by himself or his sufficient Deputy or Deputies, by her Majesty's Commission, authorized and directed to mark with the broad Arrow all such Trees as now are, or hereafter shall be fit and proper to be taken for the Use of her Majesty's Royal Navy, and to keep a Register for the same, thereby to prevent the Destruction of such Trees: And whereas several Persons, not lawfully thereto authorized, as aforesaid, have presumed to mark such Trees with the broad Arrow, thereby to deter others her Majesty's good Subjects from getting Logs for Lumber and other Uses, and to make to themselves a Property in such Trees, though growing on common Lands; Be it therefore further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *September* one thousand seven hundred and eleven, no Person or Persons within the said Colonies of *New Hampshire*, the *Massachusetts Bay*, and Province of *Main*, *Rhode Island*, and *Providence Plantation*, the *Narraganset Country*, or *Kings Province*, *Connecticut* in *New England*, and *New York*, and *New Jersey*, or any of them, other than the said Surveyor General for the time being, his Deputy or Deputies, or such Person as shall be authorized thereto by Warrant under the said Surveyor General's Hand, do or shall presume to mark any such White or other Sort of Pine Trees, with the broad Arrow, on the Penalty or Forfeiture of five Pounds Sterling for every such Offence, to be recovered and levied in such Manner, and on such Proof, and to be distributed, as aforesaid; any thing herein before, or in any former Act, contained to the contrary in any wise notwithstanding.

Concerning Plantations, see farther 1. 27. and 10 Ann. c. 22 & 26. 4 Geo. 1. c. 11. 8 Geo. 1. c. 12 & 15. 13 Geo. 1. c. 5. 2 Geo. 2. c. 12 & 23. 4 Geo. 2. c. 15. 5 Geo. 2. c. 7 & 9. 6 Geo. 2. c. 13. 8 Geo. 2. c. 19. 12 Geo. 2. c. 30. 15 Geo. 2. c. 31 & 33. 24 Geo. 2. c. 51 & 53. 29 Geo. 2. c. 5 & 35. 30 Geo. 2. c. 9.

C A P. XVIII.

An Act to render more effectual an Act made in the sixth Year of her present Majesty, intituled, *An Act to repeal a Clause in an Act of the seventh Year of the Reign of his late Majesty, for amending Highways, which enjoins Waggoners and others to draw with a Pole between the Wheel-horses, or with double Shafts, and to oblige them to draw only with six Horses, or other Beasts, except up Hills.*

WHEREAS by an Act of Parliament made in the sixth Year of the Reign of her present Majesty, intituled, *An Act to repeal a Clause in an Act of the seventh Year of the Reign of his late Majesty (for amending and repairing Highways) which enjoins Waggoners and others to draw with a Pole between the Wheel Horses, or with double Shafts, and to oblige them to draw only with six Horses, or other Beasts, except up Hills*, it is enacted, That from and after the twenty fourth Day of *June* one thousand seven hundred and eight, no travelling Waggon, Wain, Cart, or Carriage, wherein any Burdens, Goods, or Wares shall be carried or drawn, other than such Carts and Carriages as in the said Act are excepted, shall

12 Car. 2. c. 18.
15 Car. 2. c. 7.
22 & 23 Car. 2.
c. 26.
25 Car. 2. c. 7.
After 24 Sept.
1711. no Per-
son, within the
Colonies of New
Hampshire, &c.
shall cut, &c.
any Pine Tree
fit for Masts,
without Leave
of the Queen;
on Forfeiture of
100 l. One
Moiety to the
Queen, the
other to the In-
former, to be le-
vied by Warrant
of a Justice.
Repealed as to
selling White
Pine Trees, by
8 Geo. 1. c. 12.
§. 6.
No Person with-
in the said Colo-
nies shall mark
any Pine Tree
with the broad
Arrow, except
the Queen's Sur-
veyor, &c.
On Penalty of
5 l. to be le-
vied and dis-
tributed as
above.

6 Annæ, c. 26.
13 Ed. 1. Stat.
2. c. 5. 2 & 3
P. & M. c. 8.
After 24 June
1711. any Per-
son may seize
the Horses, &c.
of any Waggon,

&c. drawn with more than 6 Horses, &c. and deliver them to the Surveyor, &c. and if the Penalty be not paid in 3 Days, the Distress to be sold, &c. See 1 Geo. 1. Stat. 2. c. 11. and 5 Geo. 1. c. 12. by the last of which Acts no Cart is to be drawn with more than 3 Horses. And see 6 Geo. 1. c. 6. for the Ascertainment of the Quantities of Meal, &c. to be carried in London.

If the Offender pay the Penalty, it shall be delivered to the next Justice, &c.

If the Person seizing the Cattle shall neglect to deliver them to the Surveyor, he shall forfeit 20 l. to be levied by Distress; and for want of Distress to be sent to the Common Gaol. Surveyor, &c. neglecting to deliver the Penalty to the Justice, to forfeit 20 l.

Persons assisting, &c. to forfeit 5 l.

So much of the said Act of 6 Annæ as relates to drawing up Hill, repealed.

Where six Horses are not sufficient, any Person may add more Beasts from another Cart, &c. Farther Provisions concerning Highways, 1 Geo. 1. c. 11 & 52. 5 Geo. 1. c. 12. 6 Geo. 1. c. 6. 5 Geo. 2. c. 33. which is made perpetual by 27 Geo. 2. c. 16. 7 Geo. 2. c. 9. 8 Geo. 2. c. 20. 9 Geo. 2. c. 18. 14 Geo. 2. c. 42. 15 Geo. 2. c. 2. 16 Geo. 2. c. 29. 21 Geo. 2. c. 28. 24 Geo. 2. c. 43. 26 Geo. 2. c. 28 & 30. 28 Geo. 2. c. 17. 30 Geo. 2. c. 28. and 31 Geo. 2. c. 34.

at any one Time travel, be drawn, or go in any common or publick Highway or Road with above six Horses, Oxen, or Beasts, except up Hills, upon Pain that every Owner of such Waggon, Wain, Cart, or Carriage, shall forfeit for every such Offence the Sum of five Pounds; one Moiety whereof shall be to the Surveyors of the Highways of the Town, Village, Hamlet, or Place, where any of the said Offences shall be committed, to be employed in the Repairs of the said Highways, and the other Moiety thereof to him that shall discover and prosecute for any of the said Offences, (provided such Discoverer or Prosecutor be an Inhabitant of such Town, Village, or Place) the said Penalty to be levied by Distress of all or any the said Horses, Oxen, or Beasts, by Warrant under the Hand and Seal of one Justice of the Peace: And whereas the restraining the Discovery and Prosecution of the said Offence, to an Inhabitant of the Town or Place where the Offence shall be committed, and the said Penalties being appointed to be levied by Distress of the said Horses, Oxen, or Beasts only, by Warrant under the Hand and Seal of one Justice of the Peace, do render the said Act in a great Measure ineffectual; For Remedy whereof, be it enacted by the Queen'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 from and after the four and twentieth Day of June one thousand seven hundred and eleven, it shall and may be lawful for any Person or Persons whatsoever, to seize or distrain any or all of the Horses, Oxen, or Beasts of any Person or Persons offending against the said Act, by drawing with more than six Horses, Oxen, or Beasts, and forthwith to deliver the said Horses, Oxen, or Beasts so seized and distrained to the Surveyor of the Highways, or other Parish Officer of the Town, Village, Hamlet, or Place where the Offence shall be committed; and in case the said Penalty be not paid within three Days, it shall and may be lawful to and for the said Surveyor of the Highways, or other Parish Officer, by Warrant under Hand and Seal of one Justice of the Peace, to sell the said Distress, and deliver the Money raised thereby to the said Justice, who is hereby authorized and required to distribute the Penalties as by the said Act is directed, rendering the Overplus, if any be, to the Owner, the Charges being first deducted; or if the Offender or Offenders shall immediately pay the said Penalty to the Person or Persons so seizing or distraining, or to the Surveyor or other Parish Officer where the Offence shall be committed, then the Person so receiving the same shall deliver it to the next Justice of the Peace, to be by him distributed, as aforesaid.

II. Provided always, That if any Person or Persons shall at any Time refuse or neglect to carry any of the said Horses, Oxen, or Beasts, by him so seized or distrained, to the Surveyor, or other Parish Officer, as aforesaid, he shall forfeit for such Refusal or Neglect, the Sum of twenty Pounds, to be levied upon his Goods and Chattels, by Warrant under the Hand and Seal of one Justice of the Peace; and for want of sufficient Distress, the Person or Persons so offending shall be sent to the Common Gaol of the County, City, Town Corporate, or Liberty where such Offence shall be committed, there to remain till the said Sum of twenty Pounds, by him so forfeited, shall be fully paid; one Moiety of which said Sum shall, by Order of the said Justice of the Peace, be paid to the Informer, and the other Moiety be laid out in repairing the Highways of the Parish, Town, or Hamlet where the Seizure was made; and if any Surveyor of the Highways, or other Parish Officer, shall refuse or neglect to deliver any Sum of Money or Penalty by him received to the said Justice, he or they, for such Refusal or Neglect, shall forfeit the Sum of twenty Pounds, to be levied and disposed of, as aforesaid.

III. And be it further enacted by the Authority aforesaid, That if any Person employed by any Carrier or other Person subject to the Penalties mentioned in the said Act, shall drive, or assist in the Driving of any Travelling Waggon, Wain, Cart, or Carriage, with more than six Horses, Oxen, or Beasts, the Person so offending shall forfeit the Sum of five Pounds, to be levied and disposed of in like Manner as the Forfeitures before mentioned are directed and appointed.

IV. And whereas the Allowing of drawing up any Hills by the said Act with more than six Horses, or Beasts, has been found very prejudicial to the Highways, by giving Opportunity of drawing in other Places with more than six Horses, or Beasts; Be it further enacted by the Authority aforesaid, That so much of the said recited Act as relates to the Drawing up Hills with more than six Horses, or Beasts, from the said four and twentieth Day of June one thousand seven hundred and eleven, shall stand absolutely repealed, and is hereby repealed.

V. Provided always, and it is hereby enacted and declared, That where the Horses allowed to draw any Cart or Waggon, shall not be sufficient to draw the same up any steep Hill, or out of any foul Place, it shall and may be lawful to and for any Person or Persons to take, add, and join any Horse or Horses, from another Cart or Waggon then travelling that Road, by and with the Consent of the Owner or Driver of such Cart or Waggon, to help such insufficient Horses up such steep Hill, or out of such foul Place; any thing herein, or in any other Act, contained to the contrary notwithstanding.

C A P. XIX.

P. R. An Act to enable her Majesty to grant the Site of the Castle of *Exon* (Parcel of her Dutchy of *Cornwall*) for ninety-nine Years, for the Use and Benefit of the County of *Devon*. The Queen, &c. may by Letters Patent grant the Site of the Castle of *Exon*, for the Term of ninety-nine Years, to some Person appointed by the Quarter-Sessions of the County of *Devon*, for the Use of the said County, &c. The Interest of the Justices to the Herbage, &c. shall cease on the making such Grant; and the antient yearly Rent of 10 l. shall be reserved in the said Grant payable to the Crown. Saving to all Persons, other than the Crown and Dukes of *Cornwall*, all Rights, &c.

C A P. XX.

An Act for rendring the Proceedings upon Writs of *Mandamus*, and Informations in the Nature of a *Quo Warranto*, more speedy and effectual; and for the more easy Trying and Determining the Rights of Offices and Franchises in Corporations and Boroughs.

WHEREAS divers Persons have of late illegally intruded themselves into, and have taken upon themselves to execute the Offices of Mayors, Bailiffs, Portreeves and other Offices, within Cities, Towns Corporate, Boroughs and Places, within that Part of *Great Britain* called *England* and *Wales*; and where such Offices were annual Offices, it hath been found very difficult, if not impracticable, by the Laws now in Being, to bring to a Trial and Determination the Right of such Persons to the said Offices within the Compass of the Year; and where such Offices were not annual Offices, it hath been found difficult to try and determine the Right of such Persons to such Offices, before they have done divers Acts in their said Offices, prejudicial to the Peace, Order and good Government within such Cities, Towns Corporate, Boroughs and Places, wherein they have respectively acted: And whereas divers Persons, who had a Right to such Offices, or to be Burgeses or Freemen of such Cities, Towns Corporate, Boroughs or Places, have either been illegally turned out of the same, or have been refused to be admitted thereto, having in many of the said Cases no other Remedy to procure themselves to be respectively admitted or restored to their said Offices or Franchises of being Burgeses or Freemen, than by Writs of *Mandamus*, the Proceedings on which are very dilatory and expensive, whereby great Mischiefs have already ensued, and more are likely to ensue, if not timely prevented: For Remedy whereof, Be it enacted by the Queen'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 from and after the first Day of *Trinity* Term in the Year of our Lord one thousand seven hundred and eleven, where any Writ of *Mandamus* shall issue out of the Court of *Queen's Bench*, the Courts of Sessions of Counties Palatine, or out of any the Courts of Grand Sessions in *Wales*, in any of the Cases aforesaid, such Person or Persons, who by the Laws of this Realm are required to make a Return to such Writ of *Mandamus*, shall make his or their Return to the first Writ of *Mandamus*.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, as often as in any of the Cases aforesaid, any Writ of *Mandamus* shall issue out of any of the said Courts, and a Return shall be made thereunto, it shall and may be lawful to and for the Person or Persons suing or prosecuting such Writ of *Mandamus*, to plead to, or traverse all or any the material Facts contained within the said Return; to which the Person or Persons making such Return shall reply, take Issue, or demur; and such further Proceedings, and in such Manner shall be had therein, for the Determination thereof, as might have been had if the Person or Persons suing such Writ had brought his or their Action on the Case for a false Return; and if any Issue shall be joined on such Proceedings, the Person or Persons suing such Writ shall and may try the same in such Place as an Issue joined in such Action on the Case should or might have been tried; and in case a Verdict shall be found for the Person or Persons suing such Writ, or Judgment given for him or them upon a Demurrer, or by *Nil dicit*, or for want of a Replication or other Pleading, he or they shall recover his or their Damages and Costs in such Manner as he or they might have done in such Action on the Case as aforesaid; such Costs and Damages to be levied by *Capias ad Satisfaciendum*, *Fieri Facias*, or *Elegit*; and a peremptory Writ of *Mandamus* shall be granted without Delay, for him or them for whom Judgment shall be given, as might have been, if such Return had been adjudged insufficient; and in case Judgment shall be given for the Person or Persons making such Return to such Writ, he or they shall recover his or their Costs of Suit, to be levied in Manner aforesaid.

III. Provided always, That if any Damages shall be recovered by virtue of this Act against any such Person or Persons making such Return to such Writ, as aforesaid, he or they shall not be liable to be sued in any other Action or Suit, for the making such Return; any Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

IV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, in case any Person or Persons shall usurp, intrude into, or unlawfully hold and execute any of the said Offices or Franchises, it shall and may be lawful to and for the proper Officer in each of the said respective Courts, with the Leave of the said Courts respectively, to exhibit one or more Information or Informations in the Nature of a *Quo Warranto*, at the Relation of any Person or Persons desiring to sue or prosecute the same, and who shall be mentioned in such Information or Informations to be the Relator or Relators against such Person or Persons, so usurping, intruding into, or unlawfully holding and executing any of the said Offices or Franchises, and to proceed therein in such Manner as is usual in Cases of Information in the Nature of a *Quo Warranto*; and if it shall appear to the said respective Courts, that the several Rights of divers Persons to the said Offices or Franchises may properly be determined on one Information, it shall and may be lawful for the said respective Courts to give Leave to exhibit one such Information against several Persons, in order to try their respective Rights to such Offices or Franchises, and such Person or Persons, against whom such Information or Informations in the Nature of a *Quo Warranto* shall be sued or prosecuted, shall appear and plead as of the same Term or Sessions in which the said Information or Informations shall be filed, unless the Court where such Information shall be filed, shall give further Time to such Person or Persons, against whom such Information shall be exhibited, to plead; and such Person or Persons, who shall sue or prosecute such Information or Informations in the Nature of a *Quo Warranto*, shall proceed thereupon with the most convenient Speed that may be; any Law or Usage to the contrary thereof in any wise notwithstanding.

After the first Day of *Trinity* Term 1711. Returns to Writs of *Mandamus* out of the *Queen's Bench*, &c. shall be made to the first Writ.

As soon as the Return is made, the Prosecutor in such Writ may plead, &c. to which the Person returning may reply, &c.

How the Proceedings shall be.

Persons against whom Damages shall be recovered, nor liable to be sued in other Actions.

How Informations in the Nature of *Quo Warranto* may be exhibited against such as intrude, &c. into Offices, &c.

Judgment of Ouster shall be given against Persons found guilty of such Usurpation, &c.

and the Relator shall recover Costs:

If Judgment be given for the Defendant, he shall have Costs against the Relator.

The Court may allow a convenient Time to return a Mandamus, plead, reply, &c.

The Act 4 Annæ, c. 16. and all the Statutes of Jeofayles, shall be extended to

Writs of Mandamus, &c. 32 H. 8. c. 30. 18 El. c. 14. 27 El. c. 5. 21 Ja. 1. c. 13. 16 & 17 Car. 2. c. 28.

No annual returning Officer shall be re-elected; and such annual Officer obstructing the Election of his Successor, to forfeit 100l.

One Moiety to the Queen, the other to the Prosecutor. See farther 1 Geo. 1. stat. 2. c. 13. sect. 12, 13.

V. And be it further enacted and declared by the Authority aforesaid, That from and after the said first Day of Trinity Term, in case any Person or Persons, against whom any Information or Informations in the Nature of a Quo Warranto shall in any of the said Cafes be exhibited in any of the said Courts, shall be found or adjudged Guilty of an Usurpation, or Intrusion into, or unlawfully holding and executing any of the said Offices, or Franchises, it shall and may be lawful to and for the said Courts respectively, as well to give Judgment of Ouster against such Person or Persons, of and from any of the said Offices or Franchises, as to fine such Person or Persons respectively, for his or their usurping, intruding into, or unlawfully holding and executing any of the said Offices or Franchises; and also it shall and may be lawful to and for the said Courts respectively, to give Judgment, That the Relator or Relators, in such Information named, shall recover his or their Costs of such Prosecution; and if Judgment shall be given for the Defendant or Defendants in such Information, he or they, for whom such Judgement shall be given, shall recover his or their Costs therein expended against such Relator or Relators; such Costs to be levied in Manner aforesaid.

VI. And be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for the said Courts respectively, to allow to such Person or Persons respectively, to whom any Writ of Mandamus shall be directed, or against whom any Information in the Nature of a Quo Warranto, in any of the Cafes aforesaid, shall be sued or prosecuted, or to the Person or Persons who shall sue or prosecute the same, such convenient Time respectively, to make a Return, plead, reply, rejoin, or demur, as to the said Courts respectively shall seem just and reasonable; any thing herein contained to the contrary thereof in any wise notwithstanding.

VII. And be it further enacted by the Authority aforesaid, That after the said first Day of Trinity Term, an Act made in the fourth Year of her Majesty's Reign, intituled, An Act for the Amendment of the Law, and the better Advancement of Justice, and all the Statutes of Jeofayles, shall be extended to all Writs of Mandamus, and Informations in Nature of a Quo Warranto, and Proceedings thereon, for any the Matters in this Act mentioned.

VIII. And whereas in divers Counties, Boroughs, Towns Corporate, and Cinque-Ports, where the Mayor, Bailiff, or other Officer or Officers, to whom it belongs to preside at the Election, and make Return of any Member to serve in Parliament, ought to be annually elected, the same Person hath been re-elected into such Office for several Years successively, which hath been found inconvenient; Be it enacted and declared by the Authority aforesaid, That no Person or Persons, who hath been or shall be in such annual Office for one whole Year, shall be capable to be chosen into the same Office for the Year immediately ensuing; and where any such annual Officer or Officers is or are to continue for a Year, and until some other Person or Persons shall be chosen and sworn into such Office, if any such Officer or Officers shall voluntarily and unlawfully obstruct and prevent the choosing another Person or Persons to succeed into such Office at the Time appointed for making another Choice, shall forfeit one hundred Pounds for every such Offence, to be recovered with Costs of Suit, by such Person as will sue for the same in any of her Majesty's Courts of Record before mentioned, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed, nor any more than one Imparlançe; one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue for the same.

C A P. XXI.

An Act for making good Deficiencies, and satisfying the publick Debts; and for erecting a Corporation, to carry on a Trade to the South Seas, and for the Encouragement of the Fishery; and for Liberty to trade in unwrought Iron with the Subjects of Spain; and to repeal the Acts for registering Seamen.

3 Geo. 1. c. 9. f. 3.

513259 l. 5s 5d. Navy Debt.

154324 l. 15 s. 8d. q. Ordnance.

424791 l. 5s. 4d. q. Transport.

10186; 61. 15 s. 9d. q. Army Debentures. 120251. 15s. Coal Duty.

8 W. 3. c. 3. 1 Annæ, stat. 2. c. 4.

MOST gracious Sovereign; Whereas notwithstanding the many and great Supplies granted to Your Majesty for carrying on the present War, the following Debts and Deficiencies are computed to remain still due and unprovided for, (that is to say) the Sum of five millions one hundred and thirty thousand five hundred thirty-nine Pounds five Shillings and five Pence, for the Debt of Your Majesty's Navy, and for Services performed by the Navy on Account of Land Forces, to the nine and twentieth Day of September one thousand seven hundred and ten, (exclusive of the Debt for the Register of Seamen) and the Sum of one hundred fifty-four thousand three hundred twenty-four Pounds fifteen Shillings and eight Pence Farthing, for the Debt of Your Majesty's Office of Ordnance, to the nine and twentieth Day of September one thousand seven hundred and ten; and the Sum of four hundred twenty-four thousand seven hundred ninety-one Pounds five Shillings and four Pence Farthing, for Transport Service, to the nine and twentieth Day of September one thousand seven hundred and ten; and the Sum of one million and eighteen thousand six hundred fifty-six Pounds seventeen Shillings and nine Pence Farthing, for the Principal and Interest Money, due to the nine and twentieth Day of September one thousand seven hundred and ten, on Army and Transport Debentures, made out for the Service of the last War; and the Sum of twelve thousand twenty-five Pounds and one Shilling for the Principal Money and Interest; to the nine and twentieth Day of September one thousand seven hundred and ten, of deficient Tallies and Orders for Money lent on an Act made in the eighth Year of the Reign of his late Majesty King WILLIAM the Third (of glorious Memory) and another Act made in the first Year of your Majesty's Reign, for laying Duties on Coals, Culin, and Cynders; and the Sum of three hundred seventy-eight thousand eight

eight hundred fifty-nine Pounds five Shillings and eight Pence Farthing, computed for Debts incurred between the nine and twentieth Day of *September* one thousand seven hundred and ten, and the five and twentieth Day of *December* one thousand seven hundred and ten, in the several Offices of the Navy, Victualling, and Transport, and for Interest on the said Army and Transport Debentures in that Time; and the Sum of nine thousand three hundred seventy and five Pounds, to satisfy the Money due upon Account of Subsidies to the Elector of *Hanover* and Duke of *Zell*, pursuant to a Treaty, bearing Date the Fourteenth Day of *May* one thousand six hundred ninety and six: All which several Sums so computed to be due and owing, as aforesaid, do amount in the whole to the Sum of seven millions one hundred twenty-eight thousand five hundred seventy-one Pounds ten Shillings and eleven Pence, and the Interest of such Part of the said several Debts as do carry Interest from the said five and twentieth Day of *December* one thousand seven hundred and ten, to the five and twentieth Day of *December* one thousand seven hundred and eleven, are computed to amount to the Sum of eighty five thousand Pounds; which being added to the said Sum of seven millions one hundred twenty-eight thousand five hundred seventy one Pounds, ten Shillings and eleven Pence, makes the Total of the said Debts amount to the Sum of seven millions two hundred and thirteen thousand five hundred and seventy-one Pounds ten Shillings and eleven Pence: And whereas there has been lent and advanced into the Receipt of your Majesty's Exchequer, pursuant to an Act made in the said eighth Year of your Majesty's Reign (among other Things) for continuing several Impositions, additional Impositions and Duties upon Goods imported, to raise Money by way of Loan, for the Service of the Year one thousand seven hundred and ten, the Sum of one million two hundred ninety-six thousand five hundred fifty-two Pounds nine Shillings and eleven Pence three Farthings: And whereas the Funds by the said last-mentioned Act settled for Payment of the Interest of the said Money lent, in Pursuance of the said Act, do not yet take place, so that no Interest hath yet been paid upon or for the said Money lent or advanced in pursuance of the said Act, and the Interest due upon the said Money on the five and twentieth Day of *March* one thousand seven hundred and eleven, is computed to amount to the Sum of seventy-four thousand eight hundred seventy-five Pounds nineteen Shillings and one Penny Farthing; and the said Principal and Interest Money, so lent and due on the said last-mentioned Act, do amount together, by Computation, to the Sum of one million three hundred seventy-one thousand four hundred twenty-eight Pounds nine Shillings and one Penny; which being added to the above mentioned Sum of seven millions two hundred and thirteen thousand five hundred seventy-one Pounds ten Shillings and eleven Pence, above computed to be the total Amount of the before-mentioned Debts and Deficiencies, will make the said Debts and Deficiencies, and the Principal and Interest Money, to the five and twentieth Day of *March* one thousand seven hundred and eleven, due upon the said Act of the eighth Year of your Majesty's Reign, amount together in the whole to the Sum of eight millions five hundred eighty-five thousand Pounds; the Interest of which said Sum of eight millions five hundred eighty-five thousand Pounds, from the five and twentieth Day of *March* one thousand seven hundred and eleven, to the five and twentieth Day of *December* one thousand seven hundred and eleven, being computed at the Rate of six Pounds *per Centum per Annum*, doth amount unto the Sum of three hundred eighty-six thousand three hundred and twenty-five Pounds; which being added to the said Sum of eight millions five hundred eighty-five thousand Pounds, makes the Sum Total of the said Debts, Sums of Money and Interest, to the said five and twentieth Day of *December* one thousand seven hundred and eleven, amount to the Sum of eight millions nine hundred seventy-one thousand three hundred twenty-five Pounds: And whereas great Part of the Tallies and Orders struck, made, and signed for the said Money, lent in pursuance of the said Act made in the said eighth Year of your Majesty's Reign, are in the Hands of the respective Treasurers or Paymasters of your Majesty's Navy, and Land Forces, and of your Majesty's Ordnance, and Transport Service, or other publick Offices, and cannot be disposed of without great Loss and Discount, and to the Damage of the publick Credit; and other Part of the Tallies and Orders, struck, made out, and signed for other Part of the said Monies lent or advanced in pursuance of the said last-mentioned Act, are or may be in the Hands of such Person or Persons as may be better pleased with the perpetual Interest, after the Rate of six Pounds *per Centum per Annum*, redeemable by Parliament, and the Privilege of Trade, and other Privileges and Advantages by this Act granted: Now we your Majesty's most dutiful and faithful Subjects, the Commons of *Great Britain* in Parliament assembled, being duly affected with the deepest Sense of the Happiness we enjoy under your Majesty's most gracious and wise Administration, and being truly desirous to do all that becomes dutiful and faithful Subjects, to render happy and glorious the Reign of the best of Sovereigns, and having taken into our most serious Consideration all the said Debts and Deficiencies, and the many ill Consequences which may arise to the Publick thereby (if not timely remedied) and being heartily zealous to preserve the Honour of your Majesty and the Nation, and to establish the publick Credit, and to enable your Majesty to prosecute the present War, (so necessarily entred into) with the utmost Vigour, until such a Peace shall (by the Blessing of Almighty God) be obtained, as may be for the Honour of your Majesty, and the lasting Security of your Kingdoms, and your Allies, have agreed (in order to make a Provision for the said Debts, Deficiencies, and Sums of Money, before computed to amount to the said Sum of eight millions nine hundred seventy-one thousand three hundred and twenty-five Pounds, and for raising the further Sum of five hundred thousand Pounds for the Service of this present Year, which makes the total Sum, computed to be provided for by this Act, to amount to the Sum of nine millions four hundred seventy-one thousand three hundred and twenty-five Pounds) to give and grant to your Majesty such Supplies as are herein after mentioned, for paying an Interest or Annuity after the Rate of six Pounds *per Centum per Annum* for all the said Sums of Money, Debts, and Deficiencies, until the Principal Money shall be paid, as herein after is mentioned, which, by the Computation aforesaid, doth amount unto the annual Sum of five hundred sixty eight thousand two hundred seventy-nine Pounds and ten Shillings; and that a good, sure, and lasting Fund may be settled and established for paying the said Interest or Annuities, after the Rate of six Pounds *per Centum*

378591. 5 s.
8 d. 9. Interest,
&c.93751. Hanover
Subsidy.8;000l. In-
terest.

8 Annæ, c. 13.

1,3714281. 9 s.
7 d. on 8 Annæ.3861251. In-
terest.

8 Annæ, c. 13.

500000l. Cur-
rent Service.

Centum per Annum, by quarterly Payments, amounting in the whole, by Computation, to the said Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, we do give and grant to your Majesty, your Heirs and Successors, for the Purposes aforesaid, the Supplies, Impositions, and Duties herein after mentioned; and do most humbly beseech your Majesty to accept thereof, and that it may be enacted; and be it enacted by the Queen'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 and every the Impositions, additional Impositions, Rates, Duties, and Charges upon all Wines, Vinegar, and Tobacco, and upon all *East India* Goods, and wrought Silks, and upon all Whale-fins, and upon all or any other Goods or Merchandizes whatsoever, which by the said Act made in the said eighth Year of her said now Majesty's Reign, were granted, continued, or made payable to her said Majesty, her Heirs and Successors, from the last Day of *July* one thousand seven hundred and sixteen to the first Day of *August* one thousand seven hundred and twenty, shall by virtue of this Act be further granted and continued, and be paid and payable to her Majesty, her Heirs and Successors, upon and for all Wines, Vinegar, and Tobacco, and all wrought Silks, and Whale-fins, and upon all other the like Goods and Merchandizes as are by the said Acts, every or any of them, charged or chargeable with the said Rates, Duties, Impositions, or additional Impositions, or any of them, and which shall be brought or imported into *Great Britain*, from the last Day of *July* one thousand seven hundred and twenty, for ever; and that all and every the Act and Acts of Parliament (which by the said Act made in the said eighth Year of her said Majesty's Reign, were continued to the said first Day of *August* one thousand seven hundred and twenty, and all the Powers, Provisions, Penalties, Articles, and Clauses in the said Acts, every or any of them, mentioned or contained (except as in the said Act of the said eighth Year of her said Majesty's Reign, and herein after, is excepted) as for and concerning the said Rates, Duties, Impositions, and additional Impositions, and every or any of them respectively, hereby granted, continued, or made payable, shall continue and be in full Force and Effect for ever, and shall be severally applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said respective Rates, Duties, Impositions, and additional Impositions, every or any of them, respectively, by the same respective Acts granted, and which are hereby continued, and made payable, and all Arrears thereof, according to the Tenor and Intent of this Act, as if the same Acts, and every of them, and all and every the Clauses, Matters, and Things in them, and every of them respectively mentioned or contained, had been again repeated, and particularly enacted in this present Act.

Impositions, &c.
8 Annæ, c. 13.
continued from
31 July, 1720.
for ever.

8 Annæ, c. 13.

Duty on Tobacco to be levied according to the Act 7 W. 3. c. 10.
Sec 12. Ann. stat. 2. c. 8. sect. 2.
which directs the Duties on Tobacco to be paid in eighteen Months.

II. Provided always, and be it enacted and declared by the Authority aforesaid, That the said Duty upon Tobacco, which shall be imported within the Times by this Act limited, and all Arrears thereof, shall be secured, collected, raised, levied, answered, and paid to her Majesty, her Heirs and Successors, in such Method, and with such Discount and Allowances, and according to such Rules and Directions, and under such Penalties, as are mentioned, referred to, or prescribed (as to the Duties or Impositions on Tobacco) in and by the Act made in the Parliament holden in the seventh Year of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act for continuing several Duties granted by former Acts upon Wine, Vinegar, and Tobacco, and East India Goods, and other Merchandizes imported, for carrying on the War against France, and not otherwise.*

Alterations made by any Act in being to be observed.

III. Provided also, That in all Cases where any other Provision or Alteration is made by any Act or Acts of Parliament now in being, in or about any other Matter or Thing contained in the said Acts of Parliament hereby continued, or any of them, such other Provisions or Alterations shall be observed for ever; any thing herein contained to the contrary notwithstanding.

After Payment of Principal and Interest charged by the former Acts, the Surplus to be applied to the Uses of this Act.

IV. And be it further enacted, That all and every the Surplus Monies arising in the Receipt of the Exchequer, on or for the said Duties hereby continued, and such other Duties as are mentioned and contained in the former Acts, whereby the said Duties hereby continued were granted or continued to the first Day of *August* one thousand seven hundred and sixteen, after Payment of all such Principal Money and Interest, as by the said former Acts are charged thereupon, and which by the said Act in the said eighth Year of her Majesty's Reign are appropriated and applied to the Purposes in that Act mentioned, shall be, and by virtue of this Act are, appropriated and made applicable to the Uses and Purposes in this Act mentioned and contained, and to no other Use, Intent, or Purpose whatsoever; any thing in the said last-mentioned Act contained to the contrary thereof in any wise notwithstanding.

11 Annæ, stat. 1. c. 13.

V. And whereas by the said Act made in the said eighth Year of her said Majesty's Reign, it is enacted, That immediately from and after the Time that all Principal and Interest Monies, secured by an Act of the first Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and for preserving the publick Credit*, should be fully paid off and satisfied, or that sufficient Monies should be reserved in the Exchequer for that Purpose, then all the Monies which from thenceforth, until the first Day of *August*, which will be in the Year of our Lord one thousand seven hundred and sixteen, should arise, or be due or payable, or be secured or in Arrear, of and for the Duties upon Salt and Rock Salt therein mentioned (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall, from time to time, be paid into the Receipt of Exchequer, and shall be issued and applied, so far as the same will extend, to and for the Payment and Satisfaction of the Interest which shall, from time to time, grow due for the Monies which shall be lent upon, or in pursuance of the said Act of the said eighth Year of her Majesty's Reign, or any of the Powers or Clauses therein contained, and to none other Use, Intent, or Purpose whatsoever; any Law or Custom to the contrary notwithstanding: Now it is hereby declared and enacted by the Authority aforesaid, That immediately from and after the Time that all the Principal and Interest Monies secured by the said last-mentioned Act of the said first Year of her said Majesty's Reign, shall be fully paid off and satisfied, or that sufficient Monies shall be reserved in the Exchequer for that Purpose, that all the Monies which from thenceforth for ever shall arise, or be due or payable, or be secured, or in Arrear, of and for the said Duties of Salt and Rock Salt, (except the necessary Charges of

And also the Duties upon Salt and Rock Salt, 8 Annæ, c. 13. These Duties were repealed Geo. 2. c. 20. and afterwards

of raising, levying, collecting, and accounting for the same) shall, from time to time, for ever be paid into the Receipt of her Majesty's Exchequer, and shall be issued and applied for the Purposes in this Act contained, and for no other Use, Intent, or Purpose whatsoever; any thing in the said Act of the said eighth Year of her Majesty's Reign, to the contrary thereof in any wise notwithstanding.

VI. And be it further enacted by the Authority aforesaid, That all the Monies that shall come into the Receipt of the Exchequer, upon or for all and every the Rates, Duties, Impositions, and additional Impositions, which were granted or continued by the said Act of the said eighth Year of her Majesty's Reign, from the last Day of *July* one thousand seven hundred and sixteen, to the first Day of *August* one thousand seven hundred and twenty, and all Arrears thereof, shall be applied and appropriated, and they are hereby appropriated to the Uses and Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever; any thing in the said Act of the eighth Year of her Majesty's Reign, to the contrary notwithstanding; and the said Rates, Duties, Impositions, and additional Impositions, and every of them respectively, shall be raised, levied, collected, answered, and paid, in such Manner and Form, and by such Ways and Means, and subject to, and under such Penalties, Forfeitures, and Disabilities, as is and are contained in the said Act of the said eighth Year of her Majesty's Reign.

VII. And be it further enacted by the Authority aforesaid, That the several Duties upon Candles, which by an Act made in the said eighth Year of her said now Majesty's Reign, intituled, *An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks, Apprentices, and Servants, towards raising her Majesty's Supply, for the Year one thousand seven hundred and ten*, were granted to her Majesty, her Heirs and Successors, for the Term of five Years, to be reckoned from the first Day of *May* one thousand seven hundred and ten, shall, by virtue of this Act, be further continued, and be payable, as well upon all Wax Candles and Candles called or sold for Wax Candles (notwithstanding the Mixture of any other Ingredients therewith) as upon all Tallow Candles, to be imported into, or made in any Part of *Great Britain*, from and after the first Day of *May*, which shall be in the Year of our Lord one thousand seven hundred and fifteen, for ever; and also that the said several Rates upon Monies to be given with Clerks, Apprentices, and Servants, which were granted to her Majesty, her Heirs and Successors, by the said last-mentioned Act, for the Term of five Years, to be reckoned from the first Day of *May* one thousand seven hundred and ten, shall be further continued, and be payable for and upon all Monies or other Consideration to be given with Clerks, Apprentices, or Servants, as in the same Act are mentioned, from and after the first Day of *May*, which shall be in the Year of our Lord one thousand seven hundred and fifteen, for ever; and that the said Act last-mentioned, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, as well for and concerning the said Duties upon Candles, and the said Rates upon Monies or other Consideration to be given with Clerks, Apprentices, and Servants, shall continue, and be in full Force for ever, and shall be applied, practised, and executed, for raising, levying, collecting, answering, and paying, as well the said Duties upon Candles, as the said Rates upon Monies or other Consideration to be given with Clerks, Apprentices, or Servants, hereby continued, and all Arrears thereof, according to the Tenor and Intent of this present Act, as fully, to all Intents and Purposes, as if all and every the Clauses, Powers, Matters, and Things in the same Act contained, had been again in this Act repeated and particularly enacted.

VIII. And whereas the said Duties and Impositions on Candles, and Rates on Monies or other Consideration to be given with Clerks, Apprentices, or Servants, which were granted by the last-mentioned Act, are thereby made subject and liable to the Satisfaction of certain principal Sums which were borrowed upon the same Act, and the Interest due and to be due for the same, (which Principal and Interest are to be duly paid off and discharged in the first Place) Now it is hereby further declared and enacted by the Authority aforesaid, That from and immediately after the Time that all the Principal and Interest Monies, which by the said last-mentioned Act are charged or chargeable on the several Duties on Candles, and Rates on Money or other Consideration to be given with Clerks, Apprentices, and Servants, shall be fully paid off and satisfied, according to the true Meaning of the said last-mentioned Act, or that sufficient Money shall be reserved in the Exchequer for that Purpose; then all the Monies which from thenceforth shall arise by the said Impositions on Candles, and Monies or other Consideration to be given with Clerks, Apprentices, or Servants, which were granted by the said last-mentioned Act, as aforesaid, (except the necessary Charges of raising, levying, collecting, and accounting for the same) shall, from time to time, be paid into the Receipt of the Exchequer distinctly, for the Purposes in this Act expressed, and for no other Use, Intent, or Purpose whatsoever.

IX. And for the better securing the Payment of the said Interest Monies or Annuities, after the Rate of six Pounds *per Centum per Annum*, upon and for all the said Debts, Deficiencies, and Sums of Money, intended to be provided for by this Act; and that all Persons and Corporations, concerned and to be concerned therein, their Executors, Administrators, Successors, and Assigns respectively, may have, receive, and enjoy, certain Annuities or yearly Payments, to be computed after the Rate of six Pounds *per Centum per Annum*, for the several and respective Monies to them respectively due, and to grow due, according to the true Meaning of this Act, and such special Benefit of Trade, and other Advantages as are hereafter in this Act expressed, subject nevertheless to such Power of Redemption, as in this Act is provided in that Behalf; be it therefore enacted, and it is hereby enacted by the Authority aforesaid, That the respective Receivers General of the Customs in *England* and *Scotland* for the time being, at their respective Offices, from time to time, shall separate and keep apart, all and every Sum and Sums of Money arising by such Part of the several Rates and Duties, Impositions, and additional Impositions, and Sums of Money, hereby granted, continued, or appropriated, for the Purposes in this Act mentioned, as is or shall be under the Care or Management of the respective Commissioners of the Customs for the time being, as the same shall, from time to time, arise or be paid into the respective Offices of the said Receiver General of the Customs, by the Collectors of the same, or by any other Person or Persons whatsoever; and in like Manner that the respective

revived for other Uses by 5 Geo. 2. c. 6. And made perpetual by 26 Geo. 2. c. 3.

Funds 8 Annæ, c. 13. appropriated to the Uses of this Act.

Duties upon Candles, and upon Clerks, Apprentices, and Servants, 8 Annæ, c. 9. continued for ever.

For Duties on Candles, see farther 10 Ann. c. 26. 11 Geo. 1. c. 30. 23 Geo. 2. c. 21. and 26 Geo. 2. c. 32.

After Principal, &c. borrowed upon Candles, Clerks, Apprentices, &c. shall be paid off, then the Duties to be applied to the Uses of this Act, 8 Annæ, c. 9.

Concerning Duties on Indentures, see farther 18 Geo. 2. c. 22. 20 Geo. 2. c. 45. 32 Geo. 2. c. 23.

Commissioners of the Customs to keep apart the Monies arising by this Act.

And the Commissioners of the Excise;

and the Commissioners of the Stamp Duties.

The Money to be paid weekly into the Exchequer.

Books for Entry to be kept in the Exchequer.

Commissioners, &c. not paying or misapplying the Monies, forfeit their Places, &c.

Head Offices of the Customs, Excise, &c. continued for ever.

Comptrollers in the respective Offices to keep distinct Accounts of the Monies arising by this Act.

Collector, &c. detaining the Monies, to be dismissed, &c.

pective Commissioners and Governors of the Revenue or Receipt of Excise in *England* and *Scotland* for the time being, at their respective Head Offices, from time to time, shall separate and keep apart all and every Sum and Sums of Money arising by such or such Part of the several Rates, Duties, and Sums of Money, hereby granted, continued, or appropriated, for the Purposes in this Act mentioned, as is or shall be under the Care or Management of the said Commissioners and Governors of the Revenue, or Receipt of Excise, for the time being, as the same shall, from time to time, arise or be paid into the said Offices of Excise by the Receivers or Collectors of the same, or by any other Person or Persons whatsoever; and also that the Commissioners for marking and stamping of Vellum, Parchment, and Paper, or for managing the Duties thereupon for the time being, shall, at their Head Office, cause to be separated and kept apart in like Manner, all and every the Monies arising by the Rates upon Monies or other Consideration to be given with Clerks, Apprentices, or Servants, hereby granted, continued, or appropriated, for the Purposes in this Act mentioned, which is under the Care or Management of the said Commissioners or Managers last-mentioned, for the time being, as the same shall, from time to time, arise or be paid into the said Office of the said Stamps by the Receivers or Collectors of the same, or by any other Person or Persons whatsoever; and as well the said Receivers General of the Customs, and the said Commissioners and Governors of the said Revenue or Receipt of Excise in *England*, as the said Commissioners for marking Vellum, Parchment, and Paper, or for managing the Duties thereupon, for the time being respectively, are hereby required and strictly enjoined, from time to time, for ever, to pay weekly, to wit, on *Wednesday* in every Week, if it be not a Holyday, and if it be, then the next Day after that is not a Holyday, all and every the Monies arising by such or such Parts of the several and respective Duties, Rates, Impositions, additional Impositions, and Sums of Money, hereby granted, continued or appropriated, as is or shall be under the Care or Management of the said Commissioners, Governors, or Managers respectively, into the Receipt of the Exchequer of her Majesty, her Heirs and Successors, distinct and apart from all other Monies whatsoever; and the Receivers General of the Customs and Excise of *Scotland* for the time being respectively, are hereby required and strictly enjoined, from time to time, to transmit and pay into the said Receipt of the Exchequer in *England*, distinct and apart, as aforesaid, all the Monies which shall arise in *Scotland*, as aforesaid, for the Purposes in this Act expressed.

X. And be it further enacted by the Authority aforesaid, That there shall be, from time to time, for ever, provided and kept in the Exchequer, (that is to say) in the Office of the Auditor of the Receipt, several Books, in which all the Monies which ought to be paid in weekly, or otherwise, as aforesaid, and which shall be brought into the same Receipt, shall be entred apart and distinct from all other Monies paid or payable to her Majesty, her Heirs or Successors, upon any Account whatsoever.

XI. And be it further enacted, That if the said Receivers General of the Customs, Commissioners, or Governors of the Revenue or Receipt of the Excise, or the said Commissioners for marking of Vellum, Parchment, and Paper, or for managing the Duties thereupon, for the time being respectively, shall refuse or neglect to pay, or cause to be paid into the Exchequer, all or any the Sums appointed to be paid by them severally, as aforesaid, in such Manner as they are respectively required by this Act, or shall divert or misapply any Part of the same, then they and every of them so offending, shall forfeit their several Offices and Places, and shall be incapable to serve her Majesty, her Heirs or Successors, in any Office or Place of Profit or Trust whatsoever, and shall be liable to pay double the Value of all and every Sum and Sums of Money so diverted or misapplied, with full Costs of Suit, to any Person or Persons, Body Politick or Corporate, who shall be entitled to any Annuity or Payment out of the Fund by this Act settled, and will sue for the same Forfeiture by Action of Debt, or of the Case, Bill, Suit, or Information, founded upon this Act, in any Court of Record of her Majesty, her Heirs or Successors, wherein no Essoin, Protection, Privilege of Parliament, or other Privilege whatsoever, Wager of Law, or more than one Imparance, shall be granted or allowed.

XII. And be it further enacted by the Authority aforesaid, That the Head Offices of the Customs and Excise, and the chief Office for the marking of Vellum, Parchment, and Paper, shall for ever be severally and respectively continued, with a sufficient Number of Commissioners, and a Comptroller in each and every of them, for performing and executing such Matters and Things as are by this Act enjoined to be done or performed by such Commissioners and Comptrollers respectively, according to the true Meaning hereof.

XIII. And be it enacted by the Authority aforesaid, That the respective Comptrollers in the said respective Offices for the time being, shall keep perfect and distinct Accounts in Books fairly written, of all the Monies which shall arise of or for the said several and respective Impositions, additional Impositions, Duties, Rates, and Sums of Money, by this Act granted, continued, or appropriated, as the same shall from time to time arise, or be raised; to which Books all Persons concerned shall have free Access at all reasonable Times, without Fee or Charge; and if any such Comptroller or Comptrollers, as aforesaid, shall neglect his or their Duty therein, then he or they so offending shall forfeit his or their Office or Offices, and Places, and be rendered incapable, as aforesaid, and shall also forfeit the Sum of one hundred Pounds to any Person or Persons, Body Politick or Corporate, entitled to any Annuity or Payment by this Act, and that will sue for the same, as aforesaid, together with Full Costs of Suit, to be recovered, as aforesaid.

XIV. And be it further enacted, That if any Collector or Receiver of any the Impositions, additional Impositions, Duties, Rates, or Sums of Money, by this Act granted, continued, or appropriated, shall detain all or any Part of the Monies by him collected or received, contrary to his Duty, then he or they, for such Offence, shall be dismissed from his or their Employment, and be charged with Interest for the Monies so by him or them detained, after the Rate of twelve Pounds *per Centum per Annum*, and be liable to answer treble Damages to all and every Person and Persons, Bodies Politick or Corporate, that shall be grieved by such Detention, and who will sue for the same, in Manner as aforesaid: And if any Collector or Receiver of any of the said Impositions, additional Impositions, Duties, Rates, or Sums of Money,

hereby granted, continued, or appropriated, shall divert or misapply all or any Part of the Monies by him or them collected or received, contrary to the true Meaning of this Act, then he or they, for every or any such Offence, shall be dismissed from his Employment, and rendered incapable to serve her Majesty, her Heirs and Successors, as aforesaid, and shall moreover forfeit double the Sum or Sums so by him or them diverted or misapplied, to any Person or Persons, Bodies Politick or Corporate, who shall be entitled to any Annuity or Payment out of the Fund by this Act settled, and will sue for the same, as aforesaid.

XV. And to the end the Sums by this Act appropriated, may not be diverted or applied to any other Purposes than are hereby directed or intended; Be it further enacted by the Authority aforesaid, That the Rules and Directions appointed and enacted in one Act made in the first Year of the Reign of their said late Majesties King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesties an Aid of two Shillings in the Pound for one Year*, for the speedy Payment of Money thereby granted into the Receipt of Exchequer, by the Collectors and Receivers, and for the Distribution and Application thereof, and keeping distinct Accounts of the same, and all other Provisions, Pains, Penalties, and Forfeitures thereby enacted, in case of Diversion or Misapplication of any Money thereby appropriated, are hereby revived and enacted to be in Force, and shall be applied, executed, and put in Ure, for and concerning the Distribution and Application of the said Sums hereby appropriated, as fully, amply, and effectually, as if the same were particularly repeated and re-enacted.

XVI. And whereas the Funds hereby settled and appropriated will not be sufficient to pay all the said Annuities, after the Rate of six Pounds *per Centum per Annum*, for all the Debts, Deficiencies, and Sums of Money intended to be provided for by this Act, until the five and twentieth Day of *December* one thousand seven hundred and sixteen; to the Intent a full, sufficient, and unquestionable Provision may be made for all the said Annuities, after the Rate of six Pounds *per Centum per Annum*, until the said five and twentieth Day of *December* one thousand seven hundred and sixteen; Be it therefore enacted by the Authority aforesaid, That Quarterly in every Year, until the said five and twentieth Day of *December* one thousand seven hundred and sixteen, that is to say, on or within twenty Days next after every five and twentieth Day of *March*, four and twentieth Day of *June*, nine and twentieth Day of *September*, and five and twentieth Day of *December*, which shall be before the five and twentieth Day of *December* one thousand seven hundred and sixteen, the Commissioners of the Treasury now being, or the Lord High Treasurer, or Commissioners of the Treasury for the time being, shall cause a true and exact Account to be made of all the Monies, which on or before the said respective Quarter-Days last mentioned, shall have come or be brought into the Receipt of Exchequer, for or upon the said Funds hereby appointed (the first of which Accounts shall be made on or within twenty Days next after the five and twentieth Day of *March* one thousand seven hundred and twelve;) and if upon making every or any such Accounts, so much Monies as shall appear to have come into the Receipt of Exchequer, upon or for the said Funds hereby appointed, shall fall short of one fourth Part of the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or of such proportionable Part thereof as shall be due, as herein after is mentioned, within or for the preceding Quarter of a Year: And then and so often, and in every such Case, it is hereby declared and enacted, That every such Deficiency and Deficiencies shall, immediately after the same shall appear, be provided for, answered, and made good, by or out of any such publick Money, Tallies, Orders, or other Parliamentary Securities, as shall be then in the Hands or Power of the Treasurer or Paymaster of her Majesty's Navy for the time being, when such Deficiency shall happen, upon which there shall not be at that Time an actual Direction; and in case there shall not be then sufficient of such publick Monies, Tallies, Orders, or other Parliamentary Securities, in the Hands or Power of the said Treasurer or Paymaster of the Navy, as aforesaid, to make good and complete such Deficiency, then and in such Case, all the publick Monies, Tallies, Orders, and Parliamentary Securities, which shall (at the Time of such Deficiency happening) be in the Hands or Power of the Treasurer or Paymaster of her Majesty's Navy for the time being, upon which there shall not at that Time be an actual Direction, so far as the same will extend, shall be immediately paid and applied towards making good every such Deficiency; and the Residue and Remainder of every such Deficiency shall be made good, paid, and discharged by and out of the first and next publick Monies, Tallies, Orders, or Parliamentary Securities, which shall come to the Hands or Power of the Treasurer or Paymaster of her Majesty's Navy for the time being (after every such Deficiency shall happen) and the same shall not be applied or diverted to any other Use; and the Treasurer or Paymaster of her Majesty's Navy for the time being, is and are hereby authorized and required to make such Payment and Application for and towards making good such Deficiency and Deficiencies, as aforesaid, when and as often as the same shall happen, without Fee or Charge, and without any further or other Warrant or Authority, to be sued for, had, or obtained in that Behalf from her Majesty, her Heirs or Successors, or any other Person or Persons whatsoever; the said Payment and Application to be made and paid to the Cashier or Treasurer of the said Company or Corporation, to be erected in Pursuance of this Act, for the Use of the said Company or Corporation.

XVII. And to the end the Service of the Navy may not be lessened, or prejudiced by such Application of the Money, Tallies, Orders, or other publick Securities, which shall be in the Hands or Power of the Treasurer or Paymaster of the Navy, and which shall be by him applied to the making good such Deficiency, as aforesaid; Be it enacted by the Authority aforesaid, That in the Month of *January*, yearly and every Year, until the said five and twentieth Day of *December* one thousand seven hundred and sixteen, the Commissioners of the Treasury now being, or the Lord High Treasurer, or Commissioners of the Treasury for the Time being, shall cause an Estimate or Computation to be made by a Medium of the three preceding Years, how much the Funds hereby settled and appointed for Payment of the said Annuities, after the Rate of six Pounds *per Centum per Annum*, will produce for the ensuing Year, commencing from the five and twentieth Day of *December* next ensuing such Estimate or Computation, and how much the same will fall short of answering and paying the said annual Sum of five hundred sixty-eight thousand two hundred

Directions in
1 W. & M. Stat.
2. c. 1. revived.

Treasury to
cause an Account to be made
quarterly till 25
Dec. 1716. of
all Monies to
come in upon
the Funds appointed.

Deficiency to be
made good by the
Treasurer of the
Navy out of Tallies,
Orders, &c.

An Estimate to
be made by a
Medium of three
preceding
Years, how
much the Funds
will produce.

To be laid before the Commons.

dred seventy-nine Pounds and ten Shillings, or such Proportionable Part thereof, as shall be due, as herein after is mentioned; and shall cause the said Estimate or Computation to be laid before the Commons in Parliament assembled, at their then Session (if then actually sitting) or if the Parliament shall not be then sitting, in such Case at their first or next Session; to the end a good, sufficient, and effectual Provision and Supply may be granted to her Majesty, her Heirs and Successors, by Parliament, for the making good, for the Service of the Navy for that Year, so much Monies as shall, by such Estimation or Computation, appear necessary to make good such Deficiency, to be accordingly granted or provided: But the Delay of making such Provision by Parliament, as is last mentioned, shall not be any Stop or Detriment to the making good, in Manner aforesaid, the Deficiency which shall so happen, as aforesaid, of and for the said Funds hereby settled and appointed, for paying the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or such proportionable Part thereof, as shall be due, as herein after is mentioned, but the same shall be answered, paid, and made good in Manner, as aforesaid; any thing herein contained, or any Law, Statute, or Usage of the Navy, or other Matter or Thing, to the contrary in any wise notwithstanding.

Cashier of the Company to give a Receipt to the Treasurer of the Navy:

XVIII. And to the end the Treasurer or Paymaster of her Majesty's Navy, for the time being may be regularly discharged of all such publick Monies, Tallies, Orders, and other Parliamentary Securities, as he or they shall pay and apply towards making good any such Deficiency of the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or of such proportionable Part thereof, as shall be due, as herein after is mentioned; It is enacted, That the Treasurer or Cashier of the Company or Corporation to be erected in Pursuance of this Act, shall from time to time give a Receipt or Receipts in Writing to the said Treasurer or Paymaster of the Navy, for all such publick Monies, Tallies, Orders, and other Parliamentary Securities, as he shall so apply or pay towards making good such Deficiency, as aforesaid; which Receipt and Receipts shall be a good and sufficient Voucher and Vouchers to the said Treasurer and Paymaster of the Navy for the same, and shall, in the Passing of his and their Accounts, be admitted and taken accordingly by the Auditors of her Majesty's Imprests for the Time being.

Which Receipt shall be admitted as a sufficient Voucher.

Treasurer not paying, to incur like Penalties as Officers of the Exchequer are liable to.

XIX. Provided always, and be it further enacted, That if the Treasurer or Paymaster of her Majesty's Navy for the Time being, shall refuse or delay to make such Payment and Application, as aforesaid, of any of the publick Monies, Tallies, Orders, or other publick Securities, as shall be in his or their Hand or Hands, or Power, for or towards making good such Deficiency and Deficiencies of the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or of such proportionable Part thereof, as shall be due, as herein after is mentioned, when and so often as such Deficiency or Deficiencies shall happen, such Treasurer and Paymaster of the Navy shall incur the like Penalties, Forfeitures, and Disabilities, as any of the Officers of the Exchequer are hereby subjected and made liable to for diverting or misapplying any of the Monies, which shall come into the Receipt of the Exchequer, upon or for the Funds hereby appointed for Payment of the said Annuities after the Rate of six Pounds *per Centum per Annum*, and to be recovered in like Manner.

568, 2791. 10s. to be the yearly Fund.

XX. And be it further enacted by the Authority aforesaid, That yearly and every Year for ever, reckoning the first Year to begin from the five and twentieth Day of *December*, which shall be in the Year of our Lord one thousand seven hundred and sixteen, the full annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or such proportionable Part thereof as shall be due, as is herein after mentioned, by or out of the Monies to arise by the said several Duties, as well upon Salt and Rock Salt, as upon Wine, Vinegar, Tobacco, *East-India* Goods, Raw-Silks, and other Goods and Merchandizes imported, granted, continued, or appropriated, and every of them, and to be brought into the Receipt of Exchequer, in case the same Payments shall extend thereto; and in case the said weekly or other Payments shall not amount to five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings *per Annum*, or such proportionable Part thereof as shall be due, as herein after is mentioned, then the said weekly Monies, or other Payments, so far as the same will extend, shall be Part of the yearly Fund for and towards the answering and paying the several and respective Annuities, or yearly Payments, in this Act hereafter expressed.

All the Money by this Act granted, appropriated for making good the yearly Fund.

XXI. And be it further enacted, That all the Sums of Money arising by the said Rates, Duties, Impositions, additional Impositions, and Sums of Money, by this Act granted, continued, or appropriated, as aforesaid, which shall, from time to time, be brought into the Receipt of the Exchequer, or so much thereof as shall be sufficient to make up and complete the said yearly Fund of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or such proportionable Part thereof, to be due, as herein after is mentioned, shall be appropriated, set apart, and applied, and the same are hereby appropriated for and towards the raising and making good the said yearly Fund of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or such proportionable Part of the same, and shall be issued and paid out of the said Receipt of Exchequer by the respective Officers of the same, as herein after is mentioned, without Fee or Charge, and without any further or other Warrant to be sued for, had, or obtained from her Majesty, her Heirs and Successors, in that Behalf, and shall be applied to and for the Uses and Purposes in and by this Act expressed and intended, and to no other Use, Intent, or Purpose whatsoever; and that the respective Officers in the Exchequer, who shall make any Delay in issuing or paying the said Money to the said Uses by this Act intended, or shall be guilty of diverting or misapplying any of the said Monies to any other Use or Purpose, contrary to this Act, for any such Offence, shall be adjudged from their respective Offices and Places, and be rendered incapable to serve her Majesty, her Heirs and Successors, in any Office or Employment of Trust or Profit whatsoever, and also shall be liable to pay double the Value of any Sum or Sums so delayed to be paid, or so diverted or misapplied, as aforesaid, to any Corporation, or other Person or Persons that shall be grieved thereby, and who will sue for the same, to be recovered as aforesaid.

XXII. And

XXII. And be it further enacted by the Authority aforesaid, That in case the said Duties arising or appropriated by this Act shall at any Time or Times appear to be so deficient in the Produce of the same, as that within any one Year, to be reckoned from and after the five and twentieth Day of *December* in the Year of our Lord one thousand seven hundred and sixteen, the said weekly or other Payments upon the same Rates or Duties, shall not amount to so much as shall be sufficient to discharge and satisfy the said yearly Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or such proportionable Part thereof, as aforesaid, by this Act appointed, or intended to be paid within or for the same Year respectively, that then, and so often, and in every such Case, it is hereby declared and enacted, That every such Deficiency and Deficiencies shall be provided for, answered, and made good by or out of the next Aids to be raised and granted by Parliament, and shall be appropriated and applied for and towards making good the Deficiency which shall so happen of the said yearly Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or such proportionable Part thereof, as aforesaid, and to no other Use, Intent, or Purpose whatsoever.

Deficiency to be made good by Parliament.

XXIII. Provided always, and be it further enacted, That in case there shall be any Surplus or Remainder of the Monies arising by the Rates and Duties, and Sums of Money granted or appropriated by this Act, at the End of any one Year after all the said Annuities, Charges, and Payments, directed or authorized by this Act, shall be fully satisfied, paid, and discharged, or Money sufficient shall be reserved for that Purpose, such Surplus or Remainder shall be applied, from time to time, for and towards paying and discharging the principal Money of the said Capital Stock of the said intended Company, so far as the same will, from time to time, extend; and that the said yearly Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or such proportionable Part thereof, as is intended by this Act to be provided for, shall be, from time to time, lessened and abated in Proportion to such Part of the said Principal or Capital Stock of the said Company, which shall be so paid off; that is to say, that out of the yearly Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, to be annually payable to the said Company by virtue of this Act, and according to the true Meaning thereof, there shall be deducted so much Money yearly and every Year, as shall be after the Rate of six Pounds *per Centum per Annum* for the Principal Sum, which shall be so paid off and discharged, or which the Capital Stock of the said Company shall really and *bona fide* consist of, for the time being, less than the said Principal or Capital Stock, or Sum of nine millions four hundred seventy-one thousand three hundred and twenty-five Pounds; such Deduction and Deductions to begin and be made from such respective Time and Times as such Principal Money shall be so paid off and discharged, or the said Capital Stock so lessened, as aforesaid: It being the true Intent and Meaning of this Act, that the Annuity so to be paid, by virtue of this Act, unto the said intended Company or Corporation to be erected in Pursuance of this Act, shall be after the Rate of six Pounds *per Centum per Annum* for every hundred Pounds, which the Principal or Capital Stock of the said Company or Corporation shall, for the time being, consist of, and proportionably for a lesser Sum than one hundred Pounds, and not any further or other Sum or Sums in respect of the said Annuity.

Surplus to be applied towards discharging Principal.

XXIV. Provided always, and it is hereby declared and enacted, That at any Time, upon one Year's Notice, after the five and twentieth Day of *December* in the Year of our Lord one thousand seven hundred and sixteen, upon Repayment by Parliament of the Principal Sum, of which the Capital Stock of the said intended Company shall, for the time being, consist, unto the respective Contributors of the same, or to such Person or Persons as by, from, or under them, shall be entitled to the said Annuity or Shares of the said yearly Fund or Capital Stock, in respect of the same, and of all Arrears of the said Annuities or yearly Payments, or upon Payment out of such Surplus Money, as aforesaid, of all the said Principal or Capital Stock of the said intended Company, and all Arrears of the said Annuity payable to them, as aforesaid; then and from thenceforth all and every the Impositions, and additional Impositions, Duties, Rates, and Sums of Money hereby granted, continued, or appropriated, shall and may be disposed of by Parliament; and also the said yearly Fund charged thereupon, and the said Annuities issuing out of the same, shall absolutely cease and determine; any thing herein contained to the contrary notwithstanding.

On One Year's Notice, after 25 Dec. 1716. and Repayment, Annuities to cease. Explained by 10 Anna, c. 30.

XXV. And soasmuch as it will be for the great Ease and Advantage of the Persons concerned in the said Debts and Deficiencies, that they should be made one Society or Company, and that the Payments from the Exchequer will be much easier made to such Society, or their Cashiers, for the Use of, and to be by them distributed to the respective Persons interested in the said Debts, Deficiencies, and other Monies, intended to be hereby charged on the said Funds, than if the same were to be paid in the usual Forms of the Exchequer to every Person concerned; and to the End and Intent that the Trade to the *South Seas*, and other Parts within the Limits herein after-mentioned, may be carried on for the Honour and Increase of the Wealth and Riches of this Realm; Be it enacted by the Authority aforesaid, That it shall and may be lawful for her Majesty, her Heirs and Successors, by Letters Patents under the Great Seal of *Great Britain*, to incorporate all and every the Person and Persons, Natives and Foreigners, Bodies Politick or Corporate, who are and shall be interested in or intitled unto any of the Bills, Tickets, Debentures, or Certificates, or other Publick Debts, Deficiencies, or Sums of Money, intended to be provided for by this Act, and all and every Person and Persons, Bodies Politick and Corporate, who as Executors, Administrators, Successors, or Assigns, or by any other lawful Title, derived or to be derived from, by, or under the original Proprietors, at any Time or Times hereafter, shall have and be entitled to any Part, Share, or Interest of or in the said yearly Fund by this Act settled, as aforesaid, so long as they respectively shall have any such Part, Share, or Interest therein, to be one Body Politick or Corporate, in Deed and in Name, and by such Name as her Majesty, her Heirs or Successors shall think fit, and by that Name to have perpetual Succession, and a common Seal, with Power, from time to time, to choose their Governors, Directors, and other Officers, in such Manner, and under such Qualifications, as to the Electors and elected, as shall be directed in such Letters Patents; the first Governor and Directors to be nominated by her Majesty,

Her Majesty by Letters Patents may incorporate the Company.

jefty, her Heirs and Successors in the said Letters Patents, the said first Governor and Directors being so qualified, as all subsequent Governors and Directors shall be qualified, and to continue in their respective Offices for one Year only; and that the Persons so incorporated and their Successors, by the same Name, shall be able and capable in Law to have, purchase, receive, enjoy, possess, and retain, to them and their Successors, Lands, Rents, Tenements, and Hereditaments, not exceeding the yearly Value of one thousand Pounds, together with such Powers, Capacities, Privileges, Immunities, and Advantages, and subject to and under such Rules, Conditions, Limitations, and Restrictions, as her Majesty, her Heirs or Successors, in her or their great Wisdom shall think fit, and to do and execute all and singular Matters and Things by the same Name that to them shall or may appertain to do.

Her Majesty by the said Letters, or by Commission, to direct the Ordering of the Tallies, Joint-Stock, &c.

XXVI. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for her Majesty, her Heirs and Successors, by the said Letters Patents of Corporation, or by any Commission or Commissions under the Great Seal of *Great Britain*, to be granted before or after the said Letters Patents, to direct and appoint how and in what Manner the Tallies and Orders, Bills, Tickets, Certificates, or Debentures, intended to be provided for by this Act, and also the Money hereby intended to be made Part of the Capital Stock of the said Corporation, upon Account of the Publick, shall or may be subscribed, admitted, or taken into, or be made Part of the said Capital Stock of the said Company or Corporation; and also to direct how and in what Manner such Part of the Stock of the said Corporation, which is hereby intended to be for the Use of the Publick, shall and may be disposed and applied to the Use of the Publick, and accounted for; and also how and in what Manner the said Tallies, Orders, Tickets, Certificates, Bills, or Debentures, intended to be taken into the Joint Stock of the said Corporation, shall or may be disposed of, discharged, and accounted for; and also how the Property of all Persons interested in the said Tallies, Orders, Tickets, Certificates, Bills, or Debentures, shall or may be ascertained, adjusted, and settled; and also that her Majesty, her Heirs and Successors, shall and may, in and by such Commission and Commissions as is last mentioned, direct the Commissioners therein to be named, how and in what Manner to proceed in the Execution of such Commission or Commissions; and also that it shall and may be lawful to and for her Majesty, her Heirs and Successors, in and by the said Letters Patents of Incorporation, or by such Commission or Commissions, as aforesaid, to direct how and in what Manner the proper Officers of the Exchequer for the time being may know and be informed how much the Capital Stock of the said Company doth, for the time being, consist of, and all other Things requisite thereunto, that so the proper Officers of the Exchequer may know whether they are to pay to the Cashier of the said Company, to the Use of the said Company, the said whole annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or only a proportionable Part thereof.

Commissioners of the Navy to cause an Account of Debts due from the Navy Office on 25 Mar. 1711. to be delivered to the Treasury. Tickets for Seamen's Wages, how paid, to Anne c. 26. §. 114. And also the Commissioners for Victualling, Transports and Ordnance.

XXVII. And whereas great Part of the Debt of the Navy and Victualling, and for Transport Service, and of the Office of Ordnance, is ascertained by Bills or Debentures payable in Course, and other Part of the Debt of the Navy is also ascertained by Tickets made out for Wages to Seamen, and others who served on Board any of her Majesty's Ships, but great Part of the said Debt is for Wages due to the Seamen and Workmen in her Majesty's Docks and Yards, for which the respective Persons, to whom the same is due, have no Bills, Tickets, or Debentures to ascertain the same; Be it therefore enacted by the Authority aforesaid, That the Commissioners of the Navy for the time being shall and are hereby required forthwith to cause an exact and true Account to be made up and delivered unto the Commissioners of the Treasury now being, or the Lord High Treasurer, or the Commissioners of the Treasury for the time being, of the respective Sums due from the said Navy Office, as well upon Bills in Course upon the second Register Book, as for the Bills in Course in the present Register Book, on or before the five and twentieth Day of *March* one thousand seven hundred and eleven, as well for Principal as for Interest, and also of all Tickets made out, on or before the said five and twentieth Day of *March* one thousand seven hundred and eleven, for the Wages of Seamen, or others, who have served on Board any of her Majesty's Ships; and also that the Commissioners of the Victualling, and the Commissioners of Transports, and the Officers of her Majesty's Office of Ordnance respectively, shall and are hereby required forthwith to cause a true and exact Account to be made up and delivered to the Commissioners of the Treasury now being, or the Lord High Treasurer, or Commissioners of the Treasury for the time being, of all the several and respective Sums due from those several and respective Offices, to the five and twentieth Day of *March* one thousand seven hundred and eleven inclusive, for which Certificates or Debentures, payable in Course, are or shall have been made forth: And the Commissioners of the Treasury now being, or the Lord High Treasurer or Commissioners of the Treasury for the time being, shall and are hereby required to cause all the said Debts of the said several Offices of the Navy, Victualling, Transport, and Ordnance, for which such Bills, Tickets, Certificates, or Debentures are, or, as aforesaid, shall have been made out, to be cast up into one total Sum, and shall likewise cause to be cast up in one total Sum, the several Sums herein before mentioned to be computed to be the Debt of all those several Offices; and shall add to the said last mentioned total Sum, the Sum of five hundred thousand Pounds herein before mentioned and agreed to be charged upon the Funds hereby settled as Part of the Provision for this present yearly Service; and shall cause to be deducted out of the Sums last mentioned, the Sum total which all the Debts of the Offices of the Navy, Victualling, Transport, and Ordnance, to the five and twentieth Day of *March* one thousand seven hundred and eleven inclusive, as well for Principal as Interest, shall amount to, and for which such Bills, Tickets, Certificates, or Debentures are or shall have been made out; and so much as shall remain of the total Sum herein computed to be the Debt of the said Offices, and of the said five hundred thousand Pounds for this Year's Service, added together, after such Deduction thereof, as aforesaid, shall be, and be deemed and taken to be publick Money, and shall be made Part of the Capital Stock of the Company, to be erected by virtue of this Act, for the Use of the Publick, in such Manner as her Majesty, her Heirs or Successors, by the said Letters Patents of Incorporation, or any Commission or Commissions under the Great Seal of *Great Britain*, or by Privy Seal or Sign Manual, shall think fit and direct; and the same, and

Which Debts, &c. shall be Part of the Capital Stock of the Company, &c. Act may be...

and the Produce thereof, shall be disposed and applied, either for or towards paying the Residue of the said Debts, or for or towards any other publick Uses, for which a Supply has been, or shall be granted by Parliament, and not otherwise; and the Loss or Discount (if any) by or upon the said Stock in the said Company, for the Use of the Publick, shall be accounted for, and the respective Persons accountable for the same, or any Part thereof, shall be discharged from such Loss or Discount, in such Manner as her Majesty, her Heirs or Successors, by the said Letters Patents of Incorporation, or by any Commission under the Great Seal of Great Britain, or by Privy Seal or Sign Manual, shall direct.

XXVIII. And be it further enacted by the Authority aforesaid, That all such Tallies and Orders made out, in pursuance of the first herein recited or mentioned Act, of the eighth Year of her Majesty's Reign, which on the first Day of *May* one thousand seven hundred and eleven, were in the Hands or Power of any of the Treasurers or Paymasters of any of the publick Offices, shall or may be subscribed, admitted, or taken into, and made Part of the Joint Stock of the said intended Corporation, for the Use of the Publick, in such Manner as her Majesty, her Heirs or Successors, by such Commission or Commissions, as aforesaid, or by Privy Seal or Sign Manual, or any three or more of the Commissioners of the Treasury now being, or the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, by Writing under his or their Hand or Hands, shall direct and appoint; which Orders so to be brought into the Joint Stock of the said Company, shall be discharged from being paid in Course, according to the said last mentioned Act of the said eighth Year of her Majesty's Reign, but there shall be allowed for the Principal and Interest due for the same, to be computed as herein after is mentioned, an Annuity after the Rate of six Pounds *per Centum per Annum* for every hundred Pounds, the same being so computed, shall amount unto, and so proportionably for any lesser Sum than one hundred Pounds, and a proportionable Part of all other Privileges and Advantages by this Act granted to the said Company: And all the Stock in the said Company, which shall be had for the said Tallies and Orders, shall be, and be deemed publick Monies, and the same and the Produce thereof, shall and may be applicable and applied to such publick Uses as the said Tallies and Orders might have been applied to, or to any other publick Use or Uses for which a Supply has been or shall be granted by Parliament, and not otherwise; and if any Loss or Discount shall happen by the said Stock, the respective Person and Persons who are accountable for the said Tallies and Orders, or who shall be accountable for the said Stock, shall and may be discharged of such Loss or Discount (if any) in their Accounts, in such Manner as her Majesty, her Heirs or Successors, by such Commission, as aforesaid, or by Privy Seal or Sign Manual, shall direct or appoint.

XXIX. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Bodies Politick or Corporate, who shall be interested in, or entitled unto, any Bills or Debentures, payable in course, out of her Majesty's several Offices of the Navy, Victualling, Transport, or Ordnance, which were dated or made received in those respective Offices, on or before the five and twentieth Day of *March* one thousand seven hundred and eleven, or to any Certificates or Debentures made out for the Army, or for Transport Service for the late War, shall and may be admitted into the Joint Stock of the said Company, and be and become Members thereof, in Proportion to such Sum and Sums as they shall be so entitled unto, to be computed, as herein after is mentioned, in such Manner and Form as her Majesty, her Heirs or Successors, by the said Letters Patents of Incorporation, or by such Commission or Commissions, as aforesaid, shall direct; and that all the said Bills, Tickets, Certificates, or Debentures, and the Money due thereupon, shall, in order to their being admitted into the said Joint Stock, be cast up and computed as followeth, (that is to say) the principal Sums of each Bill, Ticket, Talley, Certificate, or Debenture, and the Interest of such of them as do carry Interest, to the five and twentieth Day of *March* one thousand seven hundred and eleven, shall be added together, and thereunto shall be added so much as the Interest of such Principal and Interest, after the Rate of six Pounds *per Centum per Annum*, from the five and twentieth Day of *March* one thousand seven hundred and eleven, to the five and twentieth Day of *December* one thousand seven hundred and eleven, shall amount unto; and so much as each and every Bill, Ticket, Certificate, or Debenture, which doth carry Interest, shall amount unto, (computed, as aforesaid) shall be the Sum for which such Bill, Certificate, or Debenture, shall be admitted into the Joint Stock of the said Company; and as for such of the said Bills, Certificates, Tickets, or Debentures, as do not carry Interest, there shall be added to the Principal Sum of each of them, so much Money as the Interest thereof, after the Rate of six Pounds *per Centum per Annum*, from the five and twentieth Day of *March* one thousand seven hundred and eleven, to the five and twentieth Day of *December* one thousand seven hundred and eleven, shall amount unto; and so much as each and every such Bill, Ticket, Certificate, or Debenture, shall, with the Addition of such Interest as is last mentioned, amount unto, shall be the Sum for which such Bill, Ticket, Certificate, or Debenture shall be admitted into the Joint Stock of the said Company; and that all and every Person and Persons, Natives and Foreigners, Bodies Politick and Corporate, who are or shall be possessed of, interested in, or entitled unto, any of the said Bills, Tickets, Certificates, or Debentures, shall, for every hundred Pounds which the same shall amount unto, being computed as aforesaid, have a Credit, Share, or Interest in the Joint Stock of the said Company for one hundred Pounds, consequently for an Annuity of six Pounds *per Centum per Annum*, till redeemed, as in this Act is mentioned, and so proportionably for a less Sum than one hundred Pounds.

XXX. And be it further enacted by the Authority aforesaid, That any Person or Persons, Natives or Foreigners, who are or shall be possessed of, interested in, or entitled unto, any of the Tallies or Orders made out in pursuance of the said Acts of the ninth Year of his late Majesty King WILLIAM the Third, and of the first Year of her said now Majesty's Reign, for laying certain Duties on Coals, Culm, and Cinders, shall, for so much as the Principal and Interest of such Tallies and Orders, to be computed in such Manner as is herein before directed, concerning the Computation to be made of Principal and Interest upon and for such of the Navy and Victualling Bills as do carry Interest, be admitted into, and made Members of the said intended Corporation, and shall have and be entitled unto a proportionable Part of the yearly Annuity.

pos'd of by Par-
liament, on Re-
payment of the
Principal.
By 1 Geo. 1.
st. 2. c. 21. §. 7.
§ 22. c. 21. l. 4 s.
8 d. are added to
the Capital
Stock.

Tallies and Or-
ders, 8 Ann.
c. 13. in any
publick Offices:
on 1 May 1715.
to be made Part
of the Joint
Stock.

8 Annæ, c. 9

Persons inter-
ested in such
Bills, &c. on
25 March 1715.
to be admitted
into the Joint
Stock.

How Bills, &c.
carrying Interest
shall be com-
puted in order to
their being ad-
mitted into the
Joint Stock.

How Bills not
carrying Intere-
st shall be com-
puted.

Persons having
Tallies on 9 W.
3. c. 13. and 1
Annæ, stat. 2.
c. 4. to be ad-
mitted into the
Joint Stock.

Annuity or Fund payable to the said Corporation, and of all other Privileges and Advantages granted to the said Corporation, in such Manner as her Majesty, her Heirs or Successors, by the said Letters Patents of Incorporation, or by such Commission or Commissions, as aforesaid, shall direct or appoint.

Persons having Tallies on 8 Annæ, c. 9. (except in the Hands of the Treasurers of the publick Offices on 1 May 1711.) may be admitted into the Joint Stock before 25 Dec. 1711.

XXXI. And be it further enacted by the Authority aforesaid, That any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, who are or shall be possessed of, interested in, or entitled unto, any of the Tallies and Orders made forth in pursuance of the said first herein recited or mentioned Act of the eighth Year of her Majesty's Reign, (other than of such of the said Tallies and Orders made out in pursuance of the said last-mentioned Act, as were, on the said first Day of *May* one thousand seven hundred and eleven, in the Hands or Power of the Treasurers and Paymasters of the publick Offices, which are already herein before directed to be taken into the Joint Stock of the said Corporation) and shall be minded and desirous to bring such Tallies and Orders into the said Joint Stock of the said Corporation, and shall signify such their Mind and Desire in Writing, to the Managers or Directors of the said Corporation, on or before the said five and twentieth Day of *December* one thousand seven hundred and eleven, every such Person and Persons so signifying their Mind and Desire to be admitted into the Joint Stock of the said Corporation, for or in Respect of the said Tallies and Orders, shall, for so much as the Principal and Interest of such Tallies and Orders, (which they shall so desire to be taken into the said Joint Stock) to be computed in such Manner as is herein before directed concerning the Computation to be made of Principal and Interest upon and for such of the Navy and Victualling Bills as do carry Interest, be admitted into and made Members of the said intended Corporation, and shall have and be entitled unto a proportionable Part of the yearly Annuity or Fund payable to the said Corporation, and of all other Privileges and Advantages granted to the said Corporation, in such Manner as her Majesty, her Heirs or Successors, by the said Letters Patents of Incorporation, or by such Commission or Commissions, as aforesaid, shall direct or appoint.

Directors may admit, after 25 Dec. 1711. such Persons into the Joint Stock.

XXXII. Provided always nevertheless, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Managers and Directors of the said intended Corporation, at any Time after the five and twentieth Day of *December* one thousand seven hundred and eleven, if they shall so think fit, to admit into the Joint Stock of the said Corporation, or to purchase, pay off, and discharge, (in order to the Admission into the Joint Stock of the said Corporation, and to admit the same accordingly into the said Joint Stock) all or any of the Tallies and Orders made forth in pursuance of the said last mentioned Act of the said eighth Year of her said Majesty's Reign; and the said Tallies and Orders shall be taken and admitted into the said Joint Stock, for such Sum as the Principal and Interest, which shall be due upon the same respectively, shall amount unto, at the Time or Times of their Admission into the said Joint Stock; and all the Tallies and Orders made forth in pursuance of the said last-mentioned Act of the eighth Year of her said Majesty's Reign, which shall, as well before as after the said five and twentieth Day of *December* one thousand seven hundred and eleven, be taken or admitted into the said Joint Stock of the said Corporation, shall from thenceforth be discharged from being payable in course out of the Funds settled by the said Act; and the respective Owners and Proprietors thereof shall from thenceforth, in lieu thereof, have and be entitled to an Annuity, after the Rate of six Pounds *per Centum per Annum*, for the respective Sums they shall amount unto, and proportionably for a lesser Sum than one hundred Pounds, to be paid out of the annual Fund by this Act made payable to the said Company, until the said Fund shall be redeemed, as in this Act is mentioned.

Tallies, &c. not taken into the Joint Stock, to be paid out of the Monies arising by 8 Annæ, c. 9.

XXXIII. Provided also, and be it further enacted by the Authority aforesaid, That until all the Tallies and Orders, made forth in pursuance of the said last-mentioned Act of the said eighth Year of her said Majesty's Reign, shall be taken and admitted into the Joint Stock of the said Corporation, a distinct and separate Account shall be kept in the Office of the Auditor of the Receipt of the Exchequer, of all the Monies which shall arise or come into the said Receipt of the Exchequer, which, by the said last-mentioned Act of the said eighth Year of her Majesty's Reign, were applicable or appropriated to the Payment of the Principal or Interest upon the said Tallies and Orders made forth in pursuance of that Act; and the respective Owners and Proprietors of the said Tallies and Orders, which shall not be taken or admitted into the Joint Stock of the said Corporation, shall have and receive, and be entitled to have and receive the Interest and Principal upon and for such Tallies and Orders, by and out of the Monies arising and coming into the Receipt of the Exchequer, which by the said last-mentioned Act of the said eighth Year of her Majesty's Reign, were applicable or appropriated to the Payment of Principal and Interest upon or for the Tallies and Orders made forth in pursuance of that Act, in such and the like Manner, Proportion, and Course of Payment, as the same might or should have been paid, had not this Act been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

Till 25 Dec. 1713. the annual Sum of 5682. 9 l. 10 s. to be paid to the Corporation.

In 30 Days after Directors to cause an Account to be made of the Sum total of the Capital Stock, &c. to be transmitted to the Auditor of the Receipt, &c.

XXXIV. And be it further enacted by the Authority aforesaid, That until the five and twentieth Day of *December*, which shall be in the Year of our Lord one thousand seven hundred and thirteen, the whole and entire annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, shall be paid to the said Corporation in such Manner as in and by this Act is directed, without any Addition to, or Deduction or Abatement out of the same; and that within thirty Days after the five and twentieth Day of *December* one thousand seven hundred and thirteen, the Managers or Directors of the said intended Company or Corporation shall cause an exact Account to be made of the Sum total which the Capital Stock of the said Company shall then consist of, and also of the particular Tallies and Orders, Bills, Tickets, Certificates, and Debentures, which shall have been taken or admitted into the said Joint Stock, and the Sums for which respectively they were so taken or admitted; and also how much of the said Capital Stock shall have been subscribed or admitted for the Use of the Publick, as is herein before directed; and shall transmit such Account or Accounts, or Duplicate thereof, under the Hands of three or more of the Directors and chief Accountant of the said Company, for the time being, to the Office of the Auditor of the Receipt of Exchequer, and Clerk of the Pells, to be registred and recorded among the Registers and Records of the said respective Offices; and the Auditor of the said Receipt of Exchequer, and Clerk of the

Pells, are hereby required to return such Duplicates, or true Copies of them, under their respective Hands, (being first registred and recorded in their said respective Offices) so soon as conveniently may be, to the Managers or Directors of the said Company, for the Use of the said Company, without Fee or Charge; and if by such Account it shall appear that the annual Sum which unto that Time should have been paid to the said Company, according to the true Meaning of this Act, was really less than the annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, that then, and in such Case, so much Money as shall have been paid unto the said Company, more than by such Account shall appear should or ought to have been paid to them, shall be deducted and abated to the said Company by and out of the next accruing Payment or Payments of the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, or out of the proportionable Part thereof; and in such Case, from and after the said five and twentieth Day of *December* one thousand seven hundred and thirteen, there shall be paid and payable to the said Company, only such proportionable Part of the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, as shall be equal to the Rate of six Pounds *per Centum per Annum*, for such Sum as the whole real Capital Stock of the said Company shall, by such Account, appear to be, or as shall be added to the said Capital Stock after the said five and twentieth Day of *December* one thousand seven hundred and thirteen, by such Ways and Means as are herein and hereby directed: And if by such Accounts it shall appear, the Joint Stock of the said Company shall amount to more than the afore-mentioned Sum of nine Millions four hundred seventy-one thousand three hundred and twenty-five Pounds, so that the Annuity for the same Capital Stock, after the Rate of six Pounds *per Centum per Annum*, shall amount to more than the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, that then, and in such Case, so much Money as shall then have been paid to the said Company less than after the Rate of six Pounds *per Centum per Annum*, for the then whole real Capital Stock of the said Company, shall be immediately paid and made good to the said Company, in such Method and Manner, and by such Ways and Means, as is herein and hereby directed for Payment of the said Annuity, until the said five and twentieth Day of *December* one thousand seven hundred and sixteen; and that from thenceforth, and at all Times after, there shall be added to the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, so much more Money as shall make the same amount to six Pounds *per Centum per Annum*, upon and for so much and such Sum as the whole real Capital Stock of the said Corporation shall then consist of; which additional Annuity shall, from the said five and twentieth Day of *December* one thousand seven hundred and thirteen, to the five and twentieth Day of *December* one thousand seven hundred and sixteen, be paid and payable in such Manner, and by such Ways and Means, as is herein before directed or prescribed for the paying and providing for the Annuity payable to the said Corporation, until the said five and twentieth Day of *December* one thousand seven hundred and sixteen; and that from and after the said five and twentieth Day of *December* one thousand seven hundred and sixteen, such additional Annuity shall be and is hereby charged and chargeable upon, and made payable out of the said Funds hereby settled for Payment of the said annual Sum of five hundred sixty-eight thousand two hundred seventy-nine Pounds and ten Shillings, so and in such Manner as if the same had been in every Place throughout this Act added therunto; any thing herein contained to the contrary thereof in any wise notwithstanding: It being the true Intent and Meaning of this Act, That there shall be paid and payable to the said Corporation an Annuity after the Rate of six Pounds *per Centum per Annum*, and proportionably for a less Sum than one hundred Pounds, for the whole Sum, and no more nor less than the whole Sum, which the Capital Stock of the said Corporation shall, for the time being, amount unto.

If Joint Stock amount to less, then so much to be abated out of the next Payment.

If Joint Stock amount to more, then to be made good, &c. till 25 Dec. 1716.

Afterwards to be charged upon the Funds hereby settled.

XXXV. Provided nevertheless, for as much as the said intended Company cannot be carried on, without a very great Charge, which if the same be wholly born by the Members of the said Company, would lessen their annual Interest, and may prove a great Discouragement to them; Be it therefore enacted by the Authority aforesaid, That over and above the said annual Sum hereby settled, to be paid to the said Company, there shall be paid and payable to the said Company, to be erected by virtue of this Act, and their Successors, until the said annual Sum herein before settled shall be redeemed, as aforesaid, or to such Cashier or Cashiers, Person or Persons, as shall be authorized under the Common Seal of the said Company to receive the same, for the Use of the said Company, the further annual Sum of eight thousand Pounds, for and towards the Charge of Management of the said Company; which annual Sum of eight thousand Pounds is hereby charged and chargeable upon, and made to be paid and payable by and out of the same Funds, and at such Time and Times, and in such Manner, and by the same Ways, Means, and Methods as is and are herein and hereby prescribed, settled, or appointed for Payment of the said Annuities, after the Rate of six Pounds *per Centum per Annum*, for the total Amount of the said Capital Stock of the said Company.

8000l. per Annum to be paid to the Cashier of the Company, for their Charges, above the annual Sum.

XXXVI. And be it further enacted, That it shall and may be lawful to and for her Majesty, her Heirs and Successors, by any such Commission, Charter, or Letters Patents, as aforesaid, under the Great Seal of *Great Britain*, to limit, direct, and appoint, how, and in what Manner and Proportions, and under what Rules and Directions, the Shares of all and every Person and Persons whatsoever, in the said yearly Fund, and of and in the Stock of the said intended Company or Corporation, and every or any Part or Proportion thereof, shall and may be assignable or transferrable to such Person or Persons only, as shall freely and voluntarily accept of the same, and not otherwise; and that all Assignments and Transferences made in such Manner, and no other, shall be good and available in the Law.

Her Majesty by Commission to appoint how Shares shall be transferred.

XXXVII. And be it further enacted by the Authority aforesaid, That the Estates, Interests and Stocks of Money of the said intended Company or Corporation, to be created or established in pursuance of this Act, and the Share and Interest of each and every particular Member thereof, and therein, and of and in the Capital Stock of the said Company, shall be, and be adjudged, taken, and accepted, in Construction of Law, by all Judges, and in Courts of Law and Justice, and in all Courts and Places whatsoever, to be

Stock in the Company a personal Estate.

a Personal, and not a Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, or entitled thereunto, and not to the Heirs of such Person or Persons; any Law, Statute, Usage, or Custom to the contrary notwithstanding.

Stock exempted
from Taxes.

XXXVIII. And be it further enacted by the Authority aforesaid, That the several Annuities or Payments issuing out of the said yearly Fund, or the Shares, Parts, or Interests of any Members of the said intended Company or Corporation, of and in the Principal or Capital Stock of the same, or of or in the Benefit of Trade to be annexed thereunto, in pursuance of this Act, or the Stock or Money to be raised for that Purpose, during the Continuance of the same, shall be and are hereby exempted from any Taxes, Rates, Assessments, or Impositions whatsoever, by Act of Parliament or otherwise.

Guardians to
subscribe for In-
fants.

XXXIX. Provided also, and be it further enacted, That if any Infants shall, by the Gift, Devise, or Decease of the Parent or other Relation of such Infants, become entitled to any of the said Tallies, Orders, Bills, Certificates, or Debentures, intended to be provided for by this Act, in such Case the Guardian or Guardians, Trustee or Trustees of such Infant or Infants, shall or may be, and they are hereby, impowered and required, for the Benefit of such Infant or Infants, to subscribe or put into the Joint Stock of the said Corporation to be erected, as aforesaid, all such Tallies, Orders, Bills, Certificates, or Debentures, to which such Infant or Infants shall be so entitled, and to make the Payment for such Subscription and Subscriptions in the same Bills, Orders, Certificates, or Debentures; and such Infant and Infants shall, on making such Subscriptions and Payment, be and be deemed and become the Contributor thereof, and the said Guardian or Guardians, Trustee or Trustees, shall be discharged from the same; any thing herein contained, or any Law, Usage, or Custom to the contrary in any wise notwithstanding.

Executors, Ad-
ministrators,
Trustees, and
Mortgagees, to
subscribe such
Bills, &c. as
they shall be
possessed of.

XI. Provided also, and be it further enacted, That any Person or Persons, who, as Executor or Administrator, Trustee or Mortgagee, shall be or become possessed of, interested in, or entitled unto any of the Bills, Tickets, Certificates, or Debentures intended to be provided for by this Act, shall and may, and they are hereby required to subscribe and put such Bills, Tickets, Certificates, or Debentures, as they shall be so possessed of, interested in, or intitled unto, into the Joint Stock of the said Corporation; and as to Executors or Administrators, the Stock they shall be entitled to, for or by Means of such Bills, Tickets, Certificates, or Debentures, shall be the same Assets in their Hands, as the said Bills, Tickets, Certificates, or Debentures, were or would have been, had they not been put into the Joint Stock of the said Company; and as to Trustees and Mortgagees, the Stock which they shall be entitled unto in the said Company, for or in respect of such Trust or mortgaged Bills, Tickets, Certificates, or Debentures, which they shall so put into the Joint Stock of the said Company, shall be subject and liable to the same Trusts, and Equity of Redemption, as such Bills, Tickets, Certificates, or Debentures were or would have been, had they not been put into the Joint Stock of the said Company.

How Bills, &c.
coming into her
Majesty's Hands
by Extent, &c.
or belonging to
several Persons
jointly, shall be
put into the
Joint Stock.

XLI. And forasmuch as several of the said Bills, Tickets, Certificates, or Debentures, or several Parts or Shares of and in some of them, have been seized or come into her Majesty's Hands by Extent or otherwise, and the other Part and Parts of the same do belong to several private Persons; and several other of the said Bills, Tickets, Certificates, or Debentures, do or may belong to several Persons jointly, which has proved and may prove very prejudicial (for want of a Method of dividing and proportioning the same) to the several Persons concerned therein, according to their several and respective Proportions: Now therefore be it further enacted by the Authority aforesaid, That in all Cases where any of the said Bills, Tickets, Certificates, or Debentures, either for the Whole or any Part thereof, are or shall be in the Hands of her Majesty, her Heirs or Successors, the same shall be put into the Joint Stock of the said Corporation, in such Manner as any three or more of the Commissioners of the Treasury now being, or the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being shall, by Writing under their Hand or Hands, direct; and the Stock of the said Company, which shall be had for and in lieu of such Bills, Tickets, Certificates, or Debentures, or Parts or Shares of such Bills, Tickets, Certificates, or Debentures last mentioned, and the Produce thereof, upon Sale or otherwise, shall be applicable and applied to such Use and Uses as the same Bills, Tickets, Certificates, or Debentures, and such Parts and Shares thereof, should or might have been applied, had not the same been put into the Joint Stock of the said Company; and the other Parts and Shares of such Bills, Tickets, Certificates, or Debentures, shall and may be put into the Joint Stock of the said Corporation, by the respective Owners and Proprietors of such other respective Parts and Shares, in his, her, or their own respective Name and Names; and they shall and may be accordingly respectively admitted into, and become Members of the said Company, for so much as their said respective Parts or Shares of or in such Bills, Tickets, Certificates, or Debentures, shall amount unto; and that in all Cases where any of the said Bills, Tickets, Certificates, or Debentures, do or shall belong jointly to several Persons, each and every respective Person interested in, or entitled unto any Part or Parts, Share or Shares of or in such Bills, Tickets, Certificates, or Debentures, shall and may subscribe or put his, her, or their respective Part or Parts, Share or Shares of and in such Bills, Tickets, Certificates, or Debentures, into the said Joint Stock of the said Company, in his, her, or their own respective Name or Names, and shall and may be accordingly respectively admitted into, and become Members of the said Corporation, for so much as their said respective Parts or Shares of or in such Bills, Tickets, Certificates, or Debentures, shall amount unto.

Members of the
Company may
be Members of
Parliament, and
not liable to be
Bankrupts, or
to foreign At-
tachment.

XLII. And be it enacted, That no Member of the said intended Company, to be erected in pursuance of this Act, shall, in respect of his or her being a Member, Governor, Director, or Manager thereof, or having any Stock therein only, or by reason of any other Matter or Thing in this Act contained, be disabled from being or continuing a Member of Parliament, nor shall he or she be adjudged liable to be Bankrupt within the Intent or Meaning of all or any the Statutes made against or concerning Bankrupts; and that no Stock in the said intended Company shall be subject or liable to any foreign Attachment, by the Custom of the City of London, or otherwise.

XLIII. And for the better securing the Privilege of the Governor and Company of the Bank of *England*, granted to them by Parliament, Be it enacted by the Authority aforesaid, That it shall not be lawful to or for the Corporation to be erected in pursuance of this Act, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable at Demand, or at any less Time than six Months from the Borrowing thereof; and that it shall not be lawful for the Corporation to be erected by virtue of this Act, to discount any Bills of Exchange, or other Bills or Notes whatsoever, or to keep any Books or Cash for any Person or Persons, Bodies Politick or Corporate whatsoever, other than and only the proper Books, Money, and Cash of the said Corporation to be erected by virtue of this Act.

Company not to borrow Money on Bills, payable at Demand, &c. nor to discount Bills, &c.

XLIV. Provided always, and it is hereby further enacted, That the said yearly Fund hereby established, shall (under the like Penalties, as aforesaid) be issued at the said Receipt of Exchequer, to the said Company to be erected by virtue of this Act, or to such Treasurer or Treasurers, Cashier or Cashiers, Person or Persons, as shall be appointed, under the Common Seal of the said Company, to receive the same; and that the Payment thereof shall and may be made weekly, as fast as the Funds and Duties, hereby appointed for Payment thereof, shall produce Money into the Exchequer for the same, so as by such weekly or other Payments, the Whole of the Annuities, due to the said Company at the End of any one Quarter, be not exceeded.

The yearly Fund to be paid weekly to the Treasurer, &c.

XLV. Provided always, and it is hereby enacted and declared, That the Persons to be named Commissioners, in pursuance of this Act, or any of them, shall not incur or be subject to any Incapacity, Forfeiture, or Penalty whatsoever, for or in regard of their or any of their being named Commissioners, or acting in or upon such Commission, or any ways relating thereunto (except for Breach of Trust;) any Law or Statute to the contrary thereof in any wise notwithstanding.

Commissioners not subject to any Incapacity, &c. except for Breach of Trust.

XLVI. And whereas it is of the greatest Consequence to the Honour and Welfare of this Kingdom, and for the Increase of the Strength and Riches thereof, and for the Vending the Product and Manufacture, Goods and Merchandizes of or brought into this Kingdom, and Employment of the Poor, that a Trade should be carried on to the *South Seas*, and other Parts of *America*, within the Limits herein after mentioned; which cannot so securely and successfully be begun and carried on, as by a Corporation with a Joint Stock, exclusive of all others: Now for the better Encouragement of all and every the Person and Persons, Bodies Politick or Corporate, who shall be or become Members of the said Company or Corporation, to be erected, as aforesaid; and to the End and Intent that a Trade to the *South Seas*, and other Parts of *America* within the Limits herein after mentioned, may be carried on and promoted, for the Advantage and Honour of this Kingdom; Be it enacted by the Authority aforesaid, That the Corporation to be erected in pursuance of this Act, and their Successors, shall have and be entitled unto, and they are hereby entitled unto and vested, from the first Day of *August* one thousand seven hundred and eleven, for ever, in the sole Trade and Traffick into, unto, and from all the Kingdoms, Lands, Countries, Territories, Islands, Cities, Towns, Ports, Havens, Creeks, and Places of *America*, on the East Side thereof, from the River of *Aranuco* to the Southermost Part of the *Terra del Fuego*; and on the West Side thereof, from the said Southermost Part of the said *Terra del Fuego*, through the *South Seas*, to the Northermost Part of *America*; and into, unto, and from all Countries, Islands, and Places within the said Limits, which are reputed to belong to the Crown of *Spain*, or which shall hereafter be found out or discovered within the said Limits, not exceeding three hundred Leagues from the Continent of *America*, between the Southermost Part of *Terra del Fuego*, and the Northermost Part of *America*, on the West Side thereof, (except the Kingdom of *Brazil*, and such other Places on the said East Side of *America*, as are now in the actual Possession of the Crown of *Portugal*, and the Country of *Surinam* in the Possession of the States-General of the *United Provinces*;) it not being intended that the sole Trade to any Part of the East Side of *America*, now in the actual Possession of the Crown of *Portugal*, or the States-General, shall be granted or construed to be granted by this Act; but that it may be and remain lawful for all, and every, or any the Subjects of her Majesty, her Heirs or Successors, to trade and traffick to any Part of the East Side of *America*, now in the actual Possession of the Crown of *Portugal*, or the States-General, (but to no other Part of *America* within the Limits aforesaid) as fully and freely, in all Respects, as they might or could do if this Act had not been made; any Clause, Proviso, Power, Privilege, Matter or Thing, herein contained to the contrary thereof in any wise notwithstanding.

The Limits of the Company's Charter in the South Seas in America.

XLVII. And be it further enacted, That the said Company to be erected in pursuance of this Act, and their Successors, for ever, and all and every Person and Persons, who from time to time shall be licensed by the said Corporation, to be erected in pursuance of this Act, to trade in the Stead of them, shall and lawfully may, for ever, from and after the said first Day of *August* one thousand seven hundred and eleven, or by such Factors, Agents, or Servants, as they shall think fit to intrust, and to and for no other Person or Persons whatsoever, freely to traffick and use the Trade of Merchandize, into, unto, and from the said *South Seas*, and other the Parts within the Limits aforesaid (except as aforesaid) and into, unto, and from all or any the Kingdoms, Lands, Territories, Islands, Cities, Towns, Forts, Havens, Creeks, and Places of *America*, or any of them, within the Limits aforesaid (except before excepted) where any Trade or Traffick of Merchandize is or may be used or had, and to and from every of them.

None else to traffick within their Limits.

XLVIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for her Majesty, by her said Charter or Charters of Incorporation, to empower the said Company or Corporation, and their Successors, to make reasonable Laws, Constitutions, Orders, and Ordinances, from time to time, for the good Government of the said Trade to the *South Seas*, and other the Parts within the Limits aforesaid (except before excepted) and of the Traders, Factors, Agents, Officers, and others concerned in the same, and to inflict reasonable Penalties and Punishments by Imprisonments, Mulcts, Fines, and Amerciaments, for any Breach or Breaches thereof, and to levy such Mulcts, Fines, and Amerciaments, to the Use of the said Company or Corporation.

Her Majesty may empower the Company to make Laws for the good Government of the Trade.

Other Persons
frequenting the
South Seas, for-
feit Ship and
Lading, &c.

XLIX. And to the end the said *South Seas*, or the Kingdoms, Lands, Islands, Havens, Forts, Cities, Towns, and Places, within the Limits aforesaid, or any of them, shall not, after the said first Day of *August* one thousand seven hundred and eleven, be visited, frequented, or haunted by any other of the Subjects of her Majesty, her Heirs or Successors, contrary to the true Meaning of this Act; Be it enacted by the Authority aforesaid, That if any of the Subjects of her Majesty, her Heirs or Successors, of what Degree or Quality soever they be, other than the said Company or Corporation, or their Factors, Agents or Servants, or other Persons by them licensed thereunto, according to the true Meaning of this Act, shall directly or indirectly visit or frequent, trade, traffick, or adventure, into, unto, or from the said *South Seas*, or other the Parts within the Limits aforesaid, contrary to the true Meaning of this Act, or shall hire, freight, or fit out any Ship or Ships, or lade or put on board any Ship or Ships any Goods or Merchandizes whatsoever, with Intent to haunt, frequent, traffick, trade, or adventure into, unto, or from the said *South Seas*, or other Parts within the Limits aforesaid, contrary to the true Meaning of this Act; every such Offender and Offenders shall incur the Forfeiture and Loss of all Ships and Vessels which shall be employed in such Trade, with the Guns, Tackle, Apparel and Furniture thereunto belonging, as also all the Goods and Merchandizes laden thereupon, and all the Proceed and Effects of the same, and also double the Value thereof, *viz.* one fourth Part thereof to the Use of her Majesty, her Heirs or Successors, one other fourth Part thereof to such Person or Persons as will seize, inform, or sue for the same, and the other two fourth Parts thereof to the Use of the Company or Corporation to be erected in pursuance of this Act; such Forfeiture and Penalty to be recovered, with full Costs of Suit, in any of her Majesty's Courts of Record, in Manner as aforesaid.

Company to be
sole Owners of
all Islands, Forts,
&c. they shall
discover, &c.
within their Li-
mits:

L. And for the better encouraging of the said Company to be erected in pursuance of this Act, to drive and carry on the Trade hereby granted to them; Be it further enacted by the Authority aforesaid, That the said Company, and their Successors, for ever, shall and may have, hold, and enjoy, to their own Use, and for the Benefit of the Members of such Company, in Proportion to their Stock, and without any Account to be rendered thereof to her Majesty, her Heirs or Successors, or to any other Person or Persons whatsoever, all and every the Islands, Cities, Forts, Towns and Places whatsoever, which the said Company, or their Factors, Agents or Servants, or other Persons, which shall be employed or licensed by them to trade, as aforesaid, or such of the Ships of her Majesty, her Heirs or Successors, as she or they shall think fit to grant or allow for Convoys, or otherwise, for the Defence, Security, or Carrying on the said Trade, shall discover or find out, seize or possess, in any Manner whatsoever, within the Limits aforesaid, (except before excepted) and shall be for ever the sole Owners and Proprietors of all and every such Islands, Forts, Towns and Places, and all their Dependencies, to be holden of her Majesty, her Heirs and Successors, in free and common Socage by Fealty, and rendering to her Majesty, her Heirs and Successors, the annual Rent of one Ounce of Gold for the same (if demanded) and the said Company and their Successors shall and may have and hold for ever the sole Trade to all such Islands, Forts, Towns and Places last mentioned.

And of all Ships
taken there as
Prize.

LI. And be it further enacted, That the said Company to be erected in pursuance of this Act, shall and may have, hold, receive, take, and enjoy, to their own Use, and for the Benefit of the Members of such Company, in Proportion to their Stock, all and every such Ships or Vessels, and all their Guns, Ammunition, Tackle, Apparel, and Furniture, and all such Goods, Merchandize and Bullion, Treasure and other Things, which shall be taken as Prize by the Ships, Factors, Agents or Servants, of or belonging to, or employed or licensed by the said Company, within the Limits aforesaid, or by such of the Ships of her Majesty, her Heirs or Successors, as she or they shall think fit to grant or allow for Convoys, or otherwise, for the Defence, Security, or carrying on the said Trade, without any Account to be rendered thereof to her Majesty, her Heirs or Successors, or any other Person or Persons whatsoever; save only that the Officers and Seamen, who shall be actually on board any of the said Ships of her Majesty, her Heirs or Successors, which shall take, or be assisting to the taking any such Ships or Vessels, Goods or Merchandizes, as Prize, shall have, and be entitled to such Part and Share thereof, as her Majesty, her Heirs or Successors, shall think fit and direct in and by the Charter of Incorporation to be granted to the said Company, and no other or greater Part or Share whatsoever; any thing herein contained, or any Law, Usage, or Custom to the contrary thereof in any wise notwithstanding: And that it shall and may be lawful for the said Company, and their Successors, and the Agents, Factors, Servants, and other Persons to be employed or licensed by them, to trade, as aforesaid, to seize, by Force of Arms, or otherwise, the Persons, Ships, Goods, Merchandize, or other Effects, of or belonging to any of the Subjects of her Majesty, her Heirs or Successors, who shall haunt, frequent, traffick, trade or adventure into the said *South Seas*, or other the Parts or Limits aforesaid (except before excepted) contrary to the true Meaning of this Act; and to keep and detain to the Use and Uses of the said Company, and their Successors, for the Benefit of the Members thereof, in Proportion to their Stock, the Ships, Goods, Merchandize, and other Effects so seized, without any Account to be rendered thereof, as aforesaid, and to bring or send into *Great Britain* the Persons of such of the Subjects of her Majesty, her Heirs or Successors, as shall be so seized, in order to their being profecuted for such Offence according to Law.

Seamen assisting
to be rewarded
as her Majesty
by Charter shall
appoint.

Company may
seize by Force
of Arms, British
Ships trading in
the South Seas.

Commanders of
Ships, &c. not
conforming to
the Company's
Rules, incapaci-
tated, &c.

LII. And be it further enacted, That in case any of the Commanders, or other Officers of such Ships of her Majesty, her Heirs or Successors, as shall be used or employed in or for the obtaining, promoting, securing or carrying on the said Trade, shall not in all Things lawful, during their being so employed, conform themselves to such Rules, Directions or Instructions, as they shall receive from the Managers or Directors of the said Company, or the major Part of them, in Writing under their Hands; every such Commander and Officer shall be for ever incapable to serve her Majesty, her Heirs or Successors, in any Office or Place of Trust or Profit, and shall be liable to answer and pay to the said Company, and their Successors, double the Value of all such Loss or Damage as the said Company or their Successors shall suffer or sustain

sustain by the Breach of such Orders, Directions or Instructions, to be recovered with full Costs of Suit, in any Court of Record of her Majesty, her Heirs or Successors, in Manner aforesaid.

LIII. And be it further enacted by the Authority aforesaid, That all such Persons as shall be born on board any of the Ships of War, or other Ships to be employed in or about the said Trade, or who shall be born in any the Lands, Territories, Countries, Islands, Ports, Cities, Towns or Places, which shall be discovered or possessed by the said Company, as aforesaid, or any of their Dependencies, shall be, and be adjudged, deemed and taken to be born within the Allegiance of her Majesty, her Heirs and Successors, and shall be, and be deemed, and shall have and enjoy all the Privileges of the natural-born Subjects of her Majesty, her Heirs and Successors.

Persons born on board any Ship, or in any Place, belonging to the Company, to be natural-born Subjects.

LIV. And forasmuch as the said Trade does in a great Measure depend upon the timely Dispatch from *Great Britain* of the Ships which shall be employed therein; Be it further enacted, That no Ship or Ships which shall belong to, or be hired, freighted, or employed by the said Company to be erected, as aforesaid, or such Persons as shall be licensed by them to trade within the Limits aforesaid, shall be, or be liable to be stopped or detained by any Embargo, or other Restraint whatsoever, unless such Ship or Ships be particularly mentioned or named in such Embargo, or Order for Restraint.

No Embargo on Company's Ships, unless particularly mentioned.

LV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for her Majesty, her Heirs or Successors, by or in the said Letters Patents, or Charter of Incorporation, or by any other Letters Patents under the Great Seal of *Great Britain*, from time to time, to give and grant unto the said Company, to be erected, as aforesaid, such further and other Powers, Privileges, Immunities, Exemptions, and Advantages, as she or they in her or their great Wisdom shall think fit and convenient for the further and better promoting and encouraging the carrying on the said Trade hereby granted, and the maintaining and preserving the same; so always nevertheless as such Powers, Privileges, Immunities, Exemptions, and Advantages, be not contrary to the known Laws of this Realm, or the Prerogative of the Crown, or the Privileges of the Governor and Company of the Bank of *England*.

Her Majesty may grant further Powers, &c. to the Company by Charter.

Exception.

LVI. Provided always, and it is hereby further enacted and declared, That upon any Importation of any Goods or Merchandizes by the said Company to be erected by virtue of this Act, and in all other Cases where Security is or shall be required to be given by the said Company to the Crown, it shall and may be lawful for the Commissioners and Officers of the Customs, for the time being, and all other Person and Persons, who are to take such Security for the Crown, and they are hereby required, from time to time, to take such Security, by accepting and taking one or more Bond or Bonds, under the Common Seal of the said Company, as well for all such of the Customs and Duties chargeable and to be charged upon the Goods and Merchandizes so to be imported, as are bondable, and upon which Bonds have been usually given, as for all such other Matters and Things for which Security is to be given to the Crown by the said Company, as aforesaid; any Law, Statute, or Usage to the contrary notwithstanding.

Officers of the Customs, &c. to take the Company's Bonds for Customs, &c.

LVII. And be it further enacted, That all Bonds or Obligations under the Common Seal of the said Company, shall charge as well the annual Fund payable to the said Company, by virtue of this Act, as the other Stock, Effects, and Estate of the said Company, for the time being; and that all Bonds or Obligations, under the Common Seal of the said Company, whereby the said Company shall oblige themselves or their Successors to pay any Sum or Sums of Money, shall be assignable at Law, by Endorsement to be made upon such Bond or Obligation under the Hand or Hands of the respective Person or Persons to whom such Money shall, in such Bond or Obligation, be made payable, his, her, or their Executors, Administrators, or Assigns, and not otherwise; and that such Assignment and Assignments shall vest the Property of such Bond or Obligation, and of the Money due or to be due thereupon, in the Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, from and immediately after the making of such Assignment; and every such Assignee or Assignees, his, her, or their Executors, Administrators, or Assigns, shall and may, in Failure of Payment of the Money payable upon, or by virtue of such Bond or Obligation, bring and maintain his, her, or their Action of Debt at Law against the said Company, or their Successors, for the Money which shall be due upon such Bond or Obligation, in all Respects, as if such Bond or Obligation had been originally made unto, and the Money thereon due had been made payable therein unto such Assignee and Assignees, their Executors, Administrators, or Assigns; any Law, Usage, or Custom to the contrary notwithstanding: And that if any Person or Persons shall forge or counterfeit the Common Seal of the said Company, or shall forge, counterfeit, or alter any Bond or Obligation under the Common Seal of the said Company, or shall offer to dispose of or pay away any such forged, counterfeited, or altered Bond, (knowing the same to be such) or shall demand the Money therein contained or pretended to be due thereon, or any Part thereof, of the said Company, or any of their Officers, (knowing such Bond or Obligation to be forged, counterfeited, or altered) with Intent to defraud the said Company, or their Successors, or any other Person or Persons whatsoever; every such Person and Persons so offending, (and being convicted thereof in due Form of Law) shall be guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Company's Bonds to charge their annual Fund and Stock, &c. and may be assigned.

Such Assignment to vest the Property in the Assignee.

Felony to counterfeit Company's Common Seal or Bonds.

LVIII. Provided always, and be it further enacted, That it shall not be lawful for the Company to be erected by virtue of this Act, or their Successors, Agents, or Factors, or any Person or Persons licensed by them, to proceed, sail, navigate, or go into any the Limits before-mentioned, beyond the Southernmost Part of *Terra del Fuego*, except only through the Straights of *Magellan*, or round *Terra del Fuego*, nor to go from thence into any Part of the *East Indies*, nor return to *Great Britain*, or any other Port or Place in *Europe*, *Asia*, *Africa*, or *America*, by any other Way except through the said Straights of *Magellan*, or by *Terra del Fuego* aforesaid, under the Penalties and Forfeitures to be sued for and recovered, as is herein after mentioned; and also that it shall not be lawful for the said Company, or their Successors, Agents, or Factors, or any Person or Persons licensed by them, to trade, traffick, or adventure in any Goods, Wares, Commodities, or Merchandizes whatsoever, of the Growth, Product, or Manufacture of the *East Indies*, *Persia*, *China*, or any other the Countries, Ports, or Places within the Limits granted to, or now vested in

Company not to sail beyond the Southernmost Part of *Terra del Fuego*, or into the *Indies*, &c. except through the Straights of *Magellan*, or round *Terra del Fuego*: Not to trade in *East India* Goods, &c.

the united Company of Merchants of *England*, trading to the *East Indies*, and not hereby granted or intended to be granted to the Corporation to be erected by virtue of this Act, or with any Ships or Vessels coming from the Countries or Places aforesaid, (such *East India* Goods, Wares, Commodities, or Merchandize, as shall be actually exported from *Great Britain*, and also such Gold, Silver, and wrought Plate, Goods, and Commodities that are the Produce, Growth, or Manufactures of the *West Indies*, or Continent of *America*, only excepted) under the Penalties and Forfeitures to be sued for and recovered, as is herein after mentioned; and further, that it shall not be lawful for the said Company intended to be erected, as aforesaid, or their Successors, Agents, or Factors, or any Person or Persons licensed by them, to send, employ, or use any Ship, Vessel, Boat, or Bark whatsoever, within the said *South Seas*, from *Terra del Fuego* to the Northernmost Part of *America*, above three hundred Leagues to the Westward of and distant from the Lands, Countries, and Shores of *Chili*, *Peru*, *Mexico*, *California*, or any other the Lands and Shores of Southern or Northern *America*, contained between the said *Terra del Fuego* and the said Northernmost Part of *America*; upon Pain and Penalty that all such Ships, Vessels, Boats, and Barks whatsoever, going in or returning from the *South Seas*, otherwise than as aforesaid, or sent, employed, or used, sailing, proceeding, or being, contrary to the true Intent and Meaning hereof, and all the Goods, Wares, and Merchandizes on board them, together with their Guns, Tackle, Apparel, and Furniture, and likewise all the Goods, Wares, Commodities, and Merchandizes of the *East Indies*, *Persia*, *China*, or other the Limits aforesaid, so traded in, as aforesaid, (except as before excepted) shall and may be seized and forfeited, and double the Value thereof shall also be forfeited by the Owners, Masters, or Employers thereof, or Traders therein; one third Part of all which Forfeitures to be to her Majesty, her Heirs and Successors, and the other two third Parts thereof to the said united Company of Merchants of *England* trading to the *East Indies*; to be recovered with full Costs of Suit in any of her Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information.

LIX. And for as much as nothing can more conduce to the Encrease of the Strength and Riches of this Kingdom, and the breeding able Seamen to serve her Majesty, as well in Time of War as Peace, than the preserving and enlarging the Fishery of this Realm; Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for her Majesty, her Heirs and Successors, in and by her said Letters Patents of Incorporation, or by any other Letters Patents under the Great Seal of *Great Britain*, to direct a Stock to consist of twenty Shillings upon every hundred Pounds of the Capital Stock of the said intended Company, to be raised by the Members thereof, in Proportion to their Stock, at such Times, and in such Manner, as her Majesty, her Heirs or Successors, by such Letters Patents shall think fit and direct, so as no other of her Majesty's Subjects be thereby excluded from the Fishing Trade; the said Stock to be kept apart, and always employed in the improving, enlarging, and carrying on the Fishery of this Realm, or other Fishery, for the Use and Benefit of the Members of the said Company, in Proportion to their Stock.

LX. Provided always, and be it further enacted, That no Money shall be called in from the Members of the said Corporation, to be erected in pursuance of this Act, for carrying on the Fishery, or other Trade hereby granted, but by the Order and Direction of a General Court of the said Company to be called for that Purpose, and whereof there shall be at least fourteen Days Notice in the *London Gazette*.

LXI. And be it further enacted by the Authority aforesaid, That no Person shall be capable of being elected a Governor, Deputy-Governor, or Director, of the said intended Corporation, during the Time that he shall be a Governor, Deputy-Governor, or Director of either of the respective Corporations of the Bank of *England*, or of the united Company of Merchants of *England* trading to the *East Indies*; and every Person who shall be elected a Governor, Deputy-Governor, or Director of the said intended Corporation, shall, during the Time he shall be such Governor, Deputy-Governor, or Director, be incapable of being chosen a Governor, Deputy-Governor, or Director of either of the said respective Corporations of the Bank of *England*, or of the united Company of Merchants of *England* trading to the *East Indies*.

LXII. Provided also, and be it further enacted, That it may be lawful for any three or more of the Commissioners of the Treasury now being, or the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, to order and direct any of the Tickets made out for the Pay of any Seamen, or others on board any of her Majesty's Ships, and which shall appear not to have been sold, disposed of, or parted with, to be paid ready Money, or to make any reasonable Advance or Allowance in Consideration of such Tickets being put or admitted into the Joint Stock of the said intended Corporation; any thing herein contained to the contrary thereof notwithstanding.

LXIII. And whereas by an Act made in the third and fourth Years of her present Majesty's Reign, intituled, *An Act for prohibiting all Trade and Commerce with France*, it is provided, That it shall and may be lawful for her Majesty's Subjects to trade with the Subjects of *Spain*, so as the said Liberty shall not be construed to extend to permit or allow the carrying of the several Goods and Commodities therein particularly enumerated, among which Commodities Iron is mentioned, which by Experience is found necessary to be traded in with the Subjects of *Spain*; Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for any of her Majesty's Subjects to carry unwrought Iron, and trade in the same with any of the Subjects of *Spain*; any thing in the said recited Act to the contrary notwithstanding.

LXIV. And whereas by an Act made in the seventh Year of his late Majesty King *WILLIAM* the Third, of glorious Memory, intituled, *An Act for the Encrease and Encouragement of Seamen*, it was enacted, That such Seamen, and others, as are therein mentioned, who should be willing to enter and register themselves for Service in the Royal Fleet or Navy, should and might, by themselves or others, deliver in their Names, with their Ages and Places of Abode, and should be entred and registred, as by that Act is prescribed; and that every Seaman so registred, or such a Number of them as are therein mentioned, should have from his said Majesty, his Heirs and Successors, (whether in actual Service or not) a yearly Bounty of forty Shillings apiece; and divers other Benefits, Exemptions, Privileges, and Advantages

Nor to send Ships in the South Seas above 300 Leagues to the Westward of Chili, &c. on Forfeiture of Ships, Goods, &c.

Stock for the Fishery to be 20s. per 100l. of the Capital Stock.

No Money to be called in for the Fishery but by a General Court, &c.

Governor, &c. not to be Governor, &c. of the Bank or East India Company, at the same Time.

Seamens Tickets not disposed of, may be paid in ready Money.

3 & 4 Annæ, c. 13.

Lawful to trade in unwrought Iron to Spain.

7 & 8 W. 3. c. 21.

vantages were thereby given, or intended to be given to the Seamen and others so registred, as in the said Act is expressed: And whereas by an Act made in the eighth Year of the Reign of the said late King WILLIAM the Third, intituled, *An Act to enforce the Act for Encroachment and Encouragement of Seamen*, divers other Provisions are made, and Directions given touching the said registred Seamen, as by the said several Acts, Relation being thereunto severally had, may more fully appear: And whereas the same Acts, or either of them, have not had the good Effects, which were intended thereby for the Service of the Crown, or for the Encouragement of Seamen, but on the contrary have occasioned much Charge, Vexation and Trouble; Be it therefore enacted by the Authority aforesaid, That the said Act, intituled, *An Act for the Encroachment and Encouragement of Seamen*, and the said Act, intituled, *An Act to enforce the Act for the Encroachment and Encouragement of Seamen*, and either of them, and all and every the Clauses, Matters, and Things in them, and either of them contained, so far forth only as the same do or may concern the registring Seamen, or Persons who were thereby allowed or intended to be registred, or the Seamen or Persons so registred, or the giving any Bounty Money, or other Advantages in Respect thereof, are and shall be, by Force and Virtue of this present Act, repealed, and utterly void; any thing in the said former Acts, or either of them, contained to the contrary notwithstanding.

Repeal of the Acts for registring Seamen.

LXV. And whereas several Persons, (who have, since the Commencement of the said Rates or Duties upon Monies, given, paid, or contracted for with Clerks and Apprentices, taken Clerks and Apprentices, and received and contracted for Sums of Money, with or in Respect of the taking such Clerks and Apprentices) have, through Neglect or Inadvertency, omitted to pay the several Rates and Duties payable in that Behalf, and to have the Indentures or Contracts stampd, within the Times for those Purposes respectively limited by the Act of Parliament in that Case made, whereby such Clerks and Apprentices will, according to that Act, be disabled to follow or exercise the intended Trades, Professions, or Employments, unless some further Provision be made: Now for Relief of such Clerks and Apprentices, and compelling the Masters and Mistresses duly to pay, for the future, the Rates and Duties last-mentioned; Be it further enacted by the Authority aforesaid, That upon Payment of the respective Rates and Duties which have been so omitted or neglected to be paid, as aforesaid, on or before the nine and twentieth Day of September in the Year of our Lord one thousand seven hundred and eleven, to such Person or Persons, to whom the same ought to be paid according to the said former Act, and tending to be stamped such Indentures or Contracts so omitted to be stamped, on or before the five and twentieth Day of December in the said Year one thousand seven hundred and eleven, the same Indentures or Contracts shall be stamped, and shall be good and available in Law or Equity, and the Clerks or Apprentices therein named shall be capable of following and exercising the respective intended Trades, Professions, or Employments, as fully as if the Rates or Duties so omitted to be paid, had been duly paid, and the Indentures or Contracts stamped within the respective Times in the same Act for those respective Purposes limited; any thing therein contained to the contrary notwithstanding.

Clause for Relief of Clerks, &c. whose Masters have omitted to pay the Duties, and to have their Indentures stamped.

LXVI. And it is hereby further enacted by the Authority aforesaid, That if any Master or Mistress shall hereafter neglect to pay the said Rates or Duties last-mentioned, within the respective Times herein, and by the said former Act for that Purpose limited, according to the true Intent and Meaning of the same, every such Master and Mistress shall, for every such Neglect, forfeit the Sum of fifty Pounds; the one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety thereof with full Costs of Suit, to such Person or Persons as shall inform and sue for the same, in any of the Courts at Westminster, for such Neglect committed in England, Wales, or Berwick upon Tweed, or in the Court of Exchequer in Scotland, for any such Neglect there, by Action of Debt, Bill, Plaint, or Information, wherein no Effoin, Protection, or Wager of Law, or any more than one Imparance shall be allowed.

Masters hereafter omitting; to forfeit 50l.

See farther relating to Indentures, 6 Geo. 1. c. 11. 18 Geo. 2. c. 22. 20 Geo. 2. c. 45.

32 Geo. 2. c. 23. And concerning South Sea Company, see farther 10 Ann. c. 19, 26 & 30. 12 Ann. stat. 2. c. 9. 1 Geo. 1. stat. 2. c. 21. 3 Geo. 1. c. 9. 5 Geo. 1. c. 19. 6 Geo. 1. c. 4 & 11. 7 Geo. 1. c. 5. 7 Geo. 1. stat. 2. 8 Geo. 1. c. 20, 21 & 22. 9 Geo. 1. c. 6. 1 Geo. 2. c. 8. 3 Geo. 2. c. 16 & 20. 4 Geo. 2. c. 5. 5 Geo. 2. c. 17. 6 Geo. 2. c. 25 & 28. 7 Geo. 2. c. 17. 9 Geo. 2. c. 34. 10 Geo. 2. c. 17. 20 Geo. 2. c. 3. sect. 60. 24 Geo. 2. c. 2 & 11. 26 Geo. 2. c. 16.

C A P. XXII.

An Act for granting to her Majesty several Duties upon Coals for building fifty New Churches in and about the Cities of London and Westminster, and Suburbs thereof, and other Purposes therein mentioned.

MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, being zealous to provide such Supplies as may enable your Majesty to pursue your pious and gracious Intentions to increase the Number of Churches in or near the populous Cities of London and Westminster, or the Suburbs thereof, for the better Instruction of all Persons inhabiting or who shall inhabit in the several Parishes wherein the same shall be built, in the true Christian Religion as it is now professed in the Church of England, and established by the Laws of this Realm, do most humbly present to your Majesty the several Impositions, Rates, and Duties herein after mentioned, and do beseech your Majesty that it may be enacted; and be it enacted by the Queen'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 for all Sorts of Coals and Culm which, from and after the fourteenth Day of May one thousand seven hundred and sixteen, and before the nine and twentieth Day of September one thousand seven hundred and twenty-four, shall be imported and brought into the Port of the City of London, or the River of Thames within the Liberty of the said City upon the same River, there shall be paid to her Majesty, her Heirs and Successors, by way of Imposition thereupon, over and besides all other Impositions and Duties, according to the Rates hereafter mentioned,

8 Ann. c. 4. 9 Ann. c. 6.

Duty upon Coals from 14 May 1716. to 29 Sept. 1724.

that

From 14 May
1716. to 29
Sept. 1716.
Coals to pay 2s.
per Chalder or
Tun. See 1
Geo. 2. stat. 2.
c. 8. §. 3.
and after 28
Sept. 1716. to
28 Sept. 1724.
3s. per Chalder
or Tun.
See 1 Geo. 1.
stat. 2. c. 23.
& 5 Geo. 1. c. 9.
6 Geo. 1. c. 4.
23 Geo. 1. c. 21.
1 Geo. 2. c. 8.

that is to say, From and after the said fourteenth Day of *May* one thousand seven hundred and sixteen, and before the nine and twentieth Day of *September* one thousand seven hundred and sixteen, for all such Sorts of Coals and Culm as are usually sold by the Chalder, for every Chalder thereof, containing thirty-six Bushels *Winchestre* Measure, the Sum of two Shillings; and for such Sort of Coals as are sold by the Tun, for every Tun thereof, containing twenty hundred Weight, the Sum of two Shillings; and from and after the eight and twentieth Day of *September* one thousand seven hundred and sixteen, and before the eight and twentieth Day of *September* one thousand seven hundred and twenty-four, there shall be paid for every such said Chalder of Coals and Culm and Tun of Coals, the Sum of three Shillings; which said Sum of two Shillings for the first Part of the said Term, and three Shillings for the Remainder thereof, for every Chalder of Coals and Culm and Tun of Coals, shall, from time to time, during the full Term first before mentioned, be raised, levied, collected, and paid to her Majesty, her Heirs and Successors, in the same Manner, Method, and Form, and at such Places, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, as are mentioned, expressed, or referred unto, in and by any Act, Law, or Statute, Acts, Laws, or Statutes now in Force for raising, levying, collecting, or answering any other Duty or Duties now payable to her Majesty for or upon any Coals or Culm whatsoever imported or brought Coastwise into the said Port of *London*; and that all and every the Powers, Authorities, Penalties, Forfeitures, Disabilities, Articles, Rules, and Clauses, in the same Acts, Laws, and Statutes, or any of them, mentioned or contained (except such and so much of them for and concerning which it is otherwise provided in this present Act) shall be of such Force and Effect, to all Intents and Purposes, for the raising, levying, collecting, and answering the Impositions hereby granted, for and during the said Term and Terms herein before limited, as if the same were particularly and at large set down and enacted by this Act.

The Money to be paid into the Exchequer, and appropriated for building 50 New Churches, &c.

II. And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, which shall be raised, collected, and levied, by Virtue of this Act (the necessary Charges of raising, managing, and accounting for the same always excepted) shall, from time to time, be brought and paid into the Receipt of Exchequer, and by Force and Virtue of this Act, are and shall be appropriated, issued, applied, and disposed, for the Building of fifty New Churches of Stone and other proper Materials, with Towers or Steeples to each of them; and for purchasing of Sites of Churches and Church-yards, and Burying-places, in or near the Cities of *London* and *Westminster*, or the Suburbs thereof; and for making such Chapels Churches as are already built, and capable thereof, Parish Churches, and for purchasing Houses for the Habitations of the Ministers of the said Churches, and for applying the Sum of four thousand Pounds *per Annum* out of the said Duties and Impositions, towards the repairing and finishing the Collegiate Church of *Saint Peter Westminster*, and the Chapels of the same; and also for applying the Sum of six thousand Pounds *per Annum* out of the said Duties and Impositions arising by this Act, towards the finishing *Greenwich Hospital*, and the Chapel thereunto belonging, and to or for none other Use, Intent, or Purpose whatsoever.

Fifty New Churches, whereof *Greenwich* to be erected.

III. And it is hereby declared and enacted by the Authority aforesaid, That there shall be erected and built, of Stone and other proper Materials, fifty Churches, with Towers or Steeples to each of them, whereof one shall be erected in the Parish of *East Greenwich* in the County of *Kent*.

Chapels already erected, if fit, to be converted into Parish Churches.

IV. And whereas in several Parishes in or near the said Cities of *London* and *Westminster*, or the Suburbs thereof, there are some Chapels erected by well-disposed Persons at their own Charge, for the publick Worship of God, as established in the Church of *England*, which are fit to be converted into Parish Churches, and to have Districts or Bounds of Parishes allotted and assigned to each of them; but several of them being built upon Terms for Years, under certain Ground Rents, and therefore are not consecrated, and there being several Deficiencies in their Constitutions, which are necessary in a Parish Church; Be it therefore declared and enacted by the Authority aforesaid, That such of the said Chapels as are fit or proper, may be made Parish Churches.

Her Majesty, by Letters Patent, to nominate Commissioners.

V. And to the end the said New Churches, so to be erected, may be more conveniently situated, and the said Chapels, that are fit for Parish Churches, may be accommodated and provided with all Things necessary for those residing in the said Parishes, who stand most in need thereof; Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for her Majesty, by Letters Patents, under the Great Seal of *Great Britain*, to nominate, constitute, and appoint such Persons as her Majesty shall think fit to be Commissioners for the Purposes herein after mentioned; which said Commissioners, or such or so many of them as shall, by the said Commission, be authorized, shall, within twenty Days after they shall be so constituted, as aforesaid, meet, and so, from time to time, as often as there shall be Occasion, with or without Adjournments, and shall enquire and inform themselves in what Parishes the said New Churches, except that for *Greenwich*, are most necessary to be built, and of proper Places for the Sites of the said respective New Churches, and also a Cemetery, or Church-yard, for each of the said Churches, for the Burial of Christian People, to be purchased; and also which of the said Chapels are fit to be made Parish Churches; and shall ascertain the several Houses, Lands, Tenements, and Hereditaments, and the Bounds and Limits which in their Judgment or Opinion may be fit to be made distinct Parishes, and to enquire and inform themselves by the best Means they can, of the Value of such Houses, Lands, Tenements, and Hereditaments, and of the respective Estates and Interests therein, which the said Commissioners, or such or so many of them as shall be authorized, as aforesaid, shall think necessary to be purchased for the said Sites and Cemeteries, and for Houses for the Habitations of the respective Ministers; and the said Commissioners, or such or so many of them as shall be authorized, as aforesaid, shall, on or before the four and twentieth Day of *December* one thousand seven hundred and eleven, report or certify to her Majesty in Writing, under their Hands and Seals, such Matters and Things as shall appear to them, upon their Inquiries aforesaid, with their Opinions thereupon, and present a Duplicate of such Report or Certificate to each of the two Houses of Parliament, to the end such further Directions may be given thereupon, as may be pursuant to her Majesty's pious Intentions in the Premises.

See farther 12
Ann. stat. 1. c.
80.

VI. Provided always, and it is hereby enacted, That it shall and may be lawful to and for her Majesty, her Heirs and Successors, from time to time, to direct the Officers at the Receipt of Exchequer to receive by Way of Loan, from any Person or Persons willing to make the same upon Credit of this Act, such Sum and Sums of Money as her Majesty, her Heirs and Successors shall, from time to time, or at any Time or Times, think necessary, for the Beginning, carrying on, or effecting all or any the Services by this Act intended, and to allow Interest after the Rate of six Pounds *per Centum per Annum*, for the Forbearance thereof; and that the Money so lent shall not be taxed or assessed by any Act of Parliament whatsoever; and that such Lenders shall have Tallies of Loan, and Orders for their Repayment, with such Interest, as aforesaid, out of the Duties granted by this Act, the Principal to be paid in Course, according to the respective Dates of the Tallies, and the Interest every three Months till the Repayment of the Principal; and that no Fee or Reward shall be demanded or taken of any her Majesty's Subjects, in or for the Payment thereof; and that the Money of the said Duties shall be liable to satisfy such Orders accordingly, without being diverted from the same to any other Use, Intent, or Purpose, upon Pain of forfeiting Treble Damages, and Full Costs, to the Party grieved by the Party offending; and that such Orders shall be assignable by Endorsements thereupon, according to the Course in such Cases used in the Exchequer.

Money to be borrowed at 6l. per Cent. Tax-free.

VII. Provided always, That such Sums as at any Time or Times before the said fourteenth Day of *May* one thousand seven hundred and sixteen, shall become due for Interest of Money to be lent upon this Act, shall and may be satisfied as the said Interest shall, from time to time, become due, out of any Monies whatsoever, which shall come into the Exchequer by Way of Loan, on the Credit aforesaid; any thing herein contained to the contrary notwithstanding.

Interest due before 14 May 1716. how to be satisfied.

VIII. Provided, That this Act, or any Thing therein contained, shall not extend, or be construed to extend, during the Continuance of this Act, to charge or lay any of the Duties or Impositions hereby imposed upon such Coals (not exceeding one hundred Chalders by the Year) as shall be brought into the Port of *London*, from *Newcastle upon Tyne*, or any other Place, for the only Use and Service of the Royal Hospital at *Chelsea*; any thing herein contained to the contrary notwithstanding.

100 Chalders per Annum for Chelsea Hospital, not chargeable.

IX. And whereas by an Act of Parliament of the eighth Year of the Reign of the late King WILLIAM the Third, intituled, *An Act for completing the building and adorning the Cathedral Church of Saint Paul, London, and for repairing the Collegiate Church of Saint Peter, Westminster*, it was (among other Things) enacted, That from and after the nine and twentieth Day of *September* one thousand six hundred and ninety-seven, the annual Stipend or Allowance to the Person who was or should be Supervisor or Surveyor General of the Building of the said Cathedral Church of *Saint Paul's* should be paid in the Manner and Proportions following, that is to say, one Moiety thereof yearly, and the other Moiety in one entire Sum, within Six Months after the finishing the said Cathedral Church; It is hereby declared, That the said Cathedral Church, so far as by the said Act was required to be done and performed by the said Surveyor General, is finished; Be it enacted by the Authority aforesaid, That the said suspended Salary shall be paid to the said Surveyor, on or before the five and twentieth Day of *December* one thousand seven hundred and eleven; and that all other standing Salaries to any Officers employed only for the carrying on or finishing the said Building, shall, from the said five and twentieth Day of *December*, cease and determine. [This Act is explained by 10 Annæ, c. 11. 1 Geo. 1. stat. 2. c. 23. 4 Geo. 1. c. 14. 5 Geo. 1. c. 9.]

8 & 9 W. 3. c. 14.

The Surveyor General of St. Paul's, his suspended Salary to be paid by 25 Dec. 1711, and other standing Salaries to cease. See farther concerning

concerning Duties on Coals, &c. 10 Annæ, c. 11. 12 Annæ, stat. 2. c. 9. 5 Geo. 1. c. 9 & 19. 6 Geo. 1. c. 4. 13 Geo. 1. c. 21. 22 Geo. 2. c. 37. 30 Geo. 2. c. 19. *stat.* 28.

C A P. XXIII.

An Act for licensing and regulating Hackney Coaches and Chairs; and for charging certain new Duties upon Stamp Vellum, Parchment, and Paper, and on Cards and Dice, and on the Exportation of Rock Salt for *Ireland*; and for securing thereby, and by a weekly Payment out of the Post Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred eighty-six thousand six hundred and seventy Pounds, for thirty-two Years, to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sum not exceeding two Millions, to be raised for carrying on the War, and other her Majesty's Occasions.

MAY it please your most Excellent Majesty; We your Majesty's most loyal and dutiful Subjects, the Commons of *Great Britain*, in Parliament assembled, being desirous to raise the necessary Supplies for enabling your Majesty to carry on the present War, and for other your Majesty's frequent Occasions, have therefore given and granted, and do by this Act give and grant unto your Majesty the several Revenues, Rates, Duties, and Sums of Money herein after mentioned, and do beseech your Majesty, that it may be enacted; and be it enacted by the Queen'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 and may be lawful to and for her Majesty, her Heirs and Successors, under the Great Seal of *Great Britain*, from time to time, to nominate, authorize, and appoint, any Person or Persons, not exceeding five in Number at any one Time, to be Commissioners for regulating and licensing, from time to time, all Hackney Coaches, which from and after the four and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and fifteen, at any Time or Times within or during the Term of thirty-two Years from thence next and immediately ensuing, shall be permitted to be driven for Hire, or kept, within the Cities of *London* and *Westminster*, and the Suburbs thereof, and within all and every the Parishes and Places comprized within the Weekly Bills of Mortality, in such

See 10 Annæ, c. 34. for explaining several Clauses in this Act. And 33 Geo. 2. c. 25.

Her Majesty to appoint Commissioners for licensing Hackney Coaches in London, &c.

Manner as is herein after directed; which said Commissioners to be appointed, as aforesaid, shall, from time to time, put in Execution the several Powers and Authorities herein after mentioned by such Commissioners to be done, executed, or performed.

Commissioners to license 300 such Coaches, from 24 June 1715. for 32 Years; made perpetual by 3 Geo. 1. c. 7. §. 1. 16 Geo. 2. c. 26. 33 Geo. 2. c. 25. at 5 s. per Week, payable monthly.

II. And be it further enacted, That the Commissioners which shall be so appointed, shall have Power and Authority, and are hereby impowered and required, under their Hands and Seals, or under the Hands and Seals of the major Part of them, from time to time, to license all such Persons, who from and after the said four and twentieth Day of June one thousand seven hundred and fifteen, at any Time or Times within or during the said Term of thirty-two Years, shall drive or keep any Hackney Coach or Coach Horses within the Cities of London and Westminster, or the Suburbs of the same, or within the Parishes comprized within the Weekly Bills of Mortality; and the Number of all Hackney Coaches so to be licensed, shall not, at any one Time, within or during the said Term, exceed eight hundred; and upon every of the said Licences, there shall be reserved and made payable unto her Majesty, her Heirs and Successors, the Weekly Sum of five Shillings of lawful Money of Great Britain, to be paid monthly from the Commencement of every such Licence, during the Continuance thereof respectively without any Deduction or Abatement for any Matter, Cause, or Thing whatsoever, with such Covenants, Conditions, and Provisoos therein to be inserted, for the more effectual Payment thereof, as the said Commissioners, in their Discretions, shall think fit.

And 200 Hackney Chairs; made perpetual by 3 Geo. 1. c. 7. §. 1. 100 more may be licensed by 30 Annæ, c. 19. §. 15. 8. and the Widows of Hackney Chairmen are provided for by 12 Annæ, stat. 1. c. 14. By 12 Geo. 1. c. 12. §. 15. 100 more may be licensed. at 10 s. per Annum, payable quarterly. Driving Coach without Licence, forfeits 5l.

III. And it is hereby enacted by the Authority aforesaid, That the Commissioners for licensing and regulating Hackney Coaches now being, and the Commissioners for licensing and regulating Hackney Coaches for the time being, or the major Part of them, shall have Power and Authority, and are hereby impowered and required, under their Hands and Seals, or the Hands and Seals of the major Part of them, to license all such Hackney Chairs, which from and after the four and twentieth Day of June one thousand seven hundred and eleven, at any Time or Times within or during the Term of thirty-two Years from thence next and immediately ensuing, shall be kept and used for Hire, within the said Cities of London and Westminster, and the Suburbs thereof, and within all and every the Parishes and Places comprized within the Weekly Bills of Mortality; and that the Number of all such Chairs so to be licensed, shall not at any one Time, within or during the Term last-mentioned, exceed two hundred; and upon every one of the said Licences, so to be granted, for keeping and using for Hire an Hackney Chair, there shall be reserved and payable to her Majesty, her Heirs and Successors, the annual Sum of ten Shillings of lawful Money of Great Britain, to be paid quarterly, at the four most usual Feasts in the Year, by equal Portions, during the Continuance of every such Licence for a Chair, with such Covenants, Provisoos, and Conditions, for the more effectual Payment thereof, as the said Commissioners, in their Discretions, shall think fit and reasonable; the first of the said quarterly Payments to begin and to be made at such of the said Feast Days as shall next happen after the granting of every such Licence for a Chair respectively.

or carrying such Chair, forfeits 40 s.

IV. And be it further enacted, That from and after the said four and twentieth Day of June which shall be in the Year of our Lord one thousand seven hundred and fifteen, during the said Term of two and thirty Years from thence next ensuing, no Person or Persons shall presume to drive, or lett to Hire, by the Hour or Day, or otherwise, any Hackney Coach, or Coach Horses, within the Cities of London or Westminster, or Suburbs of the same, or within the Parishes or Places comprized within the Bills of Mortality, without such Leave or Licence first obtained from the said Commissioners, as aforesaid, upon Pain to forfeit for every such Offence, the Sum of five Pounds; and that from and after the said four and twentieth Day of June one thousand seven hundred and eleven, during the said Term of thirty-two Years from thence next ensuing, no Person or Persons shall presume to carry for Hire, in any Hackney or common Chair, any Person or Persons whatsoever, within the Cities of London or Westminster, or the Suburbs of the same, or within any of the Parishes or Places comprized within the Weekly Bills of Mortality, without such Licence to be first obtained for so doing from the said Commissioners, as aforesaid, upon Pain to forfeit, for every such Offence, the Sum of forty Shillings; and that no Horse, Gelding, or Mare, to be used with any Hackney Coach, shall be under the Size of fourteen Hands high, according to the Standard; and that every Coach and Chair respectively, so licensed, shall have a Mark of Distinction, by Figure or otherwise, as the said Commissioners shall think fit, and the said Mark shall be placed on each Side of every such Coach and Chair respectively, in the most convenient Manner to be taken Notice of, to the end that they may be known, if any Complaints shall be made of them; and that if any Person shall be licensed to keep more than one Hackney Coach, or more than one Hackney Chair at the same Time, every one of them shall have several Figures or Marks of Distinction, in the same Manner as if they did belong to several Persons; and that no Person shall put the same Figure or Mark of Distinction upon his Coach or Chair that is appointed for any other Coach or Chair, or shall blot out, obliterate, alter, or deface the Figure or Mark of Distinction appointed by the said Commissioners for his Coach or Chair, under the Forfeiture of five Pounds for every of the Offences last-mentioned; one Moiety whereof shall be to the Informer, and the other Moiety to the Use of her Majesty, her Heirs and Successors; and the said Commissioners for regulating and licensing Coaches and Chairs, are hereby required, in the first Place, to license all such Persons as have been ancient Coachmen, or ancient Chairmen, or the Widows of any of them, unless they shall neglect or refuse to take such Licences upon the respective Terms hereby allowed, within a reasonable Time to be limited by the said Commissioners, not less than twenty Days.

Coach Horses to be 14 Hands high. Coaches, &c. to have Figures, &c.

Ancient Coachmen, &c. to be first licensed.

Commissioners not to license above 300 Coaches, and 200 Chairs.

V. And be it further enacted, That if any Commissioner so appointed, shall grant Licences for more than the Number of eight hundred Hackney Coaches, or two hundred Chairs, to be in being at any one and the same Time, he shall forfeit, for every such Offence, one hundred Pounds, to be prosecuted and recovered by any Person who will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at Westminster, in which no Essoin, Protection, Wager of Law, or more than one Impar lance shall be granted or allowed.

VI. And be it further enacted by the Authority aforesaid, That no Hackney Coachman so to be licensed in pursuance of this Act, nor the Driver of such Coach, shall presume to take for his Hire, in and about the Cities of *London* and *Westminster*, or within ten Miles thereof, above the Rates of ten Shillings for a Day, reckoning twelve Hours to the Day, and by the Hour not above eighteen Pence for the first Hour, and twelve Pence for every Hour after; and that no Gentleman or other Person shall pay from any of the Inns of Court or thereabouts, to any Part of *St. James's*, or City of *Westminster*, (except beyond *Tuttle Street*) above twelve Pence; and the same Prices from the same Places to the Inns of Court, or Places thereabouts; and from any of the said Inns of Court, or thereabouts, to the *Royal Exchange*, twelve Pence; and if to the Tower of *London*, or *Bishopsgate Street*, or *Aldgate*, or thereabouts, one Shilling and six Pence; and so from the same Places to the said Inns of Court, as aforesaid; and the like Rates from and to any Place at the like Distance with the Places before-mentioned.

Rates of Hackney Coaches.

VII. Provided always, That no Gentleman or other Person shall be obliged to pay above twelve Pence for the Use of an Hackney Coach for any Distance, (not particularly set down in this Act) so as the same do not exceed one Mile and four Furlongs; and that no Gentleman or other Person shall be obliged to pay above one Shilling and six Pence for the Use of an Hackney Coach for any Distance, (not particularly set down in this Act) being above one Mile and four Furlongs, and not exceeding two Miles; and that the said Commissioners, or the major Part of them, shall cause to be admeasured, and published in Writing to be fixed at the *Royal Exchange* in *London*, on or before the twenty-ninth Day of *September* one thousand seven hundred and eleven, the several Distances between the most noted Places within the Limits of the said Weekly Bills, (not particularly set down in this Act) according to which the said Rates of twelve Pence, and one Shilling and six Pence respectively ought to be paid, as aforesaid.

VIII. And be it further enacted by the Authority aforesaid, That no Person whatsoever shall be obliged to pay to the Chairmen for an Hackney Chair carried any Distance within the Limits aforesaid, more than the Rate by this Act allowable for an Hackney Coach driven two third Parts of the same Distance; and that the said Commissioners, or the major Part of them, shall cause to be admeasured, and published in Writing, to be affixed, as aforesaid, on or before the twenty-ninth Day of *September* one thousand seven hundred and eleven, the several Rates allowable by this Act to Chairmen, as aforesaid, for their Carriage to and from the most noted Places where such Chairs are commonly used in the City and Limits aforesaid; and if any Hackney Coachman or Chairman shall refuse to go at, or shall exact more for his Hire than the several Rates hereby limited, he shall, for every such Offence, forfeit the Sum of forty Shillings.

Rates of Chairmen.

IX. And be it further enacted, That the said Commissioners shall appoint such other Officer or Officers under them, as they shall find necessary for carrying on the said Service, with such moderate Allowances as shall be thought fit; and the said Commissioners, and other Officers under them, and every of them, are hereby required not to take or demand, directly or indirectly, of any Person, for their Licences, any Sum of Money, or other Gratuity or Consideration whatsoever, other than what is herein directed to be paid to her Majesty, nor to take or demand any Fee or Reward from any Person or Persons, for any Thing by them to be done in Execution of their respective Offices or Employments, other than from her Majesty, her Heirs and Successors, upon Pain to forfeit, for every such Offence, their respective Offices and Employments, and to be incapable of any Grant thereof, or of any other Office; except only that it shall be lawful for the Clerks, for their Pains in writing and ingrossing each Licence, to have and receive the Sum of two Shillings and six Pence, and no more.

Commissioners to appoint Under Officers.

X. And be it further enacted, That the said Commissioners for licensing Hackney Coaches and Chairs, and every of them, and every Officer to be appointed under them, shall before two or more of the said Commissioners take an Oath for the due and faithful Execution of their Offices and Employments; and that no Person or Persons shall be capable of intermeddling with the Execution of the Powers and Authorities by this Act granted, and any of them, other than the Power of administering the aforesaid Oath to their fellow Commissioners, until they shall have taken the said Oaths, as aforesaid.

Clerks to have 2s. 6d. for each Licence.

Commissioners and Officers to be sworn.

XI. And be it further enacted by the Authority aforesaid, That all the Sums of Money, Rents and Revenues by this Act arising, over and above what shall be sufficient for Salaries and other incident Charges for collecting or managing the same, shall, from time to time, be paid by the said Commissioners, or such other Person or Persons as shall be appointed by her Majesty, her Heirs or Successors, or by the Commissioners of the Treasury, or Lord Treasurer for the time being, to receive the same, into the Receipt of the Exchequer; and the said Commissioners shall, upon Oath, deliver Books of Accounts fairly written, containing all the Licences granted, and the Names and Surnames of the respective Persons, to whom such Licences are granted, and the Rents and Profits thereby accrued, unto the Commissioners of the Treasury, or Lord High Treasurer, or Commissioners of the Treasury for the time being, once in every Year, or oftner, if required.

Commissioners to pay into the Exchequer, and account annually.

XII. And be it further enacted by the Authority aforesaid, That all the said Weekly and other Rents and Sums of Money, to be reserved or payable, as aforesaid, for the said Licences respectively, and all Forfeitures and Penalties that shall grow due or payable by virtue of this Act, or Breach of any Orders or By-Laws that shall be made by the said Commissioners, in Pursuance of the Authority to them given by this Act for that Purpose, (the said Penalties and Forfeitures to be incurred by the said Commissioners themselves, or any of them, excepted) shall be levied by Distress of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them, which shall be sold within ten Days, and the Overplus shall be returned to the Owner, the Charges of making and selling the Distress being first deducted and allowed, together with the Charge of the Warrant for the Distress, if upon seven Days Notice they do not pay the Fines and Penalties incurred, without such Warrant; and in Default of Distress for any such Fine, Penalty or Forfeiture, as aforesaid, except before excepted, the Offenders neglecting or refusing to pay the same, shall by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them, be committed to Prison, there

Rents, Penalties, &c. how to be levied.

to continue without Bail or Mainprize, till he, she, or they have paid such Fine or Forfeiture, or Penalty, as was due from him, her, or them; and in case any such Weekly or other Rent or Payment for any Hackney Coach or Chair, as aforesaid, shall be behind and unpaid for the Space of fourteen Days, after the same shall become due, and ought to be paid, as aforesaid, in every such Case it shall and may be lawful to and for the said Commissioners for regulating and licensing the said Coaches and Chairs, or the major Part of them, for the time being, (without any Demand to be first made of the said Arrear) to revoke and countermand the Licence upon which such Arrears shall be incurred, and instead thereof to license any other Hackney Coachman or Chairman in the Manner by this Act prescribed; any thing herein contained to the contrary notwithstanding.

Offences to be heard in a summary Way by the Commissioners.

XIII. And be it further enacted, That all the Offences against this Act, or any thing therein contained, (other than the Offences of the Commissioners themselves) shall be heard and determined in a summary Way by the said Commissioners, or any three or more of them, upon the Oath of one or more credible Witnesses, (the Party accused being summoned to make his Defence) or upon Confession of the Party offending; and one Moiety of all the Forfeitures and Penalties to be incurred by this Act, shall be to her Majesty, her Heirs and Successors, and the other Moiety to the Informer.

Persons sued, may plead the General Issue, &c.

XIV. And be it further enacted, That if any Person or Persons shall at any Time be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, he or they shall and may plead the General Issue, and give this Act in Evidence for his Defence; and if upon a Trial a Verdict shall pass for the Defendant or Defendants, or Judgment shall be given against the Plaintiff or Plaintiffs upon Demurrer, or the Plaintiff or Plaintiffs be nonsuited, discontinued or forbear prosecuting their said Actions, then such Defendant and Defendants shall have Double Costs to him or them awarded against such Plaintiff or Plaintiffs, for which Costs he shall have such Remedy as in other Cases where Costs are by Law given to Defendants.

No Certiorari.

XV. Provided also, and be it enacted, That no Writ or Writs of *Certiorari* shall supersede Execution, or other Proceeding upon any Order or Orders made by the said Commissioners in pursuance of this Act, but that Execution and other Proceedings shall and may be had and made thereupon; any such Writ or Writs or Allowance thereof notwithstanding.

Commissioners may make By-Laws. By 1 Geo. 1. Stat. 2. c. 57. §. 1. Renters of Licences, and Drivers of Coaches are bound by the Commissioners By-Laws.

XVI. And be it further enacted by the Authority aforesaid, That for the better regulating and ordering such Persons who shall be licensed to keep Hackney Coaches or Chairs, as aforesaid, and to prevent any Disturbances, and other Inconveniencies in the Streets and Highways, where such Coaches or Chairs shall stand or be driven, or such Chairs shall stand or be carried, and for punishing thereof; it shall and may be lawful for the said Commissioners, or the major Part of them, from time to time, to make such Orders, By-Laws and Ordinances to bind such Persons only, who shall have Licences to keep Hackney Coaches or Chairs, and to annex such reasonable Penalties and Forfeitures for the Breach thereof, as to them in their Discretions shall seem fit, so as such Orders, By-Laws, or Ordinances be made agreeable to the true Intent and Meaning of this Act, and be for the better putting in Execution thereof, and for the good Government and Regulation of the Persons licensed to keep Coaches and Chairs, and so as they do not contain any thing repugnant to the Laws of the Realm.

By-Laws to be approved by Lord Chancellor, &c. and executed by Justices of Peace, &c.

XVII. Provided nevertheless, and it is enacted, That such Rules, Orders, and By-Laws, so to be made by the said Commissioners, shall be allowed and approved by the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain* for the time being, and the Chief Justice of either Bench, and the Lord Chief Baron of the Exchequer, or any three of them; and after such Allowance the same shall be printed and made publick; and the Breach of any of the Rules and Orders appointed by this Act, and the Penalties thereupon, and the Rules, Orders and By-Laws to be made by the said Commissioners, and allowed, as aforesaid, and the Forfeitures and Penalties thereupon, shall be punishable, and inflicted, and put in Execution, by any Justice of the Peace, Mayor, Bailiff, or other Magistrate of the County, City, or Place where such Offence shall be committed, in as full and ample Manner as the said Commissioners, hereby to be appointed, might do the same, and as if the said By-Laws, Rules, and Orders were particularly inserted in this present Act; but no Person shall be twice punished for the same Offence.

The Queen's Part of Penalties to be transmitted to the Receiver General of these Duties.

XVIII. Provided always, That all Penalties which shall be levied by any Justice of the Peace, Mayor, Bailiff, or other Magistrate, in pursuance of this Act, or any By-Laws to be made, as aforesaid, or the Queen's Part of the same, shall, from time to time, be transmitted by them to the Receiver General of the said Revenues arising by Hackney Coaches and Chairs, and a Certificate thereof to the said Commissioners for licensing and regulating the same, from time to time, within ten Days after the levying any such Penalties, upon Pain of forfeiting double the Value of the Sum which should be so transmitted and certified, that is to say, two Third Parts thereof to the Use of the Queen, her Heirs and Successors, and the other Third Part to him or them that will inform or sue for the same.

On Misbehaviour, Commissioners may revoke Coachman's Licence, &c.

XIX. And for the better preventing the Misbehaviour of any Coachman or Chairman, to be licensed in pursuance of this Act, it is hereby declared and enacted, That upon Complaint of any Gentleman, or other Person, the said Commissioners for granting Licences pursuant to this Act, or the major Part of them, shall and may summon the Coachman and Chairman respectively, to answer the said Complaint; and upon his or their being heard, or making Default of Appearance, shall and may (in case they see Cause) revoke the Licence of such Coachman or Chairman, for such Misbehaviour, in giving abusive Language, or otherwise, and license another Coachman or other Chairman in his Stead.

Coachmen, &c. may ply on the Lord's Day. 29 Car. 2. c. 7.

XX. And whereas by an Act of Parliament made in the twenty-ninth Year of the Reign of King CHARLES the Second, and other Acts formerly made for the better Observation of the Lord's Day, commonly called *Sunday*, the standing to hire, and driving Hackney Coaches, and the standing to hire, and carrying of Chairs, on the Lord's Day, are or may be understood to be forbidden or restrained: And whereas the said Refrainment is many Times found inconvenient, as well in order to the Observation of the Day,

‘ Day, as otherwise :’ Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for any Licenced Hackney Coachman, or his Driver, or any Chairmen, to ply and stand with their Coaches and Chairs, and to drive and carry the same, respectively, on the Lord’s Day, within the Limits of the said Weekly Bills of Mortality; the said former Acts, or any of them, or any Construction thereupon to the contrary notwithstanding.

XXI. And it is hereby further enacted That an Account of the Profits and Duties arising by virtue of this Act, by licencing Coaches and Chairs, shall every Year during the Continuance thereof, be made up before the Auditors of the Imprests.

XXII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall refuse or neglect to pay any Coachman or Chairmen the Money justly due to him or them for carrying in his or their Coach or Chair, or shall wilfully cut, deface, or break any such Coach or Chair, it shall and may be lawful to and for any Justice of the Peace where such Refusal shall be made, or Damage done, upon Complaint thereof, to grant a Warrant to bring before him the Person against whom such Complaint shall be made, and upon Proof made upon Oath, (which such Justice hath hereby Power to administer) to award reasonable Satisfaction to the Party grieved for his Damage and Costs, and upon Refusal to pay or make such Satisfaction, to bind over the Party refusing to the next General Quarter-Sessions of the Peace to be held for the City or County where the Offence shall be committed; and the Justices in such Quarter-Sessions have hereby Power finally to hear and determine the Matter of the said Complaint and to award Satisfaction to the Party grieved, and for Non-payment to levy the same by Distress upon his Goods and Chattels.

XXIII. And be it further enacted by the Authority aforesaid, That there shall be throughout the Kingdom of Great Britain raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for the several and respective Things herein after mentioned, which shall be ingrossed, printed or written, the several and respective Rates, Duties, Charges and Sums of Money herein after expressed, in Manner following; that is to say,

For every Skin, or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written any Certificate or Debenture for drawing back any Customs or Duties, or any Part of any Customs or Duties, for or in respect of the re-shipping or exporting of any Goods or Merchandizes, which at any Time or Times, within or during the Term of two and thirty Years, to be reckoned from the first Day of August in the Year of our Lord one thousand seven hundred and eleven, shall be exported, or shipped to be exported from Great Britain, for any Parts beyond the Seas, to be paid by the Person for whose Benefit, or at whose Instance such Debenture or Certificate shall be obtained, the Sum of eight Pence.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written any Note or Bill of Lading, which shall be signed for any Goods or Merchandizes to be exported at any Time or Times within or during the Term last mentioned, the Sum of four Pence.

For every Almanack or Kalendar for any one particular Year, or for any Time less than a Year, which shall, (within or during the same Term) be printed on one Side only of any one Sheet or Piece of Paper only the Sum of one Penny.

For every other Almanack or Kalendar, for any one particular Year, which shall be printed within or during the said Term, the Sum of two Pence.

Provided always, and be it enacted and declared by the Authority aforesaid, That if any Almanack or Kalendar shall, during the Term last mentioned, be made to serve for several Years, that then the respective Rates aforesaid shall be paid for every such Year.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which shall, at any Time or Times within or during the Term last mentioned, be ingrossed or written any Licence for retailing of Wine, the Sum of four Shillings.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which shall (during the same Term) be ingrossed or written any Licence for selling of Ale, Beer, or other exciseable Liquors by Retail, the Sum of one Shilling.

XXIV. And be it further enacted by the Authority aforesaid, That for the better and more effectual levying, collecting, and paying unto her Majesty, her Heirs and Successors, the said several Duties hereby granted and made payable for or in respect of the said Certificates, Debentures, Bills or Notes of Lading, Almanacks, and Licences, the same shall be under the Government, Care, and Management of the Commissioners for the time being, appointed to manage the Duties payable to her Majesty, her Heirs and Successors, and charged on stamp Vellum, Parchment and Paper, who, or the major Part of them, are hereby required and impowered to employ the necessary Officers under them for that Purpose, and to cause all such further new Stamps to be provided to denote the Duties last mentioned, as shall be requisite; and to do all other Things necessary to be by them done for the putting this Act in due Execution with relation to these Duties.

XXV. And it is hereby further enacted by the Authority aforesaid, That all Vellum, Parchment and Paper, upon which any such Certificate, Debenture, Bill or Note of Lading, Almanack or Licence, as aforesaid, shall, from and after the said first Day of August one thousand seven hundred and eleven, be ingrossed, written or printed, shall before such Ingrossing, Writing, or Printing, be brought to the Head Office for stamping or marking of Vellum, Parchment and Paper; and the said Commissioners, by themselves, or by their Officers employed under them, shall, and they are hereby impowered and required, forthwith, upon Demand to them made by any Person or Persons, from time to time, to stamp or mark, as this Act directs, any Quantities or Parcels of Vellum, Parchment or Paper, he or they paying to the Receiver General

Account annual before the Auditors.

Justices to determine between Coachmen, &c. and others. See farther concerning Coaches and Chairs, 10 Ann. c. 19. sect. 158. 12 Ann. stat. 1. c. 14. 1 Geo. 1. c. 57. 12 Geo. 1. c. 12. 20 Geo. 2. c. 10. 30 Geo. 2. c. 22. sect. 6. 33 Geo. 2. c. 25. New Duties on stamp Vellum, &c. Made perpetual by 3 Geo. 1. c. 7. §. 1.

Drawbacks on re-shipping.

Bills of Lading.

Sheet Almanacks.

Other Almanacks.

Almanacks for several Years.

Licence for retailing Wine.

Licence for selling Ale, by 6 Geo. 1. c. 21. §. 56. Such Licence is to be made before the Recognizance is taken out. Commissioners of the Stamps to manage these Duties.

New Stamps to be provided.

Vellum, &c. to be stamped before written upon.

neral of the Stamp Duties for the time being, or to his Deputy or Clerk, the respective Duties payable for the same by this Act, without any other Fee or Reward, and without Delay; which Stamp or Mark, to be put thereupon in pursuance of this Act, shall be a sufficient Discharge for the several and respective Duties hereby payable for the said Vellum, Parchment or Paper, which shall be so stamped or marked.

Only one Sheet of an Almanack to be stamp.

XXVI. Provided always, That where any Almanack shall contain more than one Sheet of Paper, it shall be sufficient to stamp only one of the Sheets or Pieces of Paper upon which such Almanack shall be printed, and to pay the said Duty accordingly.

Penalty on Writing, before Paper, &c. is stamp.

XXVII. And be it further enacted by the Authority aforesaid, That if any Officer of the Customs shall, from and after the said first Day of August one thousand seven hundred and eleven, at any Time within or during the Term last mentioned, sign any such Certificate or Debenture, as aforesaid, not appearing to have been first duly stamped according to Law; or if any other Person shall, from and after that Day, write, ingross, or print, or cause to be written, ingrossed, or printed, any such Certificate, Debenture, or Note or Bill of Lading, Licence, or Almanack, as aforesaid, or sign such Bill or Note of Lading, or sell or expose to Sale any such Almanack, before the Vellum, Parchment or Paper, whereupon such Certificate, Debenture, Bill or Note of Lading, Licence, or Almanack, shall be respectively ingrossed, written or printed, shall appear to have been so duly stamped; that then every such Officer or Person so offending in any of the Particulars before mentioned, shall for every such Offence, forfeit the Sum of ten Pounds, together with Full Costs of Suit; and every such Officer of the Customs offending herein, and being convicted of any such Offence, shall (over and besides the Forfeiture or Penalty aforesaid) forfeit and lose his Office and Employment, and be incapable to hold the same; and that if any such Certificate, Debenture, Bill or Note of Lading, or Licence, as aforesaid, shall, during the Term last mentioned, be written or ingrossed contrary to the true Intent and Meaning hereof, upon Vellum, Parchment, or Paper, not appearing to have been duly stamped according to Law, that then, and in every such Case, there shall be due, answered, and paid to her Majesty, her Heirs and Successors (over and above the Duties hereby due or payable) for every such Certificate, Bill or Note of Lading, and Licence respectively, the Sum of five Pounds; and that no such Certificate, Debenture, Bill or Note of Lading, or Licence, shall be available in Law, or be given in Evidence, or admitted in any Court, unless as well the said Duties hereby charged, as the said Sum of five Pounds, shall be first paid to the Use of her Majesty, her Heirs or Successors, and a Receipt produced for the same, under the Hand of the Receiver General, for the time being, of the Stamp Duties, or of his Deputy or Clerk, and until the Vellum, Parchment, or Paper, on which such Certificate, Debenture, Bill or Note of Lading, or Licence, is so written or ingrossed, shall be marked or stamped, according to the Tenor and true Meaning hereof; and the said Receiver General, and his Deputy or Clerk, are hereby enjoined and required, upon Payment or Tender of the said Duty, payable by virtue hereof, and of the said Sum of five Pounds, to give a Receipt for such Money; and the other proper Officers are thereupon required to mark and stamp such Certificate, Debenture, Bill, Note, or Licence, with the proper Marks and Stamps requisite in that Behalf.

No Certificate, &c. not stamp, good, till 51. and Stamp-Duty paid.

Officers may inspect publick Books, &c.

XXVIII. And be it further enacted by the Authority aforesaid, That all publick Officers who shall, from time to time, have in their Custody, any of the said Debentures, or any publick Books, Files, Records, Remembrances, Dockets, or Proceedings, the Sight or Knowledge whereof may tend to the securing of these or any her Majesty's Stamp Duties, or to the Proof or Discovery of any Fraud or Omission in relation thereto, or to any of them, shall at any seasonable Time or Times, permit any Officer or Officers thereunto authorized by the Commissioners, for the time being, appointed to manage those Duties, or the major Part of them, to inspect and view all such Books, Files, Records, Remembrances, Dockets, and Proceedings, as aforesaid, and to take thereout such Notes and Memorandums as shall be necessary for the Purposes last-mentioned, without Fee or Reward, upon Pain that such Clerk or other Officer or Officers, who shall refuse or neglect so to do, upon reasonable Request in that Behalf made, shall, for every such Refusal and Neglect, forfeit the Sum of five Pounds with full Costs of Suit.

Commissioners, &c. to be sworn.

XXIX. And be it further enacted by the Authority aforesaid, That every Commissioner and Officer, who shall act in or about the managing or collecting the Duties last-mentioned, and hereby granted, shall, before he shall act in or about the same, take the Oath following, that is to say,

Their Oath.

I A. B. do swear, That I will faithfully execute the Trust reposed in me, pursuant to the Act of Parliament, whereby certain Duties are charged upon Certificates, Debentures, Bills of Lading, Almanacks, and certain Licences, to be stamped as is therein mentioned, without Fraud or Concealment; and shall, from time to time, true Account make of my Doings therein, and deliver the same to such Person or Persons as her Majesty, her Heirs or Successors, shall appoint to receive such Account; and shall take no Fee, Reward, or Profit, for the Execution or Performance of the said Trust, or the Business relating thereto, from any Person or Persons, other than such as shall be allowed by her Majesty, her Heirs or Successors, or some other Person or Persons under her or them to that Purpose authorized.

Which Oath shall and may be administered by any two or more of the Commissioners last-mentioned, or any Justice of the Peace.

Commissioners to observe the Orders of the Treasury.

XXX. And be it further enacted by the Authority aforesaid, That the said Commissioners for managing the said Duties on stamp Vellum, Parchment, and Paper, and all other Officers who shall be employed in or about the collecting or managing of the Duties last-mentioned, and hereby granted, shall, in and for the better Execution of their said Offices and Trusts, observe and perform such Rules, Methods, and Orders as they respectively shall, from time to time, receive from the Lords Commissioners of the Treasury now being, or the Treasurer of the Exchequer, or the Commissioners of the Treasury for the time being; and that no Fee or Reward shall be demanded or taken by any her Majesty's Officers, relating to the said

No Fee to be taken, &c.

Stamp

Stamp Duties, from any of her Majesty's Subjects, for any Matter or Thing to be done in pursuance of this Act; and in case any Officer intrusted, or to be intrusted in the Execution of this Act, in Relation to the said Stamp Duties, shall refuse or neglect to perform any Matter or Thing by this Act required to be done or performed by him, whereby any of her Majesty's Subjects shall or may sustain any Damage whatsoever, such Officer so offending, shall be liable by any Action to be founded on this Statute, to answer to the Party grieved all such Damages with treble Costs of Suit.

XXXI. And it is hereby further enacted by the Authority aforesaid, That the Duties last-mentioned and hereby granted, shall be all paid, from time to time, into the Hands of the Receiver General, for the time being, of the said Duties on stamp Vellum, Parchment, and Paper, who shall keep a separate and distinct Account thereof, and pay the same into the Receipt of the Exchequer of her Majesty, her Heirs or Successors, weekly, on *Wednesday* in every Week, unless it be an holyday, and then the next Day after that shall not be an Holyday, for the Purposes in this Act expressed.

Separate Account, and weekly Payment.

XXXII. Provided always, and be it further enacted, That as often as her Majesty, her Heirs or Successors, shall think fit to alter or renew the said Marks or Stamps, to be provided or used in pursuance of this Act, or any of them, it shall be lawful for all Persons, who shall at that Time have in their Custody or Possession, any Vellum, Parchment, or Paper marked with the Stamp or Stamps which shall be so altered or renewed, and upon which none of the Matters or Things hereby charged shall be engrossed, written, or printed, at any Time within the Space of sixty Days after such Intention of renewing or altering shall be published by Proclamation, to bring or send such Vellum, Parchment, or Paper to the said Commissioners at the said Head Office, or to such Officers as shall be appointed in that Behalf; and the said Commissioners and Officers respectively are hereby required to deliver, or cause to be delivered to the several Persons, who shall so bring and deliver any Quantity of Vellum, Parchment, or Paper, the like Quantity of Vellum, Parchment, and Paper, and as good in Quality, stamped with such new Stamps, without demanding or taking, directly or indirectly, for the same, any Sum of Money or Consideration whatsoever, under the Penalty of forfeiting, for every such Offence, one hundred Pounds, to be sued for, recovered, and divided, in such Manner as the other Penalties in this Act, relating to the said Duties hereby charged on Vellum, Parchment, and Paper, are directed to be sued for, recovered, and divided; and in case any Person shall neglect or refuse, within the Time aforesaid, to bring or cause to be brought and delivered to the said Commissioners or Officers as aforesaid, any such Vellum, Parchment, or Paper, the same is hereby declared to be of no other Effect or Use than if it had never been stamped; and that all Matters or Things charged with the Duties last-mentioned, and hereby granted, which shall after that Time be engrossed or written thereon, shall be of no other Effect than if they had been engrossed or written on Vellum, Parchment, and Paper not marked or stamped at all; and all Persons, who shall engross or write any the Matters or Things hereby charged on such Vellum, Parchment, or Paper after the said Time, shall forfeit and suffer, as herein before is enacted for Persons writing or engrossing on Vellum, Parchment, or Paper, not marked or stamped.

Upon altering Stamps those who have Paper, &c. marked by them, may have it changed in 60 Days.

Paper, &c. not brought in of no Use, &c.

XXXIII. Provided always, and be it further enacted, That as often as her Majesty, her Heirs or Successors, shall think fit to alter the said Stamps, or any of them, that the Proclamation which is hereby intended to be made for the giving all Persons due Notice thereof, shall, within twenty Days after the Date thereof, be sent to the Mayor, Chief Magistrate, or other Head Officer of every City, Corporation, Borough, and Market Town, throughout her Majesty's Kingdom of *Great Britain*; which Officers respectively shall cause the same to be published to the Inhabitants of such City, Corporation, or Town, either on the next Market Day, or next *Sunday* in the Church, immediately after the Time of Divine Service, upon Pain of forfeiting the Sum of two hundred Pounds.

Proclamation for altering Stamps to be sent to the Mayors, &c. in 20 Days.

XXXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall, at any Time or Times hereafter, counterfeit, or forge any Stamp or Mark, to resemble any Stamp or Mark which shall be provided, made, or used in pursuance of this Act, or shall counterfeit or resemble the Impression of the same, upon any Vellum, Parchment, or Paper, thereby to defraud her Majesty, her Heirs or Successors, of any of the said Duties on Vellum, Parchment, or Paper, or shall utter, vend, or sell any Vellum, Parchment, or Paper, with such counterfeit Mark or Stamp thereupon, knowing such Mark or Stamp to be counterfeit; or if any Person whatsoever shall privately and fraudulently use any Stamp, provided or used, or to be provided or used in pursuance of this or any former Act or Acts of Parliament relating to the Duties upon stamp Vellum, Parchment, and Paper, so as thereby to defraud her Majesty, her Heirs or Successors, of any Duty payable by this or any such former Act or Acts of Parliament; then every such Person so offending, and being thereof convicted in due Form of Law, shall be adjudged a Felon, and suffer Death as in Cases of Felony, without Benefit of Clergy.

Counterfeiting Stamps, &c. Felony. By 6 Geo. I. c. 21. §. 60. it is Felony to procure Vellum, &c. to be marked with counterfeit Stamps. 9 & 10 W. 3. c. 25.

XXXV. And be it further enacted by the Authority aforesaid, That the said Commissioners, for the time being, appointed to manage the said Duties upon stamp Vellum, Parchment, and Paper, shall take care that the several Parts of the Kingdom of *Great Britain* shall, from time to time, be sufficiently furnished with Vellum, Parchment, and Paper, stamped and marked, as aforesaid, so as the Subjects of her Majesty, her Heirs and Successors, may have it in their Election to buy the same of the Officers or Persons to be employed by the said Commissioners at the usual and most common Rates above the said Duties, or to bring their own Vellum, Parchment, or Paper to be stamped, as aforesaid, or to furnish themselves or others that shall have done the same.

Commissioners to furnish all Parts of Great Britain with Stamps.

XXXVI. And for the better Distribution of the said Vellum, Parchment, and Paper, and that the Subjects may have the same with more Conveniency, and at an easy Rate; Be it further enacted by the Authority aforesaid, That the Commissioners of the Treasury now being, and the Lord High Treasurer of *Great Britain*, or Commissioners of the Treasury for the time being, shall once in every Year, at least, set the Prices of stamp Vellum, Parchment, and Paper, that it shall be sold at; and that the said Commissioners for the said Duties upon Vellum, Parchment, and Paper, shall stamp the said Price so set upon every

Treasury to set Price on Stamp Vellum, &c. yearly.

Commissioners to
allow 6l. per
Cent. for every
rol. for 6
Months.

every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, so by them to be sold; and that the said Commissioners shall likewise allow and pay to every Person that shall bring Vellum, Parchment, or Paper to the said Head Office to be stamped in pursuance of this Act (the Duty whereof hereby imposed shall amount to the Sum of ten Pounds, or upwards) after the Rate of six Pounds in the Hundred Pounds *per Annum*, for six Months, upon present Payment of the said Duty upon the said Vellum, Parchment, or Paper so by them brought, over and above the like Allowance upon the same Quantity by the said former Acts; and that any Persons that shall buy of the said Commissioners, or their Agents, Vellum, Parchment, or Paper, at the Head Office for stamping the same, the Duty whereof amounts to the like Sum of ten Pounds, or upwards, shall have the same Allowance.

Penalties, how
to be distributed.

XXXVII. And be it further enacted by the Authority aforesaid, That all Penalties hereby imposed, relating to the said Duties upon stampd Vellum, Parchment, and Paper, shall be, the one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety thereof, with Full Costs of Suit, to such Person or Persons as shall inform and sue for the same, in any of her Majesty's Courts at *Westminster*, for Offences committed in *England, Wales, or Berwick upon Tweed*, and in her Majesty's Court of *Exchequer* in *Scotland*, for Offences committed in *Scotland*, by Action of Debt, Bill, Plaint, or Information, wherein no *Essoin*, Protection, Privilege, or Wager of Law, or any more than one *Imparance* shall be allowed.

Proviso for Al-
manacks.

XXXVIII. And in Regard of the Uncertainty how many Almanacks for any one Year will be sold, it is hereby provided and enacted, That the Commissioners for managing the said Stamp Duties, shall and may deliver to the Person or Persons, Bodies Politick or Corporate, by or for whom any Almanack or Almanacks is or are to be printed or published, Paper marked or stampd, according to the true Intent and Meaning hereof, for the printing such Almanack or Almanacks, upon his, her, or their giving sufficient Security to pay the Amount of the Duties hereby charged thereupon, within the Space of three Months after such Delivery; and that the said Commissioners, upon bringing to them any Number of the Copies of such Almanacks, within the said Space of three Months, and Request to them in that Behalf made, shall cancel all the Stamps upon such Copies, and abate to such Person or Persons so much of the Money due upon such his or their Security or Securities, as such cancelled Stamps shall amount unto; any thing herein contained to the contrary notwithstanding.

From 11 June
1711. for 32
Years, Cards to
pay 6d. per Pack,
and Dice 5 s. per
Pair.
Made perpetual
by 2 G. 1. c. 7.
§. 1.

XXXIX. And be it further enacted by the Authority aforesaid, That from and after the eleventh Day of *June* one thousand seven hundred and eleven, during the Term of thirty-two Years from thence next ensuing, there shall be raised, levied, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for all playing Cards and Dice, which within or during the Term last-mentioned, shall be made fit for Sale or Use in *Great Britain*, or imported into the same, the Duties following; that is to say, for every Pack of such Cards the Sum of Six-pence, and for every Pair of such Dice the Sum of five Shillings, to be paid by the Makers or Importers thereof respectively.

XL. And it is hereby enacted, That the Duties upon such Cards and Dice imported shall be levied and brought into the *Exchequer*, in such Manner and Form, and under such Penalties and Forfeitures, as any her Majesty's Customs or Duties on Subsidy Goods Inwards, are, by any Laws now in Force, to be levied and brought into the said *Exchequer*.

Duties on Cards
and Dice im-
ported, how to
be levied.
Makers of Cards
and Dice, after
1 Aug. 1711. to
give Notice of
the Places where
they make the
same, on For-
feiture of 50 l.
and to permit
Officer to take
an Account of
Cards and Dice,
on Forfeiture of
10 l.

XLI. And it is hereby enacted, That all Makers of Playing Cards or Dice, in *Great Britain*, after the first Day of *August* one thousand seven hundred and eleven, before they respectively shall begin to make any such Cards or Dice, shall give or send Notice in Writing of the usual House or Place where they respectively shall make, or intend to make the same; which Notice shall be given to the said Commissioners for the Stamp Duties on Vellum, Parchment, and Paper, or to their Officers next adjacent to the Place where such Cards or Dice shall be made; and the like Notice shall be given or sent, by every such Maker of Cards or Dice during the Term last mentioned; as often as they respectively shall change their Places for that Purpose; and as often as any Person or Persons shall set up, or exercise the Employment of making Cards or Dice, in any House or Place whatsoever in *Great Britain*, during the last mentioned Term, the like Notice shall be given or sent; upon Pain that every Person making Default in giving such Notice, as aforesaid, for every such Offence shall forfeit the Sum of fifty Pounds; and that all and every Person and Persons, who shall, during the Term last mentioned, make any Cards or Dice in any House or Place not notified, as aforesaid, shall, for every such Offence, forfeit the Sum of fifty Pounds; and that all and every such Person and Persons shall permit the proper Officers for the said Duties to enter such House or Place for making of Cards and Dice, and take an Account of the Cards and Dice there made, under the Penalty of ten Pounds for every Refusal thereof; and that no Maker of such Cards and Dice, chargeable with the said Duties by this Act, shall remove or suffer to be removed the same from the House or Place of making thereof, from time to time, until such Mark upon the Dice, and such Seal upon the Paper and Thread enclosing every Pack of Cards, shall be put thereupon, as the Commissioners for the said Duties on stampd Vellum, Parchment and Paper, for the time being, shall, from time to time, devise and appoint, in Writing under their Hands, to denote the charging the said Duties, upon Pain of forfeiting all such Cards and Dice, and treble the Value thereof, as shall be removed contrary to this Act.

and not to re-
move them till
marked, on For-
feiture of the
Cards, &c. and
treble Value.
See 10 Annæ,
c. 10. §. 162.

Makers to make
Entries on Oath,
once in 28 Days,
For the Bonds to
be given by Card-
makers.
See 6 Geo. 1.
c. 21. §. 57, 58.
and to clear in
6 Weeks, on
Forfeiture of 20 l.
and double the

XLII. And it is hereby further enacted, That the said Makers of Cards and Dice, during the Term last mentioned, shall, once in every twenty-eight Days, make true Entry upon Oath with the said Commissioners for the Duties on stampd Vellum, Parchment and Paper, or with their Officer next adjacent to their said Place of making, (which Oath the said Commissioners, or any three or more of them, or the said Officer, have hereby Power to administer) of all the Cards and Dice by such Makers thereof respectively made, within the time for which every such Entry ought to be made; and shall, once in every six Weeks, clear all the Duties owing from every such Maker, by paying the same to the Receiver General for stampd Vellum, Parchment and Paper, or to the proper Officer for the time being, for collecting the said Duties, for the Use of her Majesty, her Heirs and Successors; upon Pain of forfeiting the Sum of twenty Pounds for every Default in making such Entry, and double the Duty for Non-payment thereof.

XLIII. And it is hereby enacted, That every Maker of Cards and Dice, who shall endeavour to defraud her Majesty by any Concealment, shall for every such Offence, forfeit the Sum of twenty Pounds: And that all the Penalties and Forfeitures imposed by this Act, in relation to the said Duties on Cards and Dice, shall be divided, to wit, one Moiety thereof to the Queen's Majesty, her Heirs and Successors, and the other Moiety thereof to such Person or Persons as will seize, inform or sue for the same; and shall and may be recovered in the same Manner and Form, as any Penalties or Forfeitures by this Act imposed, for any Offence relating to the said Duties on stampd Vellum, Parchment and Paper, are to be recovered: And that all the Monies arising by the said Duties on Cards and Dice (the necessary Charges of raising the same excepted) shall, from time to time, be brought into the Receipt of Exchequer, for the Purposes in this Act expressed.

Duty. Makers concealing, forfeit 20l.
 Further Provisions concerning Stamp-Duties, 10 Ann. c. 19 & 26. 12 Ann. stat. 1. c. 2. 12 Ann. stat. 2. c. 9. 5 Geo. 1. c. 10. 6 Geo. 1. 32 Geo. 2. c. 35.

c. 21. 11 Geo. 1. c. 8. 12 Geo. 1. c. 33. 9 Geo. 2. c. 32. 16 Geo. 2. c. 25. 29 Geo. 2. c. 12 & 13. 30 Geo. 2. c. 19. and

XLIV. And be it enacted by the Authority aforesaid, That from and after the eleventh Day of June one thousand seven hundred and eleven, for and during the Term of thirty-two Years thence next ensuing, there shall be paid to her Majesty, her Heirs and Successors, the Sum of nine Shillings for every Tun of Rock Salt which shall be put on board any Ship or Vessel in any Part of Great Britain, and exported to Ireland, or entred out for such Exportation, over and above the present Duties payable for the same, and so in Proportion for every greater or lesser Quantity; and the same shall be paid by the Exporter thereof upon Entry out for such Exportation, to the proper Officer of the Port where such Rock Salt shall be put on board, or entred out, and before any Cocket shall be allowed or granted for the same; and the said Officer shall sign a Certificate or Receipt for such Sum of Money as shall for such Quantity of Rock Salt therein specified be paid for by such Exporter.

Duty on Rock-Salt exported to Ireland, for 32 Years from 11 June 1711, 9s. per Ton, made perpetual by 3 G. 1. c. 7. §. 1. to be paid by the Exporter, &c.

XLV. And for better securing her Majesty's said Duty last mentioned, Be it further enacted by the Authority aforesaid, That no Drawback shall be allowed or paid to such Exporter or his Assigns, for Duties formerly granted on Rock Salt, which, from and after the said eleventh Day of June one thousand seven hundred and eleven, shall be landed in Ireland, unless such Certificate or Receipt herein before mentioned, for Payment of the Duty hereby granted, shall be first produced and delivered up to the proper Officer authorized to pay or allow such Drawback; any Act or Acts to the contrary thereof notwithstanding.

Drawbacks for Ireland.

XLVI. Provided always, That in case any Ship or Vessel carrying Rock Salt to Ireland, shall either be lost at Sea, or taken by the Enemy, upon due Proof made thereof upon Oath, and producing the Certificate or Receipt before mentioned, that the Duty hereby granted on such Rock Salt, was actually paid upon Entry out of the same in Great Britain, the Officer who signed the said Certificate or Receipt, and received the said Money, shall repay the same without Fee or Reward.

Proviso for Ships lost, &c. at Sea.

XLVII. And it is hereby also enacted, That all the Monies arising by the said Duties on Rock Salt, (the necessary Charges of collecting and raising the same excepted) shall likewise be brought into the Receipt of the Exchequer, for the Purposes in this Act expressed.

Duties on Rock Salt to be paid into the Exchequer. See 12 Ann. stat. 2. c. 2.

XLVIII. And to the end all the Revenues, Duties, and Sums of Money by this Act payable upon Licences for Hackney Coaches and Chairs, and the said new Duties upon stampd Vellum, Parchment, and Paper, and upon Cards and Dice, and upon the Exportation of Rock Salt for Ireland, by this Act granted, as aforesaid, may be duly and certainly raised, and the same (except the necessary Charges of raising and managing the same Duties and otherwise in the Execution of this Act) may be justly and duly brought into the said Receipt of Exchequer, according to the true Meaning hereof; It is hereby further enacted by the Authority aforesaid, That, from time to time, during the Continuance of this Act, there shall be appointed such and so many Commissioners and Officers, as shall be proper and necessary for managing, raising, collecting, and paying the said Revenues, Duties, and Sums of Money last-mentioned, and hereby granted, as aforesaid, and for keeping and rendering the Accounts of the same; and that the respective Commissioners and Officers concerned therein shall perform their several Duties in Relation to the Premises, as to them respectively shall appertain, under such and the like, Penalties, Forfeitures and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the Monies arising by the said Rates and Duties, as are prescribed, and to be inflicted by virtue of an Act of Parliament made and passed in the ninth Year of his late Majesty King WILLIAM the Third, intituled, An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies, for the like Offence or Neglect relating to the Duties thereby granted or referred unto, or for detaining, diverting, or misapplying any Part of the Monies which were granted or appropriated by the Act last-mentioned.

Commissioners, Officers, &c. liable to the Act 9 & 10 W. 3. c. 44.

XLIX. And be it further enacted by the Authority aforesaid, That if any Person, who shall drive a Coach, or carry a Chair for Hire, not being interested himself in a Licence so to do, but shall act under the Licence of another Person, as his or her Servant, or otherwise, shall be guilty of any Misbehaviour in his Employment, by demanding more than his Fare, or by giving abusive Language, or any other rude Behaviour, every such Person so offending, and being thereof convicted by the Oath of one or more credible Witnesses or Witnesses, either before the major Part of the Commissioners for granting Licences, according to this Act, or before any one or more of her Majesty's Justices of the Peace for the City of London, and Liberty of Westminster, or Counties of Middlesex and Surrey (who are hereby impowered to enquire into such Misbehaviour, and to issue forth their Summons or Warrants, and administer Oaths accordingly) shall forfeit and pay a Sum not exceeding twenty Shillings, to be paid to the Poor of the Parish where such Offence shall be committed; and if any Person so convicted, as aforesaid, shall not be able, or refuse to pay the said Sum so imposed, as aforesaid, he shall be committed to her Majesty's Workhouse of Bridewell, or some other House of Correction, there to be kept to hard Labour for the Space of seven Days, and receive the publick Correction of the House, before he be discharged the same.

Driver of Coach for Hire offending, forfeits 20s.

or sent to the House of Correction for 7 Days, &c.

Salvo for the
Universities;

L. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to prejudice any Right the two Universities of *Oxford* and *Cambridge*, or either of them, have, or claim to have, to the licensing any Taverns, Inns, or Alehouses, within their several Jurisdictions, but that the said Universities may, from time to time, grant Licences for any Taverns, Inns, and Alehouses, within their several Jurisdictions, subject to the several Duties aforesaid, in as ample Manner as they respectively might lawfully have granted the same, if this Act had never been made; any thing herein before contained to the contrary thereof notwithstanding.

and for St. Alban's;

LI. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any thing therein contained, shall not in any wise extend to debar or hinder the Mayor and Aldermen of the Borough of *St. Alban's* in the County of *Hertford*, or their Successors, from the using, exercising, and enjoying of all such Liberties, Privileges, Powers and Authorities to them heretofore granted (by the Name of Mayor and Burgesses) by several Letters Patents under the Great Seal of *England*, by Queen *ELIZABETH*, and King *JAMES* the First, of famous Memories, for the erecting, appointing, and licensing three several Wine Taverns within the said Borough, for and towards the Maintenance of the Free School there; but that the same shall remain freed and discharged of and from the Duty of four Shillings a Licence chargeable by this Act; any thing therein contained to the contrary in any wise notwithstanding.

and for Proprietors in Printing Almanacks;

LII. Provided, That nothing in this Act contained shall extend, or be construed to extend, to prejudice any Right the two Universities, or either of them, or the Company of Stationers, or any Person or Persons have, or claim to have, to the printing or reprinting any Almanack or Calendar subject to the several Duties aforesaid.

And for the Calendar in the Book of Common Prayer, &c.

LIII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to extend to charge any Calendar or perpetual Almanack in any Bible or Common Prayer Book; or to charge any other Calendar or Almanack, with more than the Duty that would be payable by this Act for such other Calendar or Almanack, in case it were made for three Years only.

9 Annæ, c. 10.

LIV. And whereas by an Act of the present Session of Parliament, intituled, *An Act for establishing a General Post Office for all her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majesty's Occasions*, it is enacted, That from and after the nine and twentieth Day of *September* one thousand seven hundred and eleven, for and during the whole Term of thirty-two Years from thence next and immediately ensuing, the full, clear, and entire weekly Sum of seven hundred Pounds of lawful Money of *Great Britain*, out of all the Duties and Revenues, from time to time, arising by virtue of that Act, shall be brought and paid into the Receipt of your Majesty's Exchequer, in the Manner therein mentioned, and under the Penalties, Forfeitures, and Disabilities in that Act expressed: And by another Act of this Session of Parliament, intituled, *An Act for laying certain Duties upon Hides and Skins tanned, or dressed, and upon Vellum and Parchment, for the Term of thirty-two Years, for prosecuting the War, and other her Majesty's most necessary Occasions*, several Rates and Duties for and upon such Hides and Skins, and Pieces of Hides and Skins, Vellum and Parchment, as are therein mentioned, are granted or made payable to your Majesty, your Heirs and Successors, for the Term of thirty-two Years, to be reckoned from the four and twentieth Day of *June* one thousand seven hundred and eleven, with such other Duties as in the same Act are expressed, and all the Monies arising by virtue of the Act last-mentioned, (the necessary Charges of raising, collecting, levying, paying, and accounting for the same, only excepted) are thereby required to be also paid, from time to time, into the Receipt of your Majesty's Exchequer, in the Manner and Form, and under such Penalties, Forfeitures, and Disabilities, as are thereby prescribed, as by the two Acts last-mentioned, Relation being thereunto severally had, may more fully appear: And whereas it is intended, That the said weekly Sum of seven

9 Annæ, c. 10,
11.

hundred Pounds, to arise out of the said Revenue of the Post Office, and all the said Duties upon Hides and Skins, and Pieces of Hides and Skins, Vellum and Parchment, granted by the two Acts last-mentioned, and the Revenue to arise by licensing Coaches and Chairs, and the said new Duties to arise by stamp'd Vellum, Parchment, and Paper, and upon Cards and Dice, and upon the Exportation of Rock Salt for *Ireland*, shall all together be made a Fund or Security, for raising any Sum not exceeding two Millions, towards your Majesty's Supply, for the Service of the War, and other your Majesty's most necessary Occasions, by such Methods, and in such Manner and Form as are herein after mentioned: Now we your Majesty's said dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, for and towards the raising the said Sum of two Millions, do further most humbly beseech your Majesty that it may be enacted; and be it enacted by the Authority aforesaid, That yearly and every Year, during the Term of thirty-two Years, reckoning the first Year to begin from the nine and twentieth Day of *September* one thousand seven hundred and eleven, the full Sum of one hundred eighty-six thousand six hundred and seventy Pounds, by or out of the Monies to arise as well of or for the said weekly Sum of seven hundred Pounds out of the Revenues of the General Post Office, and of or for all the said Duties, Rates, and Sums of Money upon Hides, and Skins, and Pieces of Hides and Skins, Vellum and Parchment, by virtue of the said other Act; or either of them, and by or out of the Monies of the said Revenue on Licences for Hackney Coaches and Chairs, and of the said new Duties upon stamp'd Vellum, Parchment and Paper, and upon Cards and Dice, and upon the Exportation of Rock Salt for *Ireland*, by this Act granted, and by or out of the Monies to arise by all the said Branches, every or any of them, and to be brought into the Receipt of the Exchequer, from time to time, in case the same shall extend to the said Sum of one hundred eighty-six thousand six hundred and seventy Pounds, shall be computed and reckoned to be a yearly Fund; and in case all the Monies arising into the Exchequer of or for all the Duties, Revenues, and Branches charged, as aforesaid, shall not amount to one hundred eighty-six thousand six hundred and seventy Pounds *per Annum*, then the Monies so arising, so far as the same shall extend, shall be Part of the said yearly Fund of one hundred eighty-six thousand six hundred and seventy Pounds

Made perpetual
by 3 Geo. 1.
c. 7. 700l. per
Week out of the
Post Office, and
all the Duties on
Leather, and all
the Duties by
this Act granted,
appropriated
for the Purposes
of this Act.

per Annum, for and towards the answering and paying of all and every the principal Sums herein after mentioned, amounting in the whole to the Sum of two millions six hundred and two thousand two hundred Pounds principal Money, together with Interest for the same, after the Rate of six Pounds *per Centum per Annum*, as herein after is also mentioned; and in case the said Monies by this Act appointed, as aforesaid, shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year to be reckoned, as aforesaid, the said Monies arising into the Exchequer, for all the Duties, Revenues, and Branches charged, as aforesaid, shall not amount to so much as one hundred eighty-six thousand six hundred and seventy Pounds, that then, and so often, and in every such Case, so much as shall be wanting to make up the said Fund or Sum of one hundred eighty-six thousand six hundred and seventy Pounds for every or any such Year, shall be supplied and made good, from time to time, out of the first Aid or Supply to be granted in Parliament next after such Deficiency shall appear, and shall, from time to time, be transferred thereunto, as soon as the same shall be granted; and for want of such Aid or Supply, then such Deficiency shall be supplied and made good by and out of any publick Money which shall be in the said Receipt of Exchequer, not appropriated to any particular Use or Uses by Act of Parliament; and the Commissioners of the Treasury now being, or the Lord High Treasurer, or the Commissioners of the Treasury for the time being, are hereby strictly enjoined and required to make up such Deficiency accordingly out of such unappropriated publick Money, without any further or other Warrant of Authority for the same.

Deficiency to be made good out of the first Aids to be granted in Parliament, &c.

LV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute for or towards advancing the said Sum of two millions, by paying at or before the respective Days and Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpose, as is herein after mentioned, the Sum of one hundred Pounds, or diverse intire Sums of one hundred Pounds upon this Act; and that for the raising the said Sum of two Millions, any Person, who will become a Contributor or Adventurer, shall and may advance the Sum of one hundred Pounds, for which Sum so advanced, he, she, or they shall be entitled to receive such principal Money and the Interest thereof, and such Premiums, as herein after is expressed, to be paid by and out of the said yearly Fund by this Act appropriated; and that every Contributor or Adventurer may advance as many entire Sums of one hundred Pounds, as he, she, or they shall think fit; and for every such Sum of one hundred Pounds so advanced, he, she, or they is or are to be interested in one Lot or Share of and in the said yearly Fund by this Act appointed, and the same entire Sums of one hundred Pounds each are hereby appointed to be paid unto such Receiver and Receivers, at or before the respective Days and Times, and in the respective Proportions herein after mentioned (that is to say) One fourth Part thereof on or before the five and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and eleven, on other fourth Part thereof, on or before the fifteenth Day of *August* in the said Year of our Lord one thousand seven hundred and eleven, one other fourth Part thereof, on or before the six and twentieth Day of *September* in the said Year of our Lord one thousand seven hundred and eleven, and the remaining fourth Part thereof, on or before the sixth Day of *November* in the said Year of our Lord one thousand seven hundred and eleven. [The Sections relating to the drawing of the Lottery are,]

Natives or Foreigners may contribute the Sum of 100l. or divers entire Sums of 100l.

“ Her Majesty may appoint Managers. Books to be provided with three Columns, &c. Receivers to be appointed by the Lord High Treasurer, &c. Managers to examine the Books, and deliver them to the Receivers, &c. Tickets how to be delivered out. Receivers to re-deliver the Books, &c. by 25 July 1714. Middle Column Tickets to be rolled up, and put into a Box, marked (A). Innermost to remain in the Books. There shall be printed twenty thousand Tickets; the Managers shall cause the Tickets to be divided into five Classes; the first Classis to consist of one thousand three hundred and thirty, upon one of which shall be writ one thousand Pounds, and upon fifty other, two hundred Pounds, and upon the remaining one thousand two hundred seventy and nine shall be severally one hundred and ten Pounds; the second Classis to consist of two thousand six hundred and seventy Tickets, upon one of which shall be three thousand Pounds, upon one other two thousand Pounds, upon one other one thousand Pounds, upon one other five hundred Pounds, upon four other severally four hundred Pounds, upon five other severally three hundred Pounds, upon one hundred other severally two hundred Pounds, and upon the remaining two thousand five hundred and fifty-seven shall be severally writ one hundred and fifteen Pounds; the third Classis to consist of four thousand Tickets, upon one of which shall be four thousand Pounds, upon one other three thousand Pounds, upon one other two thousand Pounds, upon one other one thousand Pounds, upon one other five hundred Pounds, upon four other severally four hundred Pounds, upon five other severally three hundred Pounds, upon one hundred and fifty other severally two hundred Pounds, and upon the remaining three thousand eight hundred and thirty-six severally one hundred and twenty Pounds; the fourth Classis to consist of five thousand three hundred and forty Tickets, upon one of which shall be writ five thousand Pounds, upon one other four thousand Pounds, upon one other three thousand Pounds, upon one other two thousand Pounds, upon one other one thousand Pounds, upon one other five hundred Pounds, upon four other four hundred Pounds, upon five other three hundred Pounds, upon two hundred other two hundred Pounds, and upon the remaining five thousand one hundred and twenty-five shall be severally writ one hundred and fifteen Pounds; the fifth Classis to consist of six thousand six hundred and sixty Tickets, upon one of which shall be writ twenty thousand Pounds, upon one other five thousand Pounds, upon one other four thousand Pounds, upon one other three thousand Pounds, upon one other two thousand Pounds, upon one other one thousand Pounds, upon one other five hundred Pounds, upon four other four hundred Pounds, upon five other three hundred Pounds, upon two hundred other two hundred Pounds, and upon the remaining six thousand three hundred and ninety-four Tickets one hundred and thirty Pounds; together with five hundred Pounds to the first drawn Ticket of

“ each Classis, and five hundred Pounds to the Last drawn Ticket of each Classis, which will amount in
 “ the whole to two millions six hundred and two thousand and two hundred Pounds, so that the Owner of
 “ every Ticket will be entituled, at least, to the certain principal Sum of such Classis, that is to say, one
 “ hundred and ten Pounds for the first Classis, one hundred and fifteen Pounds for the second, one hundred
 “ and twenty Pounds for the third, one hundred and twenty-five Pounds for the fourth, and one hundred
 “ and thirty Pounds for the fifth Classis, and Interest at six *per Centum per Annum*, from the nine and twen-
 “ tieth of *September* one thousand seven hundred and eleven. If the first fourth Part of 2,000000*l.* be not
 “ paid in by 25 *June*, then the Fund to be proportionable to the Sum advanced. The 20,000 Tickets to
 “ be put into five several Boxes. No Money to be received after 25 *June* 1711. Publick Notice of the
 “ Time of cutting the Tickets. The Manner of Drawing the Tickets. The Manner of filing the
 “ Tickets. The Manner of entering the Tickets of the several Classes. The Manner of adjusting the fe-
 “ veral Premiums. To be paid in such Numerical Order as they shall be drawn, &c. A Table of the
 “ Number, Order, and Course of the Tickets, &c. to be printed. Managers to adjudge to whom the Pre-
 “ miums belong. Forging Tickets Felony. Managers to make Books of the Fortunate, and transmit
 “ them to the Exchequer. Payments to be quarterly. Managers to be sworn: Their Oath. Penalty on
 “ Officers of the Exchequer, and other Officers offending. E X P.”

Money lent
Tax-free.

LXVII. And be it further enacted, That any Money contributed or lent by, or payable to any Person or Persons, upon or by virtue of this Act, shall not be charged or chargeable with any Rates, Taxes, Duties, or Impositions whatsoever.

“ Tickets to be exchanged for standing Orders. How the first and second Year's Interest of large Premi-
 “ ums shall be secured. Orders to be paid in Course, &c. Treasury may divide extraordinary Benefits of
 “ above 2000*l.* into Orders of 500*l.* E X P.”

The Monies ap-
propriated by
this Act, to be
applied to pay off
the Principal
and Interest.

LXXII. And for the better ascertaining and securing the Payment, as well of all the said principal Money payable by virtue of this Act, as of the said Interest to grow due upon the same; Be it further enacted, That all such Monies as shall arise and come into the Receipt of the Exchequer, upon or for the said Rates and Duties upon Hides and Skins, and Pieces of Hides and Skins, Vellum, and Parchment, on or before the said nine and twentieth Day of *September* which shall be in the Year of our Lord one thousand seven hundred and eleven, shall be applicable and applied to the Payment of so much of the said principal Sum of two millions six hundred and two thousand two hundred Pounds, or of such proportionable Part thereof as shall be due by virtue of this Act, as the same will extend to pay and discharge, according to the Course of Payment before directed; and that from and after the said nine and twentieth Day of *September* one thousand seven hundred and eleven, during the said Term of two and thirty Years (unless the said principal Sum of two millions six hundred and two thousand two hundred and two Pounds, or of such Proportionable Part thereof, as shall be due by virtue of this Act, and all the Interest thereof, shall be sooner paid off and discharged) yearly and every Year, accounting every Year to commence from the nine and twentieth Day of *September* in each and every Year, the yearly Sum of one hundred eighty-six thousand six hundred and seventy Pounds, of the Monies which shall arise and be brought into the Receipt of the Exchequer, for or upon all the said Duties, Revenues, and Branches hereby charged, as aforesaid, and in case the same will not extend thereto, then so far as the same will extend, shall be applied and appropriated, and the same is hereby accordingly appropriated, for and towards paying and discharging the Money which shall remain due of the said principal Sum of two millions six hundred and two thousand two hundred Pounds, or of such proportionable Part thereof, as shall be due by virtue of this Act, and the Interest thereof, in Manner following, (that is to say) That quarterly, *viz.* On or within twenty Days next after the five and twentieth Day of *December*, five and twentieth Day of *March*, four and twentieth Day of *June*, and the nine and twentieth Day of *September*, yearly and in every Year, during the said Term of two and thirty Years, the Commissioners of her Majesty's Treasury now being, or the Lord High Treasurer, or the Commissioners of the Treasury for the time being, shall cause a true and exact Account to be made of the Monies which shall, on or before every respective five and twentieth Day of *December*, five and twentieth Day of *March*, four and twentieth Day of *June*, and nine and twentieth Day of *September*, of and in each and every respective Year, have arisen or been brought into the Exchequer, in the preceding Quarter of a Year, ending on the said five and twentieth Day of *December*, five and twentieth Day of *March*, four and twentieth Day of *June*, and nine and twentieth Day of *September*, in every Year, for or upon all the said Duties, Revenues, and Branches hereby charged, as aforesaid; and that deducting thereout so much as shall be sufficient to pay and satisfy, and which shall be accordingly applied to pay and satisfy the Interest for such preceding Quarter of a Year, upon and for all the Monies then due and unpaid of the said Principal Sum of two millions six hundred and two thousand two hundred Pounds, or of such proportionable Part thereof, as shall be due, by virtue of this Act, or for Payment whereof Money is not reserved in the Exchequer, the whole Residue and Remainder of the Monies so arising or coming into the Exchequer, in such preceding Quarter of a Year, shall be immediately, from time to time, applicable, appropriated, and applied towards paying and discharging such Part of the said Principal Sum of two millions six hundred and two thousand and two hundred Pounds, or of such proportionable Part thereof, as shall be due by virtue of this Act, as shall then remain due and unpaid, and that according to such Method and Course of Payment, as aforesaid, so as the whole Produce of all the said Duties, Revenues, and Branches hereby charged, as aforesaid, which shall be brought into the said Receipt of the Exchequer in any one Year, to be computed from the nine and twentieth Day of *September* in every Year, doth not amount to more than the said yearly Sum of one hundred eighty-six thousand six hundred and seventy Pounds, or such proportionable Part thereof, as is hereby appropriated for paying and discharging the Principal Money and Interest charged

charged thereupon by this Act; it being intended, that the said yearly Sum of one hundred eighty-six thousand six hundred and seventy Pounds, or such Part thereof, as shall be in such Proportion, as aforesaid, to the whole Sum which shall be advanced or contributed by virtue of this Act, and no more, shall, during the said Term of thirty-two Years, be applied and appropriated for paying and discharging the said Principal and Interest, unless all the Principal Money, and Interest chargeable thereupon by virtue of this Act, shall be sooner paid off and discharged.

LXXXIII. Provided also, and be it further enacted, That in case after the said nine and twentieth Day of September one thousand seven hundred and eleven, there shall be any Surplus or Remainder of the Monies arising by the Rates and Duties, and Sums of Money appropriated by this Act, at the End of any one Year of the said Term of thirty-two Years (every such Year to be computed from the nine and twentieth Day of September in every Year) over and above the said yearly Sum of one hundred eighty-six thousand six hundred and seventy Pounds, or such proportionable Part thereof, as aforesaid, and after such Application, as aforesaid, of the said yearly Sum of one hundred eighty-six thousand six hundred and seventy Pounds, or such proportionable Part thereof, as aforesaid, and after all other Charges and Payments directed or authorized by this Act, shall be fully satisfied, paid, and discharged, or Money sufficient shall be reserved for that Purpose, such Surplus or Remainder shall be reserved for the publick Use, and shall be disposed and disposeable by Authority of Parliament, and not otherwise; any thing herein contained to the contrary thereof in any wise notwithstanding. [The following Sections are expired.]

“ Publick Notice to be given when Orders shall become payable. Eight Pence per Cent. per Diem. to 29 Sept. 1711. allowed for the first Payment. Four Pence per Cent. per Diem for the other three Payments. Receivers may take in Money before they receive their Books. Contributor advancing one Part of the Payment, and failing in the next, forfeits what is paid, &c. Officers to be paid out of the Money arising by this Act. If Principal and Interest be fully paid off before the thirty-two Years, then Duties to cease. Treasury to appoint a Paymaster, &c. Assignments of standing Orders to be registred. Receipts for Plate brought into the Mint, pursuant to her Majesty's Warrant, to be accepted as Money for Contributions on this Act. The major Part of Bodies Politick, Corporate, or Collegiate, may advance their Money or Plate on the Credit of this Act. Benefit Tickets in the Lottery 1710, not being adjusted, present Managers may settle them before 29 Sept. 1711. E X P.”

LXXXV. And be it enacted by the Authority aforesaid, That all the Monies lent or to be lent to her Majesty upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty to be raised by a Land-Tax in Great Britain, for the Service of the Year one thousand seven hundred and eleven*, and so much Money (if any such be) of the Tax thereby granted, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred, or directed to be transferred thereunto, and the Interest thereof, and the Charges thereby allowable for the raising the said Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Monies lent and to be lent unto her Majesty upon another Act of this Session of Parliament, intituled, *An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and eleven*, and so much Money of the said Duties of Malt, Mum, Cyder, and Perry thereby granted, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred, or directed to be transferred thereunto, and the Interest thereof, and the Charge thereby allowable for the raising the said Duties thereby granted, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Monies arisen, or to arise by another Act of this Session of Parliament, intituled, *An Act for revising, continuing, and appropriating certain Duties upon several Commodities to be exported, and certain Duties upon Coals to be waterborn and carried Coastwise, and for granting further Duties upon Candles, for thirty-two Years, to raise fifteen hundred thousand Pounds by Way of a Lottery, for the Service of the Year one thousand seven hundred and eleven; and for suppressing such unlawful Lotteries, and such Insurance-Offices as are therein mentioned*; and all the Monies lent and to be lent unto her Majesty upon one other Act of this Session of Parliament, intituled, *An Act for laying a Duty upon Hops*, and so much Money (if any such be) of the said Duty upon Hops, as shall arise and remain after all the Loans made or to be made upon that Act, and the Interest thereof, and the Charges thereby allowable for raising the said Duty upon Hops, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Monies which, over and above the Allowances for prompt Payment, and other Allowances directed by this present Act, shall arise of or for the said Contributions, not exceeding the Sum of two millions in this Act mentioned, shall be appropriated for or towards the several Uses, Intents, and Purposes herein after expressed; that is to say, that out of all the Monies hereby appropriated, or any of them, or by registring Orders upon them, or any of them, there shall be paid and satisfied to the Governor and Company of the Bank of England, all such Sum and Sums of Money as shall be due and payable unto them, by virtue of an Act of this Session of Parliament for enabling and obliging the Bank of England, for the Time therein mentioned, to exchange all Exchequer Bills for ready Money upon Demand, for or upon the yearly Sum of forty-five thousand Pounds therein mentioned, from the Commencement of their late Undertaking to circulate all Exchequer Bills, according to the said Act, until the one and thirtieth Day of July one thousand seven hundred and fourteen, inclusively, at such Times, and in such Manner, as in the same Act are prescribed; and that all the Rest and Residue of the Monies by this Act appropriated, shall be applied and disposed for or towards defraying the Charges of the Ordinary of her Majesty's Navy, and for Victuals, Wages, Wear and Tear, and other Services of the Navy, and the Victualling thereof, performed and to be performed, and for Sea Service in the Ordnance, performed and to be performed; and for or towards maintaining a Body of forty thousand Men, which was raised to act in Conjunction with the Forces of her Majesty's Allies, and for or towards maintaining the additional Forces of ten thousand Men in the Low Countries; and for or towards her Majesty's Proportion of the Charge

Surplus disposable by Parliament.

Clause of Appropriation of the several Sums granted this Session.

9 Annæ, c. 1.

9 Annæ, c. 3.

9 Annæ, c. 6.

9 Annæ, c. 12.

Made perpetual by 1 Geo. 1. stat. 2. c. 12.

Charge of three thousand *Palatines*, formerly taken into the Service of her Majesty and her Allies; and for or towards her Majesty's Proportion of the Charge of four thousand six hundred thirty-nine *Saxons*, taken into the Service of her Majesty and the *States General*, in the Year one thousand seven hundred and seven; and for or towards her Majesty's Proportion of the Charge of *Bothmar's* Regiment of Dragoons, consisting of eight hundred Men, formerly taken into the Service of her Majesty, and the *States General*; and for or towards defraying her Majesty's Proportion of the Charge of the Troops of Augmentation, which were taken into the Service of her Majesty, and the *States General*, in or about the Year one thousand seven hundred and nine; and for or towards the Charge of the Office of her Majesty's Ordnance for Land Service, performed and to be performed, including the Charge of the Fortifications of *Gibraltar*; and for or towards the Charge of Transportation of Land Forces, performed and to be performed; and for or towards the Payments of her Majesty's Proportion of the Subsidies payable, pursuant to Treaties made and to be made with her Majesty's Allies; and for or towards the Charge of maintaining her Majesty's Guards and Garrisons in *Great Britain*, including five thousand Men to serve on board the Fleet, and for the Payment of the Invalids, and all contingent Charges belonging to the said Guards and Garrisons, and Land Forces respectively; and for or towards the Charges which have been or shall be expended for the Service of the War in *Spain* and *Portugal*; and for or towards defraying the extraordinary Charges of the War in *Spain*, *Portugal*, the *Low Countries*, and elsewhere, incurred and to be incurred; and for or towards Satisfaction of the Sum of three thousand five hundred Pounds for Salaries, and any Sum not exceeding two thousand five hundred Pounds, for Payment of Clerks, and other Charges to be allowed, without Account, to the seven Commissioners appointed by an Act of this Session of Parliament for stating the Accounts of all the publick Monies; and to none other Uses, Intents, and Purposes whatsoever.

Soldiers for Sea Service, how to be paid.

LXXXVI. Provided always, That out of the Monies to be issued to the Guards and Garrisons, as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, towards the Charge of maintaining the Soldiers raised, and to be raised for Sea Service, with their Officers, and the contingent Charges thereunto belonging; and out of the Monies to be issued for the Service of the Navy, and Sea Service, as aforesaid, there shall and may be taken and applied such Sums as, together with the said Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

No Appropriation to obstruct any Payment by the Treasurer of the Navy, to make good Deficiencies to the South Sea Corporation.

LXXXVII. Provided also, and it is hereby enacted and declared, That no Appropriation, or other Matter or Thing in this Act contained, shall obstruct or hinder any Payment which by any other Act of this Session of Parliament shall be required and authorized to be made by the Treasurer or Paymaster of the Navy for the time being, or by any other Persons to be intrusted with the publick Monies for the Service of the Navy, out of such publick Monies, Tallies, Orders, or Parliamentary Securities in their Hands or Power respectively, as are or shall thereby be charged or chargeable to make good any Deficiency or Deficiencies to any Corporation to be erected by or in pursuance of such other Act of Parliament; any thing herein contained to the contrary notwithstanding.

103,003 l. 113. 4 d. to be distributed amongst the Inhabitants of Nevis and St. Christophers, who have resettled there. Farther Provisions relating hereto, by 20 Annæ, c. 34. 5 Geo. 1. c. 32. 8 Geo. 1. c. 20. §. 43. and 13 Geo. 1. c. 3. §. 10.

LXXXVIII. And whereas the Proprietors and Inhabitants of the Islands of *Nevis* and *Saint Christophers* in *America*, did sustain very great Losses by a late Invasion of the *French*, who committed great Depredations there; and it became necessary to give some Encouragement to the Sufferers by the said Invasion, to resettle their Plantations in the said Islands, to prevent the great Damage which the Crown might otherwise sustain by the total Loss thereof: For the making good of the said Encouragement, it is hereby enacted by the Authority aforesaid, That the Sum of one hundred and three thousand and three Pounds eleven Shillings and four Pence, shall be distributed to and amongst such Proprietors and Inhabitants only of the said Islands of *Nevis* and *Saint Christophers*, who have resettled, or shall resettle their Plantations in the same Islands respectively; and that her Majesty's Commissioners for the Affairs of Trade and Plantations, or the major Part of them, now or for the time being, shall cause a proportionable Part of the said Sum for every one of the said Proprietors and Inhabitants, who suffered by the said Invasion, and who have resettled, or shall resettle their Plantations in the said Islands, or either of them, according as the Loss sustained by every such Proprietor or Inhabitant doth or shall appear to the same Commissioners of Trade and Plantations, or the major Part of them, by the Return of a Commission for that Purpose formerly issued, to be carefully computed and adjusted, so that such Sufferers respectively, in Proportion to their respective Losses, be entitled to their respective Shares of the said Sum of one hundred and three thousand and three Pounds eleven Shillings and four Pence; and that the said Commissioners for the Affairs of Trade and Plantations, or the major Part of them, do on or before the five and twentieth Day of *December* one thousand seven hundred and eleven, make forth the Debentures for the said proportional Sums, not to exceed in the whole the said Sum of one hundred and three thousand and three Pounds eleven Shillings and four Pence, to be paid to the said Proprietors and Inhabitants, or to their certain Attornies, Executors, Administrators, or Assigns respectively; which Debentures shall be signed by the said Commissioners of Trade and Plantations, or the major Part of them, and shall bear Interest for the Principal Sums therein to be contained, after the Rate of six Pounds *per Centum per Annum*, from making forth the same, and shall be entered in the Register kept for the Debentures which were lately charged on the forfeited Estates in *Ireland*; and such Principal and Interest shall be satisfied in like Manner as the unsatisfied Debentures which were lately charged on the said forfeited Estates in *Ireland*, are to be satisfied and discharged, and shall and may be delivered to such as the Persons to be intitled thereunto respectively have authorized, or shall authorize to receive the same, in order to obtain such Satisfaction thereupon.

Commissioners of Trade to enquire on Oath concerning the

LXXXIX. And it is hereby enacted, That the said Commissioners for the Affairs of Trade and Plantations, or the major Part of them, shall and may enquire upon Oath (which they, or any one or more of them, have hereby Power to administer) or by any other lawful Ways and Means, of and concerning the Persons

Persons who are or shall be resettled in the said Islands, or either of them, and be thereby entitled to a proportional Part of the said Sum to be distributed to or amongst such Persons, according to the true Meaning of this Act.

XC. And whereas in an Act passed in this present Session of Parliament, intituled, *An Act for reviving, continuing, and appropriating certain Duties upon several Commodities to be exported, and certain Duties upon Coals to be waterborn and carried Coastwise, and for granting further Duties upon Candles, for two and thirty Years, to raise one Million five hundred thousand Pounds, by Way of a Lottery, for the Service of the Year one thousand seven hundred and eleven, and for suppressing such unlawful Lotteries, and such Insurance Offices, as are therein mentioned, some Doubt may arise what Duty is charged upon Coals exported from the West of Scotland to Ireland, or the Isle of Man;* Be it enacted and declared by the Authority aforesaid, That the said Coals shall be charged with the same Duty, and no more, as Coals exported from the West of England to Ireland, and the Isle of Man, are and stand charged by virtue of the said Act.

Coals, 12 Ann. stat. 2. c. 9. 5 Geo. 1. c. 9. 6 Geo. 1. c. 4. 22 Geo. 2. c. 37. 30 Geo. 2. c. 19. *See farther concerning Duties on* 9 Annæ, c. 6. 17. 28.

C A P. XXIV.

An Act for Relief of the Creditors and Proprietors of the Company of *Mine Adventurers*, by establishing a Method for settling the Differences between the Company and their Creditors, and for uniting them, in order to an effectual Working the Mines of the said Company.

WHEREAS the Governor and Company of the *Mine Adventurers of England* (by the great Expences in working and manufacturing their Mines and Minerals, and by other Charges incident to so great and difficult an Undertaking) have contracted so great a Debt, that by their Stock or Produce of the said Mines, or Sale or Mortgage thereof, the said Company is altogether unable to pay the same: And whereas by the unhappy Differences and Disputes that have arisen amongst the Members of the said Company, and also between the said Company and their Creditors, the working and managing the said Mines is almost totally interrupted, whereby the large Sums of Money expended in bringing them to their present State and Condition, are in great Danger of being entirely lost: And whereas the Mines belonging to the said Company are so rich and valuable, that if the same were settled and established under good Management, and a regular Constitution, they might, besides answering the Charge of working them, turn more to the Satisfaction of all Persons interested or concerned therein, and likewise great Benefit would accrue to the Publick by so profitable a Manufactory: And whereas an Expedient hath been proposed for satisfying the Debts, and composing the Differences of the said Company and their Creditors, by an Union or Coalition of their respective Debts and Interests in and upon the said Mines, under one Denomination, and for raising a Stock for effectually working and manufacturing the said Mines and Minerals; and for discovering all unwarrantable Practices that have been therein, and for preventing the like for the future, by settling the Management under a more regular Establishment, it is therefore humbly prayed, that it may be enacted; And be it enacted by the Queen'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 Grants, Contracts, Bargains, Sales, Leases, Mortgages, Conveyances, and Assurances, made of any Mines, Minerals, Lands, Tenements, Hereditaments, Stocks, Goods, and Chattles, by the said Governor and Company of *Mine Adventurers of England*, to any Person or Persons whatsoever, since the Time the said Governor and Company of *Mine Adventurers of England* first stopt or postponed Payment of their Bills or Bonds, or by any Person or Persons seized or possessed of any Mines, Minerals, Lands, Tenements, Hereditaments, Stock, Goods, and Chattles, in Trust for the said Governor and Company of *Mine Adventurers of England*, shall and are hereby declared to be absolutely void and of none Effect.

All Grants, &c. made by the Company of *Mine Adventurers*, since they first stopt Payment of their Bills, &c. void.

“ All new Shares above the 6012 allowed by Charter, void, &c. Money advanced on the Call 15 Feb. 1708, &c. allowed. Bargains, &c. made since the Company stopt Payment, good. Creditors united with the Members. A general Meeting of the Company and Creditors to be called within 20 Days after 11 June 1711. Deputy Governor, &c. dying, &c. others to be chosen. Deputy Governor, &c. to manage the Company's Affairs. A Book to be provided by 15 July 1711, to enter Claims. Attendance to be given daily for entering Claims, till 16 Sep. 1711. Claimers Names to be printed. Creditors, &c. to give in their Claims by 16 Sep. 1711. Accountants to examine the Claims. A List to be printed of the Persons entitled to Shares. Sharers Names, &c. to be entred in a Book. Shares assignable, &c. After Duke of Leeds's Death, Governor to be annually chosen having ten Shares. Qualification of Voters, &c. after the new Distribution of Shares. Proxies. Governor, &c. annually to state the Condition of the Company, &c. Penalty for not stating.”

E X P.

IX. And be it further enacted by the Authority aforesaid, That for the raising a Stock of Money for the better carrying on the working and improving the Mines of the said Company of the *Mine Adventurers of England*, and for answering the Exigencies of the said Company, and, in the first Place, for defraying the necessary Charges of passing this present Act; it shall and may be lawful to and for the said Governor, Deputy Governor, and Directors of the said Company, with the Consent and Approbation of a General Assembly or Meeting of the Members of the said Company, duly called, after such new Division and Distribution of the six thousand and twelve Shares, made in Manner as is by this Act required, to call in, or direct to be paid to the said Governor, Deputy Governor, and Directors, or to such Person or Persons as they shall appoint to receive the same, any Sum or Sums of Money, not exceeding forty Shillings per Share; and

Governor, &c. at a General Meeting, may call in 40s. per Share.

Penalty on
Members not
paying.

and that all Executors, Administrators, Guardians, and Trustees, shall be indemnified in paying the same; and in case any Member of the said Company shall neglect or refuse to pay his, her, or their Share of the Money so called in at the Time or Times appointed for that Purpose by Notice in the *London Gazette*, he, she, or they so neglecting, shall forfeit one Moiety of his or their respective Shares or Interest in the said Company, which said Moiety so forfeited, as aforesaid, shall remain and be for the Use of the said Company, who may dispose thereof at a General Court; and it shall and may be lawful for the said Governor, Deputy Governor, and Directors, and their Successors, to restrain or hinder the said Member or Members from transferring his or their other Moiety of Shares or Interest, or any other Part thereof, in the said Company: Provided always, That the said Governor and Company may, by several Calls, in Manner as before directed, appoint the Payment of any Part of the said Sum of forty Shillings, and at several Times; but the said Governor and Company are hereby restrained from calling in upon their said Members at any Time or Times, any Sum or Sums exceeding in the whole forty Shillings *per Share*; and every Call so made and appointed, after the respective Proprietors of the six thousand and twelve Shares have paid in, for the Use of the Company, forty Shillings *per Share*, shall be void, and of no Force or Effect.

E X P.

“Accountants to examine the Accounts, &c. of the Company, and to examine those who managed the Company's Affairs, &c. No Transfer to be where Accounts are depending. Deputy Governor, &c. in 1707. or since, not capable to be elected again before 16 Nov. 1712. Shares, &c. not claimed before 16 Sep. 1711. forfeited. Except in case of Dispute.”

Publick Act.

XVI. And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act of Parliament, of which all Judges, Justices, and other Persons are to take Notice.

P R.

“Proviso for the Parish Children of *Saint Sepulchre's*, and *Elizabeth Hammond*. For *Richard Sterne* of *York* “Esq; For the Duke of *Leeds*.”

C A P. XXV.

An Act for making the Act of the fifth Year of her Majesty's Reign, for the better Preservation of the Game, perpetual, and for making the same more effectual.

5 Annæ, c. 14.
32 H. 8. c. 8.
5 El. c. 21.
23 El. c. 10.
1 Jac. 1. c. 27.
22 & 23 Car. 2.
c. 25. 4 & 5
W. & M. c. 23.
The Act
5 Annæ, c. 14.
made perpetual.
After 1 May
1711, Lords of
Manors shall ap-
point but one
Game Keeper in
one Manor,
whose Name
shall be entred
with the Clerk
of the Peace.
By 3 Geo. 1. c.
11. the Game
Keeper must be
either qualified,
or the Lord's
Servant.
Game Keepers
not so qualified,
or other unqua-
lified Person,
killing or selling
any Hare, &c.
to be liable to
the Forfeitures
inflicted by the said Act on Higlers, &c. 5 Annæ, c. 14.

“WHEREAS the Act made in the fifth Year of her Majesty's Reign, intituled, *An Act for the better Preservation of the Game*, will expire at the End of this present Session of Parliament, unless the same be continued: And whereas the said Act hath been found to be an useful Law for the Preservation of the Game of this Kingdom; Be it therefore enacted by the Queen'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 the Clauses, Matters, and Things therein contained, shall stand in full Force and Virtue, and be continued, and deemed, and taken to be a perpetual Law, subject nevertheless to the Additions or Alterations herein after in this Act contained: That is to say, Whereas by the said recited Act, any Lord or Lady of a Manor might appoint several Game Keepers in the same Manor, and every one of the Game Keepers so appointed might kill any Game in the same Manor; For the Preventing therefore of the Destruction of the Game of this Kingdom, which may happen by appointing several Game Keepers in the same Manor, with Authority to kill the Game therein; Be it further enacted by the Authority aforesaid, That from and after the first Day of May one thousand seven hundred and eleven, no Lord or Lady of a Manor shall make, constitute or appoint above one Person to be a Game Keeper within any one Manor, with Power or Authority to kill or destroy the Game thereof; and that the Name of such Person, so to be authorized to kill the Game, shall, from time to time, be entred with the Clerk of the Peace, for the time being, of the County, Riding, or Division wherein such Manor doth lie, such Entry to be made and viewed without Fee or Reward, and a Certificate thereof to be granted by the Clerk of the Peace, upon Payment of one Shilling for the same; and in case any other Game Keeper, whose Name shall not be so entred, as aforesaid, who shall not be otherwise qualified by the Laws of this Kingdom to kill Game, shall presume to kill any Hare, Pheasant, Partridge, Moor, Heath-Game, or Grouse, or if any Game Keeper or Game Keepers, or other Person or Persons whatsoever, not being qualified in his own Right to kill Game, shall sell, or expose to Sale, any Hare Pheasant, Partridge, Moor, Heath Game, or Grouse, the respective Offender or Offenders herein shall, for every Offence, incur such Forfeitures, Pains, and Penalties, as are inflicted by the said recited Act upon Higlers, Carriers, Inn Keepers, or Victuallers, for buying or selling of Game, such Forfeitures to be recovered by such Means, and in such Manner and Form, and within such Time, and to such Uses, as are prescribed by the said Act; any thing in the said recited Act, or in any other Law or Statute to the contrary thereof in any wise notwithstanding.

If any Hare, &c.
be found in the
Shop, &c. of any
unqualified Per-
son, &c. it shall
be judged an ex-
posing to Sale.
Killing any
Hare, &c. in
the Night, to

II. And be it further enacted by the Authority aforesaid, That if any Hare, Pheasant, Partridge, Moor, Heath Game, or Grouse, shall be found in the Shop, House, or Possession of any Person or Persons whatsoever, not qualified in his own Right to kill Game, or being entitled thereto under some Person so qualified, the same shall be adjudged, deemed, and taken to be an exposing thereof to Sale, within the true Intent and Meaning of this and the said recited Act; any thing in this or in the said recited Act contained to the contrary thereof in any wise notwithstanding.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall take, kill, or destroy any Hare, Pheasant, Partridge, Moor, Heath Game, or Grouse, in the Night Time,
the

the Person or Persons so offending, shall likewise for every such Offence incur such Forfeitures, Pains, and Penalties, as aforesaid, to be recovered likewise by such Means, within such Time, and to such Uses, as aforesaid.

IV. And whereas very great Numbers of wild Fowl, of several Kinds, are destroyed by the pernicious Practice of driving and taking them with Hayes, Tunnels, and other Nets, in the Fens, Lakes, and broad Waters, where Fowl resort in the moulting Time, and that at a Season of the Year when the Fowl are sick, and moulting their Feathers, and the Flesh unsavoury and unwholesome, to the Prejudice of those that buy them, and to the great Damage and Decay of the Breed of wild Fowl; Be it therefore further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, between the first Day of July and the first Day of September, as they shall yearly happen, shall by Hayes, Tunnels, or other Nets, drive and take any wild Duck, Teal, Widgeon, or any other Fowl, commonly reputed Water Fowl, in any of the Fens, Lakes, Broad Waters, or other Places of Resort for Wild Fowl in the Moulting Season, such Person or Persons, who shall so offend, and thereof shall be convicted before any one or more of her Majesty's Justices of the Peace for the County where such Offence shall be committed, by the Oath of one or more credible Witnesses, shall for every Wild Duck, Teal, or other Water Fowl so taken, as aforesaid, forfeit and pay the Sum of five Shillings; one Moiety thereof to be paid to the Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed; the same to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of the Justice and Justices of the Peace, before whom the Offender shall be convicted, rendering the Overplus, if any be, above the Penalty and Charge of Distress; and for want of Distress the Offender or Offenders shall be committed to the House of Correction for any Time not exceeding one Month, nor less than fourteen Days, there to be whipt and kept to hard Labour; and the Justice or Justices of the Peace, before whom such Person or Persons so offending shall be convicted, shall order such Hayes, Nets, or Tunnels, that were used in driving and taking the said Wild Fowl, as aforesaid, to be seized, and immediately destroyed, in the Presence of such Justice or Justices.

incur the like Forfeitures.
10 Geo. 2. c. 32.
No Person shall between 1 July and 1 Sept. take any wild Duck, &c. by Hayes, &c.
on Forfeiture of 5s. for each Wild Fowl, &c.
One Moiety to the Informer, the other to the Poor, to be levied by Distress, for want of which the Offender to be committed.
Such Hayes, &c. to be destroyed.
28 Geo. 2. c. 12.

Further Provisions relating to Game, 3 Geo. 1. c. 11. 8 Geo. 1. c. 19. 10 Geo. 2. c. 32. 26 Geo. 2. c. 2. and

C A P: XXVI.

An Act for the better Preservation and Improvement of the Fishery within the River of Thames, and for regulating and governing the Company of Fishermen of the said River.

13 Ed. 1. c. 47.
31 Ed. 3. Stat. 2.
c. 1. 2, & 3.
31 Ed. 3. Stat. 3.
c. 1 & 2.
13 R. 2. Stat. 1: c. 19.
17 R. 2. c. 9.
2 H. 6. c. 15.
22 Ed. 4. c. 2.
31 H. 8. c. 2.
1 El. c. 17.
5 El. c. 5.
3 Jac. 1. c. 12.
After 10 June 1711. the Court of Assistants of the Fishermens Company may make By-Laws, to be approved by the Court of Aldermen of London, who shall chuse yearly out of the 6 Wardens of the said Company, a Master of the Art of Fishermen; and out of the 12 Assistants 6 Wardens (the Water Bailiff of London to be one) and 30 Assistants. The Master, &c. constituted the Court of Assistants, who shall meet the first Thursday in every Month, to regulate Abuses, &c.
They shall summon the Fishermen, and cause their Names to be registred, &c. shall cause Marks to be put on every Boat.

WHEREAS the Preservation of the Fishery of the River of Thames, and the good Government of the Company of Fishermen of the said River, are not only highly necessary for furnishing her Majesty's Subjects inhabiting within the Cities of London and Westminster, and the Parts adjacent, with good, wholesome, cheap, and seasonable Fish, but likewise advantageous to her Majesty, and the Trade of this Kingdom, in breeding up able-bodied Sea-faring Men, and preventing Frauds committed in running of Goods and Merchandizes, whereby the Revenues of the Crown have been much lessened; Be it enacted by the Queen'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 from and after the tenth Day of June one thousand seven hundred and eleven, it shall and may be lawful to and for the Court of Assistants of the said Company for the time being, or the major Part of them present, to make such By-Laws and Ordinances for the good Rule and Government of the said Company, as they shall think fit, so as the same be always first approved of, or from time to time altered or amended by the Court of the Lord Mayor and Aldermen of the City of London, and likewise allowed and confirmed, according to the Form of the Statute in that Behalf made and provided; and that from and after the said tenth Day of June, there shall be yearly and every Year elected and chosen by the next Court of Lord Mayor and Aldermen, to be held after the said tenth Day of June, out of the six Wardens of the said Company, for the time being, to be nominated by the said Court of Assistants, one fit Person to be a Master of the said Art or Mystery of Fishermen; and also out of twelve Assistants to be nominated, as aforesaid, six fit Persons to be Wardens of the said Art or Mystery, (whereof the Water Bailiff of the City of London, for the Time being, shall be one) and in like Manner out of sixty of the Commonalty to be nominated, as aforesaid, thirty fit Persons to be Assistants of the said Company; which said Master, Wardens, and Assistants, or any sixteen of them, together with three of the said Wardens, shall be, and are hereby constituted the Court of Assistants of the said Company, for the time being, and shall meet and assemble together, from time to time, on the first Thursday in every Calendar Month in the Year, in the Hall of the said Company, in order to form the said Court of Assistants, and keep the same, for regulating and reforming Abuses committed in the said Fishery, and for the due ordering and Governance of the said Company; to the holding of which Court the said Water Bailiff shall be always duly summoned to attend; and the said Court of Assistants, or the major Part of them present, shall, from time to time, call before them all and every such Person and Persons as shall use to fish or drudge within the Limits of the said Fishery as common Fishermen or Drudgermen, and cause every such Person and Persons, being duly qualified, or having served on board her Majesty's Navy for the Space of two Years, to have his or their Name or Names entred and registred in a Book or Books to be kept by the said Court of Assistants for that Purpose, together with his and their respective Places of Abode, and the Name of every Apprentice or Servant belonging to him or them, in using the Trade of fishing or drudging within the said Limits; and shall likewise cause some Mark of Distinction, by Figure or otherwise, to be placed on every Boat, Vessel, and Craft, which shall, after the said tenth Day of June, be used in fishing or drudging within the Limits aforesaid; which said Figure

Every Person summoned, &c. and refusing to appear, shall be sent on board the Fleet, and disabled from fishing for 2 Years.

No Spawn, &c. to be killed, &c.

nor Fish caught out of Season.

No Salmon to be taken between 24 Aug. and 11 Nov.

The Lord Mayor, &c. may order Stakes to be fixed in the River, to preserve the Fry.

No Fish shall be sold more than once within Billingsgate Market, &c. and none to sell Fish in the said Market, except five Fishmongers, Fishermen, &c.

The Court of Assistants to pay 30l. per Ann. to the Water Bailiff.

No Fish to be sold in the said Market, &c. before 3 in the Morning from Lady Day to Michaelmas, and 5 from Michaelmas to Lady Day.

The Lord Mayor, &c. shall have Power to determine Complaints,

and impose a Fine on Offenders, not above 10l. nor less than 5s. to be levied by Distress, unless paid immediately, or Security given to abide the Order of the said

or Mark of Distinction shall not be changed, altered, or defaced, to the end, that from time to time, and at all Times hereafter, every such Person and Persons, Apprentice, and Servant, as shall offend, contrary to the Meaning of this Act, may the better be detected, and that her Majesty, her Heirs and Successors, may the better be enabled to know what Number of able-bodied Seamen the said Company can furnish for publick Service; and that every Person and Persons being duly summoned by the Direction of the said Court of Assistants, to be and appear before them, in order to be entred and serve on board her Majesty's Navy, who shall, without lawful Cause, refuse or neglect to appear, according to the Tenor of such Summons, shall be sent on board her Majesty's Navy, and be disabled from fishing on the said River of *Thames* for the Space of two Years.

II. And be it enacted by the Authority aforesaid, That no Person or Persons whatsoever shall, from and after the said tenth Day of *June*, wilfully kill, or expose to Sale, any Spawn, Fry, or Brood of Fish, or Spatt of Oysters, or any unfizable, small, or unwholsome Fish, or catch, kill, or destroy any Fish out of Season, or expose such Fish to Sale, or wilfully or knowingly buy, harbour, receive, or use as Food for Hogs, or otherwise, any such Spawn, Fry, Brood of Fish, or Spatt of Oysters, unfizable, small, or unwholsome Fish, or any Fish caught out of Season, on Pain of being punished as herein after is mentioned; and that Salmon Fish, which are become very scarce by destroying great Quantities of Salmon, and Salmon-kind Fish, betwixt the twenty-fourth Day of *August* and the eleventh Day of *November* in every Year, when they are out of Season, or spawning, may become very plentiful and common in the said Fishery, as they were formerly, no Person or Persons whatsoever shall presume to fish for, or take and wilfully kill, hurt, or destroy any Salmon, or Salmon-kind Fish within the said Limits, at any Time or Times betwixt the said twenty-fourth Day of *August* and the said eleventh Day of *November* in any Year, from and after the said tenth Day of *June*; and that it shall and may be lawful for the said Lord Mayor, upon Application to him by the said Court of Assistants, to order and direct any Number of Stakes to be driven and fixed in any Place within the said River, betwixt the *London* Mark Stone above *Stains* Bridge and *London* Bridge, as by him and them shall be thought most convenient for preserving the Fry, Spawn, and Brood of Fish, so as the same be no ways prejudicial to the Navigation of the said River; and that no Person or Persons whatsoever shall presume, without lawful Authority, to remove, loosen, or pluck up the same, on Pain of being punished as herein after is mentioned.

III. And to the Intent the Publick may be served with Fish cheap, and at the first Hand, and for a more speedy Way to punish Offenders, who daily regrate great Quantities of unfizable and unseasonable, as also other Fish, in and at the Market of *Billingsgate*; Be it therefore enacted by the Authority aforesaid, That no Fish shall be sold more than once within the said Market, or within one hundred and fifty Yards of *Billingsgate* Dock, to which all Sorts of Fish are usually imported; nor shall any Person or Persons, other than free Fishmongers, in their Houses and Shops, situate and being within the Distance of the said one hundred and fifty Yards of the said Dock, and not in the Market of *Billingsgate* aforesaid, and other than Fishermen, or the first Importers of, or Persons bringing up such Fish to the said Market, their Wives, Apprentices, Factors, or Servants, for the time being, actually hired for that Purpose, presume to sell, or expose to Sale, any Manner of Fish whatsoever in or at the said Market, or within one hundred and fifty Yards of the said Dock, after the said tenth Day of *June*, on Pain of being punished as herein after is mentioned.

IV. And be it enacted by the Authority aforesaid, That the said Court of Assistants shall yearly and every Year, by even and equal Portions, on the Feast Days of *Easter* and *Michaelmas*, pay or cause to be paid unto the said Water Bailiff, or his Assigns, the Sum of thirty Pounds, free from all Taxes and other Incumbrances, in Lieu and Satisfaction of such ancient Fees as were due to him, and which will be diminished or taken away, by virtue of this Act, except the granting Licences for taking Fish in their several Seasons, according to Custom, the Benefit whereof is hereby intended to be continued and saved unto the said Water Bailiff for the time being, over and above the said Sum of thirty Pounds *per Annum*.

V. And for the further preventing forestalling, regrating, and engrossing Fish, at unseasonable Hours, in the Market of *Billingsgate*; Be it further enacted by the Authority aforesaid, That no Fish whatsoever shall be sold or exposed to Sale, on board or on shore, (within the Limits of the said Market, or within one hundred and fifty Yards of the said Dock, as aforesaid) by any Person or Persons whatsoever, before the Hours of Three a Clock in the Morning from *Lady Day* to *Michaelmas*, and before the Hours of Five a Clock in the Morning from *Michaelmas* to *Lady Day*, and so annually; and that the proper Officer do ring the Bell appointed for that Purpose, at the Time and Place aforesaid, under the Penalties to be inflicted by this Act.

VI. And be it further enacted by the Authority aforesaid, That the Lord Mayor and Aldermen of the City of *London*, or any one of them, for all Offences committed within the Jurisdiction of the said Lord Mayor, as Conservator of the said River of *Thames*, and the Justices of the Peace of the respective Counties, or any one of them, for all Offences committed in the said Limits, and out of the Jurisdiction of the said Conservator, shall have full Power, upon View, or upon Complaint made to them, or any one of them, to examine, hear and determine, by the Oath of any Person, or by Confession of the Party offending, all Complaints and Offences committed against the Intent of this Act, and upon Conviction of such Offender, to impose a Fine upon him or her, proportionable to the Offence so committed, not exceeding the Sum of ten Pounds, nor less than the Sum of five Shillings, to be levied by Distress, or otherwise, on such Offender's Goods and Chattels, at the Discretion of the said Lord Mayor, Aldermen, or Justices, or any one of them, unless such Offender shall immediately pay such Fine, or give good and sufficient Security to such Magistrate or Magistrates before whom he or she shall be so convicted, to stand to and abide such Order as shall be made by the Court of Conservancy, held by the said Lord Mayor, as Conservator, as aforesaid, upon such Conviction as shall be made by the said Lord Mayor and Aldermen, or any one of them, or at the General Quarter-Sessions, by the Justices of the Peace holding the same, upon any such Conviction.

Conviction made before them, or any one of them, in case the Offender shall think fit to appeal to the said Court of Conservancy, or to the said Quarter-Sessions; and in case no Distress or Distresses can be found, the Offender or Offenders shall be sent to the House of Correction, there to remain without Bail or Main-prize, and to be kept to hard Labour, for any Time not exceeding two Months; and that all and singular the Forfeitures and Penalties arising by this present Act, for any Offences contrary thereunto, committed within the Jurisdiction of the said Conservator, shall, from time to time, be paid, the one Moiety to the Informer, the other Moiety unto the said Lord Mayor, as Conservator of the said River of *Thames*; and that all the Forfeitures and Penalties arising by this present Act, for any Offences contrary thereunto, committed out of the Jurisdiction of the said Conservator, shall, from time to time, be paid, the one Moiety to the Poor of the Parish where such Offence shall be committed, and the other Moiety to such Person who shall prosecute the said Offender.

Court of Conservancy, &c.
If no Distress, the Offender to be sent to the House of Correction for 2 Months.

How the Forfeitures shall be applied.

VII. Saving always to the Queen's most Excellent Majesty, her heirs and Successors, and all Bodies Politick or Corporate, and to the High Court of Admiralty, and the Court of Conservancy, and all other Courts and Persons, all Fines, Forfeitures, Penalties, Amerciaments, and Wreck of Sea, which of Right have been reserved, and become due and payable to the said Courts and Persons respectively, for and in respect of the said Fishery or Drudging, or otherwise, and all Rights, Titles, Estates, Jurisdictions, Privileges, Franchises, or Demands whatsoever, in as full and ample Manner as the same were or have been before the making of this Act.

Saving to the Crown, &c. all Fines, Forfeitures, &c.

VIII. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to prejudice or derogate from the Rights, Privileges, or Authorities of the City of *London*, exercised by the Lord Mayor of the said City for the time being, as Conservator of the said River of *Thames* and Waters of *Medway*, or elsewhere, or any of the Rights of the Admiralties or Vice-Admiralties of *Kent* or *Essex*, or the Piscaries or Fishings belonging or appertaining to the said City of *London*, or any other City or Town Corporate, or any Lords of Manors, Proprietors, Owners, or Occupiers of any Rivers, Creeks, Streams, or Fisheries, adjacent to, or within any Part of the said Limits, or to the Rights of any other Person or Persons within the Limits aforesaid.

This Act shall not prejudice the Rights, &c. of *London*, nor of the Admiralties of *Kent* or *Essex*, &c. nor of any Lords of Manors, &c.

IX. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Fishermen or Drudgermen, who now do, or shall hereafter inhabit or dwell in any of the Cinque Ports, or their Members, or in the City of *Rocheſter*, or Towns or Places of *Strood*, *Chatham*, *Finsbury*, *Gillingham*, *Milton*, *Queenborough*, *Feverſham*, *Whitſtiple*, or the Places adjacent; but that such Fishermen and Drudgermen shall and may use and exercise their Trades of Fishing and Drudging, and Selling, in as full and ample a Manner as they have heretofore lawfully done, to all Intents and Purposes as if this Act had never been made.

Nor shall it extend to Fishermen who dwell in the Cinque Ports, *Rocheſter*, &c.

X. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be, and is hereby declared to be a Publick Act of Parliament, of which all Judges, Justices, and other Persons are to take Notice; and in case any Action, Bill, Complaint, Suit, or Information shall be commenced or prosecuted against any Person or Persons for what he or they shall do in pursuance, or by virtue of this Act, such Person or Persons shall and may plead the General Issue, and give this Act, and the Special Matter in Evidence; and the Defendant or Defendants shall, in case the Plaintiff be nonsuited, or discontinue his Action, or that a Judgment upon a Demurrer, or a Verdict pass against the Plaintiff, recover his or their full Costs of Suit, for which the said Defendant or Defendants shall have the like Remedy as in such Cases where Costs by the Laws of this Realm are given to Defendants.

It shall be taken as a Publick Act; and if an Action, &c. be brought, the Defendant may plead the General Issue, &c. and shall recover full Costs.

XI. Saving also unto *Margaret Cage*, Widow, her Executors, Administrators, and Assigns, out of all Monies arising to the said Company by this Act, and the other Profits and Income of the said Company, one Annuity granted unto her, under the Common Seal of the said Company, for her Life, and all Ar-rears thereof, with Interest.

Saving to *Margaret Cage* her Annuity for Life.

ſions concerning the Fiſhery, 1 Geo. 1. ſtat. 2. c. 18. 5 Geo. 1. c. 18. 2 Geo. 2. c. 19. 9 Geo. 2. c. 33. 22 Geo. 2. c. 49. 23 Geo. 2. c. 24 & 26. 26 Geo. 2. c. 9. 28 Geo. 2. c. 14. 29 Geo. 2. c. 23 & 39. 30 Geo. 2. c. 21 & 30. 33 Geo. 2. c. 27.

Farther Provi-

C A P. XXVII.

An Act for the Encouragement of the Trade to *America*.

E X P.

WHEREAS by an Act of Parliament made in the sixth Year of her Majesty's Reign, intituled, *An Act for the Encouragement of the Trade to America*; it is, among other Things, enacted, That the Flag-Officers, Commanders, and other Officers and Seamen of any Ship or Vessel of War in her Majesty's Pay or Service, and the Owner or Owners of any Private Ship of War, authorized and appointed by Commission or Commissions according to the said Act, during the present War, to attack, surprize, seize, and take any Ship, or other Private Ship or Ships of War, or Vessels, Goods, Ammunition, Arms, Stores of War, or Merchandizes, belonging to, or possessed by any of her Majesty's Enemies, in any Sea, Creek, Haven, or River in *America*, (except as therein is excepted) shall have the sole Interest and Property of and in all and every such Ship, Vessel, Goods, and Merchandizes, being first adjudged lawful Prize, in any of her Majesty's Courts of Admiralty, and subject to the Customs and Duties payable to her Majesty, as if the same had been first imported to any Part of *Great Britain*, and from thence exported, for and in respect of all such Goods and Merchandizes, to be divided and disposed of as in the said Act is directed; in pursuance of which Act several Bonds and other Securities have been given for the Payment of such Customs and Duties for Prize Goods and Merchandizes taken in *America*, and adjudged to be lawful Prize; but by Experience it is found that the subjecting such Prize Goods and Merchandizes taken in *America*, to such Customs and Duties, as if the same had been imported into any Part of *Great Britain*, and from thence exported, hath been very prejudicial to her Majesty's Plantations and

6 Annæ, c. 37.

Colonies, and hath, in a great Measure, prevented the Importation thereof into those Plantations and Colonies; Be it therefore enacted, &c.

After 1 June 1711. all Prize Goods, &c. taken in America, shall be liable to Duties. See 10 Annæ, c. 22. and 10 Ann. c. 26. § 113.

II. And whereas several Bonds and other Securities have been obtained at Jamaica, for the Payment of Duties chargeable by virtue of the said Clause in the Act of the sixth Year of her Majesty's Reign, upon Cocoa, Sugars, Indico, Snuff, Tobacco, Picmento, and other Commodities of the Growth of America, which are usually afterwards imported into this Kingdom, and pay the full Duties here; and also for Wines and Brandies which are seldom sent from Great Britain, which may reasonably be discharged of the said British Duties, because the said several Commodities are, upon their Importation into Jamaica, liable to pay large Customs towards the Support of that Government; Be it therefore, &c.

All Bonds, &c. at Jamaica, to which Captors are liable for Duties on Cocoa, Sugar, &c. shall not be prosecuted till the End of the next Sessions of Parliament. The Tenor, &c. of the said Bonds, &c. to be certified to the Commissioners of the Customs in England, who shall make Report thereof to the Commons in next Parliament. All Prize Goods imported into Great Britain, made liable to the same Duties as if they had not been Prize.

Concerning Plantations, see farther 4 Geo. 1. c. 11. 8 Geo. 1. c. 12 & 15. 13 Geo. 1. c. 5. 3 Geo. 2. c. 12 & 28. 4 Geo. 2. c. 15. 5 Geo. 2. c. 7 & 9. 6 Geo. c. 13. 8 Geo. 2. c. 19. 12 Geo. 2. c. 30. 15 Geo. 2. c. 31 & 33. 24 Geo. 2. c. 51 & 53. 29 Geo. 2. c. 5 & 35. 30 Geo. 2. c. 9.

C A P. XXVIII.

An Act to dissolve the present, and prevent the future Combination of Coal-Owners, Lightermen, Masters of Ships, and others, to advance the Price of Coals, in Prejudice of the Navigation, Trade, and Manufactures of this Kingdom, and for the further Encouragement of the Coal-Trade.

9 H. 5. stat. 1. c. 10. 16 & 17 Car. 2. c. 2. 30. c. 2. c. 8. 6 & 7 W. 3. c. 18. 9 & 10 W. 3. c. 13. 10 & 11 W. 3. c. 21. 8 Ann. c. 4. 9 Ann. c. 6 & 22.

WHEREAS the Cities of London and Westminster, and other Places, are chiefly supplied with Coals brought by Sea from the Counties of Durham, Northumberland, and Town and County of Newcastle upon Tyne, and the having the same at cheap and reasonable Prices, tends greatly to the Improvement of the Manufactures and Increase of the Trade and Navigation of this Kingdom, by breeding and employing many thousands of skilful Mariners for the Service of her Majesty, and Defence of the Realm, and to the Relief of the Poor; and for that End, and for the better advancing of the Duties upon Coals granted to her Majesty for the carrying on the present War against the Common Enemy, it is necessary the same should not be monopolized, but that the Coal Trade should be free and open, and that all Prejudices, Hindrances, and Obstructions, that may any ways affect the said Trade, should be removed, prevented, and hindered; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That all and every Contract or Contracts, Covenants or Agreements, whether the same be in Writing or not in Writing, and whether heretofore made or entered into, or hereafter to be made or entered into, by or between any Coal-Owners, Lightermen, Fitters, Masters, or Owners of Ships or Vessels, Crimps, Coal Factors, or other Person or Persons whatsoever concerned in the said Coal Trade, for engrossing Coals, or for restraining or hindring any Person or Persons whomsoever from freely selling, buying, loading or unloading, navigating or disposing of Coals, in such Manner as they lawfully may, shall be, and are hereby declared to be illegal, null, and void, to all Intents and Purposes: And further, that if any Coal Owners, Lightermen, Fitters, Masters, or Owners of Ships or Vessels, Crimps, Coal Factors, or any other Person or Persons whatsoever, shall, at any Time or Times, from and after the first Day of June one thousand seven hundred and eleven, keep up, continue, act in, make, enter into, sign, seal, or be knowingly interested or concerned in any Contract or Contracts, Covenants or Agreements, before by this Act declared to be illegal, null, and void, or shall erect or keep up any Office or Offices, Chamber or Chambers, or other Place or Places for the Management of such Contract or Contracts, Covenants or Agreements, as Party or Parties to, or knowingly interested in the same, or shall any ways act or officiate therein, as Officer, Clerk, Agent, or Servant to or for the Persons so contracting, agreeing, or acting, contrary to the true Intent and Meaning of this Act, the Person or Persons so offending shall, for every such Offence, forfeit and pay as follows; that is to say, every Coal Owner or Owners, or Proprietor of or in any Pit or Mine, Pits or Mines of Coal, the Sum of one hundred Pounds; and every Fitter, whether acting by himself, his Agent or Servant, the Sum of fifty Pounds; and every Master or Owner of any Ship or Vessel, the Sum of twenty Pounds; and every Officer, Clerk, Agent, or Servant, as aforesaid, the Sum of twenty Pounds.

Contracts between Coal Owners, &c. for engrossing Coals, &c. illegal.

Penalty on Coal Owners, &c. after 1 June 1711. keeping up such Contracts, &c.

Fitters Certificates to the Ship Master,

II. And for the further Encouragement of the said Coal Trade, and for preventing of Frauds and Abuses therein; Be it further enacted by the Authority aforesaid, That every Fitter or other Person, vending or delivering Coals, or some or one of them, shall give a full, true, and ample Certificate or Certificates to each and every Ship Master every Voyage, signed by his or their Hand Writing, containing the Day of the Month, and Year of such Loading, the Masters and Ships Names, and the exact Quantity, and the usual Names of the several and respective Collieries out of which the said Coals are and shall be wrought and gotten, and the Price paid by the Master or Masters for each and every Sort of Coals that each and every Fitter or other Person, vending or delivering Coals, as aforesaid, his or their Agent or Servant, hath sold and loaded on board each and every Ship or Vessel; which said Certificate or Certificates shall, upon the Arrival

Arrival of the said Ship at the Port of *London*, or any other Delivering Port, be registred, if delivered in the Port of *London*, at the Coquet Office, always kept and appointed by the Lord Mayor of *London*, for the time being; and if delivered in any other Delivering Port, then at the Custom-house, with the Keeper of the Coquets there, for registring whereof no more than six Pence shall be paid; to which said Register any Person or Persons shall and may have Recourse to see and examine without Fee or Reward: And in case any Person or Persons omit or refuse to give such Certificate or Certificates, as aforesaid; or shall give or make any false Certificate or Certificates, or any Master or Masters of any Ship or Vessel shall knowingly give in any false Certificate or Certificates to be registred, or shall not, within forty-eight Hours after Entry of his Ship at the Custom-house of *London*, or other Delivering Port, give in his or their Certificate or Certificates to be registred in Manner aforesaid; or if the Person or Persons who ought to register, file, or enter such Certificate or Certificates, or his or their Clerk or Deputy, officiating in such Office or Offices, shall neglect to register the same for the Space of four and twenty Hours after the delivering such Certificate or Certificates into such Office or Offices, or shall make a false Entry of such Certificate or Certificates; or refuse to shew and produce such Certificate and Certificates, and Register thereof, to any Person or Persons, coming at the usual Office-hours to see and inspect the same; every Person so offending shall, for every such Offence, forfeit and pay the Sum of ten Pounds.

III. And whereas several Lightermen, Masters of Ships, Crimps, Coal Factors, or other Persons dealing or being concerned in the Coal Trade, in the Port of *London*, or other Ports, have received Salaries, Gratuities, Rewards, or Sums of Money, either by the Year or Chalder, or otherwise, from the Coal Owners, Fitters, or Masters of Ships, in the Port of *London*, or elsewhere; to the Discouragement of the said Coal Trade; For Remedy whereof, be it further enacted by the Authority aforesaid, That if any Lighterman or Lightermen, Master or Masters of Ships, Crimp, Coal Factor, or other Person or Persons, buying or selling, or dealing in Coals, or otherwise concerned in the Coal Trade, by him or themselves, his or their Agent or Servant, or any other Person or Persons, shall, at any Time or Times, from and after the first Day of *June* aforesaid, receive or take, for the Use or Benefit of such Lighterman or Lightermen, Master or Masters of Ships, Crimp, Coal Factor, or other Person or Persons, any Salary, Gratuity, Reward, Allowance, Sum or Sums of Money, from any Coal Owner, Fitter, Master of Ships, or other Person or Persons whatsoever, for contracting, buying, vending, selling, or disposing of any particular Sorts of Coals, in Preference of any other Sorts of Coals, or for the Loading of any Ship or Vessel, or for the Dispatch, Delivery, or Disposal of the Coals from on board of any Ship or Ships, or Vessels, before other Ship or Ships, or Vessels, or shall knowingly sell one Sort of Coals for and as a Sort which they really are not; every Person offending shall, for every such Offence, forfeit and pay the Sum of fifty Pounds.

IV. And for the better Discovery of all or any the Offences in this Act mentioned; Be it enacted by the Authority aforesaid, That any Person that shall be guilty of any the said Offences, and shall, within three Months, after the Offence committed, make Discovery of any Coal Owner or Owners, or Proprietor of any Coal Pit or Pits, or of any Fitter, their Officer, Clerk, Agent or Servant, or of any Master or Owner of any Ship or Vessel, or of any Lighterman, Crimp, Coal Factor, or other Person concerned in the Coal Trade, so as he or they shall be convicted of any of the said Offences, such Discoverer shall be discharged of and from the Penalties and Forfeitures for such Offences, and shall receive the same Benefit and Advantage as any other Person or Persons shall be entitled unto, by virtue of this Act, for such Discovery or Information.

V. And be it further enacted, That if any Number of Ships, being loaden with Coals, and bound for the Port of *London*, or any other Port where the said Coals shall be delivered, exceeding fifty in the Whole, shall, after they are loaden, continue in the Port of *Newcastle*, or in any other Port or Place between *Newcastle* and *London*, above the Space of seven Days, unless they shall be unloaden in such Port or Place, or prevented by Wind and Weather, or for Want of necessary Repairs, Convoy, or some other unavoidable Cause, every Master of every Ship, so continuing, shall, for every such Offence, forfeit and pay the Sum of fifty Pounds.

VI. And whereas the exporting Coals to Parts beyond the Seas, in *British* Ships, tends very much to the Improvement and Increase of the *British* Navigation; To the End therefore that all reasonable Encouragement may be given to such Exportation; Be it further enacted by the Authority aforesaid, That any Ship Master, whose Ship is loaden with Coals only, and has entred into Bond to deliver the said Coals in some Port of *Great Britain*, may, upon producing his Coast Cocquet, and making Oath of the true Quantity of Coals aboard his Ship (such Quantity not being less than is expressed in the said Cocquet) before the proper Officer of the Customs, in any Port of *Great Britain*, pay the Custom or Over-Sea Duty for such Coals, and shall, on such Payment, receive a Certificate, signed and sealed by the Custom and Comptroller of such Port, for such Duty so paid; which Certificate, being given into the Custom-House of the Port where such Coals were laid on board, shall discharge the Coast Bond given by such Ship Master, in the same Manner as if the said Coals had been landed in some Port of *Great Britain*.

VII. And whereas several Persons acting as Crimps, Husbands, Agents, or Factors for Masters of Ships importing Coals into the Port of *London*, under Colour of such their Employments, do often fraudulently vend the Coals intrusted to them by the said Ship Masters, as aforesaid, to their own Agents, Partners, Servants, or other Persons, for their own Use and Benefit, and at Rates below the Market Price, and when so sold do again greatly advance the Rates thereof, to the Prejudice and Discouragement of the said Ship Masters, and great Oppression and Hindrance of the Manufacturers, and other Consumers of Coals; For Remedy whereof, and preventing the like Mischief for the future; Be it further enacted by the Authority aforesaid, That if any Person or Persons, acting as Crimp, Husband, Agent, or Factor for any Ship Master importing Coals into the said Port of *London*, shall, from and after the said first Day of *June*, vend or sell to his or their own Agents, Partners, or Servants, or to any other Person or Persons whomsoever, in Trust for him or them, or for his or their own Use or Benefit, the Coals, or any Part thereof

to be registred at the Coquet Office in *London*, or with the Keepers of Coquets in other Ports.

Refusing to give Certificate, &c.

or not registring, &c. forfeits 10l.

Lightermen, &c. receiving Salaries from Coal Owners, &c. forfeit 50l.

Five hundred Pounds are forfeited, over and above the Penalty hereby inflicted.

3 Geo. 2. c. 26. §. 4.

Offender discovering, indemnified, and rewarded.

Above fifty Coal Ships, continuing in Port 7 Days, Masters forfeit 50l. each.

Ship Master, paying Over-Sea Duties for Coals, to have Coast Bond discharged.

Crimps, &c. vending Coals to their own Agents, in Trust for themselves, forfeit 50l.

thereof intrusted by any Ship-Master to him: of them so to be sold, as aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of fifty Pounds.

Fitters, &c. laying Coals aboard Keels not gauged; forfeit 10l.

VIII. And for preventing the great Abuses to her Majesty in her Customs and Revenue, by the secret Practices between the Fitter, or Person laying Coals on board the Ships, and the Ship Masters, by laying the said Coals on board in Keels and Vessels not admeasured, gauged, and marked, according to Law; Be it therefore enacted by the Authority aforesaid, That every Fitter, or other Person laying, loading, or putting Coals on board any Ship, or other Vessel, in the Port of *Newcastle upon Tyne*, *Sunderland* upon the *River Ware*, *Cullecoats*, *Seaton Sluice*, *Blythe Nooke*, or any other the Members, Havens, Creeks and Places whatsoever, to the said Port of *Newcastle* belonging, or in any wise appertaining, by or in any Keel, Cart, Wain, or other Vessel, not admeasured, gauged, and marked, according to the Law in that Case made and provided, shall forfeit and pay for every such Offence the Sum of ten Pounds.

Colliers not to employ other Mens Servants,

IX. And for the better carrying on of the said Coal Trade; Be it enacted by the Authority aforesaid, That no Coal Owner of any Collieries or Coal Mines, within the Counties of *Northumberland*, *Durham*, or Town and County of *Newcastle upon Tyne*, or his or their Overman or Overmen, Staithman, Fitter, or Agent, shall knowingly employ or set at Work any Overman, Under-Overman, Pitman, Sinker, Carriage Man, Waggon Driver, Skipper, Keelman, Labourer, Wright, or other Person or Persons, who are or shall be retained, hired, or agreed with, and actually employed in the said Coal Trade by any other Coal Owner (of any Collieries or Coal Mines, lying or being within the Counties aforesaid, or any of them) or his or their Overman, Staithman, Fitter, or Agent, during the Time he shall be employed under such Retainer, Hiring, or Agreement, and his Wages duly paid, or knowingly keep or employ such Person or Persons, upon Pain and Penalty, for every six Days he or they shall keep or employ such Person or Persons, to forfeit and pay for every such Offence the Sum of five Pounds.

Unless Wages not paid in 14 Days,

X. Provided, That any Persons who shall be retained, hired, or agreed with, as aforesaid, and shall not be paid their Wages within fourteen Days after the same shall become due, may be hired and employed by any other Person or Persons whatsoever.

Penalties how to be distributed, &c.

XI. And be it enacted by the Authority aforesaid, That all and singular the Penalties and Forfeitures in this Act mentioned shall be, one Moiety to her Majesty, her Heirs and Successors, and the other Moiety thereof to him or them that shall sue for the same within the Space of three Months next after the Offence shall be committed, to be recovered with full Costs of Suit by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Effoin, Protection, or Wager at Law, shall be allowed, or more than one Impar lance given.

Act to continue 3 Years, &c. Farther Provisions concerning

XII. Provided always, and be it enacted by the Authority aforesaid, That this Act shall continue and be in force for three Years, and from thence to the End of the next Session of Parliament, and no longer. [Made perpetual by 1 Geo. 1. stat. 2. c. 26.]

12 Ann. stat. 2. c. 9 & 17. 3 Geo. 2. c. 26. 4 Geo. 2. c. 30. 10 Geo. 2. c. 32. (which is made perpetual by 31 Geo. 2. c. 42.) 11 Geo. 2. c. 15. 13 Geo. 2. c. 21. 14 Geo. 2. c. 41. 17 Geo. 2. c. 35. 19 Geo. 2. c. 35. 22 Geo. 2. c. 37. 23 Geo. 2. c. 26. 32 Geo. 2. c. 27.

C A P. XXIX.

An Act for raising the Militia for the Year one thousand seven hundred and eleven, although the Month's Pay formerly advanced, be not repaid. E X P.

C A P. XXX.

An Act for reviving and continuing an Act made in the first Year of her Majesty's Reign, for the more effectual preventing Abuses and Frauds of Persons employed in the Working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom.

1 Annæ, stat. 2. c. 18.

WHEREAS an Act of Parliament was made in the first Year of her Majesty's Reign, intituled, *An Act for the more effectual preventing the Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom*, to continue for the Space of three Years, to commence from the twenty-fourth Day of June one thousand seven hundred and three, and from thence to the End of the next Session of Parliament, and no longer: And whereas the said Act is expired, but while in being, was found of good Use, for preventing Abuses and Frauds of Persons employed in making of the said Manufactures; Be it enacted by the Queen'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 Act made in the said first Year of her now Majesty's Reign, and every Article and Clause therein contained, shall be revived, and be in full force, from the first Day of May, which shall be in the Year of our Lord one thousand seven hundred and eleven, and from thence be continued and made perpetual.

See the yearly Mutiny Acts.

Anno Regni ANNÆ Reginae decimo.

AT the Parliament begun and holden at *Westminster* the twenty-fifth Day of *November*, Anno Dom. 1710, in the ninth Year of the Reign of our Sovereign Lady *ANNE*, by the Grace of God, of *Great Britain, France, and Ireland*, Queen, Defender of the Faith, &c. being the first Session of this

this present Parliament. And from thence continued by several Prorogations, to the seventh Day of December 1711. * being the second Session of this present Parliament.

And further continued by Adjournments till the eighth Day of July in the eleventh Year of her Majesty's Reign.

C A P. I.

An Act for granting an Aid to her Majesty, to be raised by a Land Tax in Great Britain, for the Service of the Year one thousand seven hundred and twelve. EXP. [4s. in the Pound.]

C A P. II.

An Act for preserving the Protestant Religion, by better securing the Church of England, as by Law established; and for confirming the Toleration granted to Protestant Dissenters by an Act, intituled, An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws, and for supplying the Defects thereof; and for the further securing the Protestant Succession, by requiring the Practicers of the Law in North Briton to take the Oaths, and subscribe the Declaration therein mentioned.

WHEREAS an Act was made in the thirteenth Year of the Reign of the late King CHARLES the Second, intituled, An Act for the well governing and regulating of Corporations; and another Act was made in the five and twentieth Year of the Reign of the said late King CHARLES the Second, intituled, An Act for the preventing Dangers which may happen from Popish Recusants; both which Acts were made for the Security of the Church of England, as by Law established: Now for the better securing the said Church, and quieting the Minds of her Majesty's Protestant Subjects dissenting from the Church of England, and rendering them secure in the Exercise of their Religious Worship, as also for the further strengthening the Provision already made for the Security of the Succession to the Crown in the House of Hanover; Be it enacted, &c.

After 25 March 1712. If any Officer, civil or military, &c. who receives any Salary, &c. or if any Magistrate of a Corporation, &c. who by the Acts of 13 & 25 Car. 2. are obliged to receive the Sacrament, shall after their Admission into their Office, and during their Office, and during their Continuance in it, be present at any Conventicle, &c. such Person shall forfeit 40l. to be recovered by the Prosecutor. Every Person so convicted, shall be disabled to hold his Office, &c. and incapable of any Employment in England, &c. Person, after Conviction, conforming to the Church of England, for one Year, &c. shall be capable of the Grant of any Office. Every such Person to make Oath the next Term after Admission into any Office, or at the Quarter-Session, &c. that he hath conformed, &c. Oath to be made of the Offence within 10 Days, and Prosecution within 3 Months, &c. This Act shall not vacate any Office of Inheritance, so as a sufficient Deputy be appointed to execute it. REP.

VII. And it is hereby further enacted and declared by the Authority aforesaid, That the Toleration granted to the Protestant Dissenters, by the Act made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws, shall be, and is hereby ratified and confirmed, and that the same Act shall at all Times be inviolably observed for the exempting of such Protestant Dissenters as are thereby intended, from the Pains and Penalties therein mentioned.

VIII. And for the rendring the said last-mentioned Act more effectual, according to the true Intent and Meaning thereof; Be it further enacted and declared by the Authority aforesaid, That if any Person dissenting from the Church of England, (not in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, nor any Preacher or Teacher of any Congregation) who should have been intituled to the Benefit of the said last-mentioned Act, if such Person had duly taken, made, and subscribed the Oaths and Declaration, or otherwise qualified him or herself, as required by the said Act, and now is or shall be prosecuted upon or by virtue of any of the penal Statutes, from which protestant Dissenters are exempted by the said Act, shall at any Time during such Prosecution, take, make, and subscribe the said Oaths and Declaration, or being of the People called Quakers, shall make and subscribe the aforesaid Declaration, and also the Declaration of Fidelity, and subscribe the Profession of their Christian Belief, according to the said Act, or before any two of her Majesty's Justices of the Peace, (who are hereby required to take and return the same to the next Quarter-Sessions of the Peace, to be there recorded) such Person shall be, and is hereby entitled to the Benefit of the said Act, as fully and effectually as if such Person had duly qualified himself within the Time prescribed by the said Act, and shall be thenceforth exempted and discharged from all the Penalties and Forfeitures incurred by Force of any the aforesaid penal Statutes.

IX. And whereas it is or may be doubted whether a Preacher or Teacher of any Congregation of dissenting Protestants, duly in all respects qualified according to the said Act, be allowed by virtue of the said Act, to officiate in any Congregation in any County, other than that in which he so qualified himself, although in a Congregation or Place of Meeting duly certified and registred as is required by the said Act; Be it declared and enacted by the Authority aforesaid, That any such Preacher or Teacher, so duly qualified according to the said Act shall be and is hereby allowed to officiate in any Congregation, although the same be not in the County wherein he was so qualified; provided that the said Congregation, or

13 Car. 2. stat. 2. c. 1.
25 Car. 2. c. 2.
This Act repealed to the seventh Section, by 5 Geo. 3. c. 4. §. 1.

The Toleration granted to Protestant Dissenters by 1 W. & M. s. 1. c. 18. confirmed.

If any Dissenters (not in Holy Orders, &c.) who would have been entitled to the Benefit of that Act, if he had taken the Oaths, &c. shall be prosecuted upon any penal Statute, &c. shall during such Prosecution take the Oaths, &c. or being a Quaker shall make the Declaration, &c. he shall be entitled to the Benefit of the said Act. A Dissenting Teacher, qualified according to the said Act, may officiate in any other County.

than where he was qualified. Such Teacher to produce a Certificate, &c. of his having qualified himself, &c. and shall if required make the Declaration, &c.

All Advocates, &c. in Scotland, shall take the Oath appointed by 6 Annæ, c. 14. Farther Provisions relating hereto, 10 Annæ, c. 22. §. 2. Refusing, &c. shall be judged

X. And be it further enacted by the Authority aforesaid, That on or before the fifteenth Day of June next, all Advocates, Writers to the Signet, Notaries Publick, and other Members of the College of Justice, within that Part of her Majesty's Kingdom of *Great Britain* called *Scotland*, shall be and are hereby obliged to take and subscribe the Oath appointed by the Act of the sixth Year of her Majesty's Reign, intituled, *An Act for the better Security of her Majesty's Person and Government*, before the Lords of Session of the aforesaid Part of her Majesty's Kingdom; except such of the said Persons who have already taken the same: And if any of the Persons aforesaid do or shall neglect or refuse to take and subscribe the said Oath, as aforesaid, such Person shall be *ipso facto* adjudged incapable, and disabled in Law to have, enjoy, or exercise in any Manner his said Employment or Practice.

None shall be admitted to the Employment of Advocate, &c. till he hath taken the said Oath. See

XI. And be it further enacted by the Authority aforesaid, That in all time coming, no Person or Persons shall be admitted to the Employment of Advocate, Writer to the Signet, Notary Publick, or any Office belonging to the said College of Justice, until he or they have taken and subscribed the aforesaid Oath, in Manner as is above directed.

C A P. III.

2 Geo. 1. c. 13.

An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and twelve: And for applying Part of the Coinage Duties to pay the Deficiency of the Value of Plate coined; and to pay for the recoinage the old Money in *Scotland*.
E X P.

C A P. IV.

An Act for settling the Precedence of the most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, of the Elector her Son, and of the Electoral Prince the Duke of *Cambridge*.

After the Issue of the Queen's Body, the Princesses *Sophia*, the Elector of *Brunswick*, the Electoral Prince, and the Heirs of the Body of the Princesses *Sophia*, being Protestants, to have Precedence before the Archbishop of *Canterbury*, &c.

WHEREAS by the Laws and Statutes of this Realm, the Imperial Crown and Dignity of the Kingdoms of *Great Britain*, *France*, and *Ireland*, and the Dominions thereunto belonging, after the Demise and Death of your Majesty, our most gracious Sovereign, whom God long preserve in Health and Prosperity, for the Happiness and Good of your Subjects, and in Default of Issue of your Majesty's Body, is limited to the most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, Grand-daughter of the late King *JAMES* the First, and the Heirs of her Body, being Protestants; and your Majesty having, out of your great Affection and Regard to the said most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, and the Heirs of her Body, being Protestants, signified your Royal Pleasure to the Lords Spiritual and Temporal in Parliament assembled, to have their Precedence settled by Act of Parliament, in Manner as herein after is mentioned: We your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and therefore be it enacted by the Queen'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 after the Royal Issue of your Majesty's Body, the said most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, the most Serene Elector of *Brunswick Lunenburgh*, her Son and Heir Apparent, the most Noble *George Augustus*, Electoral Prince of *Hanover*, and Duke of *Cambridge*, only Son of the said most Serene Elector, and also the Heirs of the Body of the said most Excellent Princesses *Sophia*, Electress and Dutches Dowager of *Hanover*, being Protestants, in all Places, and upon all Occasions, shall have Rank and Precedence, and take Place, before the Archbishop of *Canterbury*, and all Great Officers, and the Dukes, and all other Peers of these Realms; any Law, Statute, or Custom whatsoever to the contrary notwithstanding.

C A P. V.

An Act to repeal the Act of the seventh Year of her Majesty's Reign, intituled, *An Act for naturalizing Foreign Protestants* (except what relates to the Children of her Majesty's natural-born Subjects born out of her Majesty's Allegiance.)

7 Annæ, c. 3.

WHEREAS an Act of Parliament was made and passed in the seventh Year of her Majesty's Reign, intituled, *An Act for naturalizing Foreign Protestants*: And whereas divers Mischiefs and Inconveniences have been found by Experience to follow from the same, to the Discouragement of the natural-born Subjects of this Kingdom, and to the Detriment of the Trade and Wealth thereof; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords
Spiritual

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the before-mentioned Act, and all the Matters and Things therein contained (except so much of the said Act by which the Children of all natural-born Subjects born out of the Allegiance of her Majesty, her Heirs and Successors, are to be deemed, adjudged, and taken to be natural-born Subjects of this Kingdom) shall be, and is hereby repealed, annulled, and made void, to all Intents and Purposes whatsoever; provided nevertheless, That such Repeal shall not in any Sort prejudice or impeach the Naturalization of any Persons who have been or shall be naturalized at any Time before the fourth Day of *February* which shall be in the Year of our Lord one thousand seven hundred and eleven, pursuant to the Directions of the before-mentioned Act. 4 Geo. 2. c. 21. *which explains the Clause in 7 Ann. c. 5.*

Repealed, except the Children of natural-born Subjects, born out of the Queen's Allegiance.
This Repeal not to prejudice any Persons naturalized before
4 Feb. 1711.

C A P. VI.

An Act for explaining and altering the Laws now in Being concerning the Assises of Fuel, so far as they relate to the Assise of Billet made or to be made of Beech Wood only.

WHEREAS the several Laws appointing and directing the Assise of Fuel and Billet have been taken to extend unto Billets made of Beech Wood: And whereas the Assise of Billets made of Beech Wood neither have nor can, without very great Loss and Damage, both to the Owners of Beech Wood, and also the Buyers and Consumers of Beech Fuel and Billet, be observed: And whereas several Doubts have lately arisen concerning the Forfeiture of the said Beech Billet not made according to the Scantlings by the said Laws directed or appointed for the Assise of Fuel and Billet, by Reason of some general Words therein contained; Be it therefore enacted and declared by the Queen'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 Laws appointing and directing the Assise of Fuel and Billet, or any of them, or any thing therein, or in any of them contained, shall not nor do any wise extend, nor shall be construed to extend, unto Billet made or to be made of Beech Wood.

34th 35th H. 8.
c. 3.
43rd El. c. 14.
7th Ed. 6. c. 7.

II. Provided nevertheless, That no Person or Persons whatsoever shall sell Billet made of Beech Wood by Retail, within the Cities of *London* and *Westminster*, or either of them, or the Weekly Bills of Mortality, unless the same be assised, cut, or marked, according to the Usage and Manner of marking of Beech Billet before the Act passed the last Session of Parliament, intituled, *An Act for making more effectual an Act of the forty-third Year of the Reign of Queen ELIZABETH, intituled, An Act concerning the Assises of Fuel, so far as it relates to the Assise of Billet,* or by the Weight of the said Beech Billet, if the Buyers thereof shall require the same to be so weighed.

The Laws directing the Assise of Fuel, &c. not to extend to Billet made of Beech Wood.
Beech Wood Billet not to be sold by Retail in *London*, &c. unless it be assised, &c.
9 Annæ, c. 15.
or sold by Weight.

C A P. VII.

An Act to prevent the disturbing those of the Episcopal Communion in that Part of *Great Britain* called *Scotland*, in the Exercise of their religious Worship, and in the Use of the Liturgy of the Church of *England*; and for repealing the Act passed in the Parliament of *Scotland*, intituled, *An Act against irregular Baptisms and Marriages.*

WHEREAS since the abolishing of Episcopal Government in *Scotland*, those of the Episcopal Persuasion there have been frequently disturbed and interrupted in their religious Assemblies, and their Ministers prosecuted for reading the *English* Service in their Congregations, and for administering the Sacraments according to the Form and Manner prescribed in the Liturgy of the Church of *England*; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be free and lawful for all those of the Episcopal Communion in that Part of *Great Britain* called *Scotland*, to meet and assemble for the Exercise of Divine Worship, to be performed after their own Manner by Pastors ordained by a Protestant Bishop, and who are not established Ministers of any Church or Parish, and to use in their Congregations the Liturgy of the Church of *England*, if they think fit, without any Let, Hindrance, or Disturbance from any Person whatsoever; and all Sheriffs of Shires, Stewards of Stewartries, and Magistrates of Boroughs, and Justices of the Peace, are hereby strictly required to give all Manner of Protection, Aid, and Assistance to such Episcopal Ministers, and those of their own Communion, in their Meetings and Assemblies for the Worship of God, held in any Town or Place, except Parish Churches, within the Extent and Jurisdiction of that Part of *Great Britain* called *Scotland*.

It shall be free for those of the Episcopal Communion in *Scotland*, to assemble for Divine Worship after their own Manner, &c.
All Sheriffs, &c. shall give their Protection, &c. in their Meetings, except in Parish Churches,
None shall officiate, but such as have been ordained by a Protestant Bishop; nor till they have presented their Letters of Orders to the Justices, &c. to be registered.

II. Provided always, and be it enacted by the Authority aforesaid, That none shall presume to exercise the Function of a Pastor in the said Episcopal Meetings and Congregations, except such as shall have received Holy Orders from the Hands of a Protestant Bishop; and that every Person who shall be called or appointed to be a Pastor or Minister of any Episcopal Congregation or Assembly, before he take upon him to officiate as Pastor of the said Congregation, be hereby obliged and required to present his Letters of Orders to the Justices of Peace, at their General or Quarter Sessions to be held for the Shire, Stewartry, City, Town or other Place in which the said Episcopal Congregation is or shall be; and that the said Letters of Orders be there entred on Record by the Register or Clerk of the said Meeting of the Justices, for which there shall be no greater Fee or Reward taken than the Sum of one Shilling.

21 Geo. 2. c. 34. §. 13. And see farther 26 Geo. 2. c. 29.

Ministers of the established Church, and of the Episcopal Congregations to take the Oaths, &c. 6 Annæ, c. 14. Farther Provisions relating hereto, 10 Annæ, c. 32.

III. And be it further enacted by the Authority aforesaid, That all Ministers of the established Church of *Scotland*, and all and every Person and Persons, who is or are Pastor or Pastors, Minister or Ministers of any Episcopal Congregation in *Scotland*, shall be obliged, and are hereby required, on or before the first Day of *August* next, to come to take and subscribe the following Oaths, in such Manner, and under such Penalties, as all Officers, Civil and Military in *Scotland* are obliged to take the Oath recited in the fourteenth Act of the sixth Year of her Majesty's Reign, intituled, *An Act for the better Security of her Majesty's Person and Government*; and that all Ministers of the established Church of *Scotland*, hereafter to be admitted into their respective Churches or Benefices, and all and every Person and Persons, who shall hereafter be Pastor or Pastors, Minister or Ministers of any Episcopal Congregation, shall, before such Admission or Exercise of their respective Functions, be obliged to take and subscribe likewise the following Oaths, in the same Manner, and under the same Penalties above-mentioned.

The Oaths.

‘ I *A. B.* do sincerely promise and swear, That I will be faithful, and bear true Allegiance to her Majesty Queen ANNE.’

So help me God.

1 Geo. 1. c. 13.
5 Geo. 1. c. 29.
§. 3.

‘ I *A. B.* do truly and sincerely acknowledge, profess, testify, and declare in my Conscience, before God and the World, That our Sovereign Lady Queen ANNE is lawful and rightful Queen of this Realm, and of all other her Majesty's Dominions and Countries thereunto belonging; and I do solemnly and sincerely declare, That I do believe in my Conscience, the Person pretended to be Prince of *Wales*, during the Life of the late King JAMES, and since his Decease pretending to be, and taking upon himself the Stile and Title of King of *England*, by the Name of JAMES the Third, or of *Scotland*, by the Name of JAMES the Eighth, or the Stile and Title of King of *Great Britain*, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereunto belonging; and I do renounce, refuse, and abjure any Allegiance or Obedience to him. And I do swear, That I will bear Faith and true Allegiance to her Majesty Queen ANNE, and her will defend, to the utmost of my Power, against all traitorous Conspiracies and Attempts whatsoever, which shall be made against her Person, Crown, or Dignity. And I will do my best Endeavour to disclose and make known to her Majesty, and her Successors, all Treasons and traitorous Conspiracies which I shall know to be against her, or any of them. And I do faithfully promise, to the utmost of my Power, to support, maintain, and defend the Succession of the Crown against him the said JAMES, and all other Persons whatsoever, as the same is and stands settled by an Act, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*, to her present Majesty, and the Heirs of her Body being Protestants; and as the same, by one other Act, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, is and stands settled and entailed, after the Decease of her Majesty, and for Default of Issue of her Majesty, to the Princess *Sophia*, Electress and Dutchess Dowager of *Hanover*, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely acknowledge and swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation, and Promise, heartily, willingly, and truly, upon the true Faith of a Christian.

So help me God.

Episcopal Meetings to be held with Doors not locked, &c. and Persons frequenting them not exempted from Tithes, &c.

IV. Provided always, That the Assembly of Persons for religious Worship in the Episcopal Meetings, be held with Doors not locked, barred, or bolted, during such Assembly; and that nothing herein contained shall be construed to exempt any of the Persons frequenting the said Episcopal Congregations from paying of Tithes or other Parochial Duties to the Church or Minister of the Parish to which they belong, and in which they reside.

The Act made in 1695 repealed; and none shall incur any Penalty for resorting to Episcopal Meetings, &c. Episcopal Ministers may preach, &c.

‘ V. And whereas since the Establishment of the Presbyterian Government in *Scotland*, some Laws have been made by the Parliament in *Scotland* against the Episcopal Clergy of that Part of the united Kingdom, and particularly an Act passed in the Parliament held in the Year one thousand six hundred ninety-five, intituled, *Act against irregular Baptisms and Marriages*, by which all Episcopal Ministers, who were turned out of their Churches, are prohibited to baptize any Children, or to solemnize any Marriage, upon Pain of perpetual Imprisonment or Banishment;’ Be it therefore enacted by the Authority aforesaid, That the said Act above-mentioned be hereby repealed and annulled; and that in all Time coming no Person or Persons shall incur any Disability, Forfeiture, or Penalty whatsoever, upon Account of his or their resorting to the said Episcopal Meetings held for the Worship of God; and that it shall be free and lawful for all the Subjects in that Part of *Great Britain* called *Scotland*, to assemble and meet together for Divine Service, without any Disturbance, and to settle their Congregations in what Towns or Places they shall think fit to chuse, except Parish Churches, and for the Episcopal Ministers, not only to pray and preach in the Episcopal Congregations, but to administer the Sacraments, and marry, without incurring any Pain or Penalty whatsoever; any Law or Statute to the contrary notwithstanding.

Children christened by Episcopal Ministers, to be registered where the Parents reside. No Episcopal Minister shall marry any whose Bans have not

VI. Provided always, That the Parents who have their Children christened by Episcopal Ministers, be hereby obliged to enter the Birth and Christning of their Children in the Register Books for Christnings belonging to the respective Parishes in which they live: And provided likewise, That no Episcopal Minister or Ministers, residing within that Part of the United Kingdom called *Scotland*, presume to marry any Persons, but those whose Bans have been duly published three several Lord's Days in the Episcopal Congregations which the two Parties frequent, and in the Churches to which they belong as Parishioners, by virtue of their Residence; and that upon the same Pains and Punishments as are already inflicted by the Laws of *Scotland* in Cases of clandestine Marriages; and the Ministers of the Parish Churches are hereby obliged

obliged to publish the said Bans; and in case of Neglect or Refusal, it shall be sufficient to publish the said Bans in any Episcopal Congregation alone; any Law, Statute, or Custom to the contrary notwithstanding.

been published, &c. Ministers of Churches obliged to publish the Bans. All Laws against Immorality, &c. shall be in Force. This Act shall not give any Ease, &c. to Papists, &c.

VII. Provided always, and it is the true Intent and Meaning of this Act, that all the Laws made against Prophaneness and Immorality, and for the frequenting of Divine Services on the Lord's Day, commonly called Sunday, shall be still in Force, and executed against all Persons that offend against the said Laws, or shall not resort either to some Church, or to some Congregation or Assembly of Religious Worship allowed and permitted by this Act.

VIII. Provided likewise, That neither this Act, nor any Clause, Article, or Thing herein contained, shall extend, or be construed to extend to give any Ease, Benefit, or Advantage to any Papist or Popish Recusant whatsoever, or to any Person that shall deny in his Preaching or Writing, the Doctrine of the Blessed Trinity.

Punishment of such as shall disturb any Congregation of Religious Worship;

IX. And be it further enacted by the Authority aforesaid, That if any Person or Persons, at any time after the twenty-fifth Day of March next to come, shall willingly, and of Purpose, maliciously or contemptuously, come into any Congregation or Assembly of Religious Worship, permitted by this Act, and disturb or disturb the same, or give any Disturbance to the said Congregation at the Doors or Windows, or misuse any Minister or Pastor of such Congregation, such Person or Persons, upon Proof thereof before two Justices of the Peace, by two or more sufficient Witnesses, shall find two Sureties to be bound by Recognizance in the penal Sum of fifty Pounds Sterling, for his or their Appearance at the next General or Quarter Sessions, or before the Court of Justiciary, or other Judge or Judges competent, and in Default of such Sureties shall be committed to Prison, and upon Conviction of the said Offence, at the said General or Quarter Sessions, or before the said Court of Justiciary, or other Judge or Judges competent, shall forfeit the Sum of one hundred Pounds Sterling; one Moiety thereof to the Informer, the other to be disposed of for the Use of the Poor of the Parish where such Offence shall be committed; and if the Magistrates of any Town or Place, or others pretending to have Authority or Jurisdiction any where in Scotland, shall, in Contempt of this Law, forbid or hinder those of the Episcopal Perswasion from meeting or assembling together for Divine Worship, in the Places subject to their Jurisdiction, or shall shut up, or cause to be shut up, the Doors of the Houses, or other Places where such Episcopal Assemblies are held, or intended to be held, such Magistrates and others so offending, upon Proof thereof before the Court of Justiciary, by two or more sufficient Witnesses, shall forfeit the Sum of one hundred Pounds Sterling, to be distributed, as aforesaid.

and of Magistrates hindering those of the Episcopal Congregations to meet, &c.

X. And be it further declared and enacted by the Authority aforesaid, That no Civil Pain or Forfeiture, or Disability whatsoever, shall be in any ways incurred by any Person or Persons, by Reason of any Excommunication or Prosecution in order to Excommunication by the Church Judicatories in that Part of Great Britain called Scotland; and all Civil Magistrates are hereby expressly prohibited and discharged to force or compel any Person or Persons to appear when summoned, or to give Obedience to any such Sentence when pronounced; any Law or Custom to the contrary notwithstanding.

No Forfeiture, &c. shall be incurred by Reason of any Excommunication by the Church Judicatories, &c.

XI. And be it further enacted by the Authority aforesaid, That every Minister and Preacher as well of the established Church in that Part of Great Britain called Scotland, as those of the Episcopal Communion protected and allowed by this Act, shall, at some Time during the Exercise of the Divine Service in such respective Church, Congregation, or Assembly, pray, in express Words, for her most Sacred Majesty Queen ANNE, and the most Excellent Princesses Sophia, Electress and Dutchess Dowager of Hanover, while living, and all the Royal Family: And every such Minister or Preacher neglecting so to do, shall for the first Offence forfeit the Sum of twenty Pounds Sterling, to be recovered and distributed in such Manner as touching the other Penalties in this Act is herein before directed; and for the second Offence every Minister of the established Church in that Part of Great Britain called Scotland, being thereof convicted by the Oaths of two sufficient Witnesses before the Lords of Justiciary, shall be ipso facto deprived, and declared incapable of any Church or Ecclesiastical Living, during the Space of three Years; and every Episcopal Minister allowed and protected by this Act, being thereof in like Manner convicted, shall from thenceforth forfeit and lose the Benefit of this Act, and be declared incapable of officiating as Pastor of any Episcopal Congregation, during the Space of three Years.

All Ministers, &c. to pray for the Queen, &c.

Forfeiture for first Offence 20l. For the 2d every Minister of the established Church to be deprived, &c. And every Episcopal Minister to lose the Benefit of this Act, &c. Prosecution to be within two Months after the Offence.

XII. Provided always, That no Minister or Preacher offending herein, shall suffer such Penalties, or either of them, unless he be prosecuted for the same within the Space of two Months after the Offence is committed.

C A P. VIII.

An Act to continue the Act of the last Session of Parliament for taking, examining, and stating the publick Accounts of the Kingdom for one Year longer. E X P.

C A P. IX.

An Act for Recruiting her Majesty's Land Forces and Marines, for the Service of the Year one thousand seven hundred and twelve. E X P.

C A P. X.

An Act for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters.

Officers of the Army or Navy sued, may plead the General Issue.

LXI. AND be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint or Suit shall be brought against any Person or Persons, for any Act, Matter or Thing to be acted or done, pursuant to this Act, or against any Officer or Officers of her Majesty, her Heirs or Successors, concerned in any Matter relating to the Army, or her Majesty's Naval Forces, or Ships of War, or the providing for the same, or any their Deputy or Deputies, or against any other Person or Persons acting by Authority from, or in Aid or Assistance of or by their Commandment, for or concerning any Matter, Cause or Thing by them done by virtue or reason of their or any of their Office or Offices, that it shall and may be lawful to and for all and any Person or Persons aforesaid, to plead thereunto the General Issue, that he or they are Not guilty, and to give such Special Matter in Evidence to the Jury which shall try the Issue, which Special Matter being pleaded had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants of the Trespas or other Matter laid to his or their Charge: And if the Verdict shall pass with the said Defendant or Defendants in any such Action, or the Plaintiff or Plaintiffs therein become nonsuit, or suffer any Discontinuance thereof, that in every such Case the Justice or Justices, or such other Judge, before whom the said Matter shall be tried, shall, by force and virtue of this Act, allow unto the Defendant or Defendants his or their Double Cofts, which he or they shall have sustained by reason of their wrongful Vexation in Defence of the said Action or Suit, for which the said Defendant or Defendants shall have like Remedy, as in other Cases where Cofts by the Laws of this Realm are given to the Defendants. *Qu. If in Force?*

Double Cofts.

See the yearly Mutiny Acts.

C A P. XI.

An Act for enlarging the Time given to the Commissioners appointed by her Majesty, pursuant to an Act for granting to her Majesty several Duties on Coals, for building Fifty new Churches in and about the Cities of *London* and *Westminster*, and Suburbs thereof, and other Purposes therein mentioned; and also for giving the said Commissioners farther Powers for better effecting the same; and for appointing Monies for rebuilding the Parish Church of *St. Mary Woolnoth* in the City of *London*.

9 Annæ, c. 22.

WHEREAS by an Act of Parliament in the ninth Year of her Majesty's Reign, intituled, *An Act for granting to her Majesty several Duties upon Coals, for building Fifty new Churches in and about the Cities of London and Westminster, and Suburbs thereof, and other Purposes therein mentioned*, it is, amongst other Things, enacted, That it should and might be lawful to and for her Majesty, by Letters Patent under the Great Seal of *Great Britain*, to nominate, constitute, and appoint such Persons as her Majesty should think fit, to be Commissioners to inquire and inform themselves in what Parishes the said new Churches (except one for *Greenwich*) were most necessary to be built; and of proper Places for the Sites of the said respective new Churches; and also a Cemetery or Church Yard for each of the said Churches; also which of the said Chapels within the said Parishes are fit to be made Parish Churches; and that they should ascertain the several Houses, Lands, Tenements, and Hereditaments, and the Bounds and Limits which in their Judgment or Opinion might be fit to be made distinct Parishes; and should also inform themselves, by the best Means they could, of the Value of the Houses, Lands, Tenements, and Hereditaments, and of the respective Estates and Interests therein, which the said Commissioners should think necessary to be purchased for the said Sites and Cemeteries, and for Houses for the Habitations of the respective Ministers; and that the said Commissioners should, on or before the twenty-fourth Day of *December* one thousand seven hundred and eleven, report or certify to her Majesty in Writing, under their Hands and Seals, such Matters and Things, as should appear to them upon their Enquiries aforesaid, with their Opinions thereupon, to the end such further Directions might be given thereupon, as might be pursuant to her Majesty's pious Intentions in the Premises; in pursuance whereof her Majesty, by Letters Patent under the Great Seal of *Great Britain*, did nominate, constitute, and appoint, several Commissioners for the Purposes in the said Act mentioned, with such Powers and Authorities as in the said recited Act are expressed: And whereas the said Commissioners did apply themselves to the Execution of the Powers therein mentioned, but could not perfect within the Time limited, what was by the said Act intended; which they humbly represented to her Majesty, under their Hands and Seals, on the eighteenth Day of *December* last past: To the end therefore, that a Work so much for the Honour of God, the Spiritual Welfare of her Majesty's Subjects, the Interest of the established Church, and the Glory of her Majesty's Reign, may be carried on and perfected; be it enacted by the Queen'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 notwithstanding the Time limited by the said Letters Patent is expired, it shall and may be lawful to and for the said Commissioners, so appointed by the said Letters Patent, or any five or more of them, and they are hereby authorized and required to meet, from time to time, as often as there shall be Occasion, either with or without Adjournments, and to enquire and inform themselves of all and every the Matters and Things therein committed to them, or any five or more of them, and do and perform all and every the Matters and Things in or by

3 Ann. c. 4.
9 Ann. c. 6.

The Commissioners authorized to meet, tho' the Time limited, &c. be expired.

the said former or this present Act intended to be by them performed, until they shall have compleated and finished the same.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby authorized and impowered to contract, agree for, and purchase all such Messuages, Lands, Tenements, Hereditaments, Rights, and Interests, as they shall think proper for the said new Churches, Church-yards, or Cemeteries for the Burial of the Dead, and for Houses for Habitations of the respective Ministers of the respective new Parish Churches, intended to be erected or made.

The Commissioners may contract for, and purchase Lands, &c.

III. And it is hereby enacted and declared, That such Lands, Tenements, Rights, and Interests, so to be purchased in pursuance of this Act, shall be conveyed unto the said Commissioners, or any five or more of them, and their Heirs, for the respective Purposes aforesaid; and the said Commissioners, or any five or more of them, are hereby authorized and impowered to cause such Churches to be built upon such Sites so by them to be purchased, as aforesaid; and also cause such Chapels already erected, as they, or any five or more of them, shall think proper to be made fit and convenient for Parish Churches, and to provide such Houses for the Habitations of the respective Ministers of the said intended Parishes, and to cause such Church-Yards and Cemeteries to be made and inclosed for such new Parishes, as by the said former or this present Act are intended.

The Lands so purchased shall be conveyed to the Commissioners, &c. who shall cause the Churches to be built, &c.

IV. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, (where they shall see Occasion) shall provide more Cemeteries than one for any of the said intended new Parishes respectively; and wherever they shall purchase Ground for Cemeteries for any of the said intended new Parishes, without the Bounds and Limits of such new Parishes, the Ground so purchased for that Use, shall for ever after the purchasing and consecrating thereof, be deemed and taken to be Part of the Parish for the Use of which it shall be so purchased and consecrated, and shall be for ever discharged from any Rates or Taxes to the other Parish out of which it shall be so taken.

They may provide Cemeteries, &c.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer now being, or the Lord High Treasurer, or Commissioners of the Treasury, for the time being, without any further or other Warrant or Authority to be sued for, had, or obtained in that Behalf, from time to time, to direct the Officers at the Receipt of the Exchequer, to receive by way of Loan from any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, willing to make such Loan or Loans upon Credit of the several Duties upon Coals by the said former Act granted, such Sum and Sums of Money as any five or more of the Persons appointed by her Majesty's Commission or Letters Patent before-mentioned, shall, from time to time, or at any Time or Times, think necessary, and shall by Writing under the Hands of them, or any five or more of them, desire to be raised (by way of Loan, as aforesaid) for the beginning, carrying on, or effecting all or any the Services by the said recited Act, or this present Act intended, and to allow Interest not exceeding the Rate of Six Pounds *per Centum per Annum*, for the Forbearance thereof; and that the Monies so lent, shall not be taxed or assessed by any Act of Parliament whatsoever; and that such Lenders shall have Tallies of Loan, and Orders for their Repayment, with such Interest, as aforesaid, out of the Duties granted by the said recited Act, the Principal to be paid in Course, according to the respective Dates of the Tallies, and the Interest every three Months, until the Repayment of the Principal, and that no Fee or Reward shall be demanded or taken, in or for the Payment thereof; and that the Money arising on the said Duties shall be liable to satisfy such Orders accordingly, without being diverted from the same to any other Use, Intent, or Purpose, upon Pain of forfeiting Treble Damages, with Full Costs of Suit, to the Party grieved by the Party offending; and that such Orders shall be assignable by Indorsements thereupon, according to the Course in such Cases used in the Exchequer; any thing in the said recited Act contained to the contrary notwithstanding.

The Treasury may direct the Officers of the Exchequer to receive by Way of Loan such Sums of Money as 5 of the Commissioners shall think necessary, &c.

9 Annæ, c. 22. and to allow Interest at 6 l. per Cent.

The Money so lent shall not be taxed, and the Lenders shall have Tallies of Loan and Orders, &c.

The Interest to be paid every three Months. The Orders to be assignable.

VI. Provided always, That such Sums as, at any Time or Times before the Fifteenth Day of *May* one thousand seven hundred and sixteen, shall become due for Interest of Money to be lent upon this Act, shall and may be satisfied as the said Interest shall, from time to time, become due, out of any Money whatsoever which shall come into the Exchequer by way of Loan on the Credit aforesaid; any thing in this or the said recited Act contained to the contrary notwithstanding.

The Sums due for Interest before 15 May 1716, to be satisfied from time to time, &c.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer now being, and the Lord High Treasurer, or Commissioners of the Treasury, for the time being, and they are hereby directed and authorized, (without any further or other Warrant or Authority to be sued for, had, or obtained in that Behalf) from time to time, to issue and pay, or cause to be issued and paid, out of any the Monies to arise by way of Loan, or otherwise, by virtue of this or the said former Act, (such Money as is to be applied for Repayment of Principal, and Satisfaction of the Interest of the Loans to be made, as aforesaid, only and always excepted) such Sum and Sums of Money as shall be thought necessary by the said Commissioners, or any five or more of them, for the purchasing such Lands, Tenements, Rights, and Interests for the Purposes aforesaid, and for building such new Churches, and converting Chapels into Parochial Churches, and for providing Houses for the Habitations of the respective Ministers, and for making and inclosing Cemeteries or Church-yards for such new intended Parishes, or any other Purposes by the said former or this present Act prescribed or allowed, and for recompensing and rewarding such Person and Persons as have been or shall be necessarily employed under them, for their Labour and Pains, in such Manner and Proportion as the said Commissioners, or any five or more of them, shall think fit; which Monies so to be issued, as aforesaid, shall be paid unto such Person and Persons, not being of the Number of the said Commissioners, for the Ends and Purposes aforesaid, as her Majesty, her Heirs and Successors, shall, from time to time, direct and appoint to be the Treasurer or Treasurers in this Behalf; and shall be received by him or them by Way of Imprest, and accounted for only by such Treasurer or Treasurers; and shall be disbursed, expended, and applied by such Treasurer and Treasurers respectively, according to such Orders and Warrants as he or they shall receive, from time to time, from the

The Treasury to issue Money for the Purchase of Lands, &c.

and for converting Chapels into Parochial Churches, and for the Reward of Persons, &c.

to be paid to the Treasurer, &c. appointed by the Queen in this Behalf.

said Commissioners, or any five or more of them, for all or any the Uses or Services by this or the said former Act prescribed or allowed in that Behalf, and not otherwise, or to any other Use, Intent, or Purpose whatsoever; which said Treasurer and Treasurers respectively shall be accountable in the Exchequer for the same, and shall give such sufficient Security as shall be approved of by the Lord Treasurer, or the Commissioners of the Treasury for the time being, before he or they enter upon his or their Office, for making such Account.

The said Treasurer to be accountable in the Exchequer, and to give Security, &c.

The Commissioners to ascertain the Bounds of each new Church, &c.

such District to be deemed a distinct Parish, &c.

and be exempt from the Parish from whence taken.

The Commissioners may take a District out of any large Parish where any new Church shall be made, and add it to a lesser Parish adjoining, which shall be deemed as Part of the Parish to which it is so added, &c.

There shall be a Rector in every new Church, &c. and a perpetual Succession of Rectors. The Morning Preacher in any Chapel converted into a new Church shall be the first Rector. In every other new Church the Queen shall nominate the first Rector. Stepney is excepted by 12 Annæ, stat. 1. c. 17. §. 4. The Freehold shall be in him, and he may purchase, &c. Lands to the Value of 200 l. per Annum.

The Commissioners impowered to enquire of the Right of Patronage, &c.

and agree with him who hath the Right for

VIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, by one or more Instrument or Instruments in Writing on Parchment under their Hands and Seals, to be inrolled in her Majesty's High Court of *Chancery*, to describe and ascertain the true Limits and Bounds of the Site of and belonging to each such new Church and House for the Habitation of the Minister of such new Church, and for such Church-yards or Cemeteries for each respective Parish, and also the District and Division of each Parish that shall be appointed for every Church to be erected or constituted, pursuant to this Act, or the said former Act; and every such District or Division so set out, ascertained, and appointed, as aforesaid, for a new Parish, shall, from and for ever after the Inrolment of such Instrument, and the Consecration of such new Church, appointed or intended for such District or Division, be, and be deemed and taken to be of itself a distinct Parish, to all Intents and Purposes whatsoever, except as touching Church Rates, the Relief of the Poor, and Rates for the Highways, as is herein after provided; and the Inhabitants within the distinct Limits of every such new Parish, shall from thenceforth be the Parishioners thereof, and subject and liable to such Taxes, Assessments, Rates for the Poor, cleansing the Streets, and other Duties within the said new Parish, in like Manner as Inhabitants in the Parish from which such new Parish, or the greater Part thereof, was divided and taken, are subject or chargeable to the same; and shall within the Space of one Month next after the Consecration of such new Church, in every such new intended Parish respectively, be divided and exempt from such Parish or Parishes from which the same shall be so taken, and from bearing any such Offices or Charges, and from all Dependencies and Contributions for or in respect thereof, except as is hereby otherwise enacted or provided.

IX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (if they shall think it requisite) by one or more Instrument or Instruments under their Hands and Seals, to be inrolled in the High Court of *Chancery*, to separate, divide, and take a particular District or Part out of any of the large Parishes in and about the Cities of *London* and *Westminster*, or the Suburbs thereof, where any new Church or Churches shall be erected or made, and add, annex, and unite the same to any other lesser Parish next adjoining thereto, wherein a Church is already erected; and in such case the same shall afterwards, to all Intents and Purposes, (except as is herein otherwise enacted or provided) be deemed and taken as Part of the Parish to which the same shall be so added or annexed; and that the several Inhabitants within such particular District, so divided and added to another Parish, shall from thenceforth be liable in like Manner to bear all Parochial Offices within the Parish to which the same shall be added; and such Inhabitants shall, from and after *Tuesday* in *Easter* Week next after such Instrument shall be made and inrolled, be in like Manner discharged and exempted from bearing any Offices in the former Parish to which they did belong.

X. And it is hereby enacted by the Authority aforesaid, That there shall be a Rector of every new Church and Parish to be made or constituted, pursuant to this Act, and a perpetual Succession of Rectors there, to have Cure of the Souls of the Inhabitants of such new Parish; and where there now is a certain Morning Preacher in any Chapel which shall be converted into a Parochial Church, who shall have usually officiated there for the Space of one Month next before the Consecration thereof, such Minister, from and immediately after such Consecration, shall be and is hereby declared to be the first Rector of such new Church and Parish, without any Admission, Institution, or Induction to the same; but shall nevertheless be and continue complete Rector thereof in the same and as ample Manner as if he had been instituted and inducted thereunto; and in every other new Church and Parish, to be erected or constituted pursuant to this Act, the first Rector shall be nominated and appointed by her Majesty of and in such new Church and Parish; and every such new Rector hereby declared, or to be nominated, as aforesaid, and his Successors, shall be and are hereby incorporated, and shall be named and called the Rector of such new Church respectively, by the Name which shall be given to such Church respectively in the Act or Instrument of Consecration thereof; and shall be, and are hereby enabled to sue and be sued in all Courts and Places of this Realm; and the Freehold and Inheritance of the Lands and Hereditaments to be purchased for such new Church, Church-yards, or Cemetery or Cemeteries, and such Mansion or Dwelling-house of such Rector, shall be vested, by virtue of this Act, in such Rector of each such new Parish, and his Successors respectively; and he and they shall be seized thereof, as in his and their Demesne as of Fee, in Right of the Church, in such Manner as other Rectors be now seized of their respective Churches and Glebe; and every such new Rector and his Successors respectively, shall be and are hereby enabled to purchase and take any other Lands, Tenements, and Hereditaments to such Rector, for the time being, and his Successors, Rectors of the same Church, not exceeding together the clear yearly Value of two hundred Pounds *per Annum*, for each such Church respectively.

XI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby authorized and impowered to enquire and inform themselves, by all lawful Ways and Means, of the Right of Advowson, Patronage, and Nomination, of or to the present Church in every Parish, from which any Part or District shall be divided or taken by virtue or in pursuance of this Act; and in what Person or Persons, Bodies Politick or Corporate, the same, or any Estate or Interest therein, is, or at the Time of such Enquiry, shall be, and to treat and agree with all such Persons having any Right or Interest in such Advowson, Patronage, or Nomination, for the more effectual dividing and separating such present Parish, and the Tithes, Oblations, Dues,

and Revenues belonging to the present Church, and the Charges and Dependencies thereof, and apportioning the same, to take place and effect from and immediately after the first Avoidance of such present Church respectively, in any Parish from which any Part or District shall be divided or taken, and for ascertaining and settling for ever the Right of Patronage of every new Church or Chapel made parochial, to which such District or Part so divided shall be appointed or annexed; and all Agreements and Settlements, which shall be so made, for such further Division, with the Assent of the respective Ordinary or Ordinaries, or for settling such Right of Patronage, by any Instrument or Instruments in Writing on Parchment, under the Hands and Seals of such Commissioners, or any five or more of them, and under the Seals of the Parties having any Right or Interest in such Patronages, or of any Person or Persons by such Parties respectively authorized and inrolled in the said High Court of *Chancery*, shall from thenceforth be binding and conclusive, as well to her Majesty, her Heirs and Successors, as to and against all other Persons for ever.

the effectual dividing the Parish, &c. and for ascertaining the Right of Patronage, &c. and all Agreements, &c. to be binding.

XII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick and Corporate, Guardians to Infants under Age, Committees of Lunaticks and Idiots, Executors, Administrators, and Trustees, and they are hereby enabled and impowered to contract with the said Commissioners, or any five or more of them, for any Lands, Tenements, or Hereditaments, and to sell and convey the same, and the respective Estates or Interests in them respectively vested of and in the same, and to agree with the said Commissioners, or any five or more of them, for the limiting and settling the Right of Patronage and Presentation of the succeeding Rectors of such new intended Parish Churches; and such Sale, Conveyance, and Settlements shall be valid and effectual to all Intents and Purposes, and so deemed and allowed in all Courts of Law or Equity, and elsewhere, to bind all such Corporations, Infants, Lunaticks, Idiots, and the Cestui que Trusts; and all such Guardians, Committees, Executors, Administrators, and Trustees, are hereby indemnified for so doing.

Any Person, &c. may contract with the Commissioners for any Lands, &c. and for settling the Right of Patronage, &c. and such Sale, &c. to be good in Law, to bind all Corporations, &c.

XIII. Provided that such Bargains and Contracts be upon a Petition to be preferred by or on Behalf of such respective Corporation, Infant, Lunatick, Idiot, or Cestui que Trust, interested therein, examined, and approved by the High Court of *Chancery*; which Court shall also order and direct how the Monies arising by such Sale shall be applied or employed for the Benefit of such Corporation, Infant, Idiot, Lunatick, or Cestui que Trust respectively.

and approved by the Chancery, who shall order the Application of the Monies, &c.

XIV. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for her Majesty, her Heirs and Successors, in every such new Parish, to be erected or constituted by virtue or in pursuance of this Act, in the mean Time, and until such Agreement and Settlement can be made concerning the Patronage thereof respectively, to name, from time to time, the Rector of such new Churches to succeed therein.

The Crown shall present till such Settlement of the Right of Patronage.

XV. And it is hereby enacted and declared by the Authority aforesaid, That as well the first Rector, as all other succeeding Rectors of every such new Parish Church (except the present preaching Ministers of such Chapels, as aforesaid) shall be presented and instituted, or collated, and also inducted, as other Rectors and Vicars are and ought to be, and shall observe and perform all other Matters and Things for the qualifying or entitling themselves thereto, as other Rectors ought to do; and the new Churches, which shall be erected or made in pursuance of this Act, and the respective Rectors thereof, with the Church-wardens belonging to the same, shall be under and subject to the Jurisdiction of the respective Ordinary, within whose Diocese or District such new Church respectively is situated, and shall be visited by such Ordinary respectively, in such Manner as other Churches, Rectors, and Church-wardens, within their respective Jurisdictions, have been, or may be visited.

The first and succeeding Rectors (except the present Preacher in a Chapel) to be presented, &c. as other Rectors are, and they and the Church-wardens shall be subject to the Ordinary.

XVI. Provided always, and it is hereby declared, That this Act, or any thing herein contained, shall not extend, or be construed to extend to deprive the Successors of the present Rectors, Vicars, and other Ecclesiastical Persons having Cure of Souls, of or in the present Parish Churches, out of which any Part or District shall be divided or taken, of any Tithes, Dues, or Profits belonging to any of them respectively, until such Agreements or Settlements, for the more effectual dividing and separating any such Parish respectively, to be made and inrolled, and take effect, as aforesaid, with Relation to such Successors respectively; but that the Successors of the present Incumbents, till such Agreements and Settlements be made and take Effect, shall and may have, hold, and enjoy the said respective Rectories, Vicarages, and Curacies, and the Tithes, Dues, and Profits thereof, in as ample Manner as if this Act had not been made, and as the present Rectors and other Ecclesiastical Persons, who are to hold and enjoy the same, during their respective Incumbencies, are of Right to hold and enjoy the same.

This Act shall not deprive the succeeding Rectors, &c. of any Tithes, &c. till such Agreements, &c. be made and inrolled.

XVII. Provided also that nothing in this Act contained shall extend, or be construed to extend, to prejudice or alter the Property or Interest of any Proprietor or Proprietors of, in, or to any of the Chapels which shall be made or appointed Parish Churches, in pursuance of this Act, or of or in any of the Pews within the same, without the Consent of such respective Proprietor or Proprietors first had and obtained in Writing under his and their respective Hands and Seals; but that they and their Heirs, Executors, and Administrators, shall hold and enjoy the same, in such and the same Manner, as if this Act had not been made.

This Act shall not prejudice any Proprietor of a Chapel, or his Interest in any Pews, &c.

XVIII. Provided nevertheless, That if any of the said Proprietors shall be minded to sell or dispose of their said Properties in any of the Pews in any of the said Chapels, the same shall be sold and disposed of only to such Inhabitants of the respective Parishes for which such Chapels shall be so made or appointed Parish Churches, and to no other Person or Persons whatsoever.

if any Proprietor shall sell his Interest in any Pew, it shall be sold to a Parishioner.

XIX. And it is hereby enacted by the Authority aforesaid, That the first Church-wardens and Overseers for the Poor, Scavengers, and Surveyors for the Highways, and other Parish Officers for every such new Parish, shall, by the said Commissioners, or any five or more of them, be nominated and elected out of the Inhabitants of such new Parish respectively, within the Space of one Month after the Consecration of such

The first Church-wardens, &c. shall be elected by Church;

5 of the Commissioners, and shall have the like Powers, &c. as the like Officers in London, &c.

And all succeeding Church-wardens, &c. shall be chosen annually.

The Commissioners may name a Vestry, who shall have the same Powers as the Vestrymen of the Parish out of which such new

All parochial Customs, &c. shall continue in both Parishes.

The Commissioners, &c. with Consent of the present Rectors, &c. may make a perpetual Division of such Parishes, &c. as to Church Rates, &c.

and such Division, &c. shall be binding.

Till such Agreement, the Church Rates, &c. shall be levied, through all Parts of the present Parish. The Parish Officers, &c. shall meet yearly on Tuesday in Easter Week, and assess the Rates for the Poor, &c.

which Rates, &c. shall be levied by the proper Officers, &c.

Church; and the said Officers so elected, shall be invested with the like Powers and Authorities, and subject to the Laws now in force in that Behalf, as any other like Officers in any other Parish within the Cities of *London* and *Westminster*, or the Suburbs thereof; and all the succeeding Church-wardens, Overseers for the Poor, Scavengers, and Surveyors of the Highways, and other Parish Officers, shall be nominated, chosen, and appointed, sworn, constituted, and admitted annually within every such Parish, according to the Laws now in force.

XX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, with the Consent of the Bishop or Ordinary of the Place, by Instrument under their Hands and Seals, to be inrolled in the High Court of *Chancery*, to name a convenient number of sufficient Inhabitants in each such new Parish respectively, to be the Vestrymen of such new Parish, who shall have and exercise the like Powers and Authorities for ordering and regulating the Affairs of such new Parish, as the Vestrymen of the present Parish, out of which such new Parish, or the greater Part thereof shall be taken, now have or exercise; and if there be no select Vestry in such present Parish, then as the Vestrymen of the Parish of *Saint Martin in the Fields* within the Liberty of the City of *Westminster* in the County of *Middlesex*, now have or exercise; and from time to time, upon the Death, Removal, or other Voidance of any such Vestryman, the rest or the Majority of them may elect a fit Person, being an Inhabitant and Householder in the said Parish, to supply the same.

XXI. Provided always, and it is hereby enacted and declared, That all parochial Customs, Usages, By-Laws, and Privileges, as are now in Force or Use within any present Parish which shall be divided by virtue or in pursuance of this Act, shall and may at all Times after, and notwithstanding such Division, continue and be in Force, as well in and for every new Parish, of which the Whole or the greater Part shall be taken out of such present Parish, as in and for such Parish as shall remain to the present parochial Church, and be used, enjoyed, and observed by the Inhabitants thereof respectively, so far as the same shall not be repugnant to, or inconsistent with the Laws of this Realm, and the Intent of this present Act.

XXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, with the Consent of the respective Rectors, Vicars, or Ministers, Church-wardens, and Overseers of the Poor, and of the Vestry, or twenty of the principal Inhabitants of any present Parish in which there shall be no select Vestry, from which any Part or District shall, by virtue and in pursuance of this Act, be taken, and of such Parish or Parishes to which any such District or Division so taken, shall be appointed or belong, or else to or for such respective Rectors, Vicars, Ministers, Church-wardens, Overseers of the Poor, and Vestrymen, or principal Inhabitants, with Consent of their respective Ordinary or Ordinaries, at any Time or Times hereafter, by Instrument in Writing under their Hands and Seals, to be inrolled in the High Court of *Chancery*, to make an effectual and perpetual Division of such Parishes or Districts so divided, as to the Church Rates, Relief of the Poor, and Rates for the Highways, and other Parish Rates within the same respectively, and to limit and settle any certain annual Sum or Consideration for or in respect thereof, or for Equality of such Division, where there shall be Occasion; and such Division and Settlement so made, shall be for ever after binding, effectual, and conclusive, to all Persons, Intents and Purposes whatsoever.

XXIII. Provided always, and be it enacted and declared by the Authority aforesaid, That in the mean Time, and until such Agreement for such Rates respectively shall be made and take Place, the Church Rates, Poor Rates, and Rates for the Highways, and other Parish Rates, shall be assessed and levied within and through all Parts and Districts which do now belong to such present Parish.

XXIV. And for the better ordering, dividing, collecting, and distributing, from time to time, such Rates within the present Limits of every Parish which shall be divided, pursuant to this Act, in the mean Time, and until such further and perpetual Divisions shall be made, it shall and may be lawful to and for the Church-wardens and Overseers of the Poor, with the Vestry or principal Inhabitants of each Parish respectively, as aforesaid, to which any Part or District of such present Parish, after any Division thereof to be made, pursuant to this Act, shall remain or belong, to assemble and meet together in the present Parish Church or Vestry Room, annually, upon *Tuesday in Easter Week* in the Forenoon, or oftner, from time to time, as Occasion shall require; and Notice thereof shall be given on the Lord's Day next before in the Church of each such Parish immediately after the Morning Service; and to and for them, or the major Part of them so assembled, to agree upon or ascertain the Monies or Rates to be assessed within the Limits of such present Parish, for the Relief of the Poor, or Repair of the Highways, and other Parish Rates within such Limits, or the Repair of any Church to which any Part or District of such present Parish shall, when divided, belong; and to divide, ascertain, and apportion such Monies and Rates to and upon every Part or District of such present Parish so divided respectively, with Regard to the Value of the Lands and Estates therein assessable to the same; which Monies or Rates so to be divided or apportioned, shall be assessed, levied, and collected in each such District accordingly, by the proper Officers of the respective Parish to which such District shall remain or belong, and by such Ways and Means as the Officers of the present Parish might have assessed, collected, or levied the same, if such Division or this Act had not been made; and also to divide, ascertain, and distribute such Monies and Rates so assessed and collected through the present Limits of such Parish, in just and reasonable Proportions, to and for every such Part and District respectively, as the same shall be divided, separately and apart, for the Relief of the Poor, and Repair of the Highways, and other Parish Rates within such Part or District, and for the Repair of the respective Church to which such Part or District shall remain or belong, with Regard to the Wants and Occasions of each such Part or District, for the Uses and Purposes aforesaid respectively; and all such Proportions so to be distributed, shall be employed and applied to the proper Uses and Purposes for which the same was assessed, and shall be distinctly

distinctly accounted for by the Officers of the respective Parish to which such District shall remain or belong.

XXV. Provided always, That in all such Cases when and so often as such annual or other Agreements shall not be had or made for the apportioning and distributing such Rates, it shall and may be lawful to and for the Churchwardens of the present Parish Church, and the Overseers of the Poor, and Surveyors of the Highways for the Parish or District then remaining to such present Church, to assess, collect, and levy of the Inhabitants within and throughout the present Limits of such Parish, for the Relief of the Poor, and Repair of the Highways within the present Limits of such Parish, and the Repair of the present Church, all such Rates and Taxes, as the Churchwardens, Overseers of the Poor, and Surveyors of the Highways of such Parish might have done before any Division made; any thing in this Act to the contrary notwithstanding.

XXVI. Provided always, and be it enacted and declared by the Authority aforesaid, That neither this Act, nor any thing herein contained, shall extend to invalidate or avoid any Ecclesiastical Law or Constitution of the Church of *England*, or to destroy any of the Rights or Powers belonging to the Bishop of *London*, and his Successors, or any other local Ordinary, or to any Archdeacon, Chancellor, or Official.

XXVII. And it is hereby enacted and declared, That he and they respectively may at all Times hereafter visit, institute, and exercise Ecclesiastical Jurisdiction in all Parishes to be erected or divided by virtue and in pursuance of this Act, or in any Part or Place within the same, as amply as they or or any of them may now do therein, and in such Manner as in any other Parishes or Places within his or their Diocese or Jurisdiction respectively; the Admission and Institution of such present preaching Ministers in such Chapels as shall be consecrated and converted into Parochial Churches, only excepted.

XXVIII. Provided always, and be it enacted by the Authority aforesaid, That one of the said fifty new Churches shall be erected in *East-Greenwich* in the County of *Kent*, as in the said former Act is directed.

XXIX. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for her Majesty, her Heirs and Successors, at any time before the twenty-ninth Day of *December* one thousand seven hundred and twelve, by Letters Patent under the Great Seal of *Great Britain*, to nominate, constitute and appoint such Persons to be Commissioners to execute all and every the Powers in the said recited Act, and in this Act mentioned, as her Majesty shall think fit; and from such Appointment so made, the Powers hereby granted to the Commissioners, in the said former Letters Patent, shall determine.

XXX. And be it enacted by the Authority aforesaid, That all the Monies to be issued by or in pursuance of this or the said former Act for Building the said Churches, and other the Uses therein mentioned, shall be issued and paid without Fee or Charge to be demanded or taken for the same.

XXXI. And be it enacted by the Authority aforesaid, That no Burial shall, at any time hereafter, be in or under any of the Churches by this Act intended to be erected; and that it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to ascertain the Sum of Money that shall be paid to the Rector, and each Officer belonging to each Church, for every Burial in any of the Cemeteries or Churchyards, by this Act intended to be purchased.

XXXII. And whereas, by the said Act made in the ninth Year of her Majesty's Reign, it is enacted, That out of the Sums of Money which should be raised by virtue of the said Act, there should be applied the Sum of Four thousand Pounds *per Annum* towards the Repairing and Finishing the Collegiate Church of *St. Peter, Westminster*, and the Chapels of the same: Be it therefore enacted by the Authority aforesaid, That the said Sum of Four thousand Pounds *per Annum*, during the Continuance of the said former Act, shall be issued and paid unto the Chancellor of the Exchequer, the Lord Chief Justice of the Queen's Bench, and the Dean of the said Collegiate Church, for the time being, who are hereby constituted and appointed Commissioners for repairing the said Collegiate Church and Chapels of the same, by equal Quarterly Payments; the first Payment to commence and be made on the thirtieth Day of *December* in the Year one thousand seven hundred and sixteen: Which said Sums of Money so to be paid to the said Chancellor of the Exchequer, Lord Chief Justice of the Queen's Bench, and Dean of the said Collegiate Church, shall be by them laid out and expended in and towards the Repairing the said Collegiate Church and Chapels of the same; and Books of Accounts shall be kept by them, the said Chancellor of the Exchequer, Lord Chief Justice of the Queen's Bench, and Dean of the said Collegiate Church, or by their Deputies or Officers, of all Monies which, from time to time, shall be received, paid, disbursed, and applied towards the Repairing the said Collegiate Church and Chapels of the same; the said Books to be inspected by all Persons *gratis*, and also Abstracts of such Books of Account shall be by them, the same Commissioners, or any two of them, before the End of *Michaelmas Term* in every Year, transmitted and delivered into her Majesty's Remembrancer's Office in the Court of *Exchequer*, to be there received, kept and viewed without Fee or Remembrance, in such Manner as is directed by an Act made in the eighth and ninth Years of the Reign of his late Majesty King *WILLIAM* the Third, intituled, *An Act for completing the Building and Adorning the Cathedral Church of St. Paul, London, and for Repairing the Collegiate Church of St. Peter, Westminster.*

XXXIII. And whereas by an Act made in the two and twentieth Year of the Reign of the late King *CHARLES* the Second, intituled, *An Additional Act for the Rebuilding the City of London, Uniting of Parishes, and Rebuilding of the Cathedral and Parochial Churches within the said City*; the Number of Parish Churches to be rebuilt was fifty-one, and the Church of *St. Mary Woolnoth* is one of the said fifty-one Churches directed to be rebuilt, for which Purpose several Duties upon Coals imported and brought into the Port of the City of *London*, or River of *Thames* within the Liberty of the said City upon the said River, were granted; and by one other Act made in the first Year of the Reign of King *JAMES* the Second, a further Duty was laid upon Coals imported, and Power thereby given to the Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and to the Lord Mayor of *London*, for the time being, to appropriate, by Warrant under their Hands and Seals, such Part of the Imposition, thereby granted, as should in their

In Default of such yearly Agreements, &c. the Parish Officers for such District, &c. shall assess all Rates, &c.

This Act shall not invalidate any Ecclesiastical Law, &c. nor destroy the Rights of the Bishop of *London*, &c.

The said Bishop, &c. may visit, &c. in all such new Parishes, &c.

One of the new Churches shall be built at *Greenwich*. Before 29 Sept. 1712. the Queen, &c. may appoint Commissioners to execute this Act.

All Monies to be issued without Fee.

No Burial to be in any of the new Churches, and the Commissioners may ascertain what shall be paid for burying in the Church Yards.

9 Annæ, c. 22.

The yearly Sum of 4000 l. shall be paid to the Chancellor of the Exchequer, &c. for repairing *Westminster Abbey*, &c. who are constituted Commissioners, &c. And they to keep Books of Accounts, &c. And deliver Abstracts thereof into the Remembrancer's Office, &c. as directed by the Act of 8 and 9 W. 3. c. 14.

22 Car. 2. c. 15.

1 Jan. 1. c. 25.

Discre-

Discretion seem sufficient for the Compleating of any the said Parochial Churches that might happen to remain unfinished, so as the same did not in any one Year exceed one fifth part of the same duty: And whereas by one other Act made in the eighth Year of the Reign of the late King WILLIAM the Third, a Duty or Imposition of Twelve Pence for every Chalder or Tun of Coals imported or brought in, as aforesaid, from and after the nine and twentieth Day of September one thousand seven hundred, and before the nine and twentieth Day of September one thousand seven hundred and sixteen, was granted, and Power given thereby to the said Lord Archbishop of Canterbury, Lord Bishop of London, and Lord Mayor of London, for the time being, or any two of them, to appropriate the Money to be thereby raised for the Purposes in the said Act of the first Year of the said late King JAMES mentioned, except as in and by the said late recited Act is otherwise particularly directed and appointed: And whereas also the Parish Church of St. Mary Woolnoth was, for the Conveniencey of the Inhabitants there, only repaired, and not rebuilt, as by the said Act was directed, and the old Walls, East, West, and South, and the Roof thereof, together with the Tower or Steeple, are now become so ruinous, that there is a Necessity of Rebuilding and Finishing the same; Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord Archbishop of Canterbury, Lord Bishop of London, and Lord Mayor of London, or any two of them, to appropriate, by Warrants under their Hands and Seals, out of the Surplus of the Monies arising by the said Duties and Impositions of twelve Pence per Chalder, or twelve Pence per Tun on Coals, applicable for the Purposes in the said Act of the first Year of the late King JAMES the Second, after the said Cathedral Church shall be finished and adorned, and other Charges upon the said Duties discharged, so much Money as shall be sufficient for the Rebuilding and Finishing of the said Parish Church of St. Mary Woolnoth, and the Tower thereof, as shall be necessary; any thing herein, or in the said recited Acts, contained to the contrary thereof in any wise notwithstanding.

[Vide 1 Geo. 1. Stat. 2. cap. 23. 4 Geo. 1. c. 14. & 5 Geo. 1. c. 9.]

The Archbishop of Canterbury, &c. may appropriate so much out of the Surplus Money arising by the Duty of 12 d. per Chalder on Coals, as shall be sufficient to build the Church of St. Mary Woolnoth. See further concerning Duty, &c. on C.als, 12 Ann. stat. 2. c. 9. 5 Geo. 1. c. 9. and 19. 6 Geo. 1. c. 4. 13 Geo. 1. c. 21. 22 Geo. 2. c. 37. 32 Geo. 2. c. 19. Sect. 28.

C A P. XII.

An Act to restore the Patrons to their ancient Rights of presenting Ministers to the Churches vacant in that Part of Great Britain called Scotland.

WHEREAS by the antient Laws and Constitutions of that Part of Great Britain called Scotland, the Presenting of Ministers to vacant Churches did of Right belong to the Patrons, until by the twenty third Act of the second Session of the first Parliament of the late King WILLIAM and Queen MARY, held in the Year one thousand six hundred and ninety, intituled, Act concerning Patronages, the Presentation was taken from the Patrons, and given to the Heretors and Elders of the respective Parishes; and in Place of the Right of Presentation, the Heretors and Life Renters of every Parish were to pay to the respective Patrons a small and inconsiderable Sum of Money, for which the Patrons were to renounce their Right of Presentation in all Times thereafter: And whereas by the fifteenth Act of the fifth Session, and by the thirteenth Act of the sixth Session of the first Parliament of the said King WILLIAM, the one intituled, An Act for Encouraging of Preachers at Vacant Churches be-north Forth, and the other intituled, Act in Favours of Preachers be-north Forth; there are several Burthens imposed upon vacant Stipends, to the Prejudice of the Patrons Right of disposing thereof: And whereas that Way of calling Ministers has proved inconvenient, and has not only occasioned great Heats and Divisions among those who by the aforesaid Act were entitled and authorized to call Ministers, but likewise has been a great Hardship upon the Patrons, whose Predecessors had founded and endowed those Churches, and who have not received Payment or Satisfaction for their Right of Patronage from the aforesaid Heretors or Life Renters of the respective Parishes, nor have granted Renunciations of their said Rights on that Account; Be it therefore enacted by the Queen'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 aforesaid Act made in the Year one thousand six hundred and ninety, intituled, Act concerning Patronages, in so far as the same relates to the Presentation of Ministers by Heretors and others therein mentioned, be and is hereby repealed and made void; and that the aforesaid fifteenth Act of the fifth Session, and thirteenth Act of the sixth Session, of the first Parliament of King WILLIAM, be and are hereby likewise repealed and made void; and that in all Time coming, the Right of all and every Patron or Patrons to the Presentation of Ministers to Churches and Benefices, and the Disposing of the vacant Stipends for pious Uses within the Parish, be restored, settled, and confirmed to them, the aforesaid Acts, or any other Act, Statute, or Custom to the contrary in any wise notwithstanding; and that from and after the first Day of May one thousand seven hundred and twelve, it shall and may be lawful for her Majesty, her Heirs and Successors, and for every other Person or Persons, who have Right to any Patronage or Patronages of any Church or Churches whatsoever, in that Part of Great Britain called Scotland, (and who have not made and subscribed a formal Renunciation thereof under their Hands) to present a qualified Minister or Ministers to any Church or Churches whereof they are Patrons, which shall, after the said first Day of May, happen to be vacant; and the Presbytery of the respective Bounds shall and is hereby obliged to receive and admit in the same Manner such qualified Person or Persons, Minister or Ministers, as shall be presented by the respective Patrons, as the Persons or Ministers presented before the making of this Act ought to have been admitted.

The recited Act concerning Patronages, so far as it relates to Presentations by Heretors, &c. made void. The other recited Acts repealed. And the Rights of Patrons restored. After 1 May, 1712, the Crown, and others who have Right to Patronages, may present qualified Ministers, and the Presbyteries shall receive them.

II. Provided always, That in case any Patron or Patrons have accepted of, and received any Sum or Sums of Money from the Heretors or Life Renters of any Parish, or from the Magistrates or Town Council of any Borough, in Satisfaction of their Right of Presentation, and have discharged or renounced the same under

under their hand, that nothing herein shall be construed to restore such Patron or Patrons to their Right of Presentation; any thing in this present Act to the contrary notwithstanding.

III. Provided also, and it is hereby enacted by the Authority aforesaid, That in case the Patron of any Church aforesaid shall neglect or refuse to present any qualified Minister to such Church that shall be vacant the said first Day of *May*, or shall happen to be vacant at any Time thereafter, for the Space of six Months, after the said first Day of *May*, or after such Vacancy shall happen, that the Right of Presentation shall accrue and belong for that Time to the Presbytery of the Bounds where such Church is, who are to present a qualified Person for that Vacancy *tanquam jure devoluto*.

IV. And be it further enacted and declared by the Authority aforesaid, That the Patronage and Right of Presentations of Ministers to all Churches which belonged to Archbishops, Bishops, or other dignified Persons, in the Year one thousand six hundred eighty-nine, before Episcopacy was abolished, as well as those which formerly belonged to the Crown, shall and do of Right belong to her Majesty, her Heirs and Successors, who may present qualified Ministers to such Church or Churches, and dispose of the vacant Stipends thereof for pious Uses, in the same Way and Manner as her Majesty, her Heirs and Successors, may do in the Case of other Patronages belonging to the Crown.

V. Declaring always, That nothing in this present Act contained, shall extend, or be construed to extend, to repeal and make void the aforesaid twenty-third Act of the second Session of the first Parliament of the late King WILLIAM and Queen MARY, excepting so far as relates to the calling and presenting of Ministers, and to the disposing of vacant Stipends in Prejudice of the Patrons only.

VI. And be it further enacted by the Authority aforesaid, That all and every Patron and Patrons, who have not taken, or shall not take, at any Time before his or their presenting a Minister or Ministers to any Church or Churches aforesaid, the Oath appointed to be taken by Persons in publick Trust, by an Act made in the sixth Year of her Majesty's Reign, intituled, *An Act for the better Security of her Majesty's Person and Government*, shall, and are hereby obliged, at their signing such Presentation, to take and subscribe the aforesaid Oath before the Sheriff of the Shire, Stewart of the Stewartry, or before any two or more Justices of the Peace of the County or Place where such Patron resides; and in case such Patron or Patrons, who have not formerly taken the aforesaid Oath, refuse or neglect to take the same at the signing of such Presentation, that the same shall be and is hereby declared to be void, and the Right of Presentation, and of the disposing the vacant Stipends for that Time, shall belong to her Majesty, her Heirs and Successors, who may present a qualified Person to such Church or Benefice, at any Time within the Space of six Months after such Neglect or Refusal; any thing in this present Act, or in any other Act to the contrary notwithstanding.

VII. And whereas the Right of Patronage of Churches may belong to Papists; Be it therefore enacted by the Authority aforesaid, That any Person or Persons, known or suspected to be Papists; and who have a Right of presenting Ministers, shall be obliged, at or before his or their signing any Presentation, to purge himself of Popery, by taking and signing the *Formula* contained in the third Act of the Parliament of *Scotland*, held in the Year one thousand seven hundred, intituled, *Act for preventing the Growth of Popery*; and in case such Popish Patron or Patrons shall refuse to take and subscribe the *Formula* aforesaid, the same being tendered to him or them by the Sheriff of the Shire, Stewart of the Stewartry, or any two or more Justices of the Peace within their respective Jurisdiction, who are hereby empowered to administer the same, the Presentation, and the Right of disposing the vacant Stipends shall for that Time belong to her Majesty, her Heirs and Successors, who may present any qualified Person or Persons within six Months after such Neglect or Refusal; any thing in this present Act, or any other Act to the contrary notwithstanding.

C A P. XIII.

An Act for repealing Part of an Act passed in the Parliament of *Scotland*, intituled, *Act for discharging the Yule Vacance*.

WHEREAS by the twenty-second Act passed in the Parliament of *Scotland*, Anno one thousand six hundred and ninety, intituled, *Act for discharging the Yule Vacance*, the annual Vacation of the Court of Session, and all other inferior Courts of Judicature, is thereby discharged, and the Senators of the College of Justice, or Court of Session, are ordained to meet and sit for the Administration of Justice, from the first Day of *November* to the first of *March* yearly, without any Interruption; which has been by Experience found Inconvenient and Burthensome to the Subject in that Part of the Kingdom; Be it therefore enacted by the Queen'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 Act, so far as the same relates to the discharging the *Yule Vacance*, be and is hereby repealed, annulled, and made void, to all Intents and Purposes whatsoever.

II. And be it further enacted and declared by the Authority aforesaid, That the *Christmas Vacation* of the Session or College of Justice, and all other inferior Courts of Justice, in that Part of *Great Britain* called *Scotland*, shall yearly and in all Time coming continue and endure from the twentieth of *December* to the tenth of *January*, both inclusive; the said Law or any other Law or Custom to the contrary notwithstanding.

[Repealed by 1 Geo. 1. stat. 2. c. 28.]

C A P. XIV.

An Act for the reviving and continuing several Acts therein mentioned, for the preventing Mischief which may happen by Fire; for building and repairing County Gaols; for exempting Apothecaries from serving Parish and Ward Offices, and serving upon Juries; and relating to the returning of Jurors.

WHEREAS divers Temporary Laws, which by Experience have been found Useful and Beneficial, are expired and near expiring, therefore for reviving and continuing the same, Be it enacted by the Queen'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 Clause herein after mentioned in the Act made in the sixth Year of her present Majesty's Reign, intituled, *An Act for the better preventing Mischief that may happen by Fire, videlicet*; And be it further enacted by the Authority aforesaid, That no Action, Suit, or Process whatsoever, shall be had, maintained, or prosecuted against any Person in whose House or Chamber any Fire shall, from and after the said first Day of *May*, accidentally begin, or any Recompence be made by such Person for any Damage suffered or occasioned thereby; any Law, Usage, or Custom to the contrary notwithstanding; and if any Action shall be brought for any thing done in pursuance of this Act, the Defendant may plead the General Issue, and give this Act in Evidence; and in case the Plaintiff become nonsuit, or discontinue his Action or Suit, or if a Verdict pass against him, the Defendant shall recover Treble Cost: Which Clause being made temporary, and being expired, shall be, and are hereby revived and made perpetual.

II. And be it further enacted by the Authority aforesaid, That the Act made in the eleventh and twelfth Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act to enable Justices of the Peace to build and repair Gaols in their respective Counties*, which was to continue for ten Years, being expired, shall be and is hereby revived and continued, and shall be in Force, from the first Day of *May* one thousand seven hundred and twelve, for and during the Space of seven Years, and from thence to the End of the next Session of Parliament.

This Clause is made perpetual by 6 Geo. 1. c. 19. §. 1.

III. And be it further enacted by the Authority aforesaid, That an Act made in the sixth and seventh Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving upon Juries*, which Act was to continue for the Space of seven Years, and from thence to the End of the next Session of Parliament; which Act was by an Act made in the first Year of her present Majesty's Reign, intituled, *An Act for reviving the Act, intituled, 'An Act for exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving upon Juries'*, continued for the Space of seven Years, and from thence to the End of the next Session of Parliament; which Act will expire at the End of the next Session of Parliament, after the eleventh Day of *February* one thousand seven hundred and twelve, shall be and remain in full Force from and after the Expiration thereof, for the Space of eleven Years, and from thence to the End of the next Session of Parliament.

IV. And whereas in an Act made in the fourth and fifth Years of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for reviving, continuing, and explaining several Laws therein mentioned, which are expired and near expiring*, there are several good Clauses and Provisions relating to the returning of Jurors, which Clauses and Provisions were by the said Act to continue in Force for three Years, from the first of *May* one thousand six hundred ninety-three, and from thence to the End of the next Session of Parliament; which said Clauses and Provisions were, by an Act made in the seventh and eighth Years of the late King WILLIAM the Third, intituled, *An Act for the Ease of Jurors, and better regulating of Juries*, continued for seven Years, from the first Day of *May* one thousand six hundred ninety-six, and from thence to the End of the next Session of Parliament, and no longer; which said last-mentioned Act was also to continue but for the said Term of seven Years, from the said first Day of *May* one thousand six hundred ninety-six, and to the End of the next Session of Parliament; but was by another Act made in the first Year of the Reign of her present Majesty, intituled, *An Act for continuing former Acts for exporting Leather, and for Ease of Jurors, and for reviving and making more effectual an Act relating to Vagrants*, continued further for seven Years from the Expiration thereof, and to the End of the next Session of Parliament: And whereas several other Clauses and Provisions, relating to the Returns and Service of Jurors, were made in another Act made in the Session of Parliament, held in the third and fourth Years of her present Majesty's Reign, intituled, *An Act for making perpetual an Act for the more easy Recovery of small Tithes; and also an Act for the more easy obtaining Partition of Lands in Coparcenary, Joint Tenancy, and Tenancy in common; and also for making more effectual and amending several Acts relating to the Return of Jurors*; and were only to continue in Force during the Continuance of the said Act; all which Clauses, Provisions, and Act, are near expiring; Be it therefore enacted by the Authority aforesaid, That all the said Clauses, Provisions, and Act, shall be, and are hereby continued, and shall be in Force from the Expiration thereof, for and during the Space of eleven Years, and from thence to the End of the next Session of Parliament.

V. And whereas by the said Act made in the seventh and eighth Years of the said King WILLIAM, it is enacted, That from and after the four and twentieth Day of *June* one thousand six hundred ninety-six, no Person shall be returned or summoned to serve upon any Jury of the Assizes, or general Gaol Delivery to be holden for the County of *York*, or at any Sessions of the Peace to be holden for any Part thereof (the City of *York*, and County of the said City, and Town and County of *Kingston upon Hull*, excepted) above

once

The Clause
6 Annæ, c. 31.
§ 6. relating
to accidental
Fires, revived
and made per-
petual.
See 33 Geo. 2.
c. 30.

The Act
11 & 12 W. 3.
c. 19. relating
to the building
and repairing
County Gaols,
continued for
7 Years, &c.

The Act
6 W. 3. c. 4.
for exempting
Apothecaries
from serving as
Constable, &c.
continued by
1 Annæ, stat. 1.
c. 11. further
continued for
11 Years, &c.
Made perpetual
9 Geo. 1. c. 8.

The Act 4 & 5
W. & M. c. 24.
so far as relates
to the returning
of Jurors, far-
ther continued
for 7 Years by
9 Geo. 1. c. 8.
§. 2.
continued by
7 & 8 W. 3.
c. 32.

farther con-
tinued by
1 Annæ,
stat. 2. c. 13.

and further by
3 & 4 Annæ,
c. 18.
3 Geo. 2. c. 25.
6 Geo. 2. c. 37.
shall be con-
tinued for 11
Years, &c.

The Clause in
7 & 8 W. 3.
c. 32. §. 7.
relating to the
returning of
Jurors in York-
shire, explained.

once in four Years, and some Doubt having arisen on what is to be understood by any Sessions of the Peace to be holden for any Part thereof; therefore for explaining the same Words, and avoiding any Dispute that may hereafter be made touching the Construction thereof; Be it enacted and declared, That the same shall be construed to extend, not only to any Sessions of the Peace to be holden for any of the Ridings within the said County of York, but also to any Sessions of the Peace that shall be holden by Adjournment for any Part of the said Ridings, or any of them.

VI. Provided nevertheless, That if any Person interested in such Estate, as will qualify him to serve on Juries, of the clear yearly Value of one hundred and fifty Pounds, or of any greater yearly Value, shall serve as a Juror at any of the said Sessions or Adjournments, he shall not thereby be exempted from serving as a Juror at the Assizes or general Gaol Delivery to be holden for the said County of York, for the said Term of four Years, or any other Term; any thing in the said recited Acts, or any of them, or in this present Act, contained to the contrary thereof in any wise notwithstanding.

Not to extend to exempt any Persons from serving as Jurors at the Assizes for the said County.

VII. Provided nevertheless, That nothing in this Act be construed to extend to repeal or alter any of the Powers or Privileges granted or confirmed to the Justices of the Peace of the County of Devon, by any Act passed in the last Session of Parliament, intituled, *An Act for ratifying several Purchases lately made with the publick Stock of the County of Devon; and for making further Purchases for the Use of the said County with the publick Stock thereof; and also for regulating and better Employment of the publick Stock of the said County.*

Nor to repeal any Power granted to the Justices of Devon, by the private Act of 9 Annæ, c. 4.

C A P. XV.

An Act for repealing a Clause in the Statute made in the twenty-first Year of the Reign of King JAMES the First, intituled, *An Act for the further Description of a Bankrupt, and Relief of Creditors against such as shall become Bankrupts, and for inflicting corporal Punishment upon the Bankrupts, in some special Cases*, which makes Descriptions of Bankrupts; and for the Explanation of the Laws relating to Bankruptcy, in case of Partnership.

WHEREAS by an Act made in the one and twentieth Year of the Reign of King JAMES the First, intituled, *An Act for the further Description of a Bankrupt, and Relief of Creditors against such as shall become Bankrupts, and for inflicting corporal Punishment upon the Bankrupts, in some special Cases*; it is, (amongst other Things) enacted, That all and every Person or Persons using, or that should use the Trade of Merchandize, by way of bargaining, exchange, bartering, chevissance, or otherwise, in gross or by retail, or seeking his or her Living by buying and selling, or that should use the Trade or Profession of a Scrivener, receiving other Mens Monies or Estates into his Trust or Custody, who, at any Time after the End of the said Session of Parliament, being indebted to any Person or Persons in the Sum of one hundred Pounds or more, should not pay or otherwise compound for the same within six Months next after the same should grow due, and the Debtor be arrested for the same, or within six Months after an original Writ sued out to recover the said Debt, and Notice thereof given unto him, or left in Writing at his or their Dwelling-house or last Place of Abode, or being arrested for the Sum of one hundred Pounds or more of just Debt or Debts, should, at any Time after such Arrest, procure his Enlargement by putting in common or hired Bail, should be accounted and adjudged a Bankrupt to all Intents and Purposes, and in the said Cases of Arrest, or getting forth by common or hired Bail, from the Time of his or her said first Arrest: And whereas it is found by Experience, That many and great Mischiefs and Inconveniences have happened, especially of late, to Trade and Credit in general, by reason of the said Descriptions of a Bankrupt: For Remedy thereof for the future; Be it enacted by the Queen'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 Authority of the same, That the said Act, and also all and every other Act and Acts of Parliament whatsoever, so far forth as they relate to the said Descriptions of a Bankrupt, be, from and after the twentieth Day of April in the Year of our Lord one thousand seven hundred and twelve, repealed and made void; and that no Person or Persons whatsoever, within the said Descriptions, or any of them, shall, from and after the said twentieth Day of April, for or by Reason of the same, be taken or adjudged to be within the Statute or Statutes of Bankrupt whatsoever.

21 Jac. I. c. 15.

34 & 35 H. 8. c. 4. 13 El. c. 7. 1 Jac. I. c. 15. 21 Jac. I. c. 19. After April 20, 1712. the recited Act, &c. so far as relates to the Description of a Bankrupt, repealed. Bac. Abr. V. 1. 247. Wood P. 1. 98.

II. Provided nevertheless, and be it enacted by the Authority aforesaid, That no Act, Sale, or Disposition of any the Estate of such Persons within the said Descriptions, or any Distribution of the same, by or under any Commission or Commissions of Bankruptcy, before the said twentieth Day of April, taken out against such Person or Persons, shall be hereby impeached or frustrated, but that the same shall be enjoyed for and towards Satisfaction of the Debts for which the same have been disposed or distributed.

Not to frustrate any Act, Sale, &c. of the Estates of such Persons, by any Commission taken out before the said 20th of April.

III. And whereas a Doubt has arisen upon an Act made in the fourth Year of her Majesty's Reign, intituled, *An Act to prevent Frauds frequently committed by Bankrupts*, whether the Discharge of a Bankrupt, by virtue of that Act, should be construed to discharge the Partners of such Bankrupt from the same Debt; Be it therefore further enacted and declared by the Authority aforesaid, That by the Discharge of any Bankrupt or Bankrupts, by force of the said Act, or any other Acts relating to Bankrupts, from the Debts by him, her, or them due and owing at the Time that he, she, or they did become a Bankrupt, shall not be construed, nor was meant or intended to release or discharge any other Person or Persons who was or were Partner or Partners with the said Bankrupt in Trade, at the Time he, she, or they became a Bankrupt, or then stood jointly bound, or had made any joint Contract together with such Bankrupt or Bankrupts, for the same Debt or Debts from which he was discharged, as aforesaid, but that notwithstanding such Discharge, such Partner and Partners, joint Obligor and Obligors, and joint Contractors

4 Annæ, c. 17. By the Discharge of a Bankrupt his Partner shall not be discharged.

tractors with such Bankrupt and Bankrupts, as aforesaid, shall be and stand chargeable with, and liable to pay such Debt and Debts, and to perform such Contracts, as if the said Bankrupt and Bankrupts had never been discharged from the same.

Further Provisions relating to Bankrupts, 7 Geo. 1. c. 31.

1. c. 31. 5 Geo. 2. c. 30. (which is continued by 31 Geo. 2. c. 35. to 29th Sept. 1764.) 19 Geo. 2. c. 32. and 24 Geo. 2. c. 57.

C A P. XVI.

An Act for regulating, improving, and encouraging the Woollen Manufacture of mixt or Medley Broad Cloth, and for the better Payment of the Poor employed therein.

11 Ed. 3. c. 3 & 5. 27 Ed. 3. stat. 1. c. 4. 50 Ed. 3. c. 7. 13 R. 2. c. 11. 17 R. 2. c. 2. 4 Ed. 4. c. 1. 7 Ed. 4. c. 2 & 3. 1 R. 3. c. 8. 3 H. 7. c. 11.

WHEREAS by the ill Practices of some Makers of Mixture or Medley Broad Cloth, and the Unskilfulness of others, by excessive straining such Clothes, and other Abuses committed in working the same, great Damages and Disappointments have happened, not only to the Buyers and Wearers of the said Cloth, but much to the Disreputation of the said Manufacture both at home and abroad, and the Workers or poor Labourers, employed in working and making up the said Manufacture, have been impoverished, and are daily discouraged by imposing on them Goods and Wares of several Kinds for their Labour instead of ready Money, which Practices have been great Discouragements to the good Makers of, and fair Dealers in the said Mixture or Medley Broad Cloth: For Remedy therefore of the said ill Practices or Abuses, and in order to the reviving and preserving the Reputation of the said Cloth both at home and abroad, and for the Improvement thereof, and Encouragement of all good Makers and fair Dealers therein, may it please your Majesty, that it may be enacted; and be it enacted by the Queen'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 from and after the twenty-fourth Day of June, which shall be in the Year of our Lord one thousand seven hundred and twelve, all Mixture or Medley Broad Cloth to be made, shall be measured at the Fulling Mill, after the same shall be fully milled and scoured, and thoroughly wet, by the Master, Owner, or Occupier of every such Fulling Mill, who shall, and he is hereby obliged to take an Oath before some Justice of the Peace near to such Fulling Mill, that he will well and truly perform such measuring, (which Oath such Justice of Peace is hereby authorized and required to administer, and thereof to give such Master, Owner, or Occupier of such Fulling Mill, a Certificate of his having so done) and that every such Master of every Fulling Mill shall affix, or cause to be affixed, at the Head-end of every such Cloth, before it shall be carried from the Mill, a Seal of Lead, (to be furnished by the Clothier) and the Master or Occupier of every such Fulling Mill shall rivet the same on every such Cloth, and stamp his Name thereupon, mentioning in Figures the Length and Breadth of every such Cloth, for which he shall be paid by the Owner of every such Cloth one Penny, and no more; and the Length and Number of Yards so stamp on such Seal, shall be a Rule of Payment for every such Cloth by the Buyer of the same. Provided always, That if it shall happen, that after any Cloth hath been milled, sealed, and stamped, as aforesaid, or any Part thereof, shall by any Accident be damaged and taken off, such Part of the same, as shall not be damaged, shall be again measured, sealed, and stamped, as is before directed.

After June 24, 1712. Medley Broad Cloth shall be measured at the Fulling Mill, by the Master, &c. who shall take an Oath truly to perform such measuring, and shall affix a Seal to each Cloth, mentioning the Length, Breadth, &c.

If damaged after measuring, it shall be measured, &c. again.

Neglecting to measure, counterfeitng the Seal, &c. forfeits 20 s. for each Cloth.

II. And it is further enacted by the Authority aforesaid, That if such Master or Occupier of such Fulling Mill shall refuse or neglect to fix such Seal, as aforesaid, upon the Head-end of the said Cloth; or if any Person shall afterwards take off such Seal, or deface, counterfeit, or alter the Figure of any such Seal, before the Cloth is sold, and if the Buyer of such Cloth or Clothes shall refuse to accept or take the same, pursuant and according to the Measures herein before directed to be taken; every such Person and Persons that shall so offend, and be thereof lawfully convicted upon the Oath of one or more credible Witnesses or Witnesses, shall, for every such Neglect or Offence, forfeit the Sum of twenty Shillings for every such Cloth to be recovered and distributed as in this Act is afterwards provided for.

Penalty of overstretching, &c.

III. And be it further enacted by the Authority aforesaid, That no Clothier or Cloth-worker or any Person or Persons employed by him, after any mixt or Medley Broad Cloth is fully wet, sealed, and stamped, as aforesaid, shall, from and after the said twenty-fourth Day of June one thousand seven hundred and twelve, stretch or strain any such mixt or Medley Broad Cloth above one Yard in twenty Yards Length thereof, or above one Nail of a Yard in the Breadth thereof; and that every Person or Persons offending therein, shall, for every Offence, (being duly convicted thereof before such mixt or Medley Broad Cloth is sold, or exposed to Sale) forfeit the Sum of twenty Shillings, to be recovered and distributed as in and by this Act is afterwards directed.

Method to be observed in measuring.

IV. And to prevent any Objection that may arise from the different Method or Manner of measuring any Mixture or Medley Broad Cloth; Be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of June one thousand seven hundred and twelve, every Mill-man, Owner, or Occupier of every Fulling Mill, shall have in some convenient Place in his said Mill, one Table or Board twelve Foot long, and three Foot wide at least, whereon the said Cloth shall be doubled or creased, and laid plain, with the Length of a Yard nailed or marked thereupon, to which shall be added one Inch more, which shall be used instead of that which is commonly called a Thumb's Breadth, so that the same Length shall contain thirty-seven Inches, to prevent any Dispute in respect of such measuring by the Yard; and in Default of such Table or Board being provided and constantly kept for the Use thereof, every Person neglecting the same, shall forfeit the Sum of ten Pounds, to be recovered and distributed in such Manner as in this Act is afterwards provided.

Cloth made before the said 24th of June, and unfolded may be

V. And be it further enacted by the Authority aforesaid, That as to any Stock of the said Mixture or Medley Broad Cloth, which hath been made before, and which upon the said twenty-fourth Day of June one thousand seven hundred and twelve, shall be in hand and unfold, it shall and may be lawful for any Clothier

Clothier to take any or every such Cloth or Clothes so then in hand unfold, and to throw the same into the Water to shrink the same, in order to its being measured and scaled, as by this Act is before directed.

shrunken and measured as by this Act.

VI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of June one thousand seven hundred and twelve, every Clothier, Cloth-worker, Card-maker, or any other Person concerned in the Trade of the Woollen Manufacture, shall make Payment in Money to all and every Person and Persons any ways employed or concerned in the Woollen Manufacture, for all Work to be done in Relation thereunto, and shall not, in lieu of Payment, impose or deliver to them any Sort of Goods or Wares for such Work; and in case any Person or Persons shall, in lieu of Payment, so impose on or deliver to any Workmen or poor Labourers, any Goods or Wares, for or instead of Money, every Person or Persons so offending therein shall, for every such Offence, forfeit the Sum of twenty Shillings, to be recovered and distributed in such Manner as in and by this Act is directed.

Clothiers, &c. shall pay their Workmen in Money. Penalty 20 s.

VII. And be it further enacted by the Authority aforesaid, That all Offences against this Act shall be heard and determined by one or more Justice or Justices of the Peace of the County, City, or Place where the same shall be committed, provided such Justice or Justices be not concerned in the Matter of the said Complaint, upon the Oath of one or more credible Witness or Witnesses; which Oath such Justice or Justices of the Peace is hereby empowered to administer; and that all and every the said Penalties, and Forfeitures, which shall happen by virtue of this Act, shall be the one Moiety to the Informer, and the other Moiety to the Poor of the Parish, Township, or Place where the Offence shall be committed; and in case any Offender shall neglect or refuse to pay any such Penalties and Forfeitures by the Space of fourteen Days after the Conviction for such Offence, that then (and not before) it shall and may be lawful for the Justice or Justices of the Peace before whom such Conviction was made, and such Justice or Justices is and are hereby required to issue out one or more Warrant or Warrants, under his or their Hands and Seals, to the Constable or Constables of the Parish, Town, or Place where such Offender doth inhabit, or can be found, within the Limits of his or their respective Jurisdictions, to levy the same by Distress and Sale of the Offender's Goods, returning the Overplus (if any be) to the Offender; and where no sufficient Distress can be found, to commit the Offender to the Gaol or House of Correction for the County or Corporation, to be kept to hard Labour for such Time as the Justice or Justices of the Peace, before whom such Conviction shall be made, shall direct, not exceeding, for any one Offence, three Months.

Offences against this Act to be determined by Justices.

Forfeitures, one Half to the Informer, the other to the Poor. Neglecting to pay in 14 Days, may be levied by Distress and Sale. If no Distress, committed to House of Correction for 3 Months.

VIII. Provided always, That all Offences committed against this Act shall be prosecuted within thirty Days next after the Offences are committed or discovered.

Prosecution in 30 Days.

IX. And be it further enacted, That if any Person or Persons find him or themselves aggrieved by any Order or Warrant made by any Justice or Justices of the Peace upon any Conviction before him or them in pursuance of this Act, such Person or Persons may appeal to the Justices of the Peace at the next General Quarter-Sessions of the Peace to be held for the County or Place where such Conviction shall be made, giving sufficient Notice of such Appeal; and if the Justices at such next General Sessions shall think fit to confirm or disannul the said Order or Warrant, they shall allow such Costs and Charges to the Party grieved thereby, as they shall think reasonable, to be levied and paid in such Manner as is usual in other Cases of Appeal from the Orders of Justices of the Peace to the General Quarter-Sessions.

Persons aggrieved may appeal to Quarter-Sessions.

X. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall hereafter be commenced or prosecuted against any Person or Persons by this Act authorized to put the same in Execution, all and every Person and Persons so sued, may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff shall become nonsuited or forbear further Prosecution, or suffer Discontinuance, or a Verdict to pass against him, or Judgment upon Demurrer, the Defendant or Defendants shall recover his and their treble Costs, for which he and they shall have like Remedy as in Cases wherein Costs by Law are given to Defendants. And this Act shall be taken and allowed a Publick Act in all Courts within this Kingdom, and all Judges and Justices are hereby required to take Notice thereof as such, without special pleading of the same.

If sued, may plead the General Issue, and recover treble Costs. Publick Act.

XI. Provided always, That this Act, or any Thing herein contained, shall not be construed to extend to any Cloth made or manufactured within the County of York, or to repeal or any wise invalidate any of the Powers and Authorities mentioned or contained in an Act made in the seventh Year of her present Majesty's Reign, intituled, *An Act for the better ascertaining the Lengths and Breadths of Woollen Cloth made in the County of York.*

Not to extend to Cloth made in Yorkshire, nor to invalidate the Act of 7 Annæ, c. 13. Further Provisions relating hereto.

[Vide 1 Geo. 1. stat. 2. c. 15. for making this Act more effectual.]

10, 1 Geo. 1. c. 41. 11 Geo. 1. c. 24. 7 Geo. 2. c. 25. 11 Geo. 2. c. 28. and 14 Geo. 2. c. 35.

C A P. XVII.

An Act for the better collecting and recovering the Duties granted for the Support of the Royal Hospital at Greenwich, and for the further Benefit thereof; and for the preserving her Majesty's Harbour Moorings.

WHEREAS by an Act made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the Increase and Incouragement of Seamen*, and also another Act made in the eighth Year of his said late Majesty's Reign, intituled, *An Act to enforce the Act for the Increase and Incouragement of Seamen*, there was given for the better Support of the Royal Hospital founded at Greenwich by his said late Majesty, a Duty of six Pence per Mensen, payable by all Seamen; which Acts have not proved sufficient for the due collecting the said Duty: To the Intent therefore that the said six Pence per Mensen may for the future be more effectually collected for the Uses aforesaid, Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

7 & 8 W. 3. c. 21. 8 & 9 W. 3. c. 23. 6 d. per Mensen shall be paid out of the Wages of every Seaman for the Support of Greenwich Hospital, by the Master, &c.

Farther Provi-
sions relating
hcreto, 2 Geo.
2. c. 7. & 36.
And 18 Geo. 2.
c. 31.
Exceptions.
2 & 3 Annæ,
c. 6. §. 7.

tual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That every Seaman or other Person whatsoever, that shall serve or be employed by her Majesty, her Heirs or Successors, or by any other Person or Persons whatsoever, in any of her Majesty's Ships, or in any Ship or Vessel belonging or to belong to any of the Subjects of *Great Britain* or *Ireland*, or Dominions thereunto belonging, and every Master or Owner navigating or working in his own Ship or Vessel, whether employed upon the high Sea or Coasts of the same, or in any Port, Bay, or Creek, (other than such Apprentices, under the Age of eighteen Years, as are exempted from Payment of six Pence *per Menssem* by an Act made in the second Year of her present Majesty's Reign, and such Person or Persons as shall be employed in any Boat upon any the Coasts of *Great Britain* or *Ireland* in taking of Fish, which are brought fresh on shore into *Great Britain* and *Ireland*, and every Person and Persons employed in Boats or Vessels that trade only from Place to Place within any River of *Great Britain* and *Ireland*, or in any open Boats upon the Coasts of the same) shall pay, and there shall be allowed and paid by every such Master, Owner, Seamen, or other Person employed, or that shall be employed, the said six Pence *per Menssem*, or proportionably for a lesser Time, during the Time he or they shall be employed in, or belong to the said Ship or Vessel, for the better Support of the said *Greenwich* Hospital, and to augment the Revenues thereof for the Purposes herein mentioned.

The Masters,
&c. may deduct
the same.

II. And it is hereby declared, That the Master, Owner or Commander of every Ship or Vessel, not in her Majesty's Service, is hereby impowered and required to deduct and detain, out of the Wages, Shares, or other Profits payable or accruing to such Seaman, or other Person employed in his Ship or Vessel, the said Duty of six Pence *per Menssem*, (other than for such Apprentices and other Persons as are before excepted) and shall pay the same to such Officer or Officers as shall on that Behalf be appointed by the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the time being.

The Admiralty
to appoint Re-
ceivers,
who may depute
the Officers of
the Customs to
receive the
Duty.

III. And be it further enacted, That for the better levying and collecting the said Duties of six Pence *per Menssem*, it shall and may be lawful for the Lord High Admiral of *Great Britain*, or for the Commissioners executing the Office of Lord High Admiral of *Great Britain*, for the time being, to appoint such Person or Persons, as he or they shall think fit, to be Receiver or Receivers of the said Duty, and also to authorize such Receiver or Receivers to depute and appoint the Collectors or other Officers of her Majesty's Customs of the several Out Ports of this Kingdom, and of the Ports of the Kingdom of *Ireland*, or such other as he or they shall think fit, to collect and receive the same; and all the said Collectors and Officers of the Customs, if so appointed, are hereby required to collect and receive the same, according to such Instructions and Directions as shall be, from time to time, sent to them in Writing by the said Receiver or Receivers; and for the Care and Pains therein of the said Collectors and other Officers of the Customs, and others, to be appointed to collect and receive the said Duty, it shall and may be lawful for the Lord High Admiral, or Commissioners executing the Office of Lord High Admiral of *Great Britain*, for the time being, to make such Allowance to them out of the said Duties as he or they shall judge reasonable.

Receivers may
Summon Masters,
&c. and examine
them as to the
Number of Sea-
men, &c. See
2 Geo. 2. c. 7.
§. 5.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Receiver and Receivers, his or their Deputy or Deputies, for the time being, for the better Discovery of what shall be due from the Persons serving on board, or belonging to any Merchant or private Ship or Vessel aforesaid, by Warrant under his or their Hands, to summon all such Masters and Commanders, or (in their Absence) the Owner or Owners of such Ships and Vessels, not in her Majesty's Service, to be and appear at the Office of the said Receiver or Receivers, his or their respective Deputy or Deputies, (so as the Person so summoned be not obliged to travel above ten Miles for the making such Appearance) which said Receiver or Receivers, his or their respective Deputy or Deputies, are hereby impowered and directed to examine every such Master and Commander, or Owner or Owners as to the Number and Times of Service of all and every Person or Persons belonging to or employed in such Ships or Vessels, who are liable to, or chargeable with the said Sum of six Pence *per Menssem*; and if such Masters or Commanders, or (in their Absence) the Owners, or any of them, shall refuse, when so summoned (not having a reasonable Excuse) to appear before the said respective Persons hereby impowered to examine them in Manner as aforesaid, or if they shall appear, and obstinately refuse to make a full and true Discovery of the Matters aforesaid, upon their several Oaths, (which Oaths the said Receiver or Receivers, their Deputy or Deputies, are hereby impowered to administer) or shall neglect to pay the Monies which shall be due to the said Hospital, within fourteen Days after they shall be cleared inwards by the Officers of her Majesty's Customs, that then, and in every such Case, all and every such Offender or Offenders, for every such Refusal or Neglect, shall forfeit the Sum of twenty Pounds; one Moiety whereof shall be to the Use of the aforesaid Hospital, and the other Moiety to such Person or Persons as shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record, wherein no Effoin, Waiver of Law, or Protection shall be allowed; and if a Verdict shall pass for the Plaintiff in any such Action, Bill, Plaint, or Information, then such Plaintiff shall have and be allowed double Cofts; and if any such Master or Commander shall attempt to go to Sea with his said Ship or Vessel before he hath duly accounted with and paid the said Receiver or Receivers the said Duty for the Voyage preceding, then and in such Case, such Receiver or Receivers, or their Deputies, are hereby impowered to stop such Ship or Vessel from proceeding to Sea, till the said Duty be paid; and upon the Death or Removal of any Master or Commander of any Ship or Vessel, the Owner or Owners shall deliver to the succeeding Master a true Account of the said Duty due to the said Hospital, as aforesaid, and Money sufficient for the Payment of the same to the Receivers thereof, and in Default thereof, such Receiver and Receivers, or their Deputies, shall and lawfully may stop such Ship or Vessel from proceeding to Sea, until the said Duty shall be fully paid and satisfied.

Masters, &c. re-
fusing to appear,
er to answer up-
on Oath, shall
forfeit 20l. one
Half to the Hos-
pital, the other
to the Prosecu-
tor.
Altered by
2 Geo. 2. c. 7.
§. 7.

Master attempt-
ing to go to Sea
before the Duty
paid for the pre-
ceding Voyage,
Receivers may
stop the Ship.

Quakers Affir-
mation to be ac-
cepted instead of
an Oath.

V. Provided always, and be it further enacted by the Authority aforesaid, That in all Cases wherein by this Act an Oath is required or appointed to be taken, the solemn Affirmation and Declaration of the People called *Quakers* shall be accepted instead of such Oath, in such Manner and Form as is directed in and

by an Act made in the seventh and eighth Years of the Reign of his said late Majesty King WILLIAM the Third, intituled, *An Act that the solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in the usual Form*; for and during the Continuance of the said last recited Act, and no longer; and if such Quaker shall refuse to make such solemn Affirmation and Declaration, in any Case whereby any other Person is hereby required to take an Oath, he shall forfeit and be subject to the like Penalties, as any other Person refusing to take an Oath is liable to by this Act; and in case any such Quaker shall, upon such his solemn Affirmation or Declaration, affirm or declare any Matter which shall be false; or if any other Person shall, pursuant to the Execution of this Act, wittingly or willingly make a false Oath, he or they so offending (being lawfully convicted thereof) shall suffer the like Fines and Punishments as other Persons, being convicted of wilful Perjury, are by the Laws of this Realm subject unto.

7 & 8 W. 3.
c. 34.
Penalty of false Oath or Affirmation.

VI. And whereas it is, and hath of late been the Use and Practice of divers Masters or Commanders, Owners or Part Owners of divers Outward bound Merchant Ships or Vessels, to enter into, or sign a certain Writing or Contract, whereby the Mariners debar themselves from their Wages, until some certain Time after the said Ship or Vessel's Arrival from off the said Voyage in the same Port from which they did first put to Sea, although the said Ships or Vessels do make Delivering Ports in Foreign Parts, whereby their Wages would otherwise come due by Law; Be it therefore enacted by the Authority aforesaid, That no such Contracts, nor any other private Contracts or Agreements, made or entered into by any Seaman or Mariner, shall extend, or be construed to extend, in any Ways to debar, obstruct, or delay the Payment of the Duties aforesaid, which by this or any other Act are appropriated to the Use of the said Hospital.

No Contracts by Seamen shall obstruct the Payment of the Duty.

VII. And be it further enacted by the Authority aforesaid, That this Act, and every Part thereof, shall be taken and deemed to be a Publick Act; and if, at any Time or Times hereafter, any Person or Persons shall be sued for any Matter or Thing done in the Execution of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the Special Matter in Evidence; and if upon Trial the Plaintiff shall become nonsuited, or a Verdict shall pass for the Defendant, the Defendant shall recover Treble Costs of Suit.

A Publick Act.
General Issue.

VIII. Provided always, That nothing in this Act do extend to oblige the Payment of the six Pence per Mensen, by any Masters, Servants, or Apprentices of the Hoys, Smacks, or other Vessels belonging to the Port of London, and employed within the North Foreland, in bringing Corn, Fish, or other Provisions for the said Port of London, during the Time they shall be so employed; any thing in this Act contained to the contrary notwithstanding.

Nor to extend to Hoys, &c. employed in bringing Corn, Fish, &c. to London.

IX. And whereas in and by one other Act made at Westminster in the sixth Year of her present Majesty's Reign, intituled, *An Act for the better securing the Trade of this Kingdom by Cruizers and Convoys*, amongst other Things therein contained, it is enacted, That after the Sale or Sales of such Prize or Prizes as shall be taken from the Enemy, Publick Notification should be given by the Persons or Agents appointed for the Payment of the several Shares to the Captors; after which Publick Notification, if any Shares shall remain in the Hands of the Persons or Agents appointed, as by the said Act is directed, either belonging to such Men as shall die or run from the Service, or such as shall not legally be demanded within three Years, then such Share or Shares so remaining in the Persons or Agents Hands, shall go to, and be paid to the Use of Greenwich Hospital: In which said Act it is likewise, amongst other Things, further enacted and declared, That as well the Bill or Bills to be made out for the Value of such Prize or Prizes that shall be taken into her Majesty's Service, as the Bill or Bills to be made out for the Bounty thereby granted to the Commanders, Officers, Seamen, and others, for taking any of the Enemies Ships of War or Privateers, shall be made payable to such Person or Persons as shall be authorized and appointed to appraise or dispose of such Prize so taken from the Enemy, by the Commander, and by the Majority of the Officers, and the major Part of such Ships Company, and others as shall have taken the same, to be distributed and divided by the said Person or Persons, so authorized and appointed, amongst the Captors, in such Manner, Form, and Proportion as is thereby directed; the several Shares of which Captors (if not legally demanded within three Years after Publick Notification) shall go to the Use of Greenwich Hospital: In which said Act, no sufficient Provision being made to oblige such Agents or other Persons to discover or duly to account for the Monies remaining in their Hands due to the said Hospital;

6 Annæ, c. 13.

Now for the better and more effectual preserving and securing all such Interests and Shares so given and granted by the said Act, to and for the Use of the said Hospital, and for the better and more certain collecting the same; Be it therefore enacted by the Authority aforesaid, That all and every Person and Persons, Agent and Agents, and others who hath sold or disposed of, or shall hereafter sell or otherwise dispose of any such Prize or Prizes so taken, or that shall hereafter be so taken from the Enemy, shall within the Space of three Calendar Months next after the first Payment or Distribution to the Captors of such Prize or Prizes, made in pursuance of such Publick Notification, make out, transmit or deliver unto the Treasurer of the said Royal Hospital at Greenwich, for the time being, or to such Person or Persons as he shall for that Purpose depute or appoint, a true State and Account of the Produce of such Prize and Prizes, together with an Account of the Payments of the several Shares to the Captors, as shall then have been really and bona fide by him or them paid; and also that all and every Person and Persons authorized and appointed by the said Act to receive Bills for the Value of such Prize Ship or Ships as are or shall be taken into her Majesty's Service, in Pursuance of the said Act, and all and every Person and Persons authorized and appointed to receive Bills for the Bounty granted by the said Act, shall, within the like Space of three Calendar Months, next after the first Payment or Distribution of such Bills, for the Value of such Prize Ships, taken into her Majesty's Service, and of the Bills for Bounty, as aforesaid, in like Manner make out, transmit, or deliver to the Treasurer for the time being of the said Hospital, or to his sufficient Deputy, a true State and Account of the Payment and Distribution of such Bills; and further, That all and every Person and Persons, Agents and others, that by virtue of the said Act hath sold and disposed of, or that

All Persons disposing of Prizes, or appointed by the recited Act to receive Bills for the Value of Prize Ships, or for the Bounty granted by that Act; and also Persons disposing of any Prize taken by Ships of War, shall respectively in three Months deliver to the Treasurer of Greenwich Hospital Accounts thereof, &c.

shall hereafter sell or dispose of any Prize or Prizes taken from the Enemy, or that shall at any time hereafter be taken from the Enemy by any of her Majesty's Ships of War or Privateers, or that shall receive and dispose of any Bill or Bills for the Value of such Prizes as shall be taken into her Majesty's Service, or Bills for Bounty, such Person and Persons, Agents and others, so selling or disposing thereof, shall, within the Space of three Calendar Months next after the Expiration of the Term of three Years, limited by the said Act, make out an exact Account of the Produce of such Prize or Prizes, and Bills for Bounty, as also for the Payments of the several Shares to the respective Captors, together with a true and just Account upon Oath of all such Sum or Sums of Money as shall be then remaining in such Agent or Person's Custody, Power, or Possession; and shall at the same Time deliver, or cause to be delivered to the Treasurer of the said Hospital, for the time being, or to his sufficient Deputy or Agent, the said Accounts so attested upon Oath, as aforesaid, together with all such remaining Sum and Sums of Money then so left and remaining in his or their Hands, as aforesaid, taking his or their Acquittances for the same.

The Person neglecting to transmit such Accounts shall forfeit 100l. to the said Hospital.

X. And be it further enacted, That all and every the Person and Persons hereby directed to transmit or deliver all or any the Accounts before mentioned, who shall neglect or refuse to transmit or deliver all or any such Account or Accounts, within the Times before limited or appointed, in such Manner and Form as is herein before mentioned, or who shall neglect or refuse to pay over all and every such Sum and Sums of Money as shall remain in his or their Hands, Power, Custody, or Possession, after the Term of three Years, to be accounted, as aforesaid, shall, for every such Offence, forfeit and pay to the Use of the said Royal Hospital the Sum of one hundred Pounds, to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, in which no Essoin, Protection, Privilege, or Wager of Law, nor more than one Imparance shall be allowed.

Persons convicted of Fraud in stating Accounts to forfeit 100l. one Half to the Hospital, the other to the Prosecutor.

XI. And be it further enacted, That if any Fraud, Collusion, or Deceit shall be wittingly or willingly made, used, committed, permitted, done, or suffered, in the making, stating, or balancing any such Accounts, then every Person or Persons, who shall be thereof duly convicted, and his and their Aiders and Abettors, shall forfeit and pay, for every such Offence, over and above the Penalties and Punishments to be inflicted by any other or former Law, the Sum of one hundred Pounds; one Moiety whereof to be to the Use of the said Hospital, and the other Moiety to the Informer who shall sue for the same, to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, in which no Essoin, Protection, Privilege, or Wager of Law, nor more than one Imparance shall be allowed.

Clause for limiting a Time for Captors to demand their Shares.

XII. And whereas her Majesty by her most gracious Declaration for Encouragement of her Ships of War and Privateers, bearing Date the first Day of June one thousand seven hundred and two, was pleased to direct, That in case any of her Ships of War, or Merchant Ships employed in her Service, or any Private Man of War, should take in Fight, sink, fire, or by any other Means destroy any Ship of War, or Private Man of War belonging to, or in the Service of the Enemy, they should have, as a Reward for such Service, for each Piece of Ordnance, whether Iron or Brass, in any Ship of War, or Private Man of War, so taken or destroyed, ten Pounds, to be paid out of her Majesty's Share of Prizes, and to be shared and divided as in the said Declaration is specified: And whereas the Flag Officers, Captains, and other Officers, and Companies of several of her Majesty's Ships of War, did take and destroy several Ships of War and Privateers belonging to, or in the Service of the Enemy, before the Commencement of the said Act of Parliament passed in the sixth Year of her Majesty's Reign, and thereby became entitled to such Reward, as aforesaid, by virtue of the said Declaration; but no Money remaining of her Majesty's Share of Prizes in the Receivers Hands, they are like to be deprived of the Benefit of her Majesty's said gracious Intention of rewarding such Service, unless some Provision be made by Parliament for supplying the same: And whereas the Sums of six thousand Pounds, and one thousand two hundred Pounds, Part of the Money remaining due to the several Captors for their Shares of Prizes, by virtue of the said Declaration, have been paid by the Receiver or Receivers of Prizes into the Receipt of the Exchequer, where the same lie uncalled for, though Publick Notice for Payment thereof hath long since been published in the *Gazettes*; and it being requisite that some certain Time should be limited for the Captors to make their Claims to their Shares of Prizes, by virtue of the said Declaration, and in Default thereof to be barred the same, in order to have the Accounts of such Shares finally adjusted, and that so much thereof as shall remain uncalled for within such limited Time, may be applied to and for the Uses and Purposes herein after mentioned; Be it therefore enacted by the Authority aforesaid, That as to such Shares belonging to any Captors of Prizes, by virtue of the said Declaration, of the Day appointed for the Payment whereof Publick Notice hath been given in the *Gazette* for three Years or more since past, and which shall not be legally demanded before the twenty-fifth Day of December one thousand seven hundred and twelve, such Captors, their Executors, Administrators, and Assigns, shall, from and after the said twenty-fifth Day of December one thousand seven hundred and twelve, be for ever barred from all Right and Claim to the same; and as to any other Shares belonging to any Captors, as aforesaid, if the said Shares shall not be legally demanded on or before the twenty-fifth Day of March one thousand seven hundred and thirteen, such Captors, their Executors, Administrators, and Assigns, shall then be for ever barred from all Right and Claim to the same.

Treasury may order the 6000l. and 1200l. remaining in the Exchequer, to be paid to the Treasurer of the Hospital.

XIII. And whereas there are remaining in the Hands of the said Receivers several Sums of Money which may probably be sufficient to answer all Demands of Captors, and also to pay the said Rewards, over and besides the said Sums of six thousand Pounds, and one thousand two hundred Pounds, paid into the Receipt of the Exchequer, as aforesaid, which said last mentioned Sums may be presently applied for the Benefit of the said Hospital; Be it therefore enacted by the Authority aforesaid, That the Lord High Treasurer of Great Britain, or the Commissioners of the Treasury for the time being, shall and may, and are hereby authorized and directed to order the Payment of the said Sums of six thousand Pounds, and one thousand two hundred Pounds, to be forthwith issued and paid to the Treasurer of the said Hospital, to be by him applied to the Uses and Purposes herein after mentioned; and as to all the Monies which now

is or hereafter shall be in the Hands of any Receiver or Receivers of Prizes, or Persons appointed for the same, their Executors or Administrators, belonging to any Captors for their Shares of Prizes, by virtue of the said Declaration, the same shall be issued and applied in the first Place for or towards the Payment of the Captors, who shall demand the same within the respective Times aforesaid; and after the Payment of such Captors, then after the twenty-fifth Day of *March* one thousand seven hundred and thirteen, shall be issued and applied for or towards the Payment of the Rewards before mentioned, in such Proportions as by the said Declaration is directed, to and among the Flag Officers, Captains, and other Officers and Companies of her Majesty's said Ships, their Executors or Administrators, entitled thereunto, as aforesaid, if the same shall be decreed unto them by the High Court of Admiralty; and Lists of the Ships which shall be intitled to such Reward by such Decree, shall be transmitted to the Receiver or Receivers of Prizes before the twenty-ninth Day of *September* one thousand seven hundred and twelve, and be by them afterwards claimed of the Receiver or Receivers of Prizes before the twenty-fifth Day of *December* one thousand seven hundred and twelve; and Publick Notice is hereby directed to be given in the *Gazette* by the Receiver or Receivers of Prizes, or Persons appointed for the same, within fourteen Days after the Royal Assent shall be given to this Bill, of the respective Times appointed for the Captors, and the Persons entitled to such Rewards, as aforesaid, to make their respective Claims; and the Surplus of the said Monies, after the Payment of such Rewards, or so much of the same as shall be legally demanded, as aforesaid, shall immediately after the Times before limited for such Demand, be issued and paid to the Use of the said Royal Hospital at *Greenwich*; such Allowances being first made out of the said Surplus for the necessary Charges of Officers attending for Payment of such Captors on Recals, not exceeding in the whole the Sum of six hundred Pounds, as to the Lord Treasurer, or Commissioners of the Treasury for the time being, shall seem reasonable; any thing in the said Declaration, or any other Matter or Thing to the contrary hereof in any wise notwithstanding.

How the Monies remaining in the Hands of the Receivers of Prizes shall be applied.

XIV. Provided always, and be it enacted and declared by the Authority aforesaid, That the Sum and Sums of Money so to be paid and distributed to and amongst the said Claimers, for and towards Satisfaction of such Rewards, shall not exceed the Sum of four thousand Pounds; and in case it shall so happen that the several Sums so decreed and demanded for such Rewards, at or before the five and twentieth Day of *December* one thousand seven hundred and twelve, shall amount in the whole to more than four thousand Pounds, then in such case the said Sum of four thousand Pounds shall be divided and distributed to and amongst the said several Claimers, by way of Average, in Proportion to their respective Interests and Demands, which is and shall be in full Recompence, Discharge, and Satisfaction of their said Claims of such Rewards from her Majesty; which said Average and Proportion shall be made up and adjusted by the Receiver of the Prizes, or Person appointed to receive the same, by the twenty-fifth Day of *March* one thousand seven hundred and thirteen, who shall from thence forthwith pay such Monies as shall be due for such Rewards.

The Sums to be paid to the Claimers of Rewards, not to exceed 4000l. and if the Money claimed amount to more, the 4000l. shall be distributed by Way of Average. By 12 Annæ, stat. 2. c. 9. §. 66. Lists are to

be made of the Persons entitled to Rewards, &c.

XV. Provided also, That in case any Person or Persons, who are or shall be entitled to receive any Money for or upon Account of such Rewards, as aforesaid, shall not himself, or by his lawful Attorney, come to such Receiver, or Person or Persons appointed to pay the same, to receive such Money, before the twenty-fourth Day of *June* one thousand seven hundred and thirteen, then every such Person and Persons shall from thenceforth be barred and excluded from any Right to any such Money.

Persons entitled to Rewards, not coming to receive them before 24 June 1713, shall be excluded.

XVI. Provided also, and be it further enacted, That from and immediately after the said twenty-fifth Day of *March* one thousand seven hundred and thirteen, the Receiver and Receivers of Prizes, and Person and Persons appointed to receive the same, shall pay to the Treasurer of the said Hospital, for the Use of the said Hospital, all and every such Sum and Sums of Money as shall be then remaining in his or their Hands of the Captors Money, over and above the said Sum of four thousand Pounds, if the whole shall be decreed and claimed by the Time before limited, and also over and above such Sum and Sums of Money as shall be necessary for defraying the Charges of attending and making such Payments, as aforesaid, (not exceeding the Sum of six hundred Pounds before mentioned) to be paid in such Manner as the Lord High Treasurer of *Great Britain*, or Commissioners of the Treasury for the time being, shall order and direct; and also, that from and immediately after the said twenty-fifth Day of *December* one thousand seven hundred and twelve, such Receiver and Receivers of Prizes, and Person or Persons appointed to receive the same, shall pay to the Treasurer of the said Hospital, for the Use of the said Hospital, all and every such Sum and Sums of Money of the said four thousand Pounds, as shall not before that Time be decreed and claimed for such Rewards; and also shall, from and immediately after the said twenty-fourth Day of *June* one thousand seven hundred and thirteen, pay to the Treasurer of the said Hospital, for the Use of the said Hospital, all and every such Sum and Sums of Money of the said four thousand Pounds, as shall not before that Time be demanded to be paid, as aforesaid, by the Person entitled thereto, or by his lawful Attorney.

After 25 March 1713. Receiver of Prizes shall pay the Treasurer all the Captors Money in his Hands above 4000l.

And after 25 Dec. 1712. so much of the said 4000l. as shall not be then claimed.

And after 24 June 1713. all that shall not be then demanded.

XVII. Provided likewise, That in case any other Monies due to Captors, by virtue of her Majesty's said Declaration, shall be received by such Receiver or Receivers, or Person or Persons appointed to receive the same, or shall come to, or be in the Hands of any other Person or Persons, at any Time after the said twenty-fifth Day of *March* one thousand seven hundred and thirteen, the same shall be paid to the Treasurer of the said Hospital for the time being, for the Use of the said Hospital.

Any other Money due to Captors, in the Receivers Hands, after 25 March 1713. shall be

paid to the Treasurer for the Use of the Hospital.

XVIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Treasurer of the said Hospital, to pay and dispose of so much of the said Monies as shall be paid unto him, as aforesaid, for the Use of the said Hospital, as the Commissioners for the said Hospital at their General Court shall order and direct; which Order or Orders of the said Court shall be a good and sufficient Dis-

The Treasurer shall pay the Money, as directed by the Commissioners charge of the Hospital.

How the Captors to be paid if the Receiver has not Money sufficient.

charge to the said Treasurer for all Monies so by him paid, against all Persons whatsoever; and in case there shall not be Money enough in the Hands of the Receiver and Receivers of Prizes, and the Person or Persons appointed to receive the same, to pay the said Captors Rewards, and the said Charges of attending and making such Payments, as aforesaid, That then it shall and may be lawful for the said Treasurer, or any other Treasurer of the said Hospital for the time being, and such Treasurer is hereby authorized and required out of such Monies, to pay all such Money as shall be deficient for the Purposes aforesaid, or any or either of them, to the Receiver of Prizes or other Person appointed for the receiving Prizes, out of the Revenues of the said Hospital, which shall be, and are hereby charged with, and made liable to the Payment of the same, so as the said Hospital be not charged with more than the said Sums of six thousand Pounds, and one thousand two hundred Pounds, to be received, as aforesaid, out of the Exchequer.

Money in Receivers Hands during the Reign of W. 3. not demanded before 24 June 1712. shall be paid to the Treasurer for the Use of the Hospital.

‘XIX. And whereas considerable Sums of Money may be remaining in the Hands of the Receiver or Receivers of Prizes, or Persons appointed for the same, during the Reign of his late Majesty King WILLIAM the Third, their Executors or Administrators, belonging to several Captors in the Service of his said late Majesty, for their Shares of Prizes taken during the Reign of his said late Majesty, which have not been legally called for, or demanded in all this Time; and it will therefore be fit that the same should be discharged, and some Disposition made thereof:’ Be it further enacted by the Authority aforesaid, That all such Monies as shall be so remaining, as aforesaid, in the Hands of any Receiver or Receivers of Prizes, or Persons appointed for the same, their Executors or Administrators, shall be paid on or before the twenty-fourth Day of June one thousand seven hundred and twelve, to the Treasurer of the said Hospital, to be applied to the Use of the said Hospital; and such Receiver or Receivers of Prizes, or Persons appointed for the same, their Executors and Administrators, are hereby required and authorized to pay the same accordingly; and the said several Captors, their Executors, Administrators, and Assigns, are hereby barred from all Right and Claim thereunto.

Who may be admitted into the Hospital.

‘XX. And whereas no Seamen have hitherto been admitted into the said Hospital, but such only as have served in the Royal Navy, notwithstanding great Sums have been constantly paid towards the Support of the said Hospital from the Wages of Seamen employed in Merchants Service;’ Be it therefore enacted by the Authority aforesaid, That the Lord High Admiral of Great Britain, the Commissioners of the Admiralty for the time being, or whoever else shall, from time to time, have Power to direct the Admission of any Seamen into the said Hospital, shall consider, as being fully qualified for an Admission into the said Hospital, any Seaman, who shall offer himself to be admitted, and who shall produce an authentick Certificate of his having been wounded, maimed, or hurt in defending any Ship belonging to the Subjects of her Majesty, against the Enemies of her Majesty, her Heirs or Successors, or in taking any Ship from the Enemy, and thereby disabled for Sea Service; any Law, Custom, Usage, or Order to the contrary thereof in any wise notwithstanding.

If any Ship not belonging to the Navy shall fasten to the Queen’s Moorings, the Captain, &c. shall forfeit 10l. for every Tide he stays at the said Moorings, unless necessitated so to do by Strefs of Weather, &c.

‘XXI. Whereas it is become a common Practice, that Merchants Ships and Vessels carrying Merchandise, do very often stop and ride at the Moorings appointed and laid out for the Use of her Majesty’s Ships and Vessels, and at her Majesty’s Ships and Hulks in Harbour, near and adjoining to her Majesty’s Dock Yards, Store-houses and Magazines, such Merchant or trading Ships or Vessels not being forced thereto by any Necessity or Want of Tide, by which Means her Majesty’s Ships, Vessels, and Magazines are subjected to Accidents by Fire, and other Damages, through the Carelessness of the Persons left on board such Merchant Ships, as well as to Charges, by weakening and wearing the Moorings; and the Persons left on board such Merchant Ships, by their long staying at such Moorings, have great Opportunities of running of Goods and imbezilling her Majesty’s Naval Stores:’ For Prevention whereof, Be it therefore enacted by the Authority aforesaid, That if any Merchant Ship, or any other Ship or Vessel, not being one of her Majesty’s Ships of War, or belonging to her Majesty’s Royal Navy, or employed in her Majesty’s Service, or such Ships as shall come to deliver Stores into her Majesty’s Yards, during their Delivery thereof, shall stop or fasten to any of her Majesty’s Moorings, or fix themselves to any of her Majesty’s Ships or Hulks, the Captain, Master, Commander, or Person, having the Care or Command of such Merchant Ship or Vessel, that shall be then on board, shall forfeit and pay the Sum of ten Pounds for each and every Tide such Merchant Ship or Vessel shall stay at the said Moorings, unless it shall appear that such Merchant Ship or Vessel was necessitated so to do, by want of Tide, Strefs of Weather, or other unavoidable Accidents; one Moiety of which Forfeiture shall be to the Use of the aforesaid Hospital, the other Moiety thereof to the Use of him or them that shall sue for the same, together with Costs of Prosecution, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty’s Courts of Record at Westminster, wherein no Essoin, Privilege, Protection, Wager of Law, Injunction, or more than one Imparllance shall be allowed.

One Moiety to the Hospital, the other to the Prosecutor.

Upon Neglect to unloose, upon Notice given for 24 Hours, her Majesty’s Officers may unloose such Ship from the Moorings. Further Provisions concerning Seamen, 1 Geo. 1. c. 25. 8 Geo. 1. c. 24. 1 Geo. 2. stat. 2. c. 9 & 14. 2 Geo. 2. c. 7 & 36. 6 Geo. 2. c. 25. 8 Geo. 2. c. 29. 11 Geo. 2. c. 30. 13 Geo. 2. c. 3, 4 & 17. 14 Geo. 2. c. 38. 17 Geo. 2. c. 34. 18 Geo. 2. c. 31. 20 Geo. 2. c. 38. 22 Geo. 2. c. 52. 24 Geo. 2. c. 47. 31 Geo. 2. c. 10.

‘XXII. And it is hereby further enacted and declared by the Authority aforesaid, That upon Notice given to the Person commanding on board such Merchant Ship or Vessel, or under whose Care the same shall then be, by any Officer or Officers belonging to any of her Majesty’s Ships of War, Docks or Yards, as aforesaid, to unloose from the said Moorings, upon Neglect or Refusal thereof for the Space of twenty-four Hours, it shall and may be lawful to and for every such her Majesty’s Officer and Officers, to unloose such Merchant Ship or Vessel from the said Moorings.

C A P. XVIII.

An Act to give further Time for inrolling such Leases granted from the Crown, as have not been inrolled within the respective Times therein limited; and for making the pleading of Deeds of Bargain and Sale inrolled, and of Fee Farm Rents, more easy.

WHEREAS several Leases or Grants have been made by her Majesty, or her Royal Predecessors, under her or their Great Seals, or under the Exchequer Seal, the Seals of the Duchy and County Palatine of *Lancaster*, or some of them, of several Manors, Messuages, Lands, Woods, Tenements, Tithes, Profits, and other Hereditaments, within that Part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, to take Effect in Possession, Reversion, or Expectancy, or by way of future Interest, for one, two, or three Lives now in being, or for some Term or Terms of Years, determinable upon one, two, or three Lives now in being, or for some certain Term or Terms, not exceeding fifty Years, to take effect from the Date or making thereof, or for such other Estate or Term as (together with the Estate or Estates in Possession of and in the Premises so leased or granted respectively) was not to exceed three Lives, or the Term of fifty Years, from the Date or making of every such particular Lease or Grant: And whereas there are several Provisoes, Conditions, or Covenants inserted in the said several Leases, or some of them respectively, importing that the same should be inrolled before the proper Auditor of each County within a Time limited in that Behalf, to the end the Rents or Duties thereby reserved or payable might be put in Charge, and duly answered and paid, or performed: And whereas notwithstanding the said Provisoes, Conditions, or Covenants in the said Leases, yet several of the Lessees or Farmers therein named, or those claiming under them, have omitted and neglected inrolling, or causing to be inrolled, their said Leases, within the respective Times limited for that Purpose, as aforesaid, whereby the said Rents or Duties are not only in Likelihood of being lost, but the Leases are for that Cause void or voidable, or the Lessees, or those claiming under them, are liable to Payments *Nomine pœnæ*, or other Penalties or Damages: Now to the end the said Lessees, and the Persons claiming under them, may be relieved in the Premises, and that the Rents due and reserved upon such Leases may hereafter be duly put in Charge, answered and satisfied, her Majesty is graciously pleased, that it may be enacted; And be it enacted by the Queen'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 and every Person and Persons; Bodies Politick and Corporate, having at any Time or Times before the third Day of *March* one thousand seven hundred and eleven, made such Default or Omission of Inrollment of any such Lease or Leases, as aforesaid, or any Person or Persons claiming or pretending any Right, Title, or Interest under them, or any of them, shall and may, on or before the third Day of *March* which shall be in the Year of our Lord one thousand seven hundred and twelve, bring, or cause to be brought, such Lease and Leases to the proper Auditor to be inrolled, who is hereby authorized and required to inrol the same, and to put the Rents thereupon reserved in Charge, as if such Lease or Leases had been brought to be inrolled within the respective Times thereby limited in that Behalf; and that in every such Case, the Lease so inrolled within the said Time limited by this Act, shall upon such Inrollment thereof, and Payment of all Arrears of Rent then due thereupon (and not otherwise) be adjudged to continue and have its being, as if no Forfeiture, or cause of Forfeiture (for want of Inrollment only) had been had or made; and the Lessee or Lessees in every such Lease so inrolled pursuant to this Act, and all Persons claiming under them respectively, shall be, and is and are hereby exonerated and discharged of and from all Penalties and Damages which might be occasioned for want of such Inrollment; any Law, Custom, or Usage to the contrary notwithstanding.

II. Provided always, That nothing in this Act contained shall extend to affirm or give Continuance or being to any Lease or Leases, which in any Court of Law or Equity have been adjudged or decreed to be forfeited or avoided for want of such Inrollment, as aforesaid; any thing herein contained to the contrary notwithstanding.

III. And for supplying a Failure in pleading or deriving the Title to Lands, Tenements, or Hereditaments, conveyed by Deeds of Bargain and Sale, indented and inrolled according to the Statute made in the twenty-seventh Year of the Reign of King *HENRY* the Eighth, for Inrollment of Bargains and Sales, where the original Indentures of Bargain and Sale, to be shewed forth or produced, are wanting, which often happens, especially where divers Lands, Tenements, or Hereditaments, are comprized in the same Indenture, and afterwards derived to different Persons; Be it further enacted by the Authority aforesaid, That where in any Declaration, Avowry, Bar, Replication, or other Pleading whatsoever, any such Indenture of Bargain and Sale inrolled, shall be pleaded with a *Profert in Curia*, or offer to produce the same, the Person or Persons so pleading, shall and may produce and shew forth, and be suffered and allowed to produce and shew forth, by the Authority of this Act, to answer such *Profert*, as well against her Majesty, her Heirs and Successors, as against any other Person or Persons. a Copy of the Inrollment of such Bargain and Sale; and such Copy examined with the Inrollment, and signed by the proper Officer, having the Custody of such Inrollment, and proved upon Oath to be a true Copy, so examined, and signed, shall be of the same force and effect, to all Intents and Constructions of Law, as the said Indentures of Bargain and Sale were and should be of, if the same were in such Case produced and shewn forth.

IV. And for as much as the Fee Farm Rents, and other Rents purchased under an Act of Parliament made in the twenty-second Year of the Reign of King *CHARLES* the Second, intituled, *An Act for the advancing the Sale of Fee Farm Rents, and other Rents*, and one other Act made in the twenty-second and

All Persons having before 3 March 1711. omitted to inroll Leases made by the Crown, shall before 3 March 1712. cause them to be inrolled, and the Lease so inrolled shall be adjudged to have its being, as if no Forfeiture had been made for want of such Inrollment.

This Act shall not continue any Lease adjudged to be forfeited.

If a Bargain and Sale be pleaded, a Copy thereof signed by the proper Officer and proved on Oath, shall be of the same Effect as if the original Indenture had been produced.

27 H. 8. c. 16.

Where any Fee Farm Rents, sold pursuant to the Acts 22 Car.

2. c. 6. & 22. & 23 Car. 2. c. 24. are described in any Deed, &c. as they were in the Indentures of Bargain and Sale by the Trustees, such Descriptions shall serve in pleading the Titles.

' twenty-third Years of the same Reign, intituled, *An Act for vesting certain Fee Farm Rents, and other small Rents in Trustees*, cannot always be so fully and particularly described, as may be requisite for conveying or pleading the same: For the better deriving and pleading the Title to such Rents, from the Trustees appointed for selling thereof, pursuant to either of the said Acts, and clearing all Doubts relating to the naming or describing thereof; Be it enacted and declared by the Authority aforesaid, That where any Rent or Rents, intended by the said Acts, or either of them, to be sold, and sold pursuant thereto, is, are, or shall be named or described in any Deeds, Fines, Recoveries, or other Assurances, or in any Declaration, Bar, Avowry, Replication, or other Pleading whatsoever, by such or the like Names or Descriptions, as the same were named or described by in the Indentures of Bargain and Sale made by the Trustees for Sale thereof, pursuant to the said Acts, or either of them, such Names or Descriptions may serve, and are and shall be sufficient for the conveying, deriving, or pleading the Title to such Rent or Rents from or under the said Trustees, and shall be at all Times deemed, judged, and allowed so to be, in all Courts of Law, or elsewhere.

Not to extend to Rent which has not been paid in 20 Years.

V. Provided always, That nothing in this Act contained, shall extend to give or allow any Benefit or Advantage in pleading or deriving Title to any Rent which hath not been paid or levied within twenty Years next before the Time of such pleading or deriving Title to the same.

C A P. XIX.

An Act for laying several Duties upon all Sope and Paper made in *Great Britain*, or imported into the same; and upon chequered and striped Linens imported; and upon certain Silks, Callicoës, Linens, and Stuffs, printed, painted, or stained; and upon several Kinds of stamp Vellum, Parchment, and Paper; and upon certain printed Papers, Pamphlets, and Advertisements; for raising the Sum of eighteen hundred thousand Pounds by way of Lottery towards her Majesty's Supply; and for licensing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp Duties by Licences for Marriages and otherwise; and for Relief of Persons who have not claimed their Lottery Tickets in due Time, or have lost Exchequer Bills, or Lottery Tickets; and for borrowing Money upon Stock (Part of the Capital of the *South Sea Company*) for the Use of the Publick.

For the Appropriation of the Surplus arising from this Act, see 10 Anne, c. 25. §. 116.

* MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, finding it absolutely necessary to raise large Supplies of Money to carry on the present War, until your Majesty shall be enabled to establish a good and lasting Peace, and for defraying your Majesty's other extraordinary Expences, have, for those Ends and Purposes, given and granted, and do by this Act give and grant to your Majesty the several and respective Rates and Duties for and upon all Sope made in *Great Britain*, or imported into the same; and for and upon all Paper made in *Great Britain*, or imported into the same; and for and upon all the chequered and striped Linens to be imported into *Great Britain*; and for and upon certain Silks, Callicoës, Linens, and Stuffs, printed, painted, stained, or dyed, as are herein after mentioned; and for and upon such stamp Vellum, Parchment, and Paper, and other Things, as are hereafter in this Act more particularly described; for and during such Term and Terms of Years, and in such Manner and Form, as are herein after expressed: And we do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the Queen'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 there shall be raised, levied, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Sope which, at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the tenth Day of *June* one thousand seven hundred and twelve, shall be imported or brought into the Kingdom of *Great Britain* (over and above all Customs, Subsidies, and Duties already imposed thereupon) the Sum of two Pence for every Pound Weight, consisting of sixteen Ounces *Averdupois*, and after that Rate for a greater or lesser Quantity, to be paid down in ready Money by the Importers thereof, from time to time, before the Landing of the same: And that there shall be raised, levied, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Sope of what Kind soever, which at any time or times within or during the said Term of thirty-two Years, shall be made within the said Kingdom of *Great Britain*, the Sum of one Penny for every such Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity, the same to be paid by the Makers thereof respectively.

From 10 June 1712. all Sope imported, to pay 2 d. per lb. for 32 Years. Made perpetual by 3 Geo. 2. c. 7. §. 1.

All Sope made in *Great Britain* to pay 2d. per lb.

Sope landed before Entry, &c. forfeited, or the Value.

II. And be it enacted by the Authority aforesaid, That in case any of the said imported Sope shall be landed or put on Shore out of any Ship or Vessel, before due Entry be made thereof at the Custom-house in the Port or Place where the same shall be imported, and before the Duties by this Act charged or chargeable thereupon, shall be duly paid, or without a Warrant for the landing or delivering the same, first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively, that all such imported Sope, of what Kind soever, as shall be so landed or put on Shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited, and shall and may be seized or recovered of the Importer or Proprietor thereof; to wit, One Moiety of the same to the Use of her Majesty, her Heirs and Successors, and the other Moiety to the Use of such Person or Persons as will seize, inform, or sue for the Sope so imported and forfeited, or the Value thereof, in any

One Moiety to the Crown, the other to the Seisor, &c.

her Majesty's Courts of Record at *Westminster*, or in her Majesty's Court of Session, Court of Justiciary, or Court of Exchequer in *Scotland* respectively, by Action, Suit, Bill, or Information, wherein no Effoin, Protection, or Wager of Law shall be allowed.

III. And be it further enacted by the Authority aforesaid, That the said Duties upon imported Sope, by this Act granted, during the Continuance thereof, shall be ascertained, secured, raised, levied, recovered, and answered, for the Uses and Purposes in this Act expressed, by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and in such Manner and Form, as the present Duties upon Sope imported, or any of them, are by any Law or Statute now in Force to be ascertained, secured, levied, raised, recovered and answered, during the Continuance thereof respectively.

How these Duties shall be raised.

IV. And be it enacted and declared by the Authority aforesaid, That such of the Duties imposed by this Act upon imported Sope, as shall arise in *England*, *Wales*, and the Town of *Berwick upon Tweed*, shall be under the Management of the Commissioners and Officers of the Customs in *England* for the time being; and such of the Duties imposed by this Act upon imported Sope, as shall arise in *Scotland*, shall be under the Management of the Commissioners and Officers of the Customs in *Scotland* for the time being; and that the respective Receivers General of the Customs in *England* and *Scotland* for the time being, shall, from time to time, pay or cause to be paid, all the Monies that they respectively shall receive of the said Duties for imported Sope (the necessary Charges of raising and accounting for the same excepted) into the Receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other Branches in the Publick Revenues, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures, and Disabilities as are to be inflicted by this Act, for diverting or misapplying any Monies by this Act appropriated or appointed for any the Purposes herein after mentioned.

Duties on Sope imported to be under the Management of the Commissioners of the Customs.

V. And for the better ascertaining, charging, and securing the Duties by this Act set and imposed upon all Sorts of Sope made in *Great Britain*, during the Term aforesaid, according to the true Meaning of this Act, and for preventing of Frauds concerning the same; Be it further enacted by the Authority aforesaid, That such Commissioners or Persons as her Majesty, her Heirs or Successors, or the High Treasurer of *Great Britain* now being, or the High Treasurer of *Great Britain*, or any three or more of the Commissioners of the Treasury for the time being, shall, from time to time, by one or more Commission or Commissions for that Purpose appoint, shall be her Majesty's Commissioners for the Receipt and Management of the said Duties by this Act set and imposed upon all the Sope made within *Great Britain* chargeable by this Act; which said Commissioners, or the major Part of them respectively, shall and have hereby Power, by Commissions under their respective Hands and Seals, to substitute and appoint under them such Receivers General, Collectors, Comptrollers, Surveyors, and other Officers, as shall be requisite and necessary for the Purposes aforesaid; and that the said Commissioners so to be appointed, and all the Officers for the said Duties on Sope, shall have out of the same such Salaries and Rewards for their respective Services, in relation to the same Duties, as the said High Treasurer now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think reasonable to establish or allow in that Behalf; and that the respective Commissioners for the said Duties on Sope to be made in *Great Britain*, for the time being, shall, from time to time, cause all the Monies to arise by or for the said Duties on Sope to be made in *Great Britain*, during the Term aforesaid, (the necessary Charges of managing, collecting, raising, paying, and accounting for the same excepted) to be paid, from time to time, as the same shall arise, into the Receipt of her Majesty's Exchequer in *England*, under the Penalties, Forfeitures and Disabilities herein after expressed.

Her Majesty's Commissioners for the Receipt and Management of the said Duties on Sope made in *Great Britain*.

Which Commissioners may appoint Receivers General, &c.

The Money arising by this Duty to be paid into the Exchequer.

VI. And it is hereby enacted by the Authority aforesaid, That all and every Person or Persons whatsoever, who, on or before the tenth Day of *June* in the Year of our Lord one thousand seven hundred and twelve, shall make any Sope in *Great Britain*, for Sale or not for Sale, shall, on or before the same tenth Day of *June* one thousand seven hundred and twelve, give Notice in Writing at the Office for the said Duties on Sope next to the Place where such Sope shall be made, of their respective Names, and of every Boiling-house, Work-house, Store-house, Shop, Room, and other Place by him, her, or them respectively made use of for the making, or keeping of such Sope, or for the boiling or keeping any Oil, Tallow, Pot-ash, Lime, or other Materials proper to be made into Sope; and also of all Coppers, Kettles, Furnaces, Fats, Cisterns, Troughs, or other Vessels used in the boiling or making of Sope; and that from and after the said tenth Day of *June* one thousand seven hundred and twelve, during the Continuance of the said Duties upon Sope, no Maker of Sope shall erect, set up, alter, change, enlarge or make use of any Boiling-house, Work-house, Ware-house, Store-house, Shop, Room, or other Place for the making or keeping of Sope, or for the boiling or keeping any Oil, Tallow, Pot-ash, Lime, or other Materials proper to be made into Sope, or use any Copper, Kettle, Furnace, Fat, Cistern, Trough, or other Vessel for the boiling or making of Sope, without first giving Notice thereof in Writing, or unless Notice thereof shall have been before given in Writing at the next Office, as aforesaid; and if any Maker of Sope shall erect, set up, alter, enlarge, or make use of any Boiling-house, Work-house, Ware-house, Store-house, Shop, Room, or other Place for the making or keeping of Sope, or for the boiling or keeping any Oil, Tallow, Pot-ash, Lime, or other Materials proper to be made into Sope, or shall use any Copper, Kettle, Furnace, Fat, Cistern, Trough, or other Vessel for the boiling or making of Sope, without giving such Notice thereof, as aforesaid, contrary to the true Meaning of this Act, then, and in every such Case, the Offender therein, for every such Offence, shall forfeit and lose the Sum of fifty Pounds.

Sope makers before 10 June 1712. to give Notice at the Office of their Names, and Boiling-houses, &c. and of all their Coppers, Kettles, &c.

on Forfeiture of 50 l.

VII. And be it further enacted by the Authority aforesaid, That during the Continuance of the said Duties on Sope, no Maker of Sope in *Great Britain* shall charge or cause to be charged any Copper, Pan, or other Utensil, with Materials for making of Sope, or fill out any Sope from the same, between the Hours of ten at Night and five in the Morning, without first giving Notice thereof to the proper Officer, under the Penalty of fifty * Pounds for every such Offence.

Statute Hours for working Sope.

* Twenty in the former Editions.

The Contents of a Barrel, &c. of Sope.

10 Annæ, c. 26. §. 111.

Sope Makers within the Weekly Bills to enter at the Office monthly, others every six Weeks, on Forfeiture of 50 l.

Entries to be made on Oath or solemn Affirmation.

Entries to be made at the next Market Town.

Persons in London, &c. to clear off the Duties in four Weeks, in any other Parts in six Weeks,

on Forfeiture of double Duty, &c.

Officers may enter Sope-makers Houses at all Times, to take an Account of the Sope.

and make a Return thereof to the Commissioners, leaving a Copy with the Maker, on Penalty of 40s.

Officers to be sworn.

Makers to keep just Weights, on Forfeiture of 10 l.

Officers to take an Account of the Oil, Tallow, &c. in Makers Hands, &c.

VIII. And it is hereby declared, That every Barrel of Sope doth or ought to contain two hundred fifty and six Pounds; every Half Barrel, one hundred twenty and eight Pounds; every Firkin sixty and four Pounds; and every Half Firkin thirty and two Pounds *Averdupois*, besides the Weight or Tare of the Cask: And that all Sope to be made during the said Term, shall be put by the Maker into such Cask, and none other, upon the making thereof, upon Pain of forfeiting five Pounds for every Offence or Neglect therein.

IX. And it is hereby enacted by the Authority aforesaid, That from and after the said tenth Day of June one thousand seven hundred and twelve, during the Continuance of the said Duties upon Sope hereby granted, all and every Person and Persons whatsoever, who shall make any Sope in *London* or *Westminster*, or in any Parts within the Limits of the Weekly Bills of Mortality, shall Monthly, and every Month, and all and every Person or Persons whatsoever, who shall make any Sope in any other Part of *Great Britain*, shall, once in every six Weeks, make a true Entry in Writing at the next Office for the said Duties, of all the Sope by him, her, or them severally made within such Month or six Weeks respectively; which said Entries shall contain the Weight of all Sope mentioned therein respectively, and what Quantity thereof was made at each Boiling in the several Weeks to which such Entries shall relate, on Pain to forfeit for every Neglect of Entry the Sum of fifty Pounds: Which Entries shall be made upon Oath by the Makers of such Sope, or by their chief Workman or Servant employed in making the same, according to the best of their Knowledge and Belief, unless such Maker, Workman, or Servant, be a known *Quaker*, and the solemn Affirmation of such Maker, Workman, or Servant to the same Effect, in case he or she be a known *Quaker*, shall and may be taken instead of such Oath; and the said Entries, Oaths, and Affirmations to verify the same, shall, for such Sope as shall be made within the Limits of the Weekly Bills of Mortality, be made with and administered by such Officer or Officers as shall be appointed by the Commissioners for the said Duties in *England*, or the major Part of them, for the time being, who shall attend at a General Office in *London* or *Westminster* for that Purpose, and for all Sope made in all other Parts of *Great Britain*, with and by the Collectors and Supervisors of the District or Division within which the respective Makers of Sope shall inhabit, without any Fee or Charge whatsoever to be demanded or taken for the same.

X. Provided always, That no Maker of Sope shall be obliged to go or send further than the Market Town where his or her Sope is made, or the next Market Town to the Place where his or her Sope is made, for the making of such Entries, as aforesaid.

XI. And be it further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who shall make any Sope in *London*, *Westminster*, or within the Limits of the said Weekly Bills of Mortality, shall, within four Weeks, and all and every Person and Persons whatsoever, who shall make any Sope in any other Part of *Great Britain*, shall within six Weeks after he, she, or they shall make, or ought to have made such Entry, as aforesaid, pay and clear off all the said Duties for Sope which shall be due from him, her, or them respectively; and that all and every such Makers of Sope, who shall refuse or neglect to make such Payment, as aforesaid, shall forfeit and lose for every such Offence, double the Sum of the said Duty whereof the Payment shall be so refused or neglected; and that no such Maker of Sope, after such Default in Payment made, shall sell, deliver, or carry out any Sope, until he hath paid and cleared off his Duty, as aforesaid, on Pain to forfeit double the Value of such Sope so delivered or carried out.

XII. And be it further enacted by the Authority aforesaid, That all and every the Officers for the said Duties on Sope, shall, at all Times, by Day or by Night (and if in the Night-time, then in the Presence of a Constable or other lawful Officer of the Peace) be permitted, upon his or their Request, to enter the House, Boiling-house, Ware-house, or other Place whatsoever, belonging to, or used by any Person or Persons, who within or during the said Term of thirty-two Years, shall be a Maker or Makers of any Sope whatsoever, and by gauging or weighing of the Sope, or otherwise, as to such Officer shall seem most proper and convenient, to take an Account of the just Quantity of the Sope which shall have been made by such Maker or Makers of Sope, from time to time; and shall thereof make Return or Report in Writing to the respective Commissioners for the said Duties on Sope, or such as they respectively shall appoint to receive the same, leaving a true Copy (if demanded) of such Report in Writing under his Hand, with or for such Maker or Makers of Sope respectively; and such Report or Return of the said Officer or Officers shall be a Charge upon such Maker or Makers of Sope respectively; and if the Officer shall refuse or neglect to give or leave a true Copy of his Report in Writing with or for such Maker or Makers of Sope at the Time of taking such Account, upon Demand, as aforesaid, every such Officer, for every such Offence, shall forfeit and pay the Sum of forty Shillings to every such Maker and Makers of Sope respectively.

XIII. Provided always, That every Officer who shall be empowered to make such Charge, as aforesaid, shall in the first Place be sworn for the due and faithful Execution of his Office; and the Oath in that behalf shall and may be administered by all or any the Commissioners of the said Duties on Sope, or by any of her Majesty's Justices of the Peace, who shall give to such Officers a Certificate thereof; and all and every such Maker or Makers of Sope respectively, are hereby required to keep sufficient and just Scales and Weights at the Place or Places where he, she, or they do make such Sope, and permit and assist the Officer to make Use thereof, for the Purposes aforesaid, under the Penalty of ten Pounds, to be forfeited and lost for not keeping such Scales and Weights, or for not permitting and assisting the Officer to use the same, as aforesaid.

XIV. And the better to prevent any Frauds and Concealments, whereby her Majesty, her Heirs or Successors, may be injured or deprived of the Duties upon Sope granted by this Act; it is hereby likewise enacted and declared by the Authority aforesaid, That all and every the Officers for the said Duties upon Sope, shall also be permitted to take an Account by gauging, weighing, or otherwise, of the Quantities of Oil, Tallow, Pot-ashes, Lime, and other Materials proper to be made into Sope, that shall be in the Custody or Possession of any Maker of Sope, during the Continuance of the said Duties hereby granted; and

and in case such Officer or Officers shall miss any Quantity or Quantities of such Oil, Tallow, Pot-ash, and other Materials aforesaid, which he had taken an Account of at the last Time he was at such Maker's of Sope, and shall not, upon reasonable Demand, receive Satisfaction what is become of such Oil, Tallow, and other Materials so missing, then, and in every such Case, it shall and may be lawful for such Officer to charge such Maker of Sope with such Quantity of Sope, as such Oil, Tallow, and Materials so missing, in his Judgment would reasonable have made, not exceeding fourteen Gallons of such Ingredients mixt or unmixt (besides the Lees) for every Barrel of Sope consisting of two hundred and fifty-six Pounds Weight *Averdupois*, and so in Proportion for a greater or lesser Quantity.

XV. And be it enacted, That if any Maker or Makers of Sope shall obstruct or hinder any of the said Officers in the Execution of the Powers and Authorities given to him or them by this Act, for the ascertaining and securing the said Duties upon Sope, the Person or Persons offending therein, shall, for every such Offence, forfeit and lose the Sum of twenty Pounds.

Obstructing Officer, forfeits 20l.

XVI. And it is hereby further enacted, That no Maker or Makers of Sope, after the said tenth Day of *June* one thousand seven hundred and twelve, during the Continuance of the said Duties on Sope, shall (under Pain of forfeiting the Sum of twenty Pounds for every Offence) remove, carry, or send away, or suffer to be removed, carried, or sent away any Sope by him, her, or them made, of which no Account shall have been first taken by the proper Officer, for the said Duties, from the Place where the same Sope shall have been made, without giving to the proper Officer or Officers, within the Limits of the Weekly Bills of Mortality, twenty-four Hours Notice at the least, and to the proper Officer or Officers in other Parts of *Great Britain*, two Days Notice at the least, of his, her, or their Intentions to remove, carry, or send away the same, that so the said Officer (without his own wilful Neglect or Default) may have Time to gauge, weigh, or otherwise take an Account thereof.

Makers not to remove Sope without due Notice to proper Officer, on Pain of 20l.

XVII. And for the better ascertaining the said Duties upon Sope, Be it further enacted by the Authority aforesaid, That all Makers of Sope, shall, from time to time, keep all the Sope by them to be made, and which shall not have been surveyed and taken an Account of by the said Officers for the said Duties on Sope, separate and apart from all other their Sope which shall have been surveyed and taken an Account of by such Officers, for the Space of twenty-four Hours after the making thereof, within the Limits of the Weekly Bills of Mortality, or for the Space of two Days after the making such Sope in any other Part of *Great Britain*, unless such Sope shall have been sooner surveyed, and taken an Account of by the said Officers respectively, on Pain to forfeit for every such Offence therein the Sum of five Pounds.

Sope not surveyed, to be kept separate, on Pain of 5l.

XVIII. And be it further enacted, That if any of the said Makers of Sope shall fraudulently hide or conceal, or cause to be hid or concealed, any Sope chargeable by this Act, or any of the Materials for making the same, to the Intent to deceive her Majesty of the just Duties by this Act granted, that then, and in every such Case, the Party so offending shall forfeit the Sum of twenty Pounds for every such Offence.

Sope concealed, forfeits 20l. By 1 Geo. 1. stat. 2. c. 36. §. 14. it forfeits 500l. &c.

XIX. And be it further enacted by the Authority aforesaid, That all Sope, Oil, Tallow, and other Materials for making Sope, which shall be found in any private Boiling-house, Work-house, Ware-house, or other Place, and all private Coppers, Kettles, Furnaces, Troughs, and other Vessels, for which no Entry shall be made, or Notice given, as aforesaid, shall be forfeited and lost, and the same, and the Value thereof, shall and may be seized and recovered by the said Officer or Officers for the said Duties upon Sope, to her Majesty's Use.

Sope, &c. found in private Boiling-houses, &c. forfeited.

XX. And it is hereby further enacted by the Authority aforesaid, That all the Sope, and all the Materials and Utensils for the making of Sope, in the Custody of any Maker or Makers of Sope, or of any Person or Persons, to the Use of or in Trust for such Maker or Makers of Sope, shall be liable and subject to, and are hereby made chargeable with all the Debts and Duties for Sope in Arrear and owing by such Maker or Makers, for any Sope made by him, her, or them, or in his, her, or their Working-houses or Places aforesaid; and shall also be subject to all Penalties and Forfeitures incurred by such Person or Persons so using such Work-house or other Place, for any Offence against this Act, relating to the said Duties upon Sope; and that it shall and may be lawful in all such Cases, to levy Debts and Penalties, and use such Proceedings as may lawfully be done by this Act in relation to Sope, in case the Debtor or Offender were the true and lawful Owner of the same.

All Sope, Materials, &c. chargeable with the Duties for Sope in Arrear.

XXI. And be it further enacted by the Authority aforesaid, That for all Sope which any Sope-boilers, Chandlers, or other Sellers and Dealers in Sope in *Great Britain*, or any Person or Persons in Trust for him, her, or them, or for his, her, or their Use, shall be possessed of or interested in, upon the said tenth Day of *June* one thousand seven hundred and twelve, for Sale, there shall be yielded and paid to her Majesty the like respective Rates, as are by this Act to be paid for the like Sorts of Sope respectively to be made or imported after the said tenth Day of *June*; and that all and every the said Sope-boilers, Chandlers, and other Sellers and Dealers in Sope, and all and every other Person and Persons who, in Trust for them, or any of them, or for the Use of them, or any of them, shall be possessed of, or have in his, her, or their Custody or Possession, or in his, her, or their Boiling-house, Work-house, Ware-house, Store-house, Shop, Room, or other Place or Places whatsoever, upon the said tenth Day of *June* one thousand seven hundred and twelve, any Stock, Parcel, or Quantity of Sope of Foreign or *British* Manufacture for Sale, shall, on or before the said tenth Day of *June* one thousand seven hundred and twelve, make a true and particular Entry thereof at the Office for the said Duties within the Limits of which they shall respectively inhabit, upon Pain to forfeit the Sum of fifty Pounds, and the said Sope for which no such Entry shall have been made; and within six Days after he, she, or they shall have made or ought to have made such Entries, as aforesaid, shall pay down the Duties hereby payable for such Sope, or within the said six Days shall give Security to the proper Officers for paying the same Duties to her Majesty's Use within three Months then next ensuing; and in case the said Duties for such Stock of Sope be paid down within the said six Days, then there shall be allowed out of the said Duty for such prompt Payment an Allowance after the Rate of

Stock in Hand on 10 June, to pay.

Stock in Hand to be entred at the proper Office, on Forfeiture of 50l. and the Sope not entred,

and the Duty to be paid or secured within 6 Days.

10l. per Cent. for prompt Payment.

Neglecting to pay, forfeits Double.

Officers may enter Shops, &c. to view Stock.

Refusal to permit them, forfeits 20l.

Clandestinely removing Stock, &c. forfeits 20l.

Sope that hath paid the Duty may be exported on Security, &c.

Such Sope re-landed, forfeited.

On Oath that the Duty has been paid, and on Debenture from the Collector, &c. Collector to receive the Duties.

All the Powers in 12 Car. 2. c. 24. and other Excise Acts, to be in force for managing these Duties.

ten Pounds *per Centum per Annum*, for the said Time of three Months; and that all and every such Sope-boilers, and other Sellers and Dealers in Sope, who shall refuse or neglect to make such Payment, or to give such Security for Payment of the said Duties for his, her, or their said Stock of Sope, within the Time by this Act limited for that Purpose, shall forfeit double the Sum of the said Duty which should have been so paid or secured by him, her, or them, as aforesaid; and that it shall and may be lawful to and for the proper Officers for the said Duties respectively to take a true and particular Account of all such Stock or Quantities of Sope as any Sope-boilers, Chandlers, or other Sellers and Dealers in Sope, or any in Trust for them, shall, on the said tenth Day of *June* one thousand seven hundred and twelve, have or be possessed of; and for that Purpose shall be permitted, in the Day-time, to enter into any Shop, Ware-house, Boiling-house, or any Dwelling-house, Out-house, or other Places belonging to such Sope-boilers, Chandlers, and other Sellers and Dealers in Sope, and every of them, who are hereby required to permit such Officer and Officers, upon his or their Request, to make such Entrance on the said tenth Day of *June* one thousand seven hundred and twelve, or afterwards, at any Time before the Duty last-mentioned shall be paid or secured, and to take an Account of the Quantity of such Sope, under the Penalty of twenty Pounds; and if any Person or Persons, having on the said tenth Day of *June* one thousand seven hundred and twelve, in his, her, or their Custody or Possession, any Stock or Quantity of Sope chargeable by this Act with the said Duties for Stock, as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away the same, or any Part thereof, before her Majesty's Duties thereupon shall be paid or secured, as aforesaid, or shall fraudulently conceal or hide any Part of his, her, or their said Stock of Sope, that then, and in every such Case, he, she, or they so offending, for every such Offence shall forfeit the Sum of twenty Pounds; and in all and every such Case and Cases the Stock or Quantity of Sope, which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any of the said Officers for the said Duties on Sope; and the Person or Persons in whose Custody such Stock of Sope shall be found, who shall not, before the Discovery thereof, give Notice at the next Office for the said Duties on Sope of the Stock or Quantity of Sope so in his, her, or their Custody, shall also forfeit and lose the Sum of five Shillings for every Pound Weight.

XXII. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, who shall have actually paid her Majesty's Duties by this Act payable for any Quantities of Sope whatsoever, and to and for any other Person or Persons, who shall buy, or be lawfully entitled to any such Quantity of Sope from the said Person or Persons who actually paid her Majesty's Duties for the same, to export such Sope for any Foreign Parts, by way of Merchandize, giving sufficient Security before the shipping thereof for Exportation, that the particular Quantities of Sope which shall be intended to be exported, as aforesaid, and every Part thereof, shall be shipped and exported, and that the same or any Part thereof, shall not be re-landed or brought again into any Part or Parts of *Great Britain*, which Security the Customer or Collector of the respective Port for such Exportation, is hereby directed and authorized to take in her Majesty's Name, and to her Use.

XXIII. Provided always, That if after the Shipping any such Sope to be exported, as aforesaid, and the giving or tendering such Security, as aforesaid, in order to obtain the Allowance or Drawback herein after-mentioned, the Sope so shipped to be exported, or any Part thereof, shall be re-landed in any Part of *Great Britain*, that then and in every such Case (over and above the Penalty of the Bond which shall be levied and recovered to her Majesty's Use) all the Sope which shall be landed, or the Value thereof, shall be forfeited.

XXIV. And it is also hereby enacted, That any Person or Persons who shall export any Sope to any Foreign Parts, shall or may make Proof, upon Oath, or by such Affirmation respectively, as aforesaid, that the Duty of such Sope hath been paid or secured, according to this Act (which Oath or Affirmation the Collector who received the said Duty is hereby required and impowered to administer) and thereupon the said Customer or Collector of the said Port of Exportation, shall give to the Exporter thereof a Debenture, expressing the true Kinds and Quantities of the Sope so exported; and the Exportation thereof being certified by the Searcher upon the said Debenture, the Collector appointed to receive the said Duties upon Sope in such County or Place where the said Sope was exported, (upon producing the said Debenture so certified to him) shall forthwith pay the Duties which shall have been received upon this Act for the Sope so exported to the Persons or Agents so exporting the same; and if such Collector shall not have Money in his Hands to pay any such Debenture, then the respective Commissioners for the said Duties of Sope are hereby required to pay, or cause to be paid, the said Debenture out of any Duties upon Sope arising by this Act; or if the Duty of such Sope so exported were only secured, and shall remain unpaid, then the same shall be discharged upon the Securities for the same; any thing in this Act contained to the contrary notwithstanding.

XXV. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, and Forfeitures, Clauses, Matters, and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*, or by any other Law now in force relating to her Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled or established, for managing, raising, levying, collecting, mitigating, or recovering, or ascertaining the Duties thereby granted, or any of them, (other than in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duties upon Sope hereby granted, during the Continuance of this Act, as fully and effectually to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses

Clauses, Matters, and Things, were particularly repeated, and again enacted in the Body of this present Act.

XXVI. And be it further enacted by the Authority aforesaid, That all Fines, Penalties and Forfeitures, in relation to the said Duties by this Act imposed upon Sope, shall be sued for, levied and recovered, or mitigated, by such Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of Session, Court of Justiciary, or Court of *Exchequer* in *Scotland* respectively; and that one Moiety of every such Fine, Penalty, and Forfeiture, (except the said Penalty of forty Shillings on the Officer) shall be to her Majesty, her Heirs and Successors, and the other Moiety to him or them that shall discover, inform, or sue for the same.

All Fines, &c. to be sued for as by the Laws of Excise.

XXVII. Provided always, and it is hereby enacted by the Authority aforesaid, That such Persons as shall be, in pursuance of this Act, appointed Commissioners for the Duties on Sope to be made in *England*, *Wales*, or *Berwick upon Tweed*, shall and may have and exercise the same or like Jurisdiction, Power, and Authority, and may adjudge, determine, mitigate, or order, in all Cases and Matters relating to the said Duties on Sope arising within the Limits aforesaid, as the Commissioners of Excise upon Beer, Ale, and other Liquors, may or lawfully can exercise, adjudge, determine, mitigate, or order in the like Cases or Matters in relation to the said Duties of Excise, by any Law or Statute now in force.

Commissioners for these Duties to have the same Jurisdiction as Commissioners of Excise.

XXVIII. And whereas it may frequently happen, That stale or rotten Sope, and also the Cuttings of good Sope, (for which the Duties upon this Act shall first have been duly paid or charged) may be put again into the Copper or Pan to be refreshed or made new, and the Sope newly made from the same, or from a Mixture of the same with other Ingredients, will be chargeable with a new Duty by this Act; It is therefore hereby provided and enacted, That in case such stale or rotten Sope, or Cuttings, be put into the Copper or Pan, in the Presence of an Officer for the said Duties, to be refreshed or made new, as aforesaid, such Officer shall, from time to time, make an Allowance of the Duty of the stale or rotten Sope, or Cuttings so put in, and certify every such Allowance upon his Report to be returned to the Head Officer, as aforesaid; any thing herein contained to the contrary notwithstanding.

Allowance to be made for stale or rotten Sope, or the Cuttings of good Sope, put into the Copper to be refreshed. By 11 Geo. 1. c. 30. §. 37. Notice is to be given of the putting in stale Sope, &c.

XXIX. And whereas Sope is more or less used in washing, scouring, or preparing the Sheeps Wool, or Lambs Wool, to be converted into the Woollen Manufactures of this Realm, and in making or finishing the same Manufactures, or some of them; and it being judged reasonable to give an Ease or Incouragement to Persons who shall be employed in the preparing, making, or finishing the said Woollen Manufactures, whether the same be for Exportation or Home Consumption: It is hereby further provided and enacted, That it shall and may be lawful to and for any Person or Persons, who, after the five and twentieth Day of *December* one thousand seven hundred and twelve, during the Continuance of the said Duties upon Sope, shall employ, spend, and consume any Quantity or Quantities of Sope in the making of any Cloths, Serges, Kerfies, Bays, Stockings, or other Manufactures of Sheeps, or Lambs Wool only, or in the finishing of the said Manufactures, or preparing the Wool for the same, or to and for his, her, or their chief Workman employed under him, her, or them, in those Works, or any of them, from time to time, to make Proof in Writing by the Affidavit of the said Person or Persons who shall so employ, spend, and consume the said Sope, or of his, her, or their chief Workman, unless he, she, or they be a known Quaker or Quakers, and by the solemn Affirmation of such Quaker or Quakers, before the Collector and Supervisor of the District or Division where such Sope shall be so employed, spent, and consumed, or either of them, (who are hereby respectively impowered and required to administer the same upon the Request of the Manufacturer, or his, her, or their chief Workman aforesaid) which said Affidavit or Affirmation shall specify the Kinds and Quantities of the Manufactures so made, finished, or prepared, and the Days between which, and the Places where the same were so made, finished, or prepared respectively, and the Quantities and Kinds of the Sope which were actually employed, spent, and consumed therein; and that no Allowance, by virtue of this Act, was before made to such Manufacturers respectively, or for his, her, or their Benefit, of the Duties payable by this Act for the Sope so specified in such Affidavit or Affirmation, or any Part thereof; and that upon the making of every such Affidavit or Affirmation, the said Collector, out of the Money in his Hands of the said Duties upon Sope by this Act granted, shall pay to the said Manufacturers respectively, so much as one third Part of the Duties granted by this Act for the Sope specified in every such Affidavit or Affirmation taken by the said Collector and Supervisor jointly, or by the said Collector singly, doth amount unto, without any Delay; and in case the same were administered by the Supervisor only, then upon a Certificate thereof, made and signed by the said Supervisor (which he is hereby required to make and sign upon Demand) the said Collector shall out of any Monies in his Hands of the said Duties on Sope, forthwith pay to the said Manufacturers respectively the said third Part of the said Duties so payable by this Act for the Sope so spent and consumed, as aforesaid; and in case the Collector shall not then have Money sufficient in his Hands to satisfy such Payments, that then and in every such case the Commissioners for the said Duties on Sope, for the time being, upon a Certificate thereof from the said Collector, (who is hereby enjoined and required to make and sign such Certificate) shall forthwith cause such Payments to be made out of any Monies arising by the said Duties on Sope, without any further Delay.

Allowance to be made of a third Part of Sope spent in making Cloths, Serges, &c. on Oath, &c. of the Worker.

XXX. And it is hereby declared and enacted, That the said Affidavits, Affirmations, and Certificates, touching the said Allowance to the Woollen Manufacturers aforesaid, shall and may be written or printed upon Paper not stamped or marked for any the Duties charged by this or any other Act upon stamped Vellum, Parchment, or Paper; and that no Fee, Gratuity, or Reward whatsoever, shall be required, demanded, or taken from any the said Manufacturers, for making any the Payments of the said Allowance for Sope consumed in the Woollen Manufactures, or for making, or taking any the said Affidavits, Affirmations, or Certificates relating thereunto, (except four Pence for writing every such Affidavit, Affirmation or Certificate) upon Pain that any of the said Officers offending therein, shall for every such Offence pay

Such Affidavit, &c. not to be stamped.

No Fee to be taken for the Allowance, &c.

Except, &c.

Concerning *Sope*
Duty, see farther
10 Ann. c. 26.

§. 111. 12 Ann. stat. 2. c. 9. (made perpetual by 6 Geo. 1. c. 4.) 1 Geo. 1. c. 36. 11 Geo. 1. c. 30. sect. 36. &c.

Persons for-
swearing, to for-
feit treble the
Value of the
Allowance.

For Second Of-
fence to suffer as
in Cases of wil-
ful Perjury.

Duty on Paper,
&c. imported,
for 32 Years
from 24 June
1712. made per-
petual by 3 Geo.
1. c. 7. §. 1.

treble Damages to the Party Grieved, besides Full Costs of Suit, to be recovered in such Manner as any other Penalty relating to the Duties upon *Sope* are by this Act to be recovered.

XXXI. And for the better preventing Frauds and Abuses in obtaining the Allowances last-mentioned, it is hereby further enacted, That if any Person or Persons shall in such Affidavit or Affirmation, swear, affirm, or alledge any Matter or Thing that shall be false and untrue, with an Intent to defraud her Majesty, her Heirs or Successors, such Person or Persons offending therein shall for every such Offence forfeit and lose treble the Value of the Allowance for which such Affidavit or Affirmation shall be made, to be recovered in like Manner, (to wit) one third Part thereof to the Use of the Queen's Majesty, and the other two Thirds thereof (with Full Costs of Suit) to the Use of the Informer or Prosecutor; and if any Person or Persons being once convicted of any such Offence, shall again offend in the like Kind, and be thereof duly convicted in any Court of Record at *Westminster*, or in any the said Courts of *Scotland*, every such Person or Persons, for such other Offence, shall suffer as in Cases of wilful and corrupt Perjury.

XXXII. And be it enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Paper of what Kind soever, and all Pastboards, Mildboards, and Scale-boards, and all Books, Prints, and Maps, which at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the four and twentieth Day of *June* one thousand seven hundred and twelve, shall be imported or brought into the Kingdom of *Great Britain*, (over and above all other Customs, Subsidies, and Duties imposed upon or payable for the same) the several and respective Rates and Duties herein after expressed, (that is to say)

Atlas Fine.

For and upon all Paper usually called or known by the Name of *Atlas Fine*, which shall be imported or brought in, as aforesaid, the Sum of sixteen Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Atlas Ordinary.

For and upon all Paper usually called or known by the Name of *Atlas Ordinary*, which shall be imported or brought in, as aforesaid, the Sum of eight Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Imperial Fine.

For and upon all Paper usually called or known by the Name of *Imperial Fine*, which shall be imported or brought in, as aforesaid, the Sum of sixteen Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Super Royal
Fine.

For and upon all Paper usually called or known by the Name of *Super Royal Fine*, which shall be imported or brought in, as aforesaid, the Sum of twelve Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Royal Fine.

For and upon all Paper usually called or known by the Name of *Royal Fine*, which shall be imported or brought in, as aforesaid, the Sum of eight Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Medium Fine.

For and upon all Paper usually called or known by the Name of *Medium Fine*, which shall be imported or brought in, as aforesaid, the Sum of six Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Demy Fine.

For and upon all Paper usually called or known by the Name of *Demy Fine*, which shall be imported or brought in, as aforesaid, the Sum of four Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Demy Second.

For and upon all Paper usually called or known by the Name of *Demy Second*, which shall be imported or brought in, as aforesaid, the Sum of two Shillings and six Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Demy Printing.

For and upon all Paper usually called or known by the Name of *Demy Printing*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling and eight Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Fine Holland
Royal.

For and upon all Paper usually called or known by the Name of *Fine Holland Royal*, which shall be imported or brought in, as aforesaid, the Sum of three Shillings and three Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Fine Holland
Second.

For and upon all Paper usually called or known by the Name of *Fine Holland Second*, which shall be imported or brought in, as aforesaid, the Sum of two Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Blue Royal.

For and upon all Paper usually called or known by the Name of *Blue Royal*, which shall be imported or brought in, as aforesaid, the Sum of two Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Painted Paper
imported.

For and upon all Painted Paper which shall be imported or brought in, as aforesaid, the Sum of eight Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Cartridge Paper.

For and upon all Paper usually called or known by the Name of *Cartridge Paper*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling and six Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Elephant Fine.

For and upon all Paper usually called or known by the Name of *Elephant Fine*, which shall be imported or brought in, as aforesaid, the Sum of eight Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Ordinary Ele-
phant.

For and upon all Paper usually called or known by the Name of *Ordinary Elephant*, which shall be imported or brought in, as aforesaid, the Sum of three Shillings and three Pence for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Fine Large Post*, which shall be imported or brought in, as aforesaid, the Sum of two Shillings and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Fine Large Post.

For and upon all Paper usually called or known by the Name of *Fine Fools Cap*, which shall be imported or brought in, as aforesaid, two Shillings and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Fine Fools Cap.

For and upon all Paper usually called or known by the Name of *Second Fools Cap*, which shall be imported or brought in, as aforesaid, two Shillings for every Ream, and after that Rate for a greater or lesser Quantity. Second Fools Cap.

For and upon all Paper usually called or known by the Name of *Bastard*, or *Double Copy*, which shall be imported or brought in, as aforesaid, two Shillings for every Ream, and after that Rate, for a greater or lesser Quantity. Bastard, or Double Copy.

For and upon all Paper usually called or known by the Name of *Chancery Double*, which shall be imported or brought in, as aforesaid, two Shillings for every Ream, and after that Rate for a greater or lesser Quantity. Chancery Double.

For and upon all Paper usually called or known by the Name of *Superfine Pot*, which shall be imported or brought in, as aforesaid, two Shillings for every Ream, and after that Rate for a greater or lesser Quantity. Superfine Pot.

For and upon all Paper usually called or known by the Name of *Second Fine Pot*, which shall be imported or brought in, as aforesaid, one Shilling and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Second Fine Pot.

For and upon all Paper usually called or known by the Name of *Genoa Royal*, which shall be imported or brought in, as aforesaid, three Shillings and three Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Royal.

For and upon all Paper usually called or known by the Name of *Genoa Medium*, which shall be imported or brought in, as aforesaid, two Shillings and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Medium.

For and upon all Paper usually called or known by the Name of *Genoa Demy Fine*, which shall be imported or brought in, as aforesaid, two Shillings for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Demy Fine.

For and upon all Paper usually called or known by the Name of *Genoa Demy Second*, which shall be imported or brought in, as aforesaid, after the Rate of one Shilling and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Demy Second.

For and upon all Paper usually called or known by the Name of *Genoa Crown Fine*, which shall be imported or brought in, as aforesaid, one Shilling and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Crown Fine.

For and upon all Paper usually called or known by the Name of *Genoa Crown Second*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Crown Second.

For and upon all Paper usually called or known by the Name of *Genoa Fools Cap Fine*, which shall be imported or brought in, as aforesaid, one Shilling and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Fools Cap Fine.

For and upon all Paper usually called or known by the Name of *Genoa Fools Cap Second*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Fools Cap Second.

For and upon all Paper usually called or known by the Name of *German Lombard*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. German Lombard.

For and upon all Paper usually called or known by the Name of *German Demy*, which shall be imported or brought in, as aforesaid, one Shilling and six Pence for every Ream, and after that Rate for a greater or lesser Quantity. German Demy.

For and upon all Paper usually called or known by the Name of *German Crown*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. German Crown.

For and upon all Paper usually called or known by the Name of *German Fools Cap*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. German Fools Cap.

For and upon all Pastboards, Mildboards, and Scaleboards, which shall be imported or brought in, as aforesaid, five Shillings for every Hundred Weight, and after that Rate for a greater or lesser Quantity. Pastboard, Scaleboard, &c.

And for and upon all other Paper, White or Brown, or of any other Colour or Kind whatsoever, which shall be imported or brought in, as aforesaid, (not being particularly charged in this Act) a Duty after the Rate of twenty Pounds for every one hundred Pounds of the true and real Value of the same, and after that Rate for a greater or lesser Quantity. in Part repealed by 11 Geo. 1. c. 7. s. 4. All other Paper 20 l. per Cent. ad Valorem.

XXXIII. And it is hereby enacted, That there shall be answered and paid to her Majesty, her Heirs and Successors, for and upon all Books, Prints, and Maps, printed or wrought off in any Parts beyond the Seas, which, at any Time or Times within or during the Term last mentioned, shall be imported or brought, bound or unbound, into *Great Britain*, (over and above the present Duties thereupon) a Duty after the Rate of thirty Pounds for every one hundred Pounds of the true and real Value of the same, and after that Rate for greater or lesser Quantities: Which said Duties for and upon the said several Sorts of Paper, and Books, Prints, and Maps imported 30 l. per Cent. ad Valorem. In Part repealed by the

by 12 Annæ,
Stat. 2. c. 5.

the said Pastboards, Mildboards, and Scaleboards, and the said Books, Prints, and Maps to be imported, as aforesaid, shall be paid by the respective Importers thereof, from time to time.

Value of Pa-
per, Books, &c.
how to be ascer-
tained.

XXXIV. And it is hereby declared, That the Values of such of the said Paper, and of the said Books, Prints, and Maps, as are to pay the said Duties *ad Valorem*, shall, in all Cases, be taken to be so much as such imported Kinds are really worth, to be sold at the Port of Importation, without any Abatement for the Duties thereupon charged by this or any former Acts; and that the respective Customer, Collector, Comptroller, or other Person or Persons, Officer or Officers of the Customs, for the time being, shall receive and levy the same Duties so payable *ad Valorem*, upon the Oath of the Merchant or Importer accordingly: And such Oath shall and may be administered, and all other Matters done for ascertaining the said Duties of such Paper, and of such Books, Prints, and Maps so payable *ad Valorem*, in the same Manner and Form as are lawfully used and practised for ascertaining any Duties payable *ad Valorem*, upon any other Commodities imported.

Duty on Paper,
&c. to be paid
on Entry.

XXXV. And be it further enacted by the Authority aforesaid, That the several Rates and Duties by this Act set or imposed upon all or any the said Sorts of Paper, and upon all or any the said Pastboards, Mildboards, and Scaleboards, and the said Books, Prints, and Maps, to be imported and brought into *Great Britain*, shall, from time to time, be satisfied and paid in ready Money, upon the Entry or Entries made, and before the Landing thereof; and that in case any of the said imported Paper, or any the said Pastboards, Mildboards, and Scaleboards, Books, Prints, or Maps, shall be landed or put on shore out of any Ship or Vessel, before due Entry be made thereof at the Custom-house in the Port or Place where the same shall be imported, and before the said Duties by this Act charged or chargeable thereupon, shall be duly paid, or without a Warrant for the Landing or Delivering the same, first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively, That all such Paper, and all the said Pastboards, Mildboards, and Scaleboards, Books, Prints, and Maps, as shall be so landed or put on shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited, and shall and may be seized and recovered of the Importer or Proprietor thereof, to wit, one Moiety of the same to the Use of her Majesty, her Heirs and Successors, and the other Moiety of the same to the Use of such Person or Persons as will seize, inform, or sue for the same, or the Value thereof, in any her Majesty's Courts of Record at *Westminster*, for any such Offences committed in *England*, *Wales*, or *Berwick upon Tweed*, or in her Majesty's Court of Session, Court of Justiciary, or Court of Exchequer in *Scotland*, for any such Offences committed in *Scotland*, by Action, Bill, Suit, or Information, wherein no Effoin, Protection, or Wager of Law shall be allowed.

Landed before
Entry, &c.
forfeited.

How these Du-
ties shall be rai-
sed.

XXXVI. And be it further enacted by the Authority aforesaid, That the said Duties upon the said imported Paper and Boards, and upon the said imported Books, Prints, and Maps, during the Continuance thereof, shall be ascertained, secured, raised, levied, recovered, and answered, for the Uses and Purposes in this Act expressed, by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, and in such Manner and Form, as the present Duties upon such Paper, Boards, or such Books, Prints, or Maps respectively, or any of them, are by any Law or Statute now in Force, to be ascertained, secured, raised, levied, recovered and answered, during the Continuance thereof respectively.

These Duties to
be managed by
the Commis-
sioners of the
Customs.

XXXVII. And be it enacted and declared by the Authority aforesaid, That such of the Duties imposed by this Act upon the said Paper and Boards, and upon the said Books, Prints, and Maps, as shall arise in *England*, *Wales*, and the Town of *Berwick upon Tweed*, shall be under the Management of the Commissioners and Officers of the Customs in *England*, for the time being; and such of the Duties imposed by this Act upon imported Paper and Boards, or such Books, Prints, or Maps, as aforesaid, as shall arise in *Scotland*, shall be under the Management of the Commissioners and Officers of the Customs in *Scotland*, for the time being; and that the respective Receivers General of the Customs in *England* and *Scotland*, for the time being, shall, from time to time, pay or cause to be paid, all the Monies that they respectively shall receive of the said Duties for the said Paper and Boards, and for such Books, Prints, and Maps imported, as aforesaid, (the necessary Charges of raising and accounting for the same excepted) into the Receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other Branches of the publick Revenues, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures and Disabilities as are to be inflicted by this Act, for diverting or misapplying any Money by this Act appropriated or appointed for any the Purposes herein after mentioned.

Paper, Past-
board, &c.
made in Great
Britain.
Made perpetual
by 3 Geo. 1.
c. 7. §. 1.

XXXVIII. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all Paper of what Kind soever, and upon all Pastboards, Mildboards, and Scaleboards, which shall, at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the four and twentieth Day of *June* one thousand seven hundred and twelve, be made in *Great Britain*, the several and respective Duties herein after-mentioned, that is to say,

Demy Fine.

For and upon all Paper usually called or known by the Name of *Demy Fine*, which shall be so made in *Great Britain*, the Sum of one Shilling and six Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Demy Second.

For and upon all Paper usually called or known by the Name of *Demy Second*, which shall be so made in *Great Britain*, the Sum of one Shilling for every Ream, and after that Rate for a greater or lesser Quantity.

Crown Fine.

For and upon all Paper usually called or known by the Name of *Crown Fine*, which shall be so made in *Great Britain*, the Sum of one Shilling for every Ream, and after that Rate for a greater or lesser Quantity.

Crown Second.

For and upon all Paper usually called or known by the Name of *Crown Second*, which shall be so made

made in *Great Britain*, the Sum of nine Pence for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Fools Cap Fine*, which shall be so made in *Great Britain*, the Sum of one Shilling for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Fools Cap Second*, which shall be so made in *Great Britain*, the Sum of nine Pence for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Fine Pots*, which shall be so made in *Great Britain*, the Sum of one Shilling for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Second Pots*, which shall be so made in *Great Britain*, the Sum of six Pence for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Brown Large Cap*, which shall be so made in *Great Britain*, the Sum of six Pence for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Small Ordinary Brown*, which shall be so made in *Great Britain*, the Sum of four Pence for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Whited Brown*, which shall be so made in *Great Britain*, the Sum of six Pence for every Bundle, each Bundle containing forty Quires, and after that Rate for a greater or lesser Quantity.

For and upon all Pastboards, Mildboards, and Scaleboards, which shall be so made in *Great Britain*, three Shillings for every hundred Weight, and after that Rate for a greater or lesser Quantity.

And for and upon all other Paper, White or Brown, or of any other Colour or Kind whatsoever, which shall be made in *Great Britain*, as aforesaid (not being particularly charged in this Act) a Duty after the Rate of twelve Pounds for every one hundred Pounds of the true and real Value of the same, and after that Rate for any greater or lesser Quantities: Which said Duties for and upon the said several Sorts of Paper, and other the Commodities last mentioned to be made in *Great Britain*, shall be paid by the Makers thereof respectively.

XXXIX. And it is hereby enacted, That for and upon all Paper which, at any Time or Times during the Term last-mentioned, shall be printed, painted, or stained in *Great Britain*, to serve for Hangings and other Uses, there shall be answered and paid to her Majesty (over and above the Duties payable for such Paper before the printing, painting, or staining thereof) the Sum of one Penny for every Yard square, and after that Rate for a greater or lesser Quantity; to be paid by such Person or Persons, as shall print, paint, or stain the same.

XL. And be it declared and enacted by the Authority aforesaid, That a Ream of Paper chargeable by this Act, whether the same be imported or made in *Great Britain*, shall be understood to consist of twenty Quires, and each Quire of four and twenty Sheets; and that all Sorts of Paper of the respective Dimensions and Value of the Paper chargeable by this Act, under the respective Denominations aforesaid, with the respective Rates and Duties hereby granted, shall be charged and chargeable with the same respective Rates and Duties, although the same Denominations (by which they are now usually known) should be altered, or by whatsoever other Name or Names, the same or any of them, now are, or during the said Term shall or may be called or known.

XLI. And for the better ascertaining, charging, and securing the Duties by this Act set and imposed upon all Sorts of Paper, and the said Pastboards, Mildboards, and Scaleboards made in *Great Britain*, and upon the said printed, painted, and stained Paper, during the Term aforesaid, according to the true Meaning of this Act, and for preventing of Frauds concerning the same; Be it further enacted by the Authority aforesaid, That such Commissioners or Persons as her Majesty, her Heirs and Successors, or the High Treasurer of *Great Britain*, now being, or the High Treasurer of *Great Britain*, or any three or more of the Commissioners of the Treasury, for the time being, shall, from time to time, by one or more Commission or Commissions for that Purpose appoint, shall be her Majesty's Commissioners for the Receipt and Management of the said Duties by this Act set and imposed upon all Paper, Pastboards, Mildboards and Scaleboards made within *Great Britain*, and upon the said printed, painted, and stained Paper chargeable by this Act: Which said Commissioners, or the major Part of them respectively, shall and have hereby Power, by Commission under their respective Hands and Seals, to substitute and appoint under them such Receivers General, Collectors, Comptrollers, Surveyors, and other Officers, as shall be requisite and necessary for the Purposes aforesaid; and that the said Commissioners so to be appointed, and all the Officers for the said Duties upon Paper, shall have out of the same such Salaries and Rewards for their respective Services in Relation to the same Duties, as the said High Treasurer now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think reasonable to establish or allow in that Behalf; and that the said respective Commissioners for the said Duties on Paper, for the time being, shall, from time to time, cause all the Monies to arise by or for the said Duties on the said Paper, Pastboards, Mildboards, and Scaleboards, and for the said printed, painted, and stained Paper, to be made or wrought in *Great Britain*, during the Term aforesaid, (the necessary Charges of managing, collecting, raising, paying, and accounting for the same excepted) to be paid, from time to time, as the same shall arise, into the Receipt of her Majesty's Exchequer in *England*, under the Penalties, Forfeitures, and Disabilities herein after expressed.

XLII. And

The Duty on Paper that pays ad Valorem, how to be ascertained.

XLII. And it is hereby enacted and declared, That the Values of such of the said Paper made in *Great Britain* as is to pay Duty *ad Valorem*, as aforesaid, shall in all Cases be taken to be so much as such Paper shall be worth to be sold (so soon as the same is perfectly made, from time to time) at the next Market Town, without Respect to the Duty hereby charged thereupon; and that the Collector for the time being shall receive the said Duties payable *ad Valorem* for such Paper accordingly, upon the Oath of the Maker or Makers of such Paper, or of his or their Chief Workman or Servant employed in making the same, according to the best of their Knowledge or Belief, unless such Maker, Workman, or Servant, be a known Quaker, and the solemn Affirmation of such Maker, Workman, or Servant, to the same Effect, in case he or she be a known Quaker, shall and may be taken instead of such Oath; which Oaths and Affirmations to ascertain the Value of such Paper so to be charged, shall and may be administered by the proper Collector or Supervisor of the District or Division within which such Maker of Paper doth inhabit, without any Fee or Charge for the same.

Makers of Paper, Pastboard, &c. before 24 June 1712, to give Notice of their Names and Places of Abode, and of their Work-houses, &c. on Pain of 50 l. By 1 Geo. 1. stat. 2. c. 36. §. 17. Officers are to take an Account of the Quantities, &c. of Paper, before Printing, &c.

XLIII. And it is hereby further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who, on or before the four and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and twelve, shall make any Paper, Pastboard, Mildboard, or Scaleboard, or shall print, paint, or stain any Paper in *Great Britain*, as aforesaid, for Sale, or not for Sale, shall, on or before the said four and twentieth of *June* one thousand seven hundred and twelve, give or leave Notice in Writing at the Office for the said Duties on Paper next to the Place where such Paper, Pastboard, Mildboard, and Scaleboard shall be made, or where such Paper shall be made, printed, painted, or stained, of their respective Names and Places of Abode, and of the Place or Places where every such Person or Persons do usually make or print, paint, or stain any such Paper, Pastboard, Mildboard, or Scaleboard; and that all and every such Maker or Makers, as often as he, she, or they shall change their Places of making, printing, painting, or staining of Paper, or making of Pastboards, Mildboards, and Scaleboards, and all and every Person and Persons who shall at any Time or Times hereafter, during the Continuance of the said Duties on Paper, be a Maker or Makers of Paper, Pastboard, Mildboard, or Scaleboard, or shall print, paint, or stain any Paper as aforesaid, shall give or leave the like Notice of their respective Names and Places of Abode, and the Places where they shall respectively make, or intend to make any such Paper, Pastboard, Mildboard, or Scaleboard, or to print, paint, or stain any such Paper, as aforesaid, before they respectively do presume to make, print, paint, or stain the same, in any such new or other Place or Places, to the end the said Commissioners, or other Officers for the said Duties on Paper, may, from time to time, have due Knowledge of all the Places where such Goods shall be made or wrought, and be the better enabled to secure the Duties hereby granted thereupon; and if any such Person or Persons who shall make, print, paint, or stain any Paper, or make any Pastboard, Mildboard, or Scaleboard, for which a Duty ought to be paid by this Act, shall neglect to give or leave such Notice, as aforesaid, he, she, or they, shall, for every such Offence, forfeit the Sum of thirty Pounds.

And of their Places of drying, &c. on Pain of 20 l.

XLIV. And the better to prevent any Frauds or Concealments, whereby her Majesty, her Heirs or Successors, may be injured or deprived of his, her or their Dues; be it further enacted by the Authority aforesaid, That no Person whatsoever, during the Continuance of the said Duties upon Paper, shall use any Place for drying the same, or making it fit for Use, other than such common Place or Places whereof he, she, or they shall first have given or left Notice in Writing at the proper Office for the same Duties, to be the Place or Places for his, her, or their drying or finishing the same, upon Pain of forfeiting the Sum of twenty Pounds for every such Offence.

Entry to be made once in 6 Weeks upon Oath, &c.

XLV. And it is hereby further enacted by the Authority aforesaid, That from and after the four and twentieth Day of *June* one thousand seven hundred and twelve, during the Continuance of the said Duties upon Paper, all and every Person and Persons who shall make any Paper, Pastboard, Mildboard, or Scaleboard in *Great Britain*, or print, paint, or stain any Paper, as aforesaid, in *Great Britain*, shall, once in every six Weeks, make a true Entry in Writing at the next Office for the said Duties upon Paper, of all the Paper, Pastboards, Mildboards, and Scaleboards by him, her, or them severally made fit for Use, within such six Weeks respectively; which Entries shall contain the just Kinds and Quantities thereof, on Pain to forfeit, on every Neglect of such Entry, the Sum of fifty Pounds: Which Entries shall be made upon Oath, or upon an Affirmation, as aforesaid, to be respectively taken and administered as this Act prescribes, in Cases where the Value of any unrated Paper is to be ascertained, as aforesaid, without any Fee or Charge whatsoever to be demanded or taken for the same.

Penalty 50 l.

Entries, &c. to be at the next Market Town.

XLVI. Provided always, That no Person who shall make, print, paint, or stain any Paper, Pastboard, Mildboard, or Scaleboard, shall be obliged to go or send farther than the Market Town, where his or her Paper is made, printed, painted, or stained, or such Boards are made, or the next Market Town to the Place of making, printing, painting, or staining the same respectively, for the making of such Oaths, Affirmations, or Entries, as aforesaid.

Duty to be cleared off in 6 Weeks after Entry, on Pain of double the Duty.

XLVII. And be it further enacted, That all and every Person and Persons who shall make any Paper, Pastboard, Mildboard, or Scaleboard in *Great Britain*, or print, paint, or stain any Paper in *Great Britain*, shall, from time to time, within six Weeks after he, she, or they shall make or ought to have made such Entry, as aforesaid, pay and clear off all the said Duties for all such Paper, Pastboard, Mildboard, or Scaleboard, as shall by or for them respectively be made, and for all such Paper as shall by them respectively be printed, painted, or stained, so as to be fit for Use or Sale, upon Pain of forfeiting for every such Offence double the Sum of the said Duty whereof the Payment shall be so refused or neglected; and that no such Person, after such Default in Payment made, shall sell, deliver, or carry out any Paper, Pastboard, Mildboard, or Scaleboard, until he hath paid and cleared off his Duty, as aforesaid, on Pain to forfeit double the Value of the Paper, Pastboard, Mildboard, and Scaleboard, so delivered or carried out.

Officers may swear by Day or

XLVIII. And be it further enacted by the Authority aforesaid, That all and every the Officers of the said Duties on Paper, shall, at all Times, by Day or by Night, and if in the Night, then in the Presence of a Constable

Constable or other lawful Officer of the Peace, be permitted, upon his or their Request, to enter into the House, Mill, Yard, Drying-house, Ware-house, or other Place belonging to or used by any Person or Persons, who, within or during the Term of Years last-mentioned, shall make any Paper, Pastboard, Mildboard, or Scaleboard in *Great Britain*, or shall print, paint, or stain any Paper for Hangings, or other Uses, as aforesaid, and to take a just Account of the Kinds and Quantities of the Paper, Pastboards, Mildboards, and Scaleboards, which shall have been made, printed, painted, or stained by such Person or Persons, from time to time; and shall thereof make a Report or Return in Writing, to the respective Commissioners for the said Duties on Paper, or such as they respectively shall appoint to receive the same, leaving a true Copy, if demanded, of such Report in Writing under his Hand, with or for the said Makers of Paper, Pastboards, Mildboards, and Scaleboards, or the Persons that shall print, paint, or stain such Paper respectively; and such Report or Return of the Officer or Officers last-mentioned, shall be a Charge upon such Maker or Makers of Paper, Pastboards, Mildboards, and Scaleboards, and upon the Persons who shall print, paint, or stain Paper, as aforesaid, respectively; and if the said Officer shall refuse or neglect to give or leave a true Copy of his Report in Writing, at the Time of taking such Account, being demanded, as aforesaid, every such Officer for every such Offence, shall forfeit and pay the Sum of forty Shillings to every such Maker or Person respectively.

Night into any Mills, Yards, &c.

to take Account of the Kinds of Paper, &c. made and Report to the Commissioners, leaving a Copy thereof with the Maker, on Pain of 40 s.

Officers to be sworn.

XLIX. Provided always, That every Officer, who shall be impowered to make such Charge as is last-mentioned, shall, in the first Place, be sworn for the due and faithful Execution of his Office, and the Oath in that Behalf shall and may be administered by all or any the Commissioners of the said Duties on Paper, or by any of her Majesty's Justices of the Peace, who shall give to such Officers a Certificate thereof.

L. And for the better preventing of Frauds, it is hereby enacted, That all and every the Officers of the said Duties on Paper, shall also be permitted to take an Account of the Quantities of Rags, Cordage, and other Materials for making the said Paper, Pastboards, Mildboards, and Scaleboards, chargeable by this Act, which shall be in the Custody or Possession of any Maker, and of all Paper in the Possession of any Person using the Art of printing, painting, or staining Paper, and of their respective Proceedings in making, printing, painting, or staining the same; and if any such Maker or other Person shall obstruct or hinder any the said Officers in the Execution of the Powers and Authorities given to him or them by this Act, for ascertaining and securing the said Duties relating to Paper, Pastboards, Mildboards, and Scaleboards, or the printing, painting, or staining thereof, the Offenders therein for every such Offence shall forfeit the Sum of twenty Pounds.

Officers to take an Account of Rags, Cordage, &c. in Makers Custody, &c.

LI. And be it further enacted by the Authority aforesaid, That no Person or Persons who shall be a Maker or Makers of Paper, Pastboard, Mildboard, and Scaleboard, or shall print, paint, or stain any Paper chargeable by this Act, shall (under Pain of forfeiting the Sum of twenty Pounds for every such Offence) remove, carry, or send away, or suffer to be removed, carried, or sent away any Paper, by him, her, or them made, printed, painted, or stained, or any Pastboard, Mildboard, or Scaleboard, by him, her, or them made, of which no Account shall have been first taken by the proper Officer, from the Ware-house, Work-house, or other Place where such Goods shall have been first put, after their being dried and fit for Use, without giving to the proper Officer two Days Notice at the least, of his, her, or their Intentions to remove, carry, or send away the same, that so the said Officer (without his own wilful Neglect or Default) may have Time to take an Account thereof.

No Paper Makers, &c. to remove Goods before an Account has been taken thereof by the Officer, &c. on Pain of 20 l.

LII. And it is hereby further enacted, That all and every Person and Persons who shall be Makers of Paper, Pastboard, Mildboard, or Scaleboard, or Printers, Painters, or Stainers of any such Paper, as aforesaid, shall, from time to time, keep all the Paper by them respectively made, printed, painted, or stained, and all the Pastboard, Mildboard, and Scaleboard by him or them respectively made, and which shall not have been surveyed and taken an Account of by the said Officers for the said Duties thereupon, separate and apart from all other their Paper and other Commodities aforesaid, which shall have been surveyed and taken an Account of by the said Officers, for the Space of eight and forty Hours, after the making, printing, painting, or staining thereof, unless such Paper, and other the Goods last-mentioned, shall have been sooner surveyed and taken an Account of by the said Officers respectively, on Pain to forfeit for every such Offence therein, the Sum of five Pounds.

Paper Makers &c. to keep their Goods not surveyed, separate, on Pain of 5 l.

LIII. And be it further enacted, That if any of the said Makers, Printers, Painters, or Stainers, shall fraudulently hide or conceal, or cause to be hid or concealed any Paper, Pastboard, Mildboard, and Scaleboard made, or any Paper printed, painted, or stained, chargeable by this Act, or any the Materials for making the same, to the Intent to deceive her Majesty of the just Duties by this Act granted thereupon, that then, and in every such Case, the Party so offending shall forfeit the Sum of twenty Pounds for every such Offence.

Concealing Paper, &c. forfeits 20 l.

LIV. And be it further enacted by the Authority aforesaid, That all Paper, Pastboards, Mildboards, and Scaleboards, and all Materials and Utensils for making them, or any of them, or printing, painting, or staining such Paper, as aforesaid, which shall be found in any private Ware-house, Work-house, Drying-room, or other Place for making, or keeping, or for printing, painting, or staining the same, for which no Entry shall be made, or Notice given, as aforesaid, shall be forfeited and lost, and the same or the Value thereof shall and may be seized and recovered by the said Officer or Officers for the said Duties upon Paper, to her Majesty's Use.

Paper, Pastboards, &c. found in private Work-house unentered, forfeited, or the Value.

LV. And it is hereby further enacted by the Authority aforesaid, That all the Paper, Pastboard, Mildboard, and Scaleboard, and all the Materials and Utensils for the making thereof, and for printing, painting, or staining such Paper, as aforesaid, in the Custody of any Maker or Makers, or of any such Printer, Painter, or Stainer of Paper, as aforesaid, or of any Person or Persons, to the Use of, or in Trust for them, or any of them, shall be liable and subject to, and are hereby made chargeable with all the Debts and Duties for Paper, Pastboard, Mildboard, and Scaleboard, made, or for such Paper printed, painted, or stained, as aforesaid

All Papers, &c. chargeable with the Duties in Arrear, &c. Concerning Duties on Paper, Pastboard, &c. see aforesaid

farther 12 Ann.
stat. 2. c. 9.
1 Geo. 1. stat. 2.
c. 36. sect. 17.
11 Geo. 1. c. 7.
10 Geo. 2. c. 27.

aforesaid, in Arrear and owing by such Person or Persons for any such Goods, so made, printed, painted, or stained, by him, her, or them, or in his, her, or their Ware-houses, Working-houses, or Places aforesaid, and shall be also subject to all Penalties and Forfeitures incurred by such Person or Persons so using such Work-house or other Place, for any Offence against this Act, relating to the said Duties upon such Paper, Pastboard, Mildboard, and Scaleboard; and it shall and may be lawful, in all such Cases, to levy Debts and Penalties, and use such Proceedings as may lawfully be done by this Act, in Relation to Paper, in case the Debtor or Offender were the true lawful Owner of the same.

Stock in Hand,
on 24 June
1712, to pay.

LVI. And be it further enacted by the Authority aforesaid, That for all Paper (whether the same be of Foreign or *British* Manufacture) and for all Pastboards, Mildboards, and Scaleboards which any Merchants, Stationers, Wholesale Sellers, Retailers, Printers, Paper-makers, or other Dealers in Paper in *Great Britain*, or any Person or Persons in Trust for him, her, or them, or for his, her, or their Use, shall be possessed of, and interested in upon the four and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and twelve, being for Sale, and for all Paper printed, painted, or stained, as aforesaid, which shall be in the Hands of any Person or Persons for Sale, on the said four and twentieth Day of *June* one thousand seven hundred and twelve, there shall be yielded and paid to her Majesty the like Rates as are by this Act to be paid for the like Sorts of Paper, Pastboard, Mildboard, and Scaleboard respectively to be made or imported, or Paper to be printed, painted, or stained, as aforesaid, after the said four and twentieth Day of *June* one thousand seven hundred and twelve; and that like Entries shall be made, and the Duties paid down, or secured to be paid within three Months, and the like Allowance shall be made for prompt Payment, and all Matters and Things shall be done and permitted to be done for ascertaining and securing the said Duties for such Stocks of Paper, and other Commodities last-mentioned, and the like Penalties and Forfeitures shall be inflicted for any Fraud, Concealment, Refusal, Neglect, or other Offence relating thereunto, as are by this Act provided, in Relation to the Stocks of Sope which any Dealers therein shall have upon the said tenth Day of *June* one thousand seven hundred and twelve, or in Relation to the Duties thereof.

The same En-
tries, Allowan-
ces, Penalties,
&c. as for
Stock on Sope.

Paper, &c. that
hath paid the
Duty, may be
exported, on
Security, &c.

LVII. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, who shall have actually paid her Majesty's Duties by this Act payable for any Quantity of Paper, Pastboard, Mildboard, and Scaleboard whatsoever, made in *Great Britain*, or imported into the same, or for any such printed, painted, or stained Paper, as aforesaid, and to and for any other Person or Persons who shall buy, or be lawfully entitled to any such Quantity of Paper, or any other the Goods last-mentioned, from the said Person or Persons who actually paid her Majesty's Duties for the same, to export such Paper, Pastboard, Mildboard, or Scaleboard, or printed, painted, or stained Paper, for any Foreign Parts, by way of Merchandize, giving sufficient Security before the Shipping thereof for Exportation, that the particular Quantities of such Commodities which shall be intended to be exported, as aforesaid, and every Part thereof, shall be shipped and exported; and that the same, or any Part thereof, shall not be relanded or brought again into any Part or Parts of *Great Britain*: Which Security the Customer or Collector of the respective Port of such Exportation, is hereby directed and authorized to take, in her Majesty's Name, and to her Use.

Paper, &c.
relanded, for-
feited, or the
Value.

LVIII. Provided always, That if after the Shipping any such Paper, or other the Commodities last-mentioned, to be exported, as aforesaid, and the giving or tending such Security, as aforesaid, in order to obtain the Allowance or Drawback herein after-mentioned, the Paper or other Commodities so shipped to be exported, or any Part thereof, shall be relanded in any Part of *Great Britain*, that then, and in every such Case (over and above the Penalties of the Bond, which shall be levied and recovered to her Majesty's Use) all the Paper and Commodities which shall be so landed, or the Value thereof, shall be forfeited.

On Oath that
the Duty has
been paid or
secured, and
on Debenture
from the Cu-
stomer, &c.
Collector to re-
pay the Duties.

LIX. And it is also hereby enacted, That any Person or Persons, who shall export any Paper, or any Pastboard, Mildboard, or Scaleboard, or any such printed, painted, or stained Paper, as aforesaid, to any Foreign Parts, shall or may make Proof upon Oath, or by such Affirmation respectively, as aforesaid, that the Duties thereof have been paid or secured, according to this Act (which Oath or Affirmation the Collector who received the said Duties is hereby required and empowered to administer) and thereupon the said Customer or Collector of the said Port of Exportation, shall give to the Exporter thereof a Debenture, expressing the true Quantities and Kinds of such Commodities so exported, and the Exportation thereof being certified by the Searcher upon the said Debenture, the Collector appointed to receive the said Duties upon Paper in such County or Place where the same were exported (upon producing the said Debenture so certified to him) shall forthwith pay the Duties which shall have been received upon this Act, for the Paper, Pastboard, Mildboard and Scaleboard so exported, to the Persons or Agents so exporting the same; and if such Collector shall not have Money in his Hands to pay any such Debenture, then the said respective Commissioners for the said Duties of Paper, are hereby required to pay, or cause to be paid, the said Debenture out of any Duties upon Paper arising by this Act; or if the Duty of such Commodities aforesaid so exported, were only secured, and shall remain unpaid, then the same shall be discharged, upon the Security for the same; any thing in this Act contained to the contrary notwithstanding.

All the Powers
in 12 Car. 2.
c. 24. and other
Excise Acts, to
be in Force for
managing these
Duties.

LX. And be it further enacted by the Authority aforesaid, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters, and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*, or by any other Law now in force, relating to her Majesty's Revenue of Excise upon Beer, Ale, and other Liquors, are provided and established for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Duties hereby granted, or any of them (other than in such Cases for which other Penalties and Provisions are made and prescribed by this Act) shall be practised, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duties upon Paper, and other the Commodities last mentioned hereby granted, during

during the Continuance of this Act, as fully and effectually, as if all and every the said Powers, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, were particularly repeated in this present Act.

LXI. And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, in Relation to the said Duties by this Act imposed upon Paper, and upon printed, painted, and stained Paper, and upon Pastboard, Mildboard, and Scaleboard, shall be sued for, levied, recovered, or mitigated, by such Ways, Means, and Methods, as any Penalty or Forfeiture is or may be recovered or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Complaint or Information, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of Session, Court of Justiciary, or Court of Exchequer of *Scotland* respectively, as aforesaid; and that one Moiety of every such Fine, Penalty, and Forfeiture (the said Penalty on the Officer for not giving or leaving a Copy of his Charge, as aforesaid, only excepted) shall be to her Majesty, her Heirs and Successors, and the other Moiety to him or them that shall discover, inform, or sue for the same.

All Fines, &c. to be sued for as by the Laws of Excise.

LXII. Provided always, and it is hereby enacted, That such Persons as, in pursuance of this Act, shall be Commissioners for the said Duties on the several Sorts of Paper, and other the Commodities last mentioned, to be made, printed, painted, or stained in *England, Wales*, and the Town of *Berwick upon Tweed*, shall have the same Jurisdiction, Power, and Authority, and may adjudge, determine, mitigate, and order, in all Cases and Matters relating to the same Duties arising within the Limits aforesaid, as the Commissioners of Excise upon Beer, and other Liquors, may or can lawfully exercise, adjudge, determine, mitigate, or order in the like Cases or Matters, in Relation to the said Duties of Excise, by any Law or Statute now in Force.

Commissioners for these Duties to have the same Jurisdiction as Commissioners of Excise.

LXIII. Provided always, and be it enacted by the Authority aforesaid, That for the Encouragement of Learning, so much Money as shall, from time to time, be paid for the Duties granted by this Act, for any Quantities of Paper, which, during the Continuance of the said Duties, shall be used in the Printing any Books in the *Latin, Greek, Oriental, or Northern Languages*, within the two Universities of *Oxford* and *Cambridge*, or either of them, by Permission of the Vice Chancellors of the same respectively, shall and may be drawn back and repaid in Manner following; that is to say, The chief Manager of the Press in each of the said Universities, shall and may, from time to time, make Proof by Oath in Writing before the Vice-Chancellor (who is hereby empowered to administer the same) expressing therein the Kinds and Quantities of the Paper so used, and how much the Duties thereof, payable by this Act, doth amount to; which said Oath in Writing being certified by the said Vice-Chancellor, and produced to the Lord Treasurer, or Commissioners of the Treasury for the time being, shall forthwith, from time to time, issue his or their Orders or Warrants to the respective Commissioners, who by this Act are to manage the Duties upon Paper, to cause Payment to be made of so much Money, as the Duties payable by this Act for the Paper so used in the Printing of the said Books in the said Universities, as aforesaid, shall amount to; the same Payment to be made (without Fee or Charge whatsoever, and without Delay) to such Person or Persons as the said respective Vice-Chancellors shall authorize and appoint to receive the same, out of any of the Duties upon Paper arising by this Act; any thing in this Act contained to the contrary notwithstanding.

Books printed at Oxford or Cambridge in Latin, Greek, Oriental or Northern Languages, to have a Drawback of the Duty on Paper:

LXIV. Provided always, and be it enacted by the Authority aforesaid, That for the Encouragement of Learning, so much as shall, from time to time, be paid for the Duties granted by this Act, for any Quantities of Paper, which, during the Continuance of the said Duties, shall be used in the Printing any Books in the *Latin, Greek, Oriental, or Northern Languages*, which within the Universities of *Scotland*, or any of them, by Permission of the Principal of the same respectively, shall and may be drawn back and repaid in Manner following; that is to say, The chief Manager of the Press in the said Universities shall and may, from time to time, make Proof by Oath in Writing before the Principal (who is hereby empowered to administer the same) expressing therein the Kinds and Quantities of the Paper so used, and how much the Duty thereof payable by this Act doth amount to; which Oath in Writing being certified by the said Principal, and produced, the Lord Treasurer of *Great Britain*, or the Lords Commissioners of the Treasury for the time being, shall forthwith, from time to time, issue his or their Orders or Warrants to the respective Commissioners, who by this Act are to manage the Duties upon Paper, to cause Payment to be made of so much Monies as the Duties so used in the Printing of the said Books in the said Universities of *Scotland* shall amount to; the same Payments to be made without any Fee or Charge whatsoever, and without Delay, to such Person or Persons as the said respective Principals shall authorize and appoint to receive the same, out of any of the Duties upon Paper arising by this Act in *Scotland*; any thing in this Act contained to the contrary notwithstanding.

And in the Universities of Scotland.

LXV. Provided always, and it is hereby declared, That Pastboard made in *Great Britain*, of Paper which shall have paid the Duties charged and chargeable by this Act, shall not be charged with any further or other Duties by virtue of this Act, upon the pasting or annexing together the Sheets of such Paper, and its receiving thereby the Denomination of Pastboard or Pasted Paper.

Pastboard made of Paper that has paid the Duty not chargeable.

LXVI. And be it also enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid to and for the Use of her Majesty, her Heirs and Successors, for and upon all chequered and striped Linens, and upon all Linens printed, painted, stained or dyed, after the Manufacture, or in the Thread or Yarn before the Manufacture, in any Foreign Parts, which at any time or times, within or during the Term of thirty-two Years, to be reckoned from the twentieth Day of *July* one thousand seven hundred and twelve, shall be imported or brought into the Kingdom of *Great Britain*, and may lawfully be used or worn there (over and above all other Customs, Subsidies, and Duties imposed upon or payable for the same) a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof; to be paid by the importers respectively.

Printed Linens imported to pay 15 l. per Cent. ad Valorem from 20 July 1712, for 32 Years. Explained by 12 Annæ, st. 2, c. 19.

Made perpetual by 3 Geo. 1. c. 7. §. 1.

These Duties how to be managed.

Concerning Linens, &c. See farther 12 Ann. Stat. 2. c. 9, 19 & 21. 1 Geo. 1. Stat. 2. c. 36. 3 Geo. 1. c. 7. 17 Geo. 2. c. 30. 18 Geo. 2. c. 24 & 36. 24 Geo. 2. c. 46. 29 Geo. 2. c. 15. 32 Geo. 2. c. 32.

LXVII. And it is hereby enacted, That the said Duty upon such imported Linens chargeable by this Act, shall, from time to time, be managed, ascertained, paid, secured, raised, levied, and brought into the Exchequer, in the same Manner and Form, and by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, as the abovesaid Duties upon imported Paper are by this Act to be managed, ascertained, paid, secured, raised, levied, and brought in, as aforesaid; and that all the Provisions, Penalties, Forfeitures, Clauses, Matters, and Things, contained in this Act, for managing, ascertaining, paying, securing, raising, levying, and bringing in the said Duties upon Paper imported, or any of them, shall be applied, practised, and put in Execution, for managing, ascertaining, paying, raising, securing, levying, and bringing in the said Duties upon the Importation of such Linen, as aforesaid, as fully and effectually as if the same were again repeated in this present Act.

After Duty paid, printed Linens imported, to be stamped.

LXVIII. And moreover it is hereby enacted by the Authority aforesaid, That from and after the said Duties hereby granted upon the said chequered, striped, printed, painted, stained, and dyed Linens imported, as aforesaid, from time to time, shall be paid to her Majesty's Use, the respective Commissioners, Officer and Officers of the Customs of the Port or Place where the same shall be imported, shall cause every Piece and Parcel thereof to be marked or stamped with a distinct Seal or Mark, to be provided and used as this Act directs, to denote the Payment of the Duties for the same.

Duty on Silks, Callicoes, Linens, and Stuffs, printed in Great Britain from July 1712, for 32 Years. Made perpetual by 3 Geo. 1. c. 7. §. 1.

LXIX. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all Silks, Callicoes, Linens, and Stuffs, of what Kind soever, which, at any time or times within or during the Term of thirty-two Years, to be reckoned from the twentieth Day of July one thousand seven hundred and twelve, shall be printed, stained, painted, or dyed in Great Britain, (such Callicoes, Linens, and Fustians, as shall be dyed throughout of one Colour only, and Stuffs made of Woollen, or whereof the greatest Part in Value shall be Woollen, always excepted) the several and respective Rates and Duties herein after expressed (over and above the Duties payable upon the Importation of them or any of them) that is to say,

- Silks. For and upon all Silks so printed, stained, or painted in Great Britain (Silk Handkerchiefs excepted) the Sum of six Pence for every Yard in Length, reckoning half a Yard for the Breadth.
- Silk Handkerchiefs. And for all Silk Handkerchiefs so printed, stained, or painted in Great Britain, the Sum of three Pence for every Yard square, and in those Proportions for wider or narrower Silks.
- Callicoes. For and upon all Callicoes to be so printed, stained, painted, or dyed in Great Britain, (except as aforesaid) the Sum of three Pence for every Yard in Length, reckoning one Yard wide, and after that Proportion.
- Linen and Stuffs. And for and upon all Linen and Stuffs (except before excepted) to be printed, stained, painted, or dyed, as aforesaid, in Great Britain, within or during the Term last mentioned, the Sum of three Half-pence for every Yard in Length, reckoning Yard wide, and after that Rate for a greater or lesser Quantity.

Her Majesty or Lord Treasurer to appoint Commissioners.

LXX. And for the better ascertaining, charging, and securing the said Duties by this Act set and imposed upon all Silks, Callicoes, Linen, and Stuffs, (except before excepted) which shall be printed, painted, stained, or dyed, as aforesaid, in Great Britain, within or during the Term last mentioned, and for preventing of Frauds concerning the same; Be it further enacted by the Authority aforesaid, That such Commissioners or Persons as her Majesty, her Heirs or Successors, or the High Treasurer of Great Britain now being, or the High Treasurer of Great Britain, or any three or more of the Commissioners of the Treasury for the time being, shall, from time to time, by one or more Commission or Commissions for that Purpose appoint, shall be her Majesty's Commissioners for the Receipt and Management of the said Duties set and imposed upon all such Silks, Callicoes, Linens, and Stuffs, printed, painted, stained, or dyed, as aforesaid, in Great Britain, as are chargeable by this Act; which said Commissioners, or the major Part of them respectively, shall and have hereby Power, by Commission under their respective Hands and Seals, to substitute and appoint under them such Receivers General, Collectors, Comptrollers, Surveyors, and other Officers, as shall be requisite and necessary for the Purposes aforesaid; and that the said Commissioners so to be appointed, and all the Officers for the Duties last-mentioned, shall have out of the same, such Salaries and Rewards for their respective Services in relation to the same Duties, as the said High Treasurer now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think reasonable to establish or allow in that Behalf; and that the said respective Commissioners for the said Duties last-mentioned, for the time being, shall, from time to time, cause all the Monies to arise by or for the same Duties, during the Continuance thereof (the necessary Charges of managing, collecting, raising, paying, and accounting for these Duties excepted) to be also paid, from time to time, as the same shall arise, into the Receipt of her Majesty's Exchequer in England, under the Penalties and Forfeitures, and Disabilities herein after expressed.

Who are to substitute inferior Officers.

Callico Printers before 20 July 1712. to give Notice to the proper Officer of their Names and Places of Abode, &c.

LXXI. And it is hereby enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who, on or before the twentieth Day of July in the Year of our Lord one thousand seven hundred and twelve, shall print, stain, paint, or dye any of the said Goods, so that a Duty shall be payable by this Act upon the printing, staining, painting, or dyeing the same, as aforesaid, shall, on or before the said twentieth Day of July one thousand seven hundred and twelve, give or leave Notice in Writing, at the next Office for the same Duties, of their respective Names and Places of Abode, and of the Place or Places where every such Person or Persons do usually print, stain, or dye, as aforesaid, any such Silks, Linens, Callicoes, or Stuffs, or dry the same; and that all and every such Printer, Painter, Stainer, or Dyer, as often as he, she, or they shall change their Places of printing, painting, staining, or dyeing any the said Goods, or for drying the same; and all and every Person and Persons who shall, at any Time or Times during

during the Continuance of this Act, be a Printer, Painter, Stainer, or Dyer of any such Silks, Callicoes, Linens, or Stuffs, or shall print, paint, stain, or dye any such Goods, as aforesaid, shall give or leave the like Notice of their respective Names, and their Places of Abode, and the Rooms and Places where they shall respectively work, or intend to work in such printing, painting, staining, or dyeing, and the Places where they respectively shall dry or intend to dry any such Goods, as aforesaid, before they respectively do presume to work in any such new or other Place or Places, upon Pain to forfeit the Sum of thirty Pounds for every Neglect or Default, by not giving such Notice, as aforesaid.

on Forfeiture
of 50 l.

LXXII. And it is hereby further enacted by the Authority aforesaid, That from and after the said twentieth Day of July one thousand seven hundred and twelve, during the Continuance of this Act, all and every Person and Persons who shall print, paint, stain, or dye in Great Britain, as aforesaid, any Silks, Callicoes, Linens, and Stuffs, upon the printing, painting, staining, or dyeing whereof a Duty is chargeable by this Act, shall once in every six Weeks make a true Entry in Writing at the next Office for the same Duties, of all such Silks, Callicoes, Linens, and Stuffs so by him, her, or them severally printed, painted, stained, or dyed within every such six Weeks respectively; which Entries shall contain the just Kinds and Quantities thereof: And if such Printer, Painter, Stainer, or Dyer be not the true Owner of such Goods or any of them, so printed, painted, stained, or dyed, then, and in every such Case, he, she, or they, in every such Entry, shall specify the Names and Places of Abode of the Persons who are the Owners thereof, or for whose Account they respectively do print, paint, stain, or dye the same, on Pain to forfeit for every Neglect of such Entry, the Sum of fifty Pounds; which Entry shall be made upon the Oath of the Printer, Painter, Stainer, or Dyer, or of his, her, or their chief Workman employed, to the best of their Knowledge or Belief, unless he, she, or they be a known Quaker, and the solemn Affirmation of a known Quaker, to the same Effect, shall be taken instead of such Oath; and the said Oaths and Affirmations to verify such Entries, shall and may be administered by the proper Collector or Supervisor of the District or Division within which such Printer, Painter, Stainer, or Dyer, doth inhabit, without any Fee or Charge whatsoever to be demanded or taken for the same.

Such Printers to
make Entries,
&c. once in 6
Weeks, on For-
feiture of 50 l.

LXXIII. Provided always, That no Person for the making such Entries, Oaths, or Affirmations as are last-mentioned, shall be obliged to go or send further than the Market Town where his or her Silks, Callicoes, Linen, or Stuffs are printed, painted, stained, or dyed, or the next Market Town to the Place of printing, painting, staining, or dyeing the same.

Entries, &c. to
be made at the
next Market
Town.

LXXIV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall print, paint, stain, or dye, as aforesaid, any Silks, Callicoes, Linens, or such Stuffs, as aforesaid in Great Britain, shall, from time to time, within six Weeks after he, she, or they shall make, or ought to have made such Entry, as aforesaid, clear of all the said Duties which shall be then due or remain unpaid, for all such Silks, Callicoes, Linens, and Stuffs, as shall have been printed, painted, stained, or dyed by him, her, or them respectively, as aforesaid, upon Pain of forfeiting for every Default therein double the Sum of the same Duties whereof the Payment shall be so neglected; and that no such Person, after such Default in Payment made, shall deliver or carry out, or cause to be delivered or carried out, any such printed, painted, stained, or dyed Goods, until he hath paid and cleared off his Duty, on Pain to forfeit double the Value of the Goods, so delivered or carried out.

Printers of Silk,
&c. once in 6
Weeks to clear
off the Duties,
on Forfeiture of
double Duty, &c.

LXXV. And be it further enacted by the Authority aforesaid, That all and every the Officers of the said Duties on the said printed, painted, stained, or dyed Goods, shall at all Times, by Day or by Night, and if in the Night, then in the Presence of a Constable, or other lawful Officer of the Peace, be permitted, upon his or their Request, to enter into the House, Work-house, Drying-place, Ware-house, Field, or other Place belonging to, or used by any Person or Persons who, within or during the Term of Years last-mentioned, shall print, paint, stain, or dye any Silks, Callicoes, Linens, or Stuffs (except before excepted) and to take a just Account of the Kinds and Quantities thereof, which shall have been printed, painted, stained, or dyed, by such Person or Persons, from time to time, and shall thereof make a Report or Return in Writing to the respective Commissioners for the Duties last-mentioned, or such as they respectively shall appoint to receive the same, leaving a true Copy (if demanded) of such Report in Writing, under his Hand, with or for the said Printer, Painter, Stainer, or Dyer respectively; and such Report or Return shall be a Charge upon every such Printer, Painter, Stainer, or Dyer respectively; and if the said Officer shall refuse or neglect to give or leave a true Copy of his Report at the Time of taking such Account, being demanded as aforesaid, every such Officer, for every such Offence, shall forfeit the Sum of forty Shillings to every such Printer, Painter, Stainer, or Dyer respectively.

Officers may en-
ter such Prin-
ters Houses at
all Times, to
take Account of
Silks, &c.

and make a Re-
port to the Com-
missioners, leav-
ing a Copy with
the Printer, on
Pain of 40s.

LXXVI. Provided always, That every Officer, who shall be impowered to make such Charge as is last-mentioned, shall in the first Place be sworn for the due and faithful Execution of his Office; and the Oath in that Behalf shall and may be administered by all or any the Commissioners for the Duties last-mentioned, or by any of her Majesty's Justices of the Peace, who shall give to such Officer a Certificate thereof.

Officers to be
sworn.

LXXVII. And for the better Prevention of Frauds, be it further enacted, That all and every the Officers of the said Duties on such printed, painted, stained, or dyed Goods, as aforesaid, shall also be permitted to take an Account of the Quantities of Silks, Callicoes, Linens, and Stuffs, which shall, at any Time or Times, be in the Custody or Possession of any Printer, Painter, Stainer, or Dyer, to be printed, painted, stained, or dyed; and in case such Officer or Officers shall miss any Quantity or Quantities of such Silk, Callicoes, Linen, or Stuffs, whereof he had taken an Account at his last Survey, and shall not upon reasonable Demand receive Satisfaction what is become of the same, then, and in every such Case, it shall and may be lawful for such Officer to charge such Printer, Painter, Stainer, or Dyer, with the Duties of such Silks, Callicoes, Linens, or Stuffs so missing, as if the same were printed, painted, stained, or dyed.

Officers to take
an Account of
the Quantities
of Silks, &c. in
the Printers
Hands.

LXXVIII. And

Obstruſting Of-
ficer to forfeit
20 l.

LXXVIII. And be it enacted, That if any Perſon or Perſons, who ſhall print, paint, ſtain, or dye any the Goods aforeſaid, ſhall obſtrudt or hinder any the ſaid Officers in the Execution of the Powers given by this Act, for aſcertaining and ſecuring the Duties thereupon, the Offenders therein, for every ſuch Offence, ſhall forfeit the Sum of twenty Pounds.

Printers not to
remove the Silk,
&c. till Officer
has taken Ac-
count thereof, or
before making,
on Forfeiture of
20 l. &c.

LXXIX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons, who ſhall print, paint, ſtain, or dye, any Silks, Callicoës, Linens, or Stuffs, chargeable with the ſaid Duties by this Act, ſhall remove, carry, or ſend away, or ſuffer to be removed, carried, or ſent away, any the Silks, Callicoës, Linens, or Stuffs, by him, her, or them printed, painted, ſtained, or dyed reſpectively, until ſuch Time as the proper Officer ſhall have taken an Account of every particular Quantity of ſuch Goods ſo to be carried away, and until every particular Piece and Parcel, or Remnant of ſuch Goods, be duly marked with a Stamp or Seal, denoting the charging of the Duty, as this Act directs, upon Pain of forfeiting the Sum of twenty Pounds for every ſuch Offence; and that all the printed, painted, ſtained, or dyed Silks, Callicoës, Linen, and Stuffs, ſo carried away, without being marked with a Stamp or Seal, denoting the charging of the ſaid Duties, and being found in the Poſſeſſion of any Draper, or other Trader or Dealer therein, or any Perſon for the Uſe of ſuch Draper, Trader, or Dealer, for Sale, ſhall and may be ſeized, or the Value thereof ſhall and may be recovered, to wit, one Moiety thereof for the Uſe of her Maſteſty, and the other Moiety to the Uſe of the Seizor, or Informer.

See 5 Geo. 1.
c. 11. §. 15.

Receipts gratis.

LXXX. And it is hereby ordained and enacted by the Authority aforeſaid, That upon Payment of the ſaid Duties for any Quantity of the ſaid printed, painted, ſtained, or dyed Goods, the Receiver or Collector ſhall give a Receipt for the ſame gratis.

Silk not ſurveyed,
to be kept
ſeparate on Pain
of 5 l.

LXXXI. And it is hereby further enacted, That all and every the ſaid Printers, Painters, Stainers, and Dyers of the ſaid Silks, Callicoës, Linens, and ſuch Stuffs, as aforeſaid, ſhall, from time to time, keep ſo much of the ſame Goods as ſhall not have been ſurveyed and taken an Account of by the proper Officers, ſeparate and apart from all others of the ſame Kinds, which ſhall have been ſurveyed and taken an Account of by ſuch Officers, on Pain to forfeit, for every Offence therein, the Sum of five Pounds.

Such Silks concealed
forfeit
20 l. &c.

LXXXII. And be it further enacted, That if any of the ſaid Printers, Painters, Stainers, or Dyers, ſhall fraudulently hide or conceal, or cauſe to be hid or concealed, any Silk; Callico, Linen, or Stuffs, before or after the ſame are printed, painted, ſtained, or dyed, with Intent to deceive her Maſteſty of her juſt Duties by this Act granted, then, and in every ſuch Caſe, the Party ſo offending ſhall forfeit the Sum of twenty Pounds for every ſuch Offence; and all the Silks, Callicoës, Linens, and Stuffs, which ſhall be found in any private Work-houſe, or other Place, whereof no Notice ſhall have been given, as aforeſaid, or the Value thereof, ſhall and may be ſeized and recovered, to wit, one Moiety thereof, to the Uſe of her Maſteſty, and the other Moiety to the Uſe of the Seizor, or Informer, as aforeſaid.

Utenſils, &c. for
printing Silks,
&c. chargeable
with the Du-
ties in Arrear.

LXXXIII. And be it enacted, That all the Utenſils and Inſtruments for the printing, painting, ſtaining, or dyeing of any ſuch Goods, as aforeſaid, in the Cuſtody of any ſuch Printer, Painter, Stainer, or Dyer, as aforeſaid, or of any Perſon or Perſons, to the Uſe of or in Truſt for them, or any of them, ſhall be liable to, and are hereby made chargeable with all the Debts and Duties in Arrear and owing by ſuch Printer, Painter, Stainer, or Dyer, for any ſuch Silks, Callicoës, Linens, or Stuffs, printed, painted, ſtained, or dyed by him, her, and them, or in his, her, or their Work-houſes or Places aforeſaid; and ſhall be alſo ſubject to all Penalties and Forfeitures incurred by ſuch Perſon or Perſons ſo uſing ſuch Work-houſe, or other Place, for any Offence againſt this Act, relating to the Duties of ſuch printed, painted, ſtained, or dyed Goods; and it ſhall and may be lawful in all ſuch Caſes, to levy Debts and Penalties, and uſe ſuch Proceedings as may lawfully be done by this Act, in relation to ſuch Goods, in caſe the Debtor or Offender were the true and lawful Owner of the ſame.

Stock in Hand
on 20 July to
pay one Half
Part of the Duty.

LXXXIV. And whereas ſeveral Printers, Painters, Stainers, and Dyers, and alſo ſeveral Merchants, Drapers, Mercers, Upholders, and other Traders and Dealers, have or may have, on the twentieth Day of July one thouſand ſeven hundred and twelve, for Sale either by Wholesale or Retail, ſeveral Stocks or Quantities of ſuch chequered and ſtriped Linens, and painted, ſtained, and dyed Linens, as aforeſaid, which have been imported into Great Britain, and ſeveral Stocks and Quantities of ſuch Silks, Callicoës, Linens, and Stuffs, as aforeſaid, which have been printed, painted, ſtained, or dyed, as aforeſaid, in Great Britain; Be it further enacted by the Authority aforeſaid, That all and every ſuch Printers, Painters, Stainers, Dyers, Drapers, Mercers, Upholders, Traders, and Dealers reſpectively, having on the ſaid twentieth Day of July one thouſand ſeven hundred and twelve, in his, her, or their Cuſtody or Poſſeſſion, or in the Cuſtody or Poſſeſſion of any other Perſon or Perſons, for his, her, or their Uſe, Benefit, or Account, any Stock or Quantity of ſuch chequered or ſtriped Linens, or of ſuch printed, painted, ſtained, or dyed Silks, Callicoës, Linens, or ſuch Stuffs, as aforeſaid, being for Sale either by Wholesale or by Retail, ſhall yield and pay to her Maſteſty for the ſame, ſo much Money as one Half Part of the Rates and Duties by this Act impoſed on the like reſpective Commodities after the Commencement of this Act, ſhall amount unto; the ſaid Half Part for the ſaid Stocks, to be paid within three Months after the ſaid twentieth Day of July one thouſand ſeven hundred and twelve.

A Particular of
Stock in Hand
to be given in
upon Oath, &c.

LXXXV. And to the end the ſaid Stocks may be known and diſcovered, and the ſaid Rates for the ſame may be aſcertained and answered; Be it further enacted by the Authority aforeſaid, That all and every the ſaid Printers, Painters, Stainers, Dyers, Mercers, Drapers, Upholders, Traders, and Dealers reſpectively, ſhall deliver or cauſe to be delivered, on or before the ſaid twentieth Day of July one thouſand ſeven hundred and twelve, to the proper Officer to be appointed in this Behalf, a Particular in Writing ſigned by themſelves or their Appointments, of their ſeveral Stocks before-mentioned, deſcribing the whole Quantities and Kinds thereof diſtinctly, as they are charged in this Act, and ſhall verifie the ſaid Particular by ſuch Oath or Affirmation reſpectively, as aforeſaid, to the beſt of his, her, or their Knowledge and Belief; which Oath or Affirmation ſhall and may be adminiſtered by the proper Officers who ſhall be appointed to receive the ſaid Particular; and the proper Officers to be appointed for charging the Duties on the ſaid printed

Officers may enter
any Shops,

printed, painted, stained, or dyed Goods, are hereby authorized and impowered to enter into any Shops, Warehouses, or other Places whatsoever, where any such Stock of such Goods shall be or remain, there to view the same, and to take an Account thereof; and all and every the said Person or Persons chargeable, as aforesaid, for their respective Stock of such Goods, shall be obliged, by force and virtue of this Act, if thereunto required, to permit and suffer the proper Officer and Officers to make such Entrance and View, as aforesaid; and if any Person or Persons shall refuse to permit or suffer such Officer or Officers to enter into their Shops, Warehouses, or other Places (being thereunto required) to view the said Stocks of chequered and striped Linens, and of such printed, painted, stained, or dyed Silks, Callicoes, Linens, and Stuffs, as aforesaid, or any of them, and every Part thereof, then every such Person, for every such Refusal, shall forfeit the Sum of fifty Pounds.

&c. to view
Stock in Hand;

Refusal to permit them for-
feits 50 l.

LXXXVI. And it is hereby enacted, That the Collector upon the Receipt of any the said Duties for such Stocks of chequered, and striped Linens, and of such printed, painted, stained, or dyed Silks, Callicoes, Linens, and Stuffs, or any of them, shall give a Receipt for the same gratis; and in case the said Duties for such Stocks shall not be paid on or before the nine and twentieth Day of *September* one thousand seven hundred and twelve, or if before that Time, the same be not secured to be paid on or before the five and twentieth Day of *December* one thousand seven hundred and twelve (which Security the proper Officers are hereby required to take by Bond in her Majesty's Name and to her Use) then such Officer or Officers shall and may, by virtue of this Act, levy such Duties for the said Stock that shall not be paid or secured, by Distress of the Goods and Chattels of the Person or Persons, Bodies Politick or Corporate liable thereunto, and for Non-payment, may sell such Distress within ten Days, tending the Overplus (if any be) to the Owner, after Satisfaction of the Duty and Charge of the said Distress.

Collector to give
Receipts gratis.

Duty on Stock
not paid by 29
Sept. 1712. or
secured, &c.
Officer may
distrain.

LXXXVII. Provided always, That if any such Person or Persons chargeable for such Stock, shall pay or cause to be paid his or their Duties for the same, within the said Space of three Months, he, she, or they shall be allowed for such prompt Payment after the Rate of ten Pounds *per Centum per Annum* for every Sum so advanced.

10 l. per Cent.
Discount for
Prompt Pay-
ment.

LXXXVIII. And be it enacted by the Authority aforesaid, That if any Person or Persons who ought to give such Particular of such Stock of the chequered and striped Linens, and of such printed, painted, stained, and dyed Goods, as aforesaid, or any of them, shall neglect to give a Particular of the same, in such Manner and Form, as aforesaid, on or before the twentieth Day of *July* one thousand seven hundred and twelve, or shall wittingly or willingly omit or leave out of the same any Part of his, her, or their said Stock, to the Intent to defraud her Majesty, or shall fraudulently remove, carry away, or conceal his, her, or their said Stock, or any Part thereof, before her Majesty's Duty thereupon shall be paid or secured, as aforesaid, that then, and in every such case, he, she, or they so offending, for every such Offence shall forfeit the Sum of fifty Pounds; and in all and every such Case and Cases, the Stock or Quantity of such Goods, for which no such Particular shall have been given, or which shall be fraudulently omitted out of the same, or which shall be so concealed or carried away before her Majesty's Duty shall be paid or secured, shall be forfeited, and shall and may be seized by any of her Majesty's Officers, to wit, one Moiety thereof to the Use of the Queen, and the other Moiety thereof to the Use of the Seizor.

Not giving in
a Particular of
Stock,

or omitting any
Part thereof, or
removing Stock
before Duty be
paid, &c. forfeits
50 l. and Goods.

LXXXIX. And it is hereby further enacted by the Authority aforesaid, That from and after the Duties of the said Stock of chequered and striped Linens, and of such printed, painted, stained, or dyed Goods, as aforesaid, or any of them, shall be paid or secured, as aforesaid, the Officer or Officers for the same Duties, shall cause every Piece, Parcel, or Remnant whereof the Duty shall be so paid or secured, to be marked with such distinct Mark as this Act directs, to be provided and used to denote the paying or securing such Duty, as aforesaid.

After the Duty
is paid, Linens
to be stamped.

XC. Provided always, and is hereby enacted, That no Fee or Reward shall be had or taken by any of the said Officers, from any of the said Printers, Painters, Stainers, Dyers, Mercers, Drapers, or others, for any Entries, Accounts, Receipts, or Marks, before in this Act mentioned, or any of them, under the Penalty of five Pounds to be forfeited to the Party grieved for every such Offence.

No Fee for En-
tries, &c.

XCI. And be it further enacted by the Authority aforesaid, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty, in lieu thereof*, or by any other Law now in Force relating to her Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided and established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Duties thereby granted, or any of them (other than in such Cases for which other Penalties or Provisions are made or prescribed by this Act) shall be practised, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duties hereby granted upon the said printed, painted, stained, or dyed Silks, Callicoes, Linens, and Stuffs, during the Continuance of this Act, as fully and effectually as if all and every the said Powers, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things, were particularly repeated in this present Act.

All the Powers
in 12 Car. 2. c.
24. and other
Excise Acts, to
be in Force for
managing these
Duties.

XCII. And be further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, in relation to the said Duties by this Act imposed upon any Silks, Callicoes, Linens, or Stuffs, printed, painted, stained, or dyed in *Great Britain*, as aforesaid, shall be sued for, levied, recovered, or mitigated, by such Ways, Means and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information in any of her Majesty's Courts of Record at *Westminster*, or in the Court of Session, Court of Justiciary, or Court of Exchequer in *Scotland* respectively, as aforesaid; and that one Moiety of every such Fine, Penalty, and Forfeiture (not otherwise appointed by this Act) shall be to her Majesty, her Heirs and Successors, and the other Moiety to him, her, or them that shall discover, inform, or sue for the same.

All Fines, &c.
to be sued for as
by the Laws of
Excise.

Commissioners for these Duties to have the same Jurisdiction in England, &c. as Commissioners of Excise.

These Goods having paid the Duty, may be exported, on Security, &c.

If re-landed, forfeited.

On Oath that the Duty has been paid.

and on Debenture from the Customer, &c. Collector to repay the Duties.

Commissioners of the Customs to provide Stamps for the imported Linens.

Commissioners for managing the Duties on painted Silks, &c. also to provide Stamps.

Stamps may be altered by her Majesty Counterfeiting Stamps, Felony

Selling with a counterfeit Stamp, forfeits £ 101. and Pillory.

XCIII. Provided always, and it is hereby enacted, That such Persons as, in pursuance of this Act, shall be Commissioners for the said Duties on the said Silks, Callicoes, Linens, and Stuffs, printed, painted, stained, or dyed in *England, Wales*, and the Town of *Berwick upon Tweed*, shall have the same Jurisdiction, Power, and Authority, and may adjudge, determine, mitigate, and order, in all Cases and Matters relating to the same Duties arising within the Limits aforesaid, as the Commissioners of Excise upon Beer, Ale, and other Liquors, may or can lawfully exercise, adjudge, determine, mitigate, or order in the like Cases or Matters in relation to the said Duties of Excise, by any Law or Statute now in Force.

XCIV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, who shall have actually paid her Majesty's Duties by this Act payable for any of the said imported Linens, or for any Silks, Callicoes, Linens, or Stuffs, to be printed, painted, stained, or dyed, as aforesaid, in *Great Britain*, and to and for any other Person or Persons, who shall buy, or be lawfully entitled to any such imported Linens, or any such Goods, printed, painted, stained, or dyed, as aforesaid, in *Great Britain*, from the Person or Persons, who actually paid her Majesty's Duties payable by this Act for the same, to export any such Goods for which the Duty was so paid for any Foreign Parts, by way of Merchandize, giving sufficient Security before the Shipping thereof, that the particular Quantities so intended to be exported, and every Part thereof, shall be shipped and exported, and not to be re-landed or brought again into any Part or Parts of *Great Britain*; which Security the Customer or Collector of the Port of Exportation shall take in her Majesty's Name, and to her Use.

XCv. Provided always, That if after the Shipping of any such Goods, and the giving or tendering such Security, as aforesaid, in order to obtain the Allowance or Drawback herein after-mentioned, the same, or any Part thereof, shall be re-landed in any Part of *Great Britain*, that then, and in every such Case (over and above the Penalty of the Bond, which shall be levied and recovered to her Majesty's Use) all the said Goods, which shall be so landed, or the Value thereof, shall be forfeited.

XCvi. And it is also hereby enacted, That any Person or Persons who shall export any such chequered, striped, printed, painted, stained, or dyed Goods, as aforesaid, to or for any Foreign Parts, shall and may make Proof upon Oath, or by such Affirmation respectively, as aforesaid, that the Duties thereof have been paid or secured according to this Act (which Oath or Affirmation, the Customer or Collector of the Port of Exportation is hereby required and impowered to administer) and thereupon the said Customer or Collector of the said Port of Exportation shall give to the Exporter thereof a Debenture, expressing the true Kinds and Quantities of the chequered and striped Linens, and of the said printed, painted, stained, and dyed Goods so exported; and the Exportation thereof being certified by the Searcher upon the said Debenture, the Collector appointed to receive the said Duties upon such chequered and striped Linens, printed, painted, stained, and dyed Goods, in the County or Place where such Exportation was made (upon producing the said Debenture so certified to him) shall forthwith pay the Duties which shall have been received upon this Act for the Goods so exported, to the Persons or Agents so exporting the same; and if such Collector shall not have Money in his Hands to pay any such Debenture, then the respective Commissioners for the said Duties on chequered and striped Linens, printed, painted, stained, and dyed Goods, are hereby required to pay or cause to be paid the said Debenture out of any the Duties upon chequered and striped Linens, printed, painted, stained, and dyed Goods, arising by this Act; or if the Duty of the Goods so exported were only secured, and shall remain unpaid, then the same shall be discharged upon the Security for the same; any thing in this Act contained notwithstanding.

XCvii. And be it further enacted by the Authority aforesaid, that the respective Commissioners of the Customs in *Great Britain*, shall, on or before the twentieth Day of *July* one thousand seven hundred and twelve, provide or cause to be provided such and so many Seals or Stamps with which all the said imported Linens, during the Continuance of this Act, shall be marked, upon Payment of the Duties thereof, as aforesaid, and shall cause the same to be delivered to the proper Officers of the Customs for that Purpose; and that the respective Commissioners to be appointed for managing the said Duties upon Silks, Callicoes, Linens, and Stuffs, to be printed, painted, stained, or dyed in *Great Britain*, shall, on or before the twentieth Day of *July* one thousand seven hundred and twelve, provide proper Seals or Stamps, of another Kind, for marking such of the said Silks, Callicoes, Linens, and Stuffs, to be printed, painted, stained, or dyed in *Great Britain*, as aforesaid, during the Continuance of this Act, as are to be stamped and marked, for and in order to the charging of the respective Duties for the same, and also so many Seals or Stamps, of a third Kind, with which all the said Stocks or Quantities of chequered and striped Linens, and of such printed, painted, stained, or dyed Goods, as aforesaid, on the said twentieth Day of *July* one thousand seven hundred and twelve, upon paying or securing the said half Duties for the same, are to be marked or stamped, and shall cause the said respective Seals or Stamps to be distributed to the respective Officers for the several Purposes before mentioned; which Officers are hereby enjoined and required, in using the same, to do no Hurt or Damage, or the least Damage that may be, to the Goods to be so marked or stamped; and the said respective Commissioners, in providing the said respective Seals or Stamps, shall take Care that they be so contrived, that the Impression thereof may be durable, and so as the same may be least liable to be forged or counterfeited; and that the said Seals, or any of them, shall or may be altered or renewed, from time to time, as her Majesty, her Heirs or Successors, shall think fit; and if any Person or Persons whatsoever, shall, at any Time or Times hereafter, counterfeit or forge any Stamp or Seal to resemble any Stamp or Seal which shall be provided or made in pursuance of this Act, or shall counterfeit or resemble the Impression of the same upon any of the said Commodities chargeable by this Act, thereby to defraud her Majesty, her Heirs or Successors, of any of the said Duties hereby granted, then every such Person so offending, being thereof convicted in due Form of Law, shall be judged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy; and if any Person or Persons shall, at any Time or Times, during the Continuance of this Act, sell any printed, painted, stained, or dyed Silks, Callicoes, Linens, or other Stuffs, as aforesaid, with a counterfeit Stamp thereupon, knowing the same to be counterfeit,

terfeited, and with an Intent to defraud her Majesty, her Heirs or Successors, all and every such Offender and Offenders, their Aiders, Abettors, and Assistants (being duly convicted, as aforesaid) shall, for every such Offence, forfeit and lose to her Majesty, her Heirs and Successors, the Sum of one hundred Pounds, and shall be adjudged to stand in the Pillory in some publick Place for the Space of two Hours.

XCVIII. And be it further enacted and ordained by the Authority aforesaid, That at any Time or Times, during the Continuance of this Act, upon Oath made by any credible Person or Persons, that he, she, or they have reason to suspect or believe, that any printed, painted, stained, or dyed Silks, Callicoes, Linens, or Stuffs, as aforesaid, for which a Duty ought to have been paid or charged by this Act, are or shall be in the Custody or Possession of any Draper, or other Person or Persons trading or dealing therein, or of any Person or Persons, for the Use or Account of such Draper, or other Trader or Dealer, for Sale, without having thereupon such Marks or Stamps as are by this Act required, to denote the Payment or Charging of the said Duties thereupon; it shall and may be lawful to and for the Commissioners, who shall be appointed for the said Duties upon Silks, Callicoes, Linens, or Stuffs, printed, painted, stained, or dyed in *Great Britain*, or the major Part of them, within the Limits of the Weekly Bills of Mortality, or any two Justices of the Peace in any other Parts of the Kingdom of *Great Britain*, from time to time, to issue their respective Warrants or Orders, thereby authorizing and requiring any Officer or Officers for the same Duties (with the Assistance of a Constable, or other Officers of the Peace) in the Day-time, to search for the same, and to open Doors, Chests, Trunks, and Package, and to seize such Goods, and to bring them to the Office for the said Duties next to the Place where they shall be so seized, in order to a further Proceeding thereupon according to this Act; and that every such Warrant and Order shall and may be obeyed and executed accordingly.

Commissioners or Justices may issue Warrants for seizing all Silks, &c. unmarked.

XCIX. And for the more easy collecting the Duties, and preventing Disputes that may arise from the Difference of the Breadths of Callicoes which are or shall be printed, painted, or stained; Be it enacted and declared, That all such Callicoes which are or shall be printed, painted, or stained, and which shall be within one Eighth Part of a Yard of Yard Broad, or not exceeding one Eighth Part of a Yard of Yard Broad, shall pay as Yard Broad, and no more nor less; any thing in this Act to the contrary notwithstanding.

Callicoes within, or not exceeding one Eighth of Yard Broad, to pay as Yard Broad.

C. And moreover be it enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the Use of her Majesty, her Heirs and Successors, for the several and respective Things herein after-mentioned, which, at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the first Day of *August* in the Year of our Lord one thousand seven hundred and twelve, shall be ingrossed, printed, or written, the several and respective Rates, Duties, Charges, and Sums of Money herein after expressed, in Manner following; that is to say,

New Stamp Duties for 33 Years from 1 Aug. 1712. Made perpetual by 3 Geo. 1. c. 7. §. 5.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written, within or during the Term last mentioned, any Surrender of or Admittance to any Copyhold Land or Tenement within those Parts of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, or any Grant or Lease by Copy of Court Roll, or any other Copy of the Court Roll of any Honour or Manor within the same Parts of *Great Britain*, or any of them, (other than and except the original Surrender to the Use of a Will, and the Court Roll or Book wherein the Proceedings of the Court are entred or inrolled) the Sum of two Shillings and three Pence Sterling.

Copies of Court Roll in England, &c.

Copies of Admittances to Custom Right, and Tenant Right Estates are exempted by 12 Annæ, Stat. 1. c. 2. §. 49. Original Instrument of Surrender of Heretable Rights in Scotland.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written, within or during the same Term, any principal or original Instrument of Surrender, or Resignation of any Messuages, Houses, Lands, Tenements, Hereditaments, Tithes, Mills, Fishings, and other Heretable Rights, or any of them, to be made to any of her Majesty's Subjects, who are or shall be the Superiors thereof, or to any City, Town, Burgh, or Corporation, or to any Magistrates or others who have Power to receive such Surrenders or Resignations in *Scotland*, the Sum of two Shillings and three Pence Sterling.

Charter or Resignation, &c.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written, within or during the same Term, any Charter or Resignation, Confirmation, *Novodamus*, or Charter upon Apprising, or Adjudication made or granted by such Superior, or others, as aforesaid, in *Scotland*, the Sum of two Shillings three Pence Sterling.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written, within or during the same Term, any principal or original Retour of any Service of Heirs, or any Precept of *Clare Constat* of Lands or Tenements holding of any Subject, as aforesaid, in *Scotland*, the Sum of two Shillings and three Pence Sterling.

Original Retour, &c.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written, within or during the same Term, any principal or original Saisine, taken or following upon any Mortgage, Wadset, Heretable Bond, Alienation or Disposition, or upon any Charter, Precept of *Clare Constat*, Retours, Apprisings, or Adjudications of Lands or Tenements holding of any Subject, as aforesaid, in *Scotland*, the Sum of two Shillings three Pence Sterling.

Original Saisine, &c.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written, within or during the same Term, any principal or original Instrument of Surrender, or Resignation, Service, or Cognition of Heirs, Charter or Saisine of any Houses, Lands, Tenements, or Hereditaments holding Burgage, or of Burgage-Tenure in *Scotland*, the Sum of two Shillings three Pence Sterling.

Original Instrument of Surrender of Burgage Tenure.

And for every Piece of Vellum, Parchment, or Paper, upon which shall be written at any time or times, within or during the Term last mentioned, any Transfer of Stock in any Company, Society, or Corporation

Transfers of Stock.

whatsoever within *Great Britain*, (over and above the present Duties payable to her Majesty for the same) the Sum of two Shillings and three Pence Sterling.

Duty on Pamphlets, &c. Evasions of these Duties prevented by 11 Geo. I. c. 8. §. 14.

CI. And be it enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all Books and Papers commonly called Pamphlets, and for and upon all News Papers, or Papers containing publick News, Intelligence or Occurrences, which shall, at any time or times within or during the Term last mentioned, be printed in *Great Britain*, to be dispersed and made publick, and for and upon such Advertisements as are herein after mention'd, the respective Duties following; that is to say,

Half Sheet.

For every such Pamphlet or Paper contained in Half a Sheet, or any lesser Piece of Paper, so printed, the Sum of one Half-penny Sterling.

One whole Sheet.

For every such Pamphlet or Paper (being larger than Half a Sheet, and not exceeding one whole Sheet) so printed, a Duty after the Rate of one Penny Sterling for every printed Copy thereof.

Larger Pamphlets.

And for every such Pamphlet or Paper, being larger than one whole Sheet, and not exceeding six Sheets in Octavo, or in a lesser Page, or not exceeding twelve Sheets in Quarto, or twenty Sheets in Folio, so printed, a Duty after the Rate of two Shillings Sterling for every Sheet of any kind of Paper which shall be contained in one printed Copy thereof.

Advertisements.

And for every Advertisement to be contained in the *London Gazette*, or any other printed Paper, such Paper being dispersed or made publick weekly, or oftner, the Sum of twelve Pence Sterling.

Salvo for Acts of Parliament, &c.

CII. Provided always, That this Act shall not extend to charge any Acts of Parliament, Proclamation, Order of Council, Forms of Prayer and Thanksgiving, or any Acts of State which shall be ordered by her Majesty, her Heirs or Successors, to be printed, or the printed Votes, or other Matters which are or shall be ordered to be printed by either House of Parliament, with any of the said Duties on Pamphlets or News Papers, or to charge any Books commonly used in any the Schools of *Great Britain*, or any Books containing only Matters of Devotion or Piety, with the said Duties on Pamphlets, or to charge any single Advertisement printed by itself, or the daily Accounts or Bills of Goods imported and exported, or the Weekly Bills of Mortality, (so as such Accounts or Bills do contain no other Matters than what have been usually comprized therein) with any the Duties aforesaid; any thing herein contained to the contrary notwithstanding.

Commissioners of the Stamps to manage these Duties.

CIII. And be it further enacted by the Authority aforesaid, That for the better and more effectual levying, collecting, and paying unto her Majesty, her Heirs and Successors, the said several Duties hereby granted and made payable for or in Respect of the said several and respective Matters and Things to be ingrossed, written, or printed, as aforesaid, the same shall be under the Government, Care, and Management of the Commissioners for the time being, appointed to manage the Duties payable to her Majesty, her Heirs and Successors, and charged on stampd Vellum, Parchment, and Paper, who, or the major Part of them, are hereby required and impowered to employ the necessary Officers under them for that Purpose, and to cause all such further new Stamps to be provided, to denote the Duties last mentioned, as shall be requisite, and to do all other Things necessary to be by them done, for the putting this Act in due Execution with Relation to those Duties.

Vellum, &c. to be stamped before written on, &c.

CIV. And it is hereby further enacted by the Authority aforesaid, That all Vellum, Parchment and Paper, upon which any of the last mentioned several and respective Matters and Things shall, from and after the said first Day of *August* one thousand seven hundred and twelve, be respectively ingrossed, written, or printed (the Paper to be used in printing the said Pamphlets exceeding one Sheet, as aforesaid, only excepted) shall before such ingrossing, writing, or printing, be brought to the Head Office for stamping or marking of Vellum, Parchment, and Paper, and the same Commissioners by themselves or by their Officers employed under them, shall, and they are hereby impowered and required forthwith, upon Demand to them made by any Person or Persons from time to time, to stamp or mark, as this Act directs, any Quantities or Parcels of Vellum, Parchment, or Paper, he or they paying to the Receiver General of the Stamp Duties for the time being, or to his Deputy or Clerk, for the Use of her Majesty, her Heirs and Successors, the respective Duties payable for the same by this Act, without any other Fee or Reward, and without Delay; which Stamp or Mark to be put thereupon in pursuance of this Act, shall be a sufficient Discharge for the several and respective Duties hereby payable for the said Vellum, Parchment, and Paper, which shall be so stamped or marked.

Penalty on Persons writing on Vellum, &c. before stamped, 10l.

CV. And be it further enacted by the Authority aforesaid, That if any Person or Persons, or Corporation, shall, from and after the said first Day of *August* one thousand seven hundred and twelve, within or during the Term last mentioned, write, ingross, or print, or cause to be written, ingrossed, or printed, or sign any of the last mentioned several and respective Matters and Things, or sell, utter, or expose to Sale any such Pamphlet or News Paper, as aforesaid, (the said Pamphlets exceeding one Sheet, as aforesaid, only excepted) before the Vellum, Parchment, or Paper, whereupon the same shall be respectively ingrossed, written, or printed, shall appear to have been so duly stamped or marked, as aforesaid, That then every such Person or Corporation, so offending in any of the Particulars before mentioned, shall for every such Offence forfeit the Sum of ten Pounds, together with Full Costs of Suit; and every Steward, or other Officer, or his Deputy, offending herein, and being convicted of any such Offence, shall (over and besides the Forfeiture or Penalty aforesaid) forfeit and lose his Office and Employment, and be incapable to hold the same; and that if any of the said several and respective Matters and Things, so to be ingrossed or written, as aforesaid, shall, during the Term last mentioned, be written or ingrossed, contrary to the true Intent and Meaning hereof, upon Vellum, Parchment, or Paper, not appearing to have been duly stamped or marked according to Law, that then and in every such Case there shall be due, answered and paid to her Majesty,

Steward or Officer offending forfeit Places, &c.

Majesty, her Heirs and Successors (over and above the Duties hereby payable) for every such Matter and Thing respectively, the Sum of five Pounds; and that no such Matter or Thing shall be available in Law or Equity, or be given in Evidence, or admitted in any Court, unless as well the said Duties hereby charged, as the said Sum of five Pounds, shall be first paid to the Use of her Majesty, her Heirs or Successors, and a Receipt produced for the same under the Hand of the Receiver General for the time being, of the Stamp Duties, or of his Deputy or Clerk, and until the Vellum, Parchment, or Paper, on which such Matter or Thing is so written or ingrossed, shall be marked or stamped, according to the Tenor and true Meaning hereof; and the said Receiver General, and his Deputy or Clerk, are hereby enjoined and required, upon Payment or Tender of the said Duty, payable by virtue hereof, and of the said Sum of five Pounds, to give a Receipt for such Money; and the other proper Officers are thereupon required to mark or stamp such Matter or Thing with the proper Mark or Stamp requisite in that Behalf.

No Writing before Paper be stamped, good, till 5l. paid to the Queen, and the Duty be paid.

CVI. And be it further enacted by the Authority aforesaid, That every Commissioner and Officer, who shall act in or about the Managing or Collecting the Duties last mentioned, and hereby granted, shall, before he shall act in or about the same, take the Oath following, that is to say,

Commissioners to be sworn.

I *A. B.* do swear, That I will faithfully execute the Trust reposed in me, pursuant to the Act of Parliament, whereby certain Duties are charged upon Surrenders of, and Admittances to Copyhold Lands or Tenements, and other the Matters and Things thereby directed to be stamped, as is therein mentioned; without Fraud or Concealment; and shall, from time to time, true Account make of my Doings therein, and deliver the same to such Person or Persons, as her Majesty, her Heirs and Successors, shall appoint to receive such Account; and shall take no Fee, or Reward, or Profit for the Execution or Performance of the said Trust, or the Business relating thereto, from any Person or Persons, other than such as shall be allowed by her Majesty, her Heirs and Successors, or some other Person or Persons by her or them to that Purpose authorized.

Their Oath.

Which Oath shall and may be administered by any two or more of the Commissioners last mentioned, or any Justice of the Peace.

CVII. And be it further enacted by the Authority aforesaid, That the said Commissioners for managing the said Duties on stamped Vellum, Parchment and Paper, and all other Officers, who shall be employed in or about the Collecting or Managing of the Duties last mentioned, and hereby granted, shall, in and for the better Execution of their said Offices and Trusts, observe and perform such Rules, Methods and Orders, as they respectively shall, from time to time, receive from the Lord High Treasurer of *Great Britain* now being, or from the Lord High Treasurer of *Great Britain*, or three or more of the Commissioners of the Treasury for the time being; and that no Fee or Reward shall be demanded or taken by any her Majesty's Officers relating to the said Stamp Duties, from any of her Majesty's Subjects, for any Matter or Thing to be done in pursuance of this Act; and in case any Officer intrusted, or to be intrusted, in the Execution of this Act, in Relation to the said Stamp Duties, shall refuse or neglect to perform any Matter or Thing by this Act required to be done and performed by him, whereby any of her Majesty's Subjects shall or may sustain any Damage whatsoever, such Officer so offending shall be liable by any Action to be founded on this Statute, to answer to the Party grieved all such Damages with Treble Costs of Suit.

Commissioners to observe the Orders of the Treasury.

No Fee to be taken.

CVIII. And it is hereby further enacted by the Authority aforesaid, That the Duties by this Act granted on stamped Vellum, Parchment and Paper, and the said Duties upon News Papers and Pamphlets, shall be all paid, from time to time, into the Hands of the Receiver General, for the time being, of the said Duties on stamped Vellum, Parchment and Paper; who shall keep a separate and distinct Account thereof, and pay, from time to time, all the Monies arising thereby (the necessary Charges of raising, paying, and accounting for the same excepted) into the Receipt of the Exchequer of her Majesty, her Heirs and Successors, for the Purposes in this Act expressed.

These Duties to be paid to the Receiver General of the Stamp Duties.

CIX. Provided always, and it is hereby enacted, That as often as her Majesty, her Heirs and Successors, shall think fit to alter or renew the said Marks or Stamps to be provided and used for Vellum, Parchment, and Paper, in pursuance of this Act, or any of them, it shall be lawful for all Persons, who shall at that Time have in their Custody or Possession any Vellum, Parchment or Paper, marked with the Stamp or Stamps which shall be so altered or renewed, and upon which none of the Matters and Things hereby charged, shall be ingrossed, written or printed, at any time within the Space of sixty Days after such Intention of renewing or altering, shall be published by Proclamation, to bring or send such Vellum, Parchment or Paper to the Commissioners last mentioned at the said Head Office, or to such Officers as shall be appointed in that Behalf; and the same Commissioners and Officers respectively are hereby required to deliver, or cause to be delivered to the several Persons who shall so bring and deliver any Quantity of Vellum, Parchment and Paper, the like Quantity of Vellum, Parchment and Paper, and as good in Quality, stamped with such new Stamps, without demanding, or taking directly or indirectly for the same, any Sum of Money or Consideration whatsoever, under the Penalty of forfeiting for every such Offence, one hundred Pounds, to be sued for, recovered and divided in such Manner as the other Penalties in this Act, relating to the said Duties hereby charged on Vellum, Parchment, and Paper, are directed to be sued for, recovered, and divided; and in case any Person shall neglect or refuse within the Time aforesaid, to bring or cause to be brought and delivered to such Commissioners or Officers, as aforesaid, any such Vellum, Parchment, or Paper, the same is hereby declared to be of no other Effect or Use than if it had never been stamped; and that all Matters or Things charged with the Duties last mentioned, and hereby granted, which shall after that Time be ingrossed or written thereon, shall be of no other Effect than if they had been ingrossed or written on Vellum, Parchment, or Paper not marked, or stamped at all; and all Persons who shall ingross, write, or print any the Matters or Things hereby charged on such Vellum, Parchment, or Paper,

Upon Renewal of Stamps those who have Paper stamped by them, may have it changed in 60 Days.

Penalty on Officer refusing to change, 100l.

Paper not brought in within that Time, of no Use, &c.

after the said Time, shall forfeit and suffer as herein before is enacted, for Persons writing, ingrossing, or printing on Vellum, Parchment, or Paper, not marked or stamped.

Proclamation for altering Stamps, to be sent to the Mayors, &c.

Penalty for not publishing it.

A printed Copy of every Pamphlet above 1 Sheet, published in London, &c. to be brought to the Stamp Office within 6 Days after printing, &c.

If printed elsewhere, to be brought to some Head Collector in 14 Days, to be entered, &c.

If the Duty be not paid, &c. Author, &c. to lose all Property therein.

and also forfeit 20l.

Pamphlets to have the Printer's or Publisher's Name printed thereon, on Pain of 20l.

Pamphlets unfolded to be cancelled by the Commissioners,

and the like Number of other Sheets stamped gratis to be changed for them.

CX. Provided always, and be it further enacted, That as often as her Majesty, her Heirs or Successors, shall think fit to alter the said Stamps, or any of them, that the Proclamation which is hereby intended to be made for the giving all Persons due Notice thereof, shall, within thirty Days after the Date thereof, be sent to the Mayor, chief Magistrate, or other Head Officer of every City, Corporation, Borough, and Market Town, throughout her Majesty's Kingdom of *Great Britain*; which Officers respectively shall cause the same to be published to the Inhabitants of such City, Corporation, Borough or Town, either on the next Market Day, or next *Sunday* in the Church immediately after the Time of Divine Service, upon Pain of forfeiting the Sum of two hundred Pounds.

CXI. And for the better collecting and securing the Duties hereby charged on such Pamphlets containing more than one Sheet of Paper, as aforesaid; Be it further enacted by the Authority aforesaid, That one printed Copy of every such Pamphlet, which, from and after the said first Day of *August* one thousand seven hundred and twelve, and during the said Term of thirty and two Years, from thence next ensuing, shall be printed or published within the Cities of *London* or *Westminster*, or within the Limits of the Weekly Bills of Mortality, shall, within the Space of six Days after the Printing thereof, be brought to the said Head Office for marking or stamping of Vellum, Parchment, and Paper; and the Title thereof, with the Number of Sheets contained therein, and the Duty hereby charged thereon, shall be registred or entered in a Book there to be kept for that Purpose, which Duty shall be thereupon paid to the said Receiver General of the Stamp Duties, or his Deputy or Clerk, who shall thereupon forthwith give a Receipt for the same, on such printed Copy, or the same shall be stamped to denote the Payment of the Duty hereby charged on such Pamphlet: And that one printed Copy of every such Pamphlet, as last mentioned, which during the same Term, shall be printed or published in any Part of *Great Britain*, not being within the Limits last before mentioned, shall, within the Space of fourteen Days after the Printing thereof, be brought to some Head Collector of the said Stamp Duties, who is hereby required forthwith to enter the Title thereof, with the Number of Sheets contained therein, and the Duty hereby charged thereon, in a Book to be by him kept for that Purpose; which Duty shall be thereupon paid to such Collector, who shall thereupon give a Receipt for the same on such printed Copy.

CXII. And be it further enacted by the Authority aforesaid, That if any such Pamphlet containing more than one Sheet of Paper, as aforesaid, shall, during the last mentioned Term of two and thirty Years, be printed or published, and the Duty hereby charged thereon shall not be duly paid, and the Title thereof registred, and one Copy thereof stamped, where required so to be, within the respective Times herein before for those several Purposes limited, that then the Author, Printer, and Publisher of, and all other Persons concerned in or about the Printing or Publishing of such Pamphlet, shall lose all Property therein, and in every Copy thereof, although the Title thereto were registred in the Book of the Stationers in *London*, according to the late Act of Parliament in that Behalf, so as any Person (notwithstanding the said Act) may freely print and publish the same, paying the Duty payable in Respect thereof by virtue of this Act, without being liable to any Action, Prosecution or Penalty for so doing; any thing in the said Act of Parliament for vesting the Copies of printed Books in the Authors or Purchasers of such Copies, or in any By-Law contained, or any Custom or other Thing to the contrary notwithstanding: And the Printer and Publisher of such Pamphlet, and every other Person concerned in the Printing or Publishing thereof, shall, in such Case, forfeit the Sum of twenty Pounds, with Full Costs of Suit.

CXIII. And it is hereby further enacted by the Authority aforesaid, That during the same Term of two and thirty Years, no Person whatsoever shall sell, or expose to Sale, any such Pamphlet, without the true respective Name or Names, and Place or Places of Abode, of some known Person or Persons, by or for whom the same was really and truly printed or published, written or printed thereupon, upon Pain that every Person offending herein, shall, for every such Offence, forfeit the Sum of twenty Pounds, with Full Costs of Suit.

CXIV. And in Regard of the Uncertainty how many Copies of the said printed News Papers or Pamphlets to be contained in one Sheet, or in a less Piece of Paper, may be sold; and to the Intent the Duties hereby granted thereupon may not be lessened by printing a less Number than may be sold, out of a Fear of a Loss thereby, in printing more such Copies than will be sold; it is hereby provided and enacted, That the Commissioners for managing the Stamp Duties, or the major Part of them, or such Head Officers as they shall appoint in this Behalf, shall and may cancel, or cause to be cancelled, all the Stamps upon such Copies of any Impressions of such News Paper or Pamphlet, as last mentioned, as shall really and truly remain unfold in the Hands of the Person or Persons by or for whom the same shall be printed or published, and upon Oath or Oaths made before the same Commissioners, or the major Part of them, or such Head Officer (who are hereby empowered to administer the same, and to examine into all Circumstances relating to the selling or disposing of the printed Copies of such News Paper or Pamphlet) to the Satisfaction of such Commissioners or Head Officer, that all such Copies, so cancelled, shall be really and truly remaining unfold in the Hands of the Person or Persons by or for whom the same were printed or published, and that none of them shall have been fraudulently returned or rebought after the same shall have been sold or disposed of, shall and may cause the like Number of other Sheets, Half Sheets, or less Pieces of Paper, to be stamped with the same respective Stamps (*gratis*, and without paying any Duties for the same) for the Person or Persons who paid the Duties for such Stamps as shall be on such Copies so remaining unfold; any thing herein contained to the contrary notwithstanding. And the same Commissioners, or the major Part of them, are hereby empowered to make such Rules and Orders for regulating the Methods, and limiting the Times for such Cancelling and Allowances, as aforesaid, with Respect to such several and respective News Papers or Pamphlets, as last mentioned, as they shall, upon Experience and Consideration of the several Circumstances, find necessary or convenient for the effectual securing the Duties on such News Papers

Papers and Pamphlets, and doing Justice to the Persons concerned in the Printing and Publishing thereof.

CXV. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall, at any Time or Times hereafter, counterfeit or forge any Stamp or Mark to resemble any Stamp or Mark which shall be provided, made, or used, in pursuance of this Act, or shall counterfeit or resemble the Impression of the same, upon any Vellum, Parchment, or Paper, thereby to defraud her Majesty, her Heirs or Successors, of any of the said Duties on Vellum, Parchment, or Paper, or shall utter, vend, or sell any Vellum, Parchment, or Paper with such counterfeit Mark or Stamp thereupon, knowing such Stamp or Mark to be counterfeit, or if any Person whatsoever shall privately and fraudulently use any Stamp or Mark, thereby to defraud her Majesty, her Heirs or Successors, of any Duty upon Vellum, Parchment, or Paper hereby granted, then every Person so offending, and being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Counterfeiting
Stamps Felony.

CXVI. And be it further enacted by the Authority aforesaid, That the said Commissioners for the time being, appointed to manage the said Duties upon stamp Vellum, Parchment, and Paper, shall take Care that the several Parts of the Kingdom of *Great Britain* shall, from time to time, be sufficiently furnished with Vellum, Parchment, and Paper, stamped and marked as aforesaid, so as the Subjects of her Majesty, her Heirs and Successors, may have it in their Election to buy the same of the Officers or Persons to be employed by the said Commissioners at the usual and most common Rates above the said Duties, or to bring their own Vellum, Parchment, or Paper to be stamped, as aforesaid, or to furnish themselves or others that shall have done the same.

Commissioners
to furnish stamp
Vellum, &c.

CXVII. And for the better Distribution of the said Vellum, Parchment, and Paper, and that the Subjects may have the same with more Conveniency, and at an easy Rate; Be it further enacted by the Authority aforesaid, That the Lord High Treasurer of *Great Britain*, now or for the time being, or the Commissioners of the Treasury for the time being, shall, once in every Year at the least, set the Prices of stamp Vellum, Parchment and Paper that it shall be sold at; and that the Commissioners for the said Duties upon Vellum, Parchment and Paper, shall stamp the said Price so set upon every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper so by them to be sold; and that the same Commissioners shall likewise allow and pay to every Person that shall bring Vellum, Parchment, or Paper to the said Head Office to be stamped, in pursuance of this Act, the Duties whereof hereby imposed shall amount to the Sum of ten Pounds, or upwards, after the Rate of six Pounds in the Hundred Pounds *per Annum* for six Months, upon present Payment of the said Duties upon the said Vellum, Parchment, or Paper, so by them brought; and that any Persons that shall buy of the said Commissioners, or their Agents, Vellum, Parchment, or Paper, at the Head Office for stamping the same, the Duty whereof amounts to the Sum of ten Pounds, or upwards, shall have the same Allowance.

Treasury to set
the Prices on
stamp Vellum,
&c.

Allowance of
6 per Cent. for
6 Months.

CXVIII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *August* one thousand seven hundred and twelve, all and every Person and Persons who shall print or publish, or cause to be printed or published, any Advertisement or Advertisements, shall, within the Space of thirty Days after the Printing or Publication of such Advertisement or Advertisements, pay or cause to be paid the Duty or Duties thereon, hereby charged, to the respective Persons to whom the same are hereby appointed to be paid, (that is to say) to the Receiver General, for the time being, of the Duties on stamp Vellum, Parchment, and Paper, or his Deputy or Clerk, the said Duties for all such Advertisements as shall be so printed or published within the Limits of the Weekly Bills of Mortality; and to the next adjacent Head Officer, for the time being, appointed for Collection of the said Stamp Duties, the said Duties hereby charged for and upon all such Advertisements, as aforesaid, which shall be printed or published in any Place out of those Limits; and the Commissioners and Officers last-mentioned, or such of them to whom it shall appertain, are hereby required, upon Payment of the Duties hereby charged on such Advertisement or Advertisements, without any other Fee or Reward, to stamp with the proper Stamp, to be provided for that Purpose, one Copy of such Advertisement or Advertisements, or to give a Receipt for the Duty or Duties hereby charged thereupon, in Testimony of the Payment thereof; and in Default of such Payment within the Time herein before for that Purpose limited, the Printer or Publisher of every such Advertisement shall be liable to pay treble the Duties before by this Act chargeable thereupon, to be recovered with Full Costs of Suit.

The Duty on Ad-
vertisements to
be paid within
30 Days.

Default of Pay-
ment forfeits
treble the Duty.

CXIX. And be it further enacted by the Authority aforesaid, That all pecuniary Penalties hereby imposed, relating to the Duties on stamp Vellum, Parchment, and Paper, or upon Cards, Dice, Pamphlets, or Advertisements, (except such touching which other Provisions or Directions are made or given in this Act) shall be divided and distributed, to wit, one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety thereof, with Full Costs of Suit, to such Person or Persons as shall inform and sue for the same in any of her Majesty's Courts at *Westminster*, for Offences committed in *England*, *Wales*, or *Berwick upon Tweed*, and in her Majesty's Court of Session, Court of Justiciary, or Court of *Exchequer* in *Scotland*, by Action of Debt, Bill, Plaint, or Information, wherein no Escoin, Protection, Privilege, or Wager of Law, or more than one Imparlance shall be allowed.

Pecuniary Pen-
alties to be one-
Moiety to the
Queen, the other-
to the Informer.

CXX. Provided always, and it is hereby enacted by the Authority aforesaid, That it shall and may be lawful to and for two or more Justices of the Peace to hear or determine any Offence against this Act, in or by the printing, selling, uttering, or exposing to Sale, within the Limits of the Commission by which such Justices of the Peace are or shall be empowered to act, any Pamphlet or Pamphlets, News Paper or News Papers, not marked or stamped as this Act directs; which said Justices of the Peace are hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, within three Months after any such Offence committed, to summon the Party accused, and also the Witnesses on either Side, and upon the Appearance or Contempt of the Party accused in not appearing (upon Proof of Notice given) to proceed to the Examination of the Witness or Witnesses upon Oath (which Oath they are hereby

Two or more
Justices to deter-
mine Offences.

impowered

impowered to administer) and to give Judgment or Sentence accordingly; and where the Party accused shall be convicted of such Offence, either by the View of the said Justices, or either of them, or upon such Information, as aforesaid, to award and issue Warrants for the levying any pecuniary Penalty or Penalties so adjudged, on the Goods of the Offender, and to cause Sale to be made thereof, in case they shall not be redeemed within six Days, rendering to the Party the Overplus, if any; and where Goods of such Offender cannot be found, to commit such Offender to Prison, there to remain until such pecuniary Penalty shall be paid and satisfied: And if any Party shall find himself or herself aggrieved, or remain unsatisfied in the Judgment of the said Justices, then he, she, or they shall and may, by virtue of this Act, complain or appeal to the Justices of the Peace at the next Quarter-Sessions for the County, Riding, Shire, or Place, wherein such Offence shall be committed; who are hereby impowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same, and in case of Conviction, to issue Warrants for levying or compelling, by such Means, as aforesaid, the Payment of the said Penalties. Provided nevertheless, That it shall and may be lawful to and for the said respective Justices, where they shall see Cause, to mitigate or lessen any such Penalty, in such Manner as they in their Discretion shall think fit, the reasonable Costs and Charges of the Officers or Informers being always allowed over and above such Mitigation, and so as such Mitigation do not reduce the Penalty to less than one fourth Part thereof over and above the said Cost and Charges; any thing contained in this Act to the contrary notwithstanding.

Persons aggrieved may appeal to the Quarter-Sessions.

Justices may mitigate Penalties.

Brokers not to take above 2 s. 6 d. per Cent. on Forfeiture of 20 l.

CXXI. And be it enacted by the Authority aforesaid, That all and every Person and Persons, who shall be employed as a Broker or Brokers, Solicitor or Solicitors, or otherwise, in the Behalf of any other Person or Persons, to make any Bargain or Contract for the buying or selling of any Tallies, Orders, Exchequer Bills, Exchequer Tickets, Bank Bills, or any Share or Interest in any Joint Stock erected by Act of Parliament, or by Letters Patents under the Great Seal, or Bonds of any Company thereby erected, who shall, after the first Day of August one thousand seven hundred and twelve, take or receive, directly or indirectly, any Sum or Sums of Money, or other Reward, exceeding the Sum of two Shillings and nine Pence for every hundred Pounds, and so in Proportion for any greater or lesser Sum, for his or their Service in soliciting or procuring such Contract or Bargain, shall forfeit for every such Offence twenty Pounds, with Full Costs of Suit, to such Persons as shall sue for the same, by Action of Debt, Bill, Complaint, or Information, in any of her Majesty's Courts of Record at Westminster, in which no Essoin, Protection, or Wager of Law, or more than one Imparllance shall be allowed.

Commissioners and Officers to be sworn.

CXXII. Provided always, and it is hereby enacted by the Authority aforesaid, That every Person, who shall be appointed a Commissioner for all or any the Duties granted by this Act, and every subordinate Officer under such Commissioners, who shall receive any Salary or Allowance in Respect of his Office, (the several Commissioners and Officers of the Customs excepted) shall before his acting in his respective Trust, take an Oath for his due and faithful Execution of the same, according to this Act, which Oath shall and may be administered to any such Commissioner by any other Person who shall be appointed a Commissioner, as aforesaid, and to the said Officers respectively by any one of the said Commissioners, or by one Justice of the Peace, who shall give to the Officer a Certificate thereof gratis.

General Issue.

CXXIII. And it is hereby enacted, That if any Person or Persons shall be sued, molested or prosecuted for any thing done by virtue or in pursuance of this Act, such Person and Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff shall discontinue his Action, or be nonsuited, or Judgment shall be given against him upon Demurrer, or otherwise, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff.

Commissioners and Officers to be appointed, who are to be liable to the Act 9 & 10 W. 3. c. 44.

CXXIV. And to the end all the said Rates and Duties upon Sope, Paper, chequered and striped Linens, and upon printed, painted, stained, or dyed Goods, and upon stampt Vellum, Parchment, and Paper, or otherwise howsoever before granted by this Act, may be duly and certainly raised, and the same (except the necessary Charges of executing this Act) may be justly and duly brought into the said Receipt of Exchequer, according to the true Meaning hereof; it is hereby enacted by the authority aforesaid, That, from time to time, during the Continuance of this Act, there shall be appointed such and so many Commissioners and Officers as shall be proper and necessary for managing, raising, collecting, and paying the said several Rates and Duties herein before granted, and for keeping and rendering the Accounts of the same, and that the respective Commissioners and Officers concerned therein, shall perform their several Duties, in relation to the Premises, as to them respectively shall appertain, under such and the like Penalties, Forfeitures and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the Monies arising by the said Rates and Duties, as are prescribed and to be inflicted by virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum, not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies,* for the like Offence or Neglect relating to the Duties thereby granted or referred unto, or for detaining, diverting, or misapplying any Part of the Monies, which were granted or appropriated by the Act last-mentioned.

17800 l. to be the yearly Fund for clearing off the Principal Sum of 2341740 l. with Interest 6 l. per Cent.

CXXV. And be it enacted by the Authority aforesaid, That yearly and every Year, during the Term of thirty-two Years, reckoning the first Year to begin from the nine and twentieth Day of September one thousand seven hundred and twelve, the full Sum of one hundred sixty-eight thousand and three Pounds, by or out of the Monies to arise by the several Duties, Rates, and Sums of Money by this Act herein before granted or appropriated, or any of them, and to be brought into the Receipt of the Exchequer, as aforesaid, (in case the same shall extend thereunto) shall be computed and reckoned to be a yearly Fund; and in case all the Monies arising into the Exchequer for the same Duties, Rates, and Sums of Money, so granted or appropriated, shall not amount to the Sum of one hundred sixty-eight thousand and three Pounds

Pounds *per Annum*, then the Monies so arising (so far as the same shall extend) shall be Part of the yearly Fund for and towards the answering and paying off all and every the principal Sums herein after mentioned, amounting in the whole to the Sum of two Millions three hundred forty-one thousand seven hundred and forty Pounds, principal Money, together with Interest for the same, after the Rate of six Pounds *per Centum per Annum*, as herein after is mentioned; and in case the same Duties, Rates, and Sums of Money by this Act granted or appropriated shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year, to be reckoned, as aforesaid, the said Monies arising in the Exchequer, for or upon Account of the same Duties, shall not amount to as much as one hundred sixty-eight thousand and three Pounds, that then and so often, and in every such Case, so much as shall be wanting to to make up the said Fund or Sum of one hundred sixty-eight thousand and three Pounds, for every or any such Year, shall be supplied and made good, from time to time, out of the first Aid or Supply to be granted in Parliament, next after such Deficiency shall appear, and shall, from time to time be transferred thereunto, as soon as the same shall be granted; and in case no such Aid or Supply shall be granted, then by and out of any publick Money which shall be in the said Receipt of Exchequer, not appropriated to to any particular Use or Uses by Act of Parliament; and the Lord High Treasurer now being, or the Lord High Treasurer, or Commissioners of the Treasury for the time being, are hereby strictly enjoined and required to make up such Deficiency accordingly, out of such unappropriated publick Money, without any further or other Warrant or Authority for the same.

Deficiency to be made good out of the first Aid to be granted in Parliament,

or out of any Publick Monies in the Exchequer unappropriated.

CXXXVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute for or towards advancing the Sum of eighteen hundred thousand Pounds for carrying on the said War, by paying at or before the respective Days and Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpose, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds upon this Act; and that for the raising the said Sum of eighteen hundred thousand Pounds, any Person, who will become Contributor or Adventurer, shall and may advance the Sum of ten Pounds, for which Sums so advanced, he, she, or they shall be entitled to receive, by virtue of this Act, such principal Money, and the Interest thereof, to be paid, as herein after is mentioned, by and out of the said yearly Fund settled by this Act; and that every Contributor or Adventurer may advance as many entire Sums of ten Pounds, as he, she, or they shall think fit, and for every such Sum of ten Pounds so advanced, he, she, or they, is or are to be interested in one Lot or Share of and in the said yearly Fund, by virtue of this Act; and the same intire Sums of ten Pounds each, are hereby appointed to be paid unto such Receiver or Receivers, at or before the respective Days and Times, and in the respective Proportions herein after mentioned, (that is to say) one fourth Part thereof, on or before the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and twelve, one other fourth Part thereof, on or before the twenty-fourth Day of *July* in the said Year of our Lord one thousand seven hundred and twelve, one other fourth Part thereof, on or before the twenty-third Day of *August* in the said Year of our Lord one thousand seven hundred and twelve, and the remaining fourth Part thereof, on or before the twenty-fourth Day of *September* in the said Year of our Lord one thousand seven hundred and twelve.

Any Persons may be Contributors.

Times of Payment.

“ The Queen to appoint Managers. Managers to meet together at some publick Office. Books to be provided with two Columns, for Lottery Number [One.] [Two.] [Three.] Receivers to be appointed by the Lord Treasurer. Managers to examine the Books, and deliver them to the Receivers, &c. Tickets how to be delivered out. Receivers to redeliver the Books, &c. by 27 *October* 1712. Outermost Column Tickets not disposed of to be delivered into the Exchequer, and thence issued as Cash, &c. Tickets of the outermost Column to be rolled up and put in a Box. Upon one of the Tickets shall be written twelve thousand Pounds; upon another, five thousand Pounds; upon two others, two thousand Pounds; upon one other, four thousand Pounds; upon two others, three thousand Pounds; upon ten others, one thousand Pounds; upon eighteen others, five hundred Pounds; upon thirty others, two hundred Pounds; upon one hundred others, one hundred Pounds; upon five hundred sixty and four others, fifty Pounds; and upon nine thousand two hundred sixty and nine others, twenty Pounds: Which together with five hundred Pounds to the first drawn Ticket, and five hundred Pounds to the last drawn Ticket, in each of the three Lotteries, will amount for each Lottery to two hundred and eighty thousand five hundred and eighty Pounds, which makes the Benefits on all the three Lotteries amount to eight hundred forty-one thousand seven hundred and forty Pounds; which with one Million five hundred thousand Pounds, will be the Principal Money payable on the remaining fifty thousand Blank Tickets in all the three Lotteries, being five hundred thousand Pounds for fifty thousand Blank Tickets in each Lottery, amount to two Millions three hundred forty-one thousand seven hundred and forty Pounds, being the total principal Money to be repaid. Outermost Column Tickets to be rolled up, and put into a Box. No Money to be received after 24 *June* 1712, &c. Publick Notice of the Time of cutting the Tickets. The Manner of Drawing the Tickets. The Manner of the second Drawing for the Course of Payment. Every Number drawn to relate equally to the Tickets of the same Number in every of the three Lotteries. An exact Table of the Course of Payment to be printed. Possessors of Fortunate Tickets above 20 *l.* to appear before the Managers by 24 *Feb.* 1712. Fortunate Tickets to be printed. Forging Tickets Felony. Managers to enter the Fortunate Lots above 20 *l.* principal Money in a Book, and transmit it into the Exchequer by 24 *March* 1712. Interest to be paid Half yearly. Fortunate Lots not above 20 *l.* principal Money, and Unfortunate Tickets, to have Principal and Interest, &c. First Payment at 24 *June* 1713. Managers to be sworn. Penalty on Officers of the Exchequer and other Officers, offending. Money lent Tax-free. Tickets to be exchanged for standing Orders. Notice to be given in the *Gazette*, of taking in Tickets, and delivering out Orders. Orders to be numbered in Course, as they are brought in. The Money, as it comes in, to be divided into three equal Parts, for the three Lotteries. The Orders

EXF.

“ of the three Lotteries to be paid numerically, &c. Any Number of Tickets, not exceeding an hundred, may be included in one Order, so as they be in the same Lottery and Course of Payment. Several Orders for small Sums in the same Lottery and Course, may be exchanged into one Order. The Monies arising by this Act, to be applied to pay off Principal and Interest. No undue Preference, if subsequent Orders be paid before others, who did not demand their Monies. Deficiency of one Year to be made good out of the next. Surplus to be applied to make good Deficiencies, &c. Notice to be hung up in the Office when Orders become due. Eight Pence *per Cent. per Diem* allowed for the first Payment, and 4 *d. per Cent.* for the other Payments, till 25 Dec. 1712. Receivers may take in Money before they receive their Books. Contributors advancing one fourth Part, and failing in the rest, to forfeit the first fourth Part: And if no Ticket shall have been deliver'd him, then the Ticket to be returned into the Exchequer, &c. Treasury to appoint a Paymaster, &c. Who shall be subject to the Rules of the Treasury. Assignment of standing Orders to be registred. Her Majesty, &c. to reward the Managers, &c. out of the Monies arising by the Duties. Extraordinary Benefits of 2000 *l.* may be divided into standing Orders not less than 500 *l.* principal Money. If all the Principal and Interest be paid off before 32 Years, then the Residue to be disposed of by Parliament. Guardians to contribute for Infants, &c.”

9 Annæ, c. 23.

CLVIII. And whereas by an Act of Parliament made in the ninth Year of her Majesty's Reign, intituled, *An Act for licensing and regulating Hackney Coaches and Chairs; and for charging certain new Duties on stamped Vellum, Parchment, and Paper, and on Cards and Dice; and on the Exportation of Rock Salt for Ireland; and for securing thereby, and by a Weekly Payment out of the Post Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred eighty six thousand six hundred and seventy Pounds, for thirty-two Years, to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sum not exceeding two Millions, to be raised for carrying on the War, and other her Majesty's Occasions, it was enacted, That the Commissioners for licensing and regulating Hackney Coaches for the time being, or the major Part of them, should have Power, and are thereby required (amongst other Things therein contained) to license all such Hackney Chairs which, from and after the twenty-fourth Day of June one thousand seven hundred and eleven, within or during the Term of thirty-two Years, from thence next and immediately ensuing, should be kept and used for Hire within the Cities of London and Westminster, and the Suburbs thereof, and within all and every the Parishes and Places comprized within the Weekly Bills of Mortality; and that the Number of all such Chairs so to be licensed upon that Act, should not at any one Time, within or during the Term last-mentioned, exceed two hundred; and that upon every one of the said Licences so to be granted, for keeping or using for Hire any Hackney Chair, there should be reserved and payable to her Majesty, her Heirs and Successors, the annual Sum of ten Shillings, to be paid quarterly at the four most usual Feasts in the Year, by equal Portions, during the Continuance of every such Licence for a Chair; and in the same Act several Rates, Restrictions, and Clauses are inserted, in relation to such Chairs and Chairmen so licensed; as by the same, relation being thereunto had, may more fully appear: And whereas it is found necessary or convenient that a greater Number of such Hackney Chairs should be licensed to be employed within the Limits aforesaid; Be it further enacted by the Authority aforesaid, That the Commissioners for licensing and regulating Hackney Coaches now being, and the Commissioners for licensing and regulating Hackney Coaches for the time being, or the major Part of them, shall have Power and Authority, and are hereby empowered and required, under their Hands and Seals, or the Hands and Seals of the major Part of them (over and above the Number of Chairs authorized to be licensed by the said former Act) to license any additional Number not exceeding one hundred such Hackney Chairs, which, from and after the twenty-fourth Day of June one thousand seven hundred and twelve, at any Time or Times within or during the Term of thirty-one Years from thence next and immediately ensuing, shall be kept and used for Hire within the Cities and Limits aforesaid, so that the Number of all the said Chairs licensed, or to be licensed upon this or the said former Act, shall not at any one Time within or during the Term last-mentioned exceed three hundred.*

Commissioners for Hackney Coaches may license 100 more Hackney Chairs.

By 12 Geo. 1.

c. 12. §. 15.

One 100 more may licensed.

Made perpetual

by 3 Geo. 1.

c. 7. §. 1.

16 Geo. 2. c. 25.

And see 33 Geo. 2.

c. 25.

Hackney Chairs

to pay quarterly,

and to be subject

to the same Rules

as the other

Hackney Chairs.

Further Provi-

sions relating

hereto, 12 Ann.

stat. 1. c. 14.

9 Annæ, c. 33.

Cards and Dice

made before 12

June 1711 in

the Hands of the

Makers, to pay

for every Pack

one Half-penny,

and for every

Pair 6 *d.*

CLIX. And it is hereby enacted, That upon every one of the said Licences for any of the said Chairs to be granted by this Act, there shall be reserved the like yearly Rent of ten Shillings, to be paid quarterly; and that the same Chairs, and the Persons to be so licensed for carrying or using the same, shall, in respect thereof, have the same Rates and Benefits, and be subject and liable to the same Rules, Penalties, Matters and Things, as are by the said former Act prescribed in relation to the Hackney Chairs or Chairmen, which were thereby authorized to be licensed; and that all Persons, who shall presume to carry for Hire in any Hackney or common Chair, any Person or Persons within the Limits aforesaid, without such Licence upon this or the said former Act, shall be liable to such Penalties as he, she, or they would have incurred for using an unlicensed Chair, if this Act had not been made.

1 Geo. 1. c. 57. 12 Geo. 1. c. 12. 20 Geo. 2. c. 10. 30 Geo. 2. c. 22. §. 6. 33 Geo. 2. c. 25.

CLX. And whereas in and by the said Act made in the ninth Year of her Majesty's Reign (amongst other Things therein contained) it was enacted, That from and after the eleventh Day of June one thousand seven hundred and eleven, during the Term of thirty-two Years from thence next ensuing, there shall be raised and paid unto and for the Use of her Majesty, her Heirs and Successors, for all playing Cards or Dice, which, within or during the same Term, should be made fit for Sale or Use in Great Britain, or imported into the same, the Duties following, (that is to say) for every Pack of such Cards, the Sum of six Pence, and for every Pair of such Dice, the Sum of five Shillings: Now it is hereby enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all playing Cards and Dice which now remain unsold in the Hands of any Person or Persons trading or dealing therein, and which were actually and completely made before the twelfth Day of June in the Year of our Lord one thousand seven hundred and

and eleven, and for which no Duty charged by the same former Act of Parliament hath been paid, the several and respective Rates, Duties, and Sums of Money hereafter mentioned (that is to say) for and upon every Pack of such Cards, the Sum of one Half-penny, and for and upon every Pair of such Dice, the Sum of six Pence.

CLXI. And be it further enacted by the Authority aforesaid, That all such playing Cards and Dice as were made and finished in *Great Britain* before the said twelfth Day of *June* one thousand seven hundred and eleven, shall, before the first Day of *August* one thousand seven hundred and twelve, be brought to the said Head Office for marking and stamping of Vellum, Parchment, and Paper; and upon Oath made that the same were actually made and finished in *Great Britain*, before the said twelfth Day of *June* one thousand seven hundred and eleven (which Oath the Commissioners for the Stamp Duties, or any of them, or any Officer or Officers by them, or the major Part of them, thereunto to be appointed, is and are hereby impowered to administer) and upon Payment of the Duties hereby charged on the same to the Receiver General last-mentioned, or his Deputy or Clerk, the same Commissioners or their Officers, shall cause such Cards and Dice as are last-mentioned, to be sealed, marked or stamped with such Seal, Mark, or Stamp as the same Commissioners shall provide, to denote the Duties hereby charged on such Cards and Dice, and which the same Commissioners are hereby authorized and required to provide accordingly; and that all playing Cards and Dice which shall not be brought to the said Head Office to be sealed, marked, and stamped, as aforesaid, and for which the Duties hereby charged, shall not be paid, and touching which such Oath, as aforesaid, shall not be made before the said first Day of *August* one thousand seven hundred and twelve, shall be adjudged and deemed to be Cards and Dice made since the eleventh Day of *June* one thousand seven hundred and eleven, and to be charged accordingly with the full Duties imposed by the said former Act.

Such Cards and Dice to be brought to the Stamp Office before 1 Aug. 1712. to be marked, &c.

CLXII. And for the better securing her Majesty's Duties on playing Cards and Dice, and preventing the defrauding her Majesty thereof, Be it further enacted by the Authority aforesaid, That from and after the first Day of *August* in the Year of our Lord one thousand seven hundred and twelve, during the Continuance of those Duties, no playing Cards or Dice shall be sold or exposed to Sale, or used in Play in any publick Gaming-house, unless the Paper and Thread inclosing, or which shall have inclosed the same, shall have been respectively sealed and stamped, or marked according to the said former Act in that Behalf, and unless one of the Cards of each Pack or Parcel of Cards so sold, shall be also marked or stamped on the spotted or painted Side thereof, with such Mark or Marks as the Commissioners for the time being, appointed to manage the said Stamp Duties, shall direct or appoint; upon Pain that every Person or Persons who shall, from and after that Time, and during the Continuance of the same Duties, sell or expose to Sale any such Cards or Dice which shall not have been so respectively sealed, marked, and stamped, as hereby, and by the former Act of Parliament relating to the said Duties, is respectively required, shall forfeit for every Pack or Parcel of such Cards, and every one of such Dice so sold or exposed to Sale, the Sum of five Pounds, besides Full Costs of Suit, to be recovered and distributed as the Penalties relating to the growing Duties imposed by the said former Act on Cards and Dice, are to be recovered and distributed.

No Cards or Dice to be sold or used in any Gaming House, before marking, on Penalty of 5l.

9 Annæ, c. 23.

CLXIII. And it is hereby further enacted, That if any Person or Persons shall at any Time or Times hereafter counterfeit or forge any Seal, Stamp, or Mark to resemble any Seal, Stamp, or Mark, which, in pursuance of the said former Act, hath been provided, or in pursuance of the same, or of this present Act, shall be provided, to denote the Payment or charging of any the Duties on Cards or Dice by this or the said former Act payable, or shall counterfeit or resemble the Impression of the same upon any Card or Dice, or any Thread or Paper inclosing any Cards, thereby to defraud her Majesty, her Heirs or Successors, of any the said Duties upon Cards or Dice, or shall utter, vend, or sell any Cards or Dice with such counterfeit Seal, Stamp or Mark, knowing the same to be counterfeit, or shall privately and fraudulently use any Seal, Stamp, or Mark, provided and used, or to be provided and used in pursuance of this Act, or the said former Act, relating to the said Duties upon Cards and Dice, so as thereby to defraud her Majesty, her Heirs or Successors, of any of the said Duties upon Cards or Dice; then every such Person so offending, and being thereof convicted in the Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Counterfeiting those Marks, Felony.

CLXIV. Provided also, and be it further enacted by the Authority aforesaid, That all such Cards and Dice as were made in that Part of *Great Britain* called *Scotland*, before the said twelfth Day of *June* one thousand seven hundred and eleven, shall and may, at any Time before the said first Day of *August* one thousand seven hundred and twelve, be brought to the Head Office at *Edinburgh*, appointed or to be appointed for collecting her Majesty's Stamp Duties there, and by him stamped or marked with such respective Stamps or Marks as shall denote the respective Duties hereby charged thereupon (which Stamps or Marks the said Commissioners for managing her Majesty's Stamp Duties are hereby impowered and required to provide and send to such Officer or Collector for that Purpose) upon Oath taken, That such Cards or Dice were actually made in that Part of *Great Britain* called *Scotland*, before the said twelfth Day of *June* one thousand seven hundred and eleven, and upon Payment of such respective Duties to such Officer or Collector, and that such Cards or Dice, being so stamped or marked, shall and may be sold, or exposed to Sale, or used in Play; any thing herein contained to the contrary notwithstanding.

Cards and Dice made in Scotland before 12 June 1712, to be brought to the Head Office at Edinburgh, before 1 August 1712, to be marked.

CLXV. And it is hereby declared and enacted by the Authority aforesaid, That all the Monies to arise, as well by Rents of the said additional Number of Hackney Chairs, so to be licensed in pursuance of this Act, as by the said Duties for Cards and Dice made before the twelfth Day of *June* one thousand seven hundred and eleven (the necessary Charges of raising the same excepted) shall be added to the Funds settled by the said Act of the ninth Year of her Majesty's Reign, and applied towards the Payment of the Principal and Interest Monies therein mentioned, in like Manner, and under the like Penalties as the other

Rents of Hackney Chairs, and Duties on Cards and Dice appropriated. 9 Annæ, c. 23.

Rents upon Hackney Chairs, and the growing Duties upon Cards and Dice are hereby applicable and appropriated.

Persons making Cards, &c. in any Place without Notice, forfeit Cards and Materials. Farther Provision to prevent the defrauding this Duty. 6 Geo. 1. c. 21. §. 55. Removing Materials, forfeits double the Duty.

CLXVI. And be it further enacted by the Authority aforesaid, That from and after the twentieth Day of *May* one thousand seven hundred and twelve, if any Person whatsoever shall make, or cause to be made, any Cards or Dice, in any House, Room, or Place, before he shall have given due Notice of his or her Intention to make Cards or Dice in such House or Place, according to the Form and Effect of the said former Act, such Person shall, ever and above the Penalties imposed by that Act, forfeit all the Cards and Dice, and all Materials and Utensils for making Cards and Dice, which shall be found in such House or Place, or which shall have been made or manufactured there, before such due Notice shall have been given; and that no Materials whatsoever begun to be wrought for or towards the making of Cards or Dice, shall be removed from the Place wherein the same shall have been so begun to be wrought, until the same shall have been completely made and worked into Cards or Dice, or the Duties for the Cards or Dice therewith intended to be made, shall be paid or secured; upon Pain that every Person, who shall remove, or cause or permit to be removed, any such Materials, contrary to the true Meaning hereof, shall forfeit double the Amount of the Duty on the Cards or Dice, which might be made from or with such Materials, with Full Costs of Suit.

Act 3 Edw. 4. c. 4. to be in Force.

CLXVII. And whereas by an Act made in the third Year of the Reign of King *EDWARD* the Fourth, playing Cards and Dice are prohibited to be imported into *England* or *Wales*; Be it declared and enacted by the Authority aforesaid, That the said Act, and all Matters therein contained, relating to playing Cards or Dice, shall and do stand and be in full Force and Effect, and so shall be construed, deemed, and adjudged, as to every Part of the Kingdom of *Great Britain*; any thing in any other Act, touching the said Duties on Cards and Dice, to the contrary thereof notwithstanding.

Ivory, Bone, &c. used for any Game, to be deemed Dice, &c.

CLXVIII. And to prevent the evading the Payment of the said Duties on Dice by new Inventions of any Thing used or to be used in Play instead of Dice; Be it further declared and enacted by the Authority aforesaid, That all Pieces of Ivory, Bone, or other Matter, made or used for any Game or Play, with any Letters, Figures, Spots, or other Marks thereupon, to denote any Chance or Chances, are and shall be construed, deemed, and adjudged to be Dice, and to be charged accordingly with the full Duties on Dice; and if there shall be more than six Chances signified on any one of such Pieces of Ivory, Bone, or other Matter, then such one Piece shall be and is hereby charged with the full Duty of five Shillings payable for a Pair of Dice; and if there shall be more than the Number of Chances usually in a Pair of Dice, then such one Piece shall be and is hereby charged with a further Duty, proportionate to the Number of Chances exceeding those of one Pair of Dice.

Officers may enter Places where Cards are made, &c. or Gaming-houses, on Forfeiture of 10l.

CLXIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Officer or Officers thereunto appointed by the said Commissioners for the said Stamp Duties, to enter into any House or Place where Cards or Dice are or shall be made, sold, or exposed to Sale, or suspected to be privately made, or into any publick Gaming-house, Room, or Place, and there to search and see what Quantity of Cards or Dice shall be making, and whether the Cards or Dice so sold, or exposed to Sale, or so used in Play, be duly sealed, marked, and stamped, according to the true Meaning of this Act, and of the said former Act; and if the Owner or Occupier of any House or Place, where Cards or Dice are or shall be made, sold, or exposed to Sale, or if any such publick Gaming-house, as aforesaid, shall, at any Time or Times, refuse Entrance or Liberty of Search to such Officer or Officers, such Owner or Occupier shall, for every such Refusal, forfeit the Sum of ten Pounds, with Full Costs of Suit, to be recovered and divided, as aforesaid.

Cards or Dice may be removed without marking, in order to Exportation.

CLXX. And for encouraging the Exportation of Cards and Dice into Foreign Parts, Be it further enacted by the Authority aforesaid, That it shall and may be lawful to remove any Cards or Dice from the Place where the same are or shall be made, without sealing, marking, or stamping the same, or paying any the Duties payable for the same by this or any former Act of Parliament; provided that within one Month after the same shall be made, and before the same shall be so removed from the Place of making thereof, a Bond be entred into to her Majesty, her Heirs or Successors, with sufficient Surety or Sureties, in a Penal Sum of double the Duties on such Cards or Dice, with a Condition for the exporting such Cards or Dice into some Part or Port beyond the Seas, within a Time to be limited in such Bond, and that the same, or any of them, shall not be relanded in any Part of *Great Britain*, and that such Bond be left in the Hands of the said Commissioners for the Stamp Duties, and a Certificate be given by them, or such Officer as shall be in that Behalf appointed, that such Bond is entred into with relation to such Cards or Dice; any thing in the said former Act for imposing Duties on Cards and Dice to the contrary notwithstanding.

Such Bonds entred into before April 1719, &c. and not put in Suit before April 1721, &c. are void, 5 Geo. 1. c. 19. §. 48.

Boards ready to be cut into Cards before 12 June 1711, to be charged only with one Half-penny per Pack.

CLXXI. Provided always, That such Boards of Cards as were actually made in *Great Britain*, and printed or spotted, and ready to be cut into Cards before the said twelfth Day of *June* one thousand seven hundred and eleven, and whereof an Account has been already taken by the Commissioners for managing the Stamp Duties, or their Officers, shall be charged only after the Rate of one Half-penny per Pack; any thing in this Act, or in the said former Act, for charging the Duties on Cards and Dice, to the contrary notwithstanding.

Justices may determine Pecuniary Forfeitures, not exceeding 20l.

CLXXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any two or more of the Justices of the Peace for the time being, residing near to the Place where any Pecuniary Forfeitures, not exceeding twenty Pounds upon this or any of the Acts of Parliament, touching any the Duties under the Management or Care of the said Commissioners for managing her Majesty's Duties on stamp Vellum, Parchment, and Paper, shall be incurred, or any Offence against any of the same Acts shall be committed, in any wise relating to the same Duties, or any of them, by which any Sum of Money only may be forfeited, to hear and determine the same; which said Justices of the Peace

are hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, within one Year after Seizure made, or such Offence committed, to summon the Party accused, and also the Witnesses on either Side, and upon the Appearance or Contempt of the Party accused, shall be convicted of the Offence alledged against him, and to award and issue out Warrants under their Hands and Seals, for levying any Pecuniary Penalties so adjudged, on the Goods of the Offender, and to cause Sale to be made thereof, in case they shall not be redeemed within six Days, rendring to the Party the Overplus, if any; and if any Party shall find himself aggrieved, or remain unsatisfied in the Judgment of the said Justices, then he or they shall or may, by virtue of this Act, complain or appeal to the Justices of the Peace at the next General Quarter Sessions for that County, Riding, or Place, who are hereby impowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same, and in case of Conviction, to issue Warrants for levying the Penalties, as aforesaid.

Party aggrieved
may appeal to
the Quarter-
Sessions.

CLXXIII. Provided nevertheless, That it shall and may be lawful to and for the said respective Justices, where they shall see Cause, to mitigate or lessen any such Penalties, as they in their Discretions shall think fit, the reasonable Costs and Charges of the Officers and Informers, as well in making the Discovery, as in the Prosecution of the same, being always allowed over and above such Mitigation, and so as such Mitigation do not reduce the Penalties to less than double the Duties over and above the said Costs and Charges; any thing contained in this Act, or any other Act of Parliament to the contrary notwithstanding.

Justices may
mitigate Pen-
alties.

CLXXIV. Provided also, That no Writ or Writs of *Certiorari* shall supersede Execution, or other Proceedings, upon any Order or Orders made by the Justices aforesaid, in pursuance of this Act; but that Execution, and other Proceedings, shall be had and made thereupon; any such Writ or Writs, or Allowance thereof, notwithstanding.

No Writs of
Certiorari.

CLXXV. And for the better ascertaining and securing her Majesty's Duties on Calendars and Almanacks, be it further declared and enacted by the Authority aforesaid, That all Books and Pamphlets, serving chiefly to the Purpose of an Almanack, by whatsoever Name or Names entitled or described, are and shall be charged with those Duties, by virtue of the Act in that Case made in the first Session of this present Parliament, but not with any of the Duties charged by this Act on Pamphlets or other printed Papers; any thing herein contained to the contrary notwithstanding.

All Books ser-
ving to the Pur-
pose of an Al-
manack, to be
charged as such.

CLXXVI. And whereas great Loss hath happened of the Duties already laid upon stampd Vellum, Parchment, and Paper, and other Inconveniencies daily grow, from clandestine Marriages; For Remedy thereof for the future, be it enacted by the Authority aforesaid, That every Parson, Vicar, or Curate, or other Person in Holy Orders, beneficed or not beneficed, who shall, after the four and twentieth Day of *June* one thousand seven hundred and twelve, marry any Person in any Church or Chapel, exempt or not exempt, or in any other Place whatsoever, without Publication of the Banns of Matrimony between the respective Parties according to Law, or without Licence first had and obtained from the proper Ordinary for the said Marriage, shall for every such Offence forfeit the Sum of one hundred Pounds, to be recovered with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, or more than one Imparance shall be allowed; one Moiety thereof to the Queen, her Heirs and Successors, and the other Moiety to him or them who shall sue for the same; and if such Offender shall be a Prisoner in any Prison or Gaol (other than a County Gaol) at the Time of such Offence committed, and shall be duly convicted of such Offence, by Action or Information, as aforesaid, then upon Oath made of such Imprisonment before any Judge of her Majesty's Courts of Record at *Westminster*, and upon producing a Copy of the Record of such Conviction, to be likewise proved upon Oath before the said Judge (which Oaths the said Judge is hereby impowered to administer) the said Judge is hereby required to grant his Warrant to the Keeper of the Gaol or Prison where such Offender is a Prisoner (which Warrant such Keeper is hereby required to obey) to remove such Offender to the Gaol of that County where such Offender is a Prisoner, there to remain charged in Execution with the Penalty inflicted by this Act, and with all and every the Causes of his former Imprisonment; and if any Gaoler or Keeper of any Prison shall be privy to, or knowingly permit any Marriage to be solemnized in his said Prison, before Publication of Banns, or Licence obtained, as aforesaid, he shall for every such Offence forfeit the Sum of one hundred Pounds, to be recovered and distributed, as aforesaid.

Clause to pre-
vent clandestine
Marriages.
See farther
26 Geo. 2. c. 33.

CLXXVII. Saving nevertheless, to all Archbishops, Bishops, Archdeacons, and other Ordinaries, their Vicars General, Commissaries, and Officials, the free Exercise of all Ecclesiastical Jurisdiction, and full Power and Authority of inflicting all such Pains and Censures for this or any other Crime or Crimes, as they might have done if this Act had not been made.

Salvo for Arch-
bishops, &c.
Jurisdiction.

CLXXVIII. Provided always, That the said Provision for Marriages do not extend to that Part of *Great Britain* called *Scotland*.

Not to extend
to Scotland.

CLXXIX. And whereas it has been found necessary for Dispatch in the stamping or marking of Vellum, Parchment, and Paper, to have several Dies or Stamps with the same Mark, Type, and Device on each of them, and denoting the same Duty; and it has also been found necessary to distinguish each of the said Dies or Stamps by several Letters, *viz.* One several Letter on each of them, whereupon some Doubt has arisen, whether in respect of the Addition of such one Letter, such Mark, Type, or Device, be the very same Mark, Type, or Device, appointed, provided, or published by Proclamation, in pursuance of the Act or Acts in that Behalf made, or any of them, as the Mark, Type or Device to denote such Duty; and in that respect, whether such Die or Stamp were a lawful Die or Stamp; Be it therefore declared and further enacted by the Authority aforesaid, That the said several Dies or Stamps, and the Impressions thereby made, and to be made (notwithstanding the Addition of such Letter) are and shall be lawful Marks and Stamps according to the respective Acts of Parliament in that Behalf made; and that all Stamps and Marks heretofore made or provided, and hereafter to be made or provided, in pursuance of this or any other Act or Acts of Parliament, shall (notwithstanding the Addition of any Letter or Letters, or Numerical Figure or Figures, to distinguish one Die or Stamp from another of the same Type or Device,

Dies for stamp-
ing, though
distinguished
by Letters, &c.
to be deemed
lawful Stamps.

and denoting the same Duty) be to all Intents and Purposes taken, adjudged, and deemed to be true and lawful Stamps or Marks, and to be Stamps or Marks duly made, provided, and used in pursuance of, and according to the true Intent of this Act, and other the respective Acts of Parliament in that Behalf made.

Judges judicially to take Notice of the Proclamation about the Stamps, &c. 5 & 6 W. & M. c. 21.

CLXXX. And whereas some Doubt has arisen, whether the Judges are judicially to take Notice of the Proclamation issued by their late Majesties King WILLIAM and Queen MARY, in pursuance of an Act made in the fifth Year of their said Majesties Reign, intituled, *An Act for granting to their Majesties several Duties upon Vellum, Parchment and Paper, for four Years, towards carrying on the War against France*; and of the Types, Marks, or Stamps thereby published; Be it further declared and enacted by the Authority aforesaid, That all Courts of Justice and Judges whatsoever ought without any Proof or Allegation in that Behalf, judicially to take Notice of the said Proclamation, and of all the Types, Marks, and Stamps thereby published, and which shall hereafter be published by any Proclamation of her Majesty, her Heirs or Successors, in pursuance of any Act or Acts of Parliament relating to the Stamp Duties, or any of them, as and for the true and lawful Types, Marks, and Stamps made and provided, or to be made and provided, in pursuance of this and other the respective Acts of Parliament in that Behalf made.

Commissioners for Stamp Duties may keep their Head Office in any of the Inns of Court, &c. See farther concerning Stamp Duties, 10 Ann. c. 26. 12 Ann. c. 26. 12 Ann. stat. 1. c. 2. 12 Ann. stat. 2. c. 9. 5 Geo. 1. c. 19. sect. 48. 6 Geo. 1. c. 21. 11 Geo. 1. c. 8. 12 Geo. 1. c. 33. 9 Geo. 2. c. 32. 16 Geo. 2. c. 26. 29 Geo. 2. c. 12, § 13. 30 Geo. 2. c. 19. and 32 Geo. 2. c. 35.

CLXXXI. And whereas by the several Acts of Parliament in that Behalf made, the Commissioners for managing the said Duties on stamp Vellum, Parchment, and Paper, are to keep their Head Office in some convenient Place within the Cities of *London or Westminster*; Be it further enacted by the Authority aforesaid, That the Commissioners for the time being, appointed to manage those Duties, may keep their Head Office for the same Duties, or any other Duties under their Care, in any convenient Place in any Part of the four Inns of Court, or of the Parishes of *Saint Andrew Holborn, Saint Clement Danes, Saint Paul Covent Garden, or Saint Giles in the Fields*, although the same be not within either of those Cities; any thing in the said former Acts, or any of them, to the contrary notwithstanding.

The Commissioners and Officers appointed by this Act, not to intermeddle with Elections.

CLXXXII. And be it further enacted by the Authority aforesaid, That no Commissioner, Officer, or other Person concerned or employed in the charging, collecting, receiving, or managing any of the Duties granted by this Act, shall, by Word, Message, or Writing, or in any other Manner, endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for his Choice of any Person to be Knight of the Shire, Commissioner, Citizen, Burgess, or Baron for any County, City, Borough, or Cinque Port; and every Officer or other Person offending therein, shall forfeit the Sum of one hundred Pounds; one Moiety thereof to the Informer, the other Moiety thereof to the Use of the Poor of the Parish or Place where such Offence shall be committed; to be recovered by any Person that shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in that Part of *Great Britain* called *Scotland*, in which no Effoin, Protection, Privilege, or Wager of Law, or more than one Imparance shall be allowed; and every Person convicted on any such Suit, shall thereby become disabled and incapable of ever bearing or executing any Office or Place of Trust whatsoever, under her Majesty, her Heirs and Successors.

E X P.

“Several Benefit Tickets in the late Lotteries, not being yet adjusted, present Managers may settle the same before 25 Dec. 1712. Where Exchequer Bills or Lottery Tickets have been lost, on Oath before the Barons of the Exchequer, &c. Officers to issue new ones, &c.”

Clause for borrowing Money upon Stock (Part of the Capital of the South Sea Company) for the Use of the Publick.

CLXXXV. And whereas by the Act of Parliament made in the ninth Year of her Majesty's Reign (amongst other Things) for making good Deficiencies, and satisfying publick Debts, it was provided, That several Shares or Parts of the Capital Stock of the Corporation which was to be erected, in pursuance of that Act, and is since erected by the Name of the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*, and for encouraging the Fishery, should be ascertained, and be disposed and disposable for the Use of the Publick, in such Manner and Form, and by such several Ways and Means as in the said Act are expressed in that Behalf, and as by the same may more at large appear; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Treasurers of the Navy and Ordnance, and the respective Paymasters of the Guards, Garrisons, and Land Forces, for the time being, or any other Officers or Persons who are or shall be intitled to any Parts or Shares of the said Capital Stock, for the publick Use and Benefit (not being absolutely sold, applied, or disposed for some of the publick Uses in that Act mentioned) from time to time, by any Warrant or Warrants in Writing from the High Treasurer of *Great Britain*, now being, or the High Treasurer of *Great Britain*, or any three or more of the Commissioners of the Treasury for the time being (and not otherwise) to borrow any Sum or Sums of Money from any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, who are or shall be willing to advance or lend the same, upon Credit of the said publick Stock, or any Part thereof, and to allow Interest, not exceeding the Rate of six Pounds per Centum per Annum for the forbearance thereof, to be paid every three Months from the respective Times of making such Loans or Advances, until the respective Times of Repayment of the Principal Monies; and to assign, mortgage, and transfer such respective Shares of the said Stock, whereupon such Sums of Money shall be agreed to be lent, to the respective Lenders thereof, or such as they severally and respectively shall appoint, and to their Executors, Administrators, Successors, and Assigns respectively, upon such Conditions of Redemption, and under such Agreements for the Sale of the Stock so mortgaged, for making Default in the Repayment of the Monies to be borrowed thereupon, or for Nonpayment of the Interest thereof, and subject to such other Conditions, and in such Manner and Form, as in such Warrant and Warrants respectively shall be prescribed in that Behalf.

By 12 Annæ, Stat. 2. c. 3. any Person may lend Money on Stock.

CLXXXVI. Provided always, and it is hereby enacted, That all the Money which shall be borrowed upon the Credit of such Stock, as aforesaid; shall be applied and disposed by the said Treasurers, Paymasters, or others respectively chargeable therewith, to such publick Uses whereunto the said Stock so to be mortgaged would have been applicable by or in pursuance of the said Act, if no such Mortgage, Assignment, or Transfer had been made, and to no other Use, Intent, or Purpose whatsoever; and that the said Treasurers, Paymasters, and other Officers, who shall borrow the said Monies, as aforesaid, shall be answerable for the Application thereof accordingly; and that the said Company shall not be responsible for permitting the Stock to be so transferred, as if the same were unduly transferred; and that the Lenders of such Money shall not be chargeable with the Application thereof to the said Uses.

Money so borrowed to be applied to the Use of the Publick.

Farther Provisions relating to South Sea Company, 10 Ann. c. 30. 1 Geo. 1. stat. 2. c. 21.

3 Geo. 1. c. 9. 5 Geo. 1. c. 19. 6 Geo. 1. c. 4, & 11. 7 Geo. 1. c. 5. 7 Geo. 1. stat. 2. 8 Geo. 1. c. 20, 21, & 22. 9 Geo. 1. c. 6. 1 Geo. 2. c. 8.
 3 Geo. 2. c. 16, & 27. 4 Geo. 2. c. 5. 5 Geo. 2. c. 17. 6 Geo. 2. c. 25, & 28. 7 Geo. 2. c. 17. 9 Geo. 2. c. 34. 10 Geo. 2. c. 17. 20 Geo. 2. c. 3.
 Jac. 60. 24 Geo. 2. c. 2, & 11. 26 Geo. 2. c. 16.

C A P. XX.

An Act for the Relief of Insolvent Debtors, by obliging their Creditors to accept the utmost Satisfaction they are capable to make, and restoring them to their Liberty. E X P.

C A P. XXI.

An Act to prevent Abuses in making Linen Cloth, and regulating the Lengths, Breadths, and equal sorting of Yarn, for each Piece made in *Scotland*, and for whitening the same.

WHEREAS divers Abuses and Deceits have of late Years been used in the Manufactures of Linen Cloth in that Part of *Great Britain* called *Scotland*, with Respect to the Lengths, Breadths, and unequal sorting of Yarn, which tends to the great Debasing and Undervaluing of the said Linen Cloth, both at Home and in Foreign Parts, where the said Cloths are vended: For Remedy whereof, be it enacted by the Queen'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 Authority of the same, That from and after the nine and twentieth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and twelve, all Sorts of Linen Cloth made in *Scotland*, shall be made of well sorted Yarn for each Piece, and equally wrought and fine from the one End of the Piece to the other; and that all Linen Cloth be made by the Standard Yard Wand, of the Lengths and Breadths following, each Piece of Linen Cloth, commonly called *Saint Johnston's* Cloth, when brown or green, and all other plain, brown, or green Linen Cloth made for whitening, shall be made full Yard and Nail, or full three Quarters of a Yard and Nail, that when whitened, it may be full Yard or full three Quarters of a Yard in Breadth; and that all other Sorts of plain Linen Cloth, whether white, brown, or green, shall be full Yard, or full three Quarters of a Yard in Breadth; and every such Piece of plain, brown, or green Linen Cloth, shall be in Length eighty-four Yards, the Half Piece forty-two Yards, the Quarter Piece one and twenty Yards; and every Piece of plain white Linen Cloth shall be in Length forty Yards, the Half Piece twenty Yards; and all Linen Checks shall be made Yard and Half a Quarter, or full Yard, or full three Quarters of a Yard in Breadth; and all striped Linen Cloth shall be made full Yard and Quarter, or full Yard, or full three Quarters of a Yard in Breadth; and all Linen for Neckcloths shall be made, the Piece to contain twelve Neckcloths, the Half Piece to contain six Neckcloths; and all Sorts of Ticking shall be made full Yard, or full three Quarters of a Yard in Breadth; and that all white, brown, or green Linen Cloth whatsoever shall be fold in that Part aforesaid, in the Water-fould, or in Foulds of one Yard or Half Yard in each Fould of Length, and not rolled or battered.

28 H. 8. c. 4.
 1 Eliz. c. 12.
 1 Ann. stat. 2. c. 8.

The Lengths and Breadths of Linen Cloth made in *Scotland*.

Dornick, &c. made in *Scotland* provided for by 12 Annæ; Stat. 2. c. 20.

II. And be it enacted by the Authority aforesaid, That if any Weaver, or other Person, shall, from and after the said nine and twentieth Day of *September*, make, or cause to be made any of the aforesaid Linen Cloth, otherways than according to the respective Lengths and Breadths aforesaid, and with well sorted Yarn, and equally wrought and fine, from the one End of the Piece to the other, every such Person or Persons so offending, and being thereof convicted by the Oath of any Overseer or Searcher of Linen Cloth, appointed or to be appointed within the several Boroughs Royal, Counties, Stewartries, Boroughs of Regality and Barony, in that Part of *Great Britain* aforesaid, or by the Oath of two or more credible Witnesses before any Justice or Justices of the Peace, Magistrate or Magistrates, or other Judge or Judges competent within their respective Jurisdictions (which Oath they or any of them are hereby empowered to administer) shall, for every Inch the said respective Linen Cloth shall be less than the said respective Breadths, and for every Half a Quarter the three Quarters Yard and Nail plain Cloth shall exceed the said Breadths, shall forfeit the Sum of five Shillings Sterling; and for every Yard the said respective white, brown, or green plain Linen Cloth shall be less in Length than the said respective Lengths, shall forfeit the like Sum of five Shillings Sterling; and for every Piece of all Sorts of Linen Cloth whatsoever, that is not made of well sorted Yarn, and equally wrought and fine from the one End of the Piece to the other, shall forfeit the Sum of five Shillings Sterling; and if any Person or Persons shall buy or expose to Sale, or bring to any Town or Place, in order for Sale, any of the aforesaid Cloth, in that Part aforesaid, not being made of well sorted Yarn, equally wrought and fine from the one end of each Piece to the other, and of the Lengths, Breadths, and Fouldings aforesaid, such Person or Persons so offending and being thereof convicted in any time not exceeding six Months after the Time of Sale, or exposing the same to Sale, shall forfeit for each Piece the Sum of five Shillings Sterling.

Penalty on Weavers, &c. making Linen Cloth otherways than according to the aforesaid Lengths and Breadths.

III. And be it further enacted by the Authority aforesaid, That every Owner or Owners of all Sorts of Linen Cloth whatsoever made in *Scotland*, before exposing the same to Sale, shall bring the same to any Borough

Owners of Linen Cloth, before they expose

rough Royal, Town, or Place where Stamps are appointed, or to be appointed and kept, and there receive the Stamp of the Borough, Town, or Place; for the which Stamp the Stamp Master shall be paid for each Piece of all Sorts of Linen Cloth, the Sum of one Penny, the Half Piece Half-penny, the Quarter Piece one Farthing, and no more; and if any Person or Persons shall expose to Sale, or carry to the Water-side, in order for exporting or transporting any of the aforesaid Linen Cloth, after the said nine and twentieth Day of *September*, in or from any Borough, Town, or Place in *Scotland*, before the Stamp is affixed thereto, or is not made, as aforesaid, such Person or Persons so offending, and being thereof convicted, as aforesaid, shall forfeit for each Piece the Sum of five Shillings Sterling.

IV. And be it further enacted by the Authority aforesaid, That the Magistrates of each Borough Royal in *Scotland*, shall be and are hereby impowered and appointed, from time to time, to cause make a Stamp or Stamps, bearing the Arms of the respective Boroughs, and to appoint a fit Person or Persons for inspecting and stamping all Linen Cloth brought to be stamped, being of the Lengths, Breadths, and Qualities aforesaid; which Person or Persons so nominated, shall before his or their Admission to that Office of Stamp Master, be obliged to take an Oath *de fidei*, and likewise find Surety for the faithful Administration and Execution of his Office, for such Sum of Money as the said Magistrates shall appoint; and in like Manner, the Justices of the Peace, in their respective Counties and Stewartries, shall be and are hereby impowered and ordained, from time to time, at their Quarterly Sessions in *Scotland*, to appoint a Stamp or Stamps to be made and kept at some proper Place or Places where Linen Cloth is sold, within their respective Counties, as their Justices of the Peace shall think proper; and the said Justices of the Peace are hereby impowered and ordained to nominate and appoint a qualified Person or Persons for stamping of Linen Cloth, brought to be stampd within their respective Counties and Stewartries aforesaid; who shall be obliged in like Manner to take an Oath *de fidei*, and likewise find such Surety for the faithful Administration and Execution of his Office, for such Sum of Money as the said Justices of the Peace shall appoint; and that no Stamp Master shall, for himself, or any other Person or Persons, buy or dispose of any Linen Cloth, direct or indirect, or shall stamp any Linen that is not made of well sorted Yarn, equally wrought, and of equal Fineness from the one End of the Piece to the other, and of the Breadths and Fouldings aforesaid (and not rolled or battered) he or they so neglecting or offending, shall forfeit for each Piece of Linen Cloth the Sum of five Shillings Sterling, and made incapable of serving in any such Office for the future; and if any Person or Persons in that Part of *Great Britain* aforesaid, shall buy, export, or transport, or carry to the Water-side, in order to be exported or transported, any Linen Cloth of *Scotland*, after the said nine and twentieth Day of *September*, before the Stamp be fixed, as aforesaid, he or they so offending, and being thereof convicted in *Scotland*, shall for each Piece of Linen Cloth whatsoever, forfeit the Sum of five Shillings Sterling; and if any Person or Persons shall affix or counterfeit any Stamp without the Authority aforesaid, such Person or Persons so offending shall forfeit respectively the Sum of fifty Pounds Sterling, or one Year's Imprisonment if found insolvent.

V. And whereas sundry Persons of late Years have made Use of Lime or Pidgeons Dung for bleaching and whitening Linen Cloth, to the great Prejudice of the said Cloth; For preventing whereof, be it enacted by the Authority aforesaid, That if any Person or Persons shall, after the said nine and twentieth Day of *September*, make use of any Lime or Pigeons Dung, for whitening or bleaching any Sort of Linen Cloth, and being thereof convicted by the Oath of two or more credible Witness or Witnesses, or by the Oath of the Offender or Offenders, and before any Judge or Judges competent within their respective Jurisdictions, in that Part of *Great Britain* aforesaid, such Person or Persons so offending, and being thereof convicted, as aforesaid, shall forfeit for each Piece of Linen so bleached or whitened, the Sum of twenty Shillings Sterling; and if any Offender or Offenders shall after being convicted within *Scotland*, and shall refuse and neglect to pay any Forfeiture incurred by Reason of this Act, then it shall and may be lawful for the Magistrate or Magistrates, Justice or Justices of the Peace, or Judges competent, before whom such Conviction shall be made, as aforesaid, and such Magistrate or Magistrates, Justice or Justices of the Peace, or Judges competent, are hereby impowered and required to issue out one or more Warrants, under his or their Hands and Seals, to the Constable or Constables, Officer or Officers of the Town or Place where such Offender doth inhabit or can be found, within the Limits of their respective Jurisdictions, to levy the same by Distress and Sale of the Offender's Goods, returning the Overplus, if any be, to the Offender, and where no sufficient Distress can be found, to commit the Offender to the House of Correction, or Gaol of the Borough, Town, or County, to be kept at hard Labour for such Time as the Judge or Judges, before whom such Conviction is made, shall direct, not exceeding twelve Months; and all Forfeitures and Penalties that shall be recovered in that Part of *Great Britain* aforesaid, by Reason of this Act, shall be the one Half to the Informer who shall sue for and recover the same, the other Half for the Poor of the Parish where the Offence is committed.

VI. Provided always, That all Linen Cloth which shall be made in *Scotland* at any Time before the said nine and twentieth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and twelve, shall and may be sold, exported, or transported, as the Owner or Owners of the said Linen Cloth shall judge proper, at any Time or Times before the fifteenth Day of *May* which shall be in the Year of our Lord one thousand seven hundred and thirteen; any thing in this Act contained to the contrary notwithstanding.

VII. Provided always, That all Retailers, or reputed Retailers, and Pedlars, may retail any Sort of Linen Cloth, being made of the Breadths, well sorted Yarn, and equally wrought and fine in each Piece, and having always the Stamp affixed thereunto; any thing in this Act contained to the contrary notwithstanding.

pefe it to Sale, shall bring it to be stamp, on Forfeiture of 5s. Sterling for each Piece.

Magistrates to cause Stamps to be made, and appoint Persons for stamping, who shall be sworn and give Security.

Justices of the Peace to do the like at their Quarter-Sessions.

Stamp Master not to buy or sell any Linen Cloth, nor stamp any not made of well sorted Yarn, &c. on Penalty of 5s. per Piece, and disabled.

Buying or exporting before stamped forfeits 5s. per Piece.

Counterfeiting Stamps forfeits 50l. or a Year's Imprisonment if insolvent.

Using Lime or Pidgeons Dung in whitening, forfeits 20s. Sterling for each Piece.

Forfeitures, how to be recovered and disposed.

Linen Cloth made before 29 Sept. 1712. may be sold or exported before 15 May 1713.

Pedlars may retail Linen, made of Breadths, and stamp, &c. Farther Provisions concerning Linen, &c.

12 Ann. stat. 2. c. 9, 19 & 21. 1 Geo. 1. c. 36. 3 Geo. 1. c. 7 & 21. 17 Geo. 2. c. 30. 18 Geo. 2. c. 24, 27 & 36. 21 Geo. 2. c. 26. 24 Geo. 2. c. 46. 29 Geo. 2. c. 15. 32 Geo. 2. c. 32.

C A P. XXII.

An Act for the Relief of Merchants importing Prize Goods from *America*.

WHEREAS by an Act of Parliament made the ninth Year of her present Majesty's Reign, 9 Annæ, c. 27, intituled, *An Act for the Encouragement of the Trade to America*, it is among other Things enacted, That all Prize Goods and Commodities which, after the first Day of *June* one thousand seven hundred and eleven, shall be imported into any of the Ports of *Great Britain*, shall be subject and liable to the Payment of the same Duties as those Goods and Commodities would have paid in case they had not been Prize: And whereas before the making the said Act, Prize Goods, being of the Growth and Produce of Foreign Plantations not belonging to her Majesty or her Subjects, were subject upon their Importation into *Great Britain*, to pay only such Duties and Customs as were payable on the seventeenth Day of *May* in the Year of our Lord one thousand seven hundred and three, for the like Goods of the Produce of her Majesty's Plantations imported by *English* Shipping: And whereas several considerable Quantities of Prize Cocoa, Sugars, Indigo, and other Prize Goods, of the Growth and Produce of such Foreign Plantations, have been already imported into this Kingdom, and are now in several Warehouses under the Queen's Locks, and other Quantities of the like Goods are on Board divers Ships or Vessels, now imported, and more are daily expected, and if the same should pay the Duties they were to pay in case they had not been Prize, the same will not be worth Freight, Custom, and Charges; which will be not only a great Loss and Detriment to the Importers thereof, but also a great Prejudice to the Trade of this Kingdom: For Remedy whereof, be it enacted by the Queen'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 Cocoa, Sugars, Indigo, and other Goods, taken and condemned as Prize Goods, of the Growth and Produce of such Foreign Plantations, which are already imported into this Kingdom of *Great Britain*, or shall at any Time hereafter, before the twenty-ninth Day of *May* one thousand seven hundred and twelve, be imported into the said Kingdom, or which now are in any Warehouses under the Queen's Locks, or on Board any Ship or Ships, Vessel or Vessels, now imported, having Certificates to prove the same Prize Goods, shall be subject and liable to pay only such Duties and Customs as the same would have paid if the said Goods had been of the Growth and Produce of the Plantations, Islands, or Colonies in *America*, belonging to the Crown of *Great Britain*.

Prize Goods of the Growth of Foreign Plantations, brought into *Great Britain* before 29 May 1712 shall pay only such Duties as those of the Growth of Plantations belonging to the Crown.

II. And be it further enacted, That all Prize Goods, being of the Growth and Produce of such Foreign Plantations, which shall at any Time after the twenty-ninth Day of *May* one thousand seven hundred and twelve, be imported into any Part of *Great Britain*, from any of the Plantations, Islands, or Colonies in *America* aforesaid, upon producing a Certificate under the Hand and Seal of the Collector, Comptroller, or other Chief Officer at the Port or Place where such Goods were embarked or put on Board in *America*, are the same Goods as were condemned in the High Court of Admiralty within such Plantation, Island, or Colony in *America* aforesaid, as shall appear to the said Collector, Comptroller, or other Chief Officer there, by Affidavit made by the Person or Persons exporting such Prize Goods, and also an Affidavit made before the proper Officer of the Customs of such Port or Place in this Kingdom where the said Goods shall be imported, by the Master, or Purser, or other Person commanding the Ship or Vessel importing the same, that the Goods so imported are the same Goods for which the said Certificate was made by the Collector, Comptroller, or other Chief Officer in *America*, as aforesaid, shall be subject and liable to, and shall pay such Duties only in *Great Britain*, as in case they had been of the Growth and Produce of the Plantations, Islands, or Colonies in *America*, belonging to the Crown of *Great Britain*; any thing in the said recited Act, or any other Act, or any Usage or Custom, to the contrary in any wise notwithstanding.

Prize Goods of the Growth of such Foreign Plantations, imported after 29 May 1712, from any of the Plantations in *America*, on producing a Certificate, &c. shall pay such Duties only as if they had been of the Growth of British Plantations. Prize Cocoa from the Plantations, how to be charged. 10 Annæ, c. 26. §. 113.

C A P. XXIII.

An Act for the more effectual preventing fraudulent Conveyances, in order to multiply Votes for electing Knights of Shires to serve in Parliament.

WHEREAS by an Act of Parliament made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning such Members*, it is, amongst other Things, enacted, That all Conveyances of any Messuages, Lands, Tenements, or Hereditaments, in any County, City, Borough, Town Corporate, Port, or Place, in order to multiply Voices, or to split and divide the Interest in any Houses or Lands amongst several Persons, to enable them to vote at Elections of Members to serve in Parliament, shall be void and of none Effect; and that no more than one single Voice shall be admitted for one and the same House and Tenement: and whereas (notwithstanding this Provision to the contrary) many fraudulent and scandalous Practices have been used of late to create and multiply Votes at the Election of Knights of the Shire to serve in Parliament, to the great Abuse of the antient Law and Custom of that Part of *Great Britain* called *England*, to the great Injury of those Persons who have just Right to elect, and in Prejudice of the Freedom of such Elections; Therefore for the more effectual preventing of such undue Practices, be it enacted by the Queen'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 Estates and Conveyances whatsoever made to any Person or Persons in any fraudulent or collusive Manner, on Purpose to qualify him or them to give his or their Vote or Votes at such Elections

7 & 8 W. 3. c. 25.

All Conveyances fraudulently made to qualify

any Person to vote (subject to Conditions to defeat the same) shall be discharged of such Conditions, &c.

And all Bonds, &c. for defeating such Estate shall be void.

Persons making &c. such Conveyance, or voting by Colour thereof, shall, for every such Offence, forfeit 40l.

After 1 May 1712. no Persons shall vote for a Knight of a Shire, in Right of Lands which have not been charged to publick Taxes, &c. and for which such Person has not received the Rents for one Year before; unless such Lands came to him by Descent, &c.

This Clause explained 12 Annæ, stat. 1. c. 5. on Penalty of 40l. Repealed by 18 Geo. 2. c. 18.

The Oath required by the Act 7 W. 3. c. 25. repealed.

Freeholders to be sworn;

Their Oath. Another Oath appointed by 18 Geo. 2. c. 18.

To be administered by the Sheriff, &c. Freeholder committing wilful Perjury, or any Person suborning him so to do, shall incur the Penalties of 5 Eliz. c. 9.

The Elector's Name, &c. to be entered.

of Knights of the Shire (subject nevertheless to Conditions or Agreements to defeat or determine such Estate, or to reconvey the same) shall be deemed and taken, against those Persons who executed the same, as free and absolute, and be holden and enjoyed by all and every such Person or Persons to whom such Conveyance shall be made, as aforesaid, freely and absolutely acquitted, exonerated, and discharged, of and from all Manner of Trusts, Conditions, Clauses of Re-entry, Powers of Revocation, Provisoes of Redemption, or other Defeazances whatsoever, between or with the said Parties, or any other Person or Persons in Trust for them; and that all Bonds, Covenants, Collateral or other Securities, Contracts or Agreements, between or with the said Parties, or any other Person or Persons in Trust for them, or any of them, for the redeeming, revoking, or defeating such Estate or Estates, or for the restoring, or reconveying thereof, or any Part thereof, to any Person or Persons who made or executed such Conveyance, or to any other Person or Persons in Trust for them, or any of them, shall be null and void to all Intents and Purposes whatsoever; and that every Person who shall make and execute such Conveyance or Conveyances, as aforesaid, or being privy to such Purpose, shall devise or prepare the same, and every Person who, by Colour thereof, shall give any Vote at any Election of any Knight or Knights of a Shire to serve in Parliament, shall, for every such Conveyance so made, or Vote to created or given, forfeit the Sum of forty Pounds to any Person who shall sue for the same, to be recovered, together with Full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at Westminster, wherein no Essoin, Privilege, Protection, Wager of Law, or more than one Impar lance shall be admitted or allowed.

II. And be it further enacted by the Authority aforesaid, That from and after the first Day of May which shall be in the Year of our Lord one thousand seven hundred and twelve, no Person shall vote for the electing of any Knight of a Shire within that Part of Great Britain called England, in Respect or in Right of any Lands or Tenements which have not been charged or assessed to the publick Taxes, Church Rates, and Parish Duties, in such Proportion as other Lands or Tenements of forty Shillings per Annum, within the same Parish or Township where the same shall lie or be, are usually charged, and for which such Person shall not have received the Rents or Profits, or be entitled to have received the same, to the full Value of forty Shillings, or more, to his own Use, for one Year before such Election, unless such Lands or Tenements came to such Person within the Time aforesaid by Descent, Marriage, Marriage Settlement, Devise, or Presentation to some Benefice in the Church, or by Promotion to some Office unto which such Freehold is affixed; and if any Person shall vote in any such Election, contrary to the true Intent and Meaning hereof, he shall, for every such Offence, forfeit the Sum of forty Pounds; one Moiety thereof to the Poor of the Parish or Parishes where the Lands or Tenements lie, for which such Person shall vote, and the other Moiety to the Person or Persons who shall sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of her Majesty's Courts of Record at Westminster, wherein no Essoin, Privilege, Protection, or Wager of Law, shall be allowed, or more than one Impar lance.

III. And whereas by the above recited Act, it is also further enacted, That upon every Election to be made of any Knight or Knights of the Shire to serve in Parliament, every Freeholder, before he is admitted to poll at the same Election, shall (if required by the Candidates, or any of them) first take the Oath therein after mentioned; Be it enacted by the Authority aforesaid, That the said Act, as to so much only as concerns the said Oath, shall be and is hereby repealed.

IV. And be it further enacted by the Authority aforesaid, That upon every Election to be made of any Knight or Knights of a Shire within that Part of Great Britain called England, to serve in Parliament, every Freeholder, before he is admitted to poll at the same Election, shall (if required by the Candidates, or any of them, or any other Person having a Right to vote at such Election) first take the Oath following, viz.

YOU shall swear, That you are a Freeholder in the County of _____ and have Freehold Lands or Hereditaments lying or being at _____ in the County of _____ of the yearly Value of forty Shillings above all Charges payable out of the same; and that such Freehold Estate hath not been made or granted to you fraudulently, on Purpose to qualify you to give your Vote; and that the Place of your Abode is at _____ in _____ and that you have not been polled before at this Election.

Which Oath the Sheriff, by himself, his Under Sheriff, or such sworn Clerk or Clerks (as shall be by him appointed for the taking the Poll, pursuant to the said recited Act) is hereby required to administer; and in case any Freeholder, or other Person, taking the said Oath hereby appointed, shall thereby commit wilful and corrupt Perjury, and be thereof convicted, or if any Person do unlawfully and corruptly procure or suborn any Freeholder, or other Person, to take the said Oath, in order to be polled, whereby he shall commit such wilful and corrupt Perjury, and shall be thereof convicted, he and they, for every such Offence, shall incur the like Pains and Penalties as are in and by one Act of Parliament made in the fifth Year of the Reign of the late Queen ELIZABETH, intituled, An Act for Punishment of such Persons as shall procure or commit any wilful Perjury, enacted against all such who shall commit wilful Perjury, or suborn or procure any Person to commit any unlawful or corrupt Perjury contrary to the said Act.

V. And the better to detect and punish any Offenders against this Act, be it enacted by the Authority aforesaid, That in taking the Poll, the Sheriff, or his Under Sheriff, and Clerks, shall enter not only the Place of the Elector's Freehold, but also the Place of his Abode, as he shall declare the same at the Time of the giving his Vote, and shall also make or enter Jurat against the Name of every such Voter who shall be tendered and take the Oath hereby required; and that the said Sheriff, or returning Officer, shall, within the

the Space of twenty Days next after such Election, faithfully deliver over upon Oath (which Oath the two next Justices of the Peace, one of whom to be of the *Quorum*, are hereby enabled and required to administer) unto the Clerk of the Peace of the same County, all the Poll Books of such respective Elections, without any Imbezilment or Alteration; and in such Counties where there are more than one Clerk of the Peace, then the original Poll Books to one of such Clerks of the Peace, and attested Copies thereof to the rest, to be carefully kept and preserved among the Records of the Sessions of the Peace of and for the said County.

Poll Books to be delivered upon Oath to the Clerk of the Peace to be kept among the Records of the Sessions.

VI. And be it further enacted by the Authority aforesaid, That the Sheriff of the County of *York*, for the time being, shall be and is hereby required to appoint seven convenient Tables or Places for taking the Poll of the said County upon any new Election of a Knight or Knights of the Shire for the said County, at the proper Costs and Charges of the Candidates for the same, to continue till the Poll be concluded.

Sheriff of *Yorkshire* to appoint seven Tables for taking the Poll, at the Costs of the Candidate: Sheriff of *Cheshire* to do the like.

VII. And be it further enacted by the Authority aforesaid, That the Sheriff of the County Palatine of *Chester*, for the time being, against every Election of a Knight or Knights of the Shire to serve in Parliament for the said County, shall and is hereby required to cause seven convenient Tables or Places, and no more, to be made at the Costs and Charges of the Candidates, within the Shire Hall of the said County, for taking the Poll at such Elections, that is to say, two at the Upper End, two at each Side, and one at the Lower End of the said Hall, and shall at such Place take the Poll at such Elections till the same be concluded.

VIII. Provided always, and be it enacted by the Authority aforesaid, That if any Person being a *Quaker*, during the Continuance of an Act passed in the seventh Year of his late Majesty's Reign, intituled, *An Act that the solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in the usual Form*, shall upon such Election, as aforesaid, if required by the Candidates, or any of them, declare the Effect of the said Oath upon his solemn Affirmation, in such Manner and Form as is directed by the said Act of Parliament made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act that the solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in the usual Form*; every such *Quaker* shall be capable and admitted to give his Vote for the Election of any such Member, as aforesaid, to serve in the House of Commons within that Part of *Great Britain* called *England*; and every Sheriff, by himself, or such his proper Officer, as aforesaid, is hereby authorized and required to accept such Affirmation instead of the said Oath, and shall also make or enter *Affirmat* against the Name of every such *Quaker*; and in case any such *Quaker* shall be convicted, wilfully, falsely and corruptly to have affirmed or declared any Matter or Thing, which, if the same had been in the usual Form, would have amounted to wilful and corrupt Perjury, every such *Quaker* so offending, shall incur the same Penalties and Forfeitures as are herein before enacted against Persons convicted of wilful and corrupt Perjury.

Quakers declaring the Effect of the Oath on their Affirmation, as directed by 7 & 8 W. 3. c. 34. shall be admitted to vote.

And affirming any Thing false shall incur the Penalties before enacted against Perjury.

Farther Provisions relating to Parliament, 1 Geo. 1. c. 38 & 56. 2 Geo. 2. c. 24. 6 Geo. 2. c. 23. 8 Geo. 2. c. 30. 9 Geo. 2. c. 38. 11 Geo. 2. c. 24. 13 Geo. 2. c. 20. 15 Geo. 2. c. 22. 18 Geo. 2. c. 18. 19 Geo. 2. c. 28. 31 Geo. 2. c. 14. and 33 Geo. 2. c. 20.

C A P. XXIV.

An Act for prolonging the Term for Payment of certain Duties granted by an Act made in the twelfth and thirteenth Years of his late Majesty King *William*, intituled, *An Act for recovering, securing, and keeping in Repair the Harbour of Minhead, for the Benefit and Support of the Navigation and Trade of this Kingdom*. The ancient Usage mentioned in the recited Act, and the Duties, &c. thereby laid on Goods, &c. after *June 24, 1701*. shall from thence be continued for 16 Years, and be levied, &c. as in the said Act is directed. Trustees appointed to put this and the former Act in Execution. A Lantern to be fixed at the Key-head of the new Work, and Lights burnt therein between *Sept. 1.* and *March 31.* Goods shipped within the Liberty, &c. shall pay the Duties. Goods shipped or discharged at *Blue Anchor, &c.* chargeable with the same Duties as if they had been shipped, &c. within the Harbour of *Watchett*. Clause for repairing the Highways from *Birdlipp* and Top of *Crickley Hills* to *Gloucester City*. Nothing in these Acts shall give Power to demand the Arrears of 6 *d.* per Pound granted by the former Act, other than what was in the Collectors Hands before *17 March 1711.* [Continued by 7 Geo. 1. c. 14.] P R.

12 & 13 W. 3. c. 9. 6 Annæ, c. 8. Private.

C A P. XXV.

An Act for raising the Militia for the Year one thousand seven hundred and twelve, although the Month's Pay formerly advanced be not repaid: And for rectifying a Mistake in an Act passed this Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion and false Musters, and for the better Payment of the Army and Quarters: And for taking Accounts of Trophy Money formerly raised and collected.*

IV. AND be it further enacted by the Authority aforesaid, That the said Lieutenants or their Deputies shall not issue out Warrants for the raising any Trophy Money, till the Justices of the Peace, or the major Part of such Justices, at their several and respective General Quarter-Sessions for their respective Counties, Ridings, Divisions, and Places, shall have examined, stated, and allowed the Accounts of the Trophy Money last raised, levied and collected for any preceding Year, and certified such Examination of the said Accounts under the Hands and Seals of three or more of such Justices to the said respective Lieutenants or their Deputies.

Lieutenants, &c. shall not issue Warrants for raising Trophy Money, till the Justices in Quarter-Sessions have allowed the Accounts of that

last raised for any preceding Year. See the yearly Mutiny Acts.

C A P. XXVI.

An Act for laying additional Duties on Hides and Skins, Vellum and Parchment, and new Duties on Starch, Coffee, Tea, Drugs, Gilt and Silver Wire, and Policies of Insurance, to secure a yearly Fund for Satisfaction of Orders to the Contributors of a further Sum of one Million eight hundred thousand Pounds towards her Majesty's Supply; and for the better securing the Duties on Candles; and for obviating Doubts concerning certain Payments in *Scotland*; and for suppressing unlawful Lotteries, and other Devices of the same Kind; and concerning Cake Sope; and for Relief of *Mary Ravenall*, in relation to an Annuity of eighteen Pounds *per Annum*; and concerning Prize Cocoa Nuts brought from *America*; and certain Tickets which were intended to be subscribed into the Stock of the *South Sea Company*; and for appropriating the Monies granted in this Session of Parliament.

MOST Gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being fully resolved to furnish such Supplies as may be necessary for defraying the Expences of the present War, and other your Majesty's extraordinary and important Occasions, have, for those Ends and Purposes, cheerfully and unanimously given and granted, and do by this Act give and grant to your Majesty the several and respective additional Rates and new Duties for and upon all such Skins and Hides, and Pieces of Skins and Hides, made Wares, Vellum, and Parchment, Starch, Coffee, Tea, Drugs, Gilt and Silver Wire, Policies of Assurance, and such other Matters and Things as are herein after more particularly described and mentioned, for and during such several and respective Term and Terms of Years, and in such Manner and Form as are herein after expressed; and do most humbly beseech your Majesty, that it may be enacted, and be it enacted by the Queen'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 Authority of the same, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon such Skins and Hides, and Pieces of Skins and Hides, and for and upon such made Wares, herein after particularly described and mentioned, as shall at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the first Day of *August* one thousand seven hundred and twelve, be imported or brought into the Kingdom of *Great Britain* (over and above all other Customs, Subsidies, and Duties, by any Act or Acts of Parliament or Law whatsoever, imposed upon or payable for the same) the several and respective additional Rates or new Duties herein after expressed; that is to say,

New Duties on
Leather, &c.
imported, for
32 Years, from
1 Aug. 1712.
Made perpetual
by 3 Geo. I. c.
7. §. 1.

- Deer Skins.** For and upon all Deer Skins, which shall be imported or brought in, as aforesaid, being dressed in Oil or Allom, or otherwise perfectly dressed, the Sum of three Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.
- Loshee, Buffalo, &c.** For and upon all Loshee, Buffalo, Elk, or any other Hides, dressed in Oil, which shall be imported or brought in, as aforesaid, the Sum of three Pence for every such Pound Weight, and after that Rate for a greater or lesser Quantity.
- Russia Hides.** For and upon all *Russia* Hides, which shall be imported or brought in, as aforesaid, the Sum of one Penny for every such Pound Weight, and after that Rate for a greater or lesser Quantity.
- Calve Skins.** For and upon all other tanned Hides and tanned Calve Skins, which shall be imported or brought in, as aforesaid (not before in this Act specially charged) the Sum of two Pence for every Pound Weight, and after that Rate for a greater or lesser Quantity.
- Horse Hides.** For and upon all Hides of Horses, Mares, and Geldings, which shall be imported or brought in, as aforesaid, being dressed in Allom and Salt, or Meal, or otherwise tawed, the Sum of one Shilling *per Hide*, and after that Rate for a greater or lesser Number or Quantity.
- Hides of Steers, &c.** For and upon all Hides of Steers, Cows, or any other Hides of what Kind soever (those of Horses, Mares, and Geldings excepted) which shall be imported or brought in, as aforesaid, being dressed in Allom and Salt, or Meal, or otherwise tawed, the Sum of one Shilling and six Pence for every Hide, and after that Rate for a greater or lesser Number or Quantity.
- Calve Skins, &c.** For and upon all Calve Skins and Kips, which shall be imported or brought in, as aforesaid, being dressed in Allom and Salt, or Meal, or otherwise tawed, the Sum of one Penny Half Penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.
- Slinks.** For and upon all Slink Calve Skins, which shall be imported or brought in, as aforesaid, dressed in Allom and Salt, or otherwise, with the Hair on, the Sum of one Penny for every Pound Weight *Averdupois*; and for all Slink Calve Skins which shall be imported or brought in, as aforesaid, dressed in Allom and Salt, or otherwise, without the Hair, and for all Dog Skins so dressed, which shall be imported or brought in, as aforesaid, the Sum of one Half Penny for every such Pound Weight, and after those Rates for any greater or lesser Quantities.
- Cordivants.** For all Skins commonly called Cordivants, which shall be imported or brought in, as aforesaid, the Sum of four Shillings for every Dozen, and after that Rate for any greater or lesser Number or Quantity.
- Goat Skins.** For and upon all other Goat Skins (not usually called Cordivants) which shall be imported or brought in, as aforesaid, being dressed in Oil, or with Allom, Salt, Meal, or otherwise dressed, the Sum of four Shillings for every Dozen, and after that Rate for a greater or lesser Quantity.

For and upon all Kid Skins, which shall be imported or brought in, as aforesaid, being dressed or undressed, or not perfectly dressed, the Sum of six Pence for every Dozen, and after that Rate for any greater or lesser Number or Quantity: And if any of the said Kid Skins shall be dressed after the Importation thereof, It is hereby declared, that no further Duties are to be paid for the same by this Act upon the Dressing or perfect Dressing them, or any of them, in *Great Britain*.

For and upon all Sheep Skins and Lamb Skins, which shall be imported or brought in, as aforesaid, the respective Rates following; that is to say, For all imported Sheep Skins dressed in Oil, one Shilling and six Pence *per Dozen*; for all imported Lamb Skins dressed in Oil, one Shilling *per Dozen*; for all imported Sheep Skins and Lamb Skins tanned, nine Pence *per Dozen*, and for and upon all imported Sheep Skins and Lamb Skins dressed in Allom and Salt, or Meal, or otherwise tawed, six Pence *per Dozen*, and in Proportion to those Rates for greater or lesser Number, Numbers or Quantities of such Sheep Skins and Lamb Skins respectively.

And for and upon all Hides and Skins, and Pieces of Hides and Skins, which shall be imported or brought in, as aforesaid, being tanned, tawed, or dressed, and not herein before particularly charged, and for and upon all Wares made into Manufactures of Leather, or any Manufactures whereof the most valuable Part shall be Leather, a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value of the Hides and Skins, and Pieces of Hides and Skins, and of the Manufactures last mentioned, and so proportionably for a greater or lesser Quantity, to be affirmed upon the Oath of the Importer thereof: The said several and respective Rates and Duties for and upon all such Hides and Skins, and Pieces of Hides and Skins, and made Wares, to be imported or brought in, as aforesaid, within or during the Term before mentioned, to be paid by the Importers thereof respectively.

II. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon such Skins and Hides, and Pieces of Skins and Hides, herein after more particularly described and mentioned, as shall at any time or times within or during the said Term of thirty-two Years, to be reckoned from the first Day of *August* one thousand seven hundred and twelve, be tanned, tawed or dressed within *Great Britain* (over and above all other Rates and Duties by any Act or Acts of Parliament or Law whatsoever imposed upon or payable for the same) the several and respective additional Rates or new Duties herein after expressed, That is to say,

For and upon all Hides, of what Kind soever, which shall be so tanned in *Great Britain*, the Sum of one Half-penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

For and upon all Calve Skins, Kips, Hog Skins and Dog Skins, which shall be so tanned in *Great Britain*, the like Sum of one Half-penny for every such Pound Weight, and after that Rate for a greater or lesser Quantity.

For and upon all Goat Skins, which shall, within or during the said Term be tanned with Shomack, or otherwise in *Great Britain*, to resemble *Spanish Leather*, the Sum of two Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

For and upon all Sheep Skins, which, within or during the same Term, shall be tanned for Roans, being after the Nature of *Spanish Leather* within *Great Britain*, a Duty after the Rate of one Penny for every Pound Weight *Averdupois*; and for and upon all Sheep Skins and Lamb Skins, which within and during the same Term, shall be tanned for Glovers, and Bazils, within *Great Britain*, a Duty after the Rate of one Penny for every Pound Weight, and proportionally for greater or lesser Quantities of Sheep Skins and Lamb Skins to be so tanned in *Great Britain* respectively.

And for and upon all other Skins, and Pieces and Parts of Skins, which, within or during the Term last mentioned, shall be tanned in *Great Britain*, (not before particularly charged) a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, and proportionally for greater or lesser Numbers or Quantities: The said several Rates and Duties for and upon all such Hides and Skins, and Pieces of Hides and Skins tanned in *Great Britain*, to be paid by the Tanners thereof respectively.

And for and upon all Hides of Horses, Mares and Geldings, which at any Time or Times during the said Term of thirty-two Years, shall be dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of six Pence for every Hide, and after that Rate for a greater or lesser Quantity or Number of such Hides.

For and upon all Hides of Steers, Cows, or any other Hides, of what Kind soever (those of Horses, Mares and Geldings excepted) which shall be so dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of one Shilling for every such Hide, and after that Rate for a greater or lesser Quantity or Number.

For and upon all Calve Skins and Kips, which shall be so dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of one Half-penny for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

For and upon all flink Calve Skins, which shall be so dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, with the Hair on, the Sum of one Shilling and six Pence for every Dozen, and after that Rate for a greater or lesser Quantity.

For and upon all flink Calve Skins, which shall be so dressed or tawed without Hair, and upon all Dog Skins which shall be tawed, as aforesaid, in *Great Britain*, the Sum of six Pence for every Dozen, and after that Rate for a greater or lesser Number or Quantity.

For and upon all Buck and Doe Skins. (except such as shall have paid the full Duty on the Importation, as aforesaid) which shall be dressed in Allom and Salt, or Meal, or be otherwise tawed, as aforesaid, in

Great Britain, the Sum of three Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

Kid Skins.

For and upon all Kid Skins, which shall be so dressed or tawed in *Great Britain*, (except such as shall have paid the full Duty on the Importation, as aforesaid) the Sum of six Pence for every Dozen, and after that Rate for a greater or lesser Quantity.

Goat Skins.

For and upon all Goat Skins, which shall be so dressed in Allom and Salt, or Meal, or be otherwise tawed in *Great Britain*, the Sum of six Pence for every Dozen, and after that Rate for a greater or lesser Number or Quantity.

Bever Skins.

For and upon all Bever Skins which shall be so tawed in *Great Britain*, the Sum of one Shilling for every Dozen, and after that Rate for a greater or lesser Number or Quantity.

Sheep and Lamb Skins.

For and upon all Sheep Skins and Lamb Skins to be dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, the Sum of three Farthings for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

See 3 Geo. 1.
c. 4. § 13.

Tawed Skins
not before
charged.

And for and upon all other Skins, and Parts and Pieces of Skins to be tawed in *Great Britain*, (not before particularly charged) a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, and proportionally for greater or lesser Numbers or Quantities: Which said several Rates and Duties for and upon all Hides and Skins, and Pieces of Hides and Skins, to be dressed in Allom and Salt, or Meal, or otherwise tawed in *Great Britain*, shall be paid by such Persons as shall be the Tawers or Makers thereof into Leather respectively.

Deer Skins, &c.
dressed in Oil.

For and upon all Deer Skins, Goat Skins, and Bever Skins, which within or during the Term aforesaid, shall be dressed in Oil within *Great Britain*, the Sum of two Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

Calve Skins.

For and upon all Calve Skins, which shall be so dressed in Oil within *Great Britain*, the like Sum of four Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity.

Sheep Skins and
Lamb Skins.

For and upon all Sheep Skins and Lamb Skins, which shall be so dressed in Oil in *Great Britain*, the Rate of two Pence for every such Pound Weight, and proportionally for greater or lesser Quantities of such Sheep Skins and Lamb Skins respectively.

Skins dressed in
Oil, not before
charged.

And for and upon all other Hides and Skins, and all Pieces of Hides and Skins, which, within or during the Term aforesaid, shall be dressed in Oil in *Great Britain*, the Sum of two Pence for every Pound Weight *Averdupois*, and after that Rate for greater or lesser Quantities or Numbers. The said several Duties on Hides and Skins, and Pieces of Hides and Skins, to be dressed in Oil within *Great Britain*, to be paid by the Oil Leather Dressers respectively.

Duty on Vellum
and Parchment
imported or
made in Great
Britain.
Made perpetual
by 3 Geo. 1.
c. 7. §. 1.

III. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Vellum and Parchment which shall, at any Time or Times within or during the said Term of thirty-two Years, to be reckoned from the said first Day of *August* one thousand seven hundred and twelve, be made in *Great Britain*, or imported into the same (over and above all other Duties by any Act or Acts of Parliament or Law whatsoever imposed upon or payable for the same) the several and respective additional Rates or new Duties herein after expressed, that is to say, For and upon all Vellum so imported an additional Rate of three Shillings for every Dozen; and for all Parchment so imported, an additional Rate of two Shillings for every Dozen, and proportionally for greater or lesser Numbers or Quantities, to be paid by the Importers thereof respectively; and for and upon all Vellum which shall be made in *Great Britain*, as aforesaid, an additional Duty after the Rate of two Shillings for every Dozen; and for all Parchment which shall be made in *Great Britain*, as aforesaid, an additional Duty after the Rate of one Shilling for every Dozen, to be paid by the Makers thereof respectively.

These new Duties
to be raised
as the Duties on
Leather.
9 Annæ, c. 11.

IV. And be it further enacted by the Authority aforesaid, That the several and respective additional or new Rates and Duties by this Act imposed or chargeable for and upon all or any such Hides and Skins, and Pieces of Hides and Skins, made Wares, Vellum, and Parchment, as aforesaid, for and during the said Term of Years hereby granted, of and in the same, shall and may, from time to time, be ascertained, raised, received, levied, recovered, and secured, by such Ways, Means, and Methods, and by the same or different Stamps and Marks, and under such Pains of Death, and other Penalties and Forfeitures, and with such Powers of adjudging the said Duties, and adjudging and mitigating the said Penalties and Forfeitures, or any of them, and other Powers, and subject to proportional Allowances, Drawbacks, and Repayments, and to such Rules and Directions, and in such Methods, Manner, and Form, as the respective Duties upon the like Hides and Skins, and Pieces of Hides and Skins, made Wares, Vellum, and Parchment, granted by an Act in the ninth Year of her Majesty's Reign, intituled, *An Act for laying certain Duties upon Hides and Skins tanned, tawed, or dressed, and upon Vellum and Parchment, for the Term of thirty-two Years, for prosecuting the War and other her Majesty's most necessary Occasions*, are by that Act, or any Law or Statute thereby referred unto, prescribed, appointed, or enacted, during the Continuance thereof, to be ascertained, raised, received, levied, secured, or recovered; and that the Act last-mentioned, and all the Clauses, Pains of Death, Penalties, Forfeitures, Powers, Authorities, Rules, Directions, Matters and Things, therein contained, or thereby referred unto, for the raising, receiving, levying, recovering, securing, paying, or accounting for the said Duties thereby granted, or any Arrearages of the same, or any Way relating to the same Duties, Pains, Penalties, or Forfeitures, by that Act chargeable, by force and virtue of this present Act, be continued, practised, and put in Execution, for raising, receiving, levying, recovering, securing, paying, and accounting for the Duties upon Hides and Skins, and Pieces of Hides and Skins, made Wares, Vellum, and Parchment, by this Act granted, and all Arrearages thereof, as fully and effectually to all Intents and Purposes, as if they were particularly and at large repeated in the Body of this present Act.

9 Annæ, c. 11.

V. And whereas some Doubts have arisen upon the said Act of the ninth Year of her Majesty's Reign, whether a Debenture could be given in pursuance of the said Act by the Customer or Collector of the Customs for two Thirds of the Duties upon Hides and Calve Skins shipped for Exportation, unless the Marks or Stamps denoting the charging the Duty payable by that Act did appear to them thereupon; and it being often found inconvenient that the Exporters should be obliged to open their Bails or Packs of Leather at the Port of Exportation; it is hereby provided and enacted by the Authority aforesaid, That upon Oath made by the Exporter, unless such Exporter be a known Quaker, and if he be, then upon the solemn Affirmation of such Quaker (which Oath or Affirmation the Customer or Collector is hereby empowered to administer) that all the Hides or Skins contained in such Bails or Packs respectively, were marked with the Marks or Stamps denoting the charging of the Duties payable by this Act and the said former Act, or either of them, and expressing particularly, how much the Duty so denoted to have been paid or charged by the said former Act for such Hides or Skins doth amount unto, exclusive of the Duty upon the Stock in Hand; and also how much the Duties so denoted to have been paid or charged by this Act for such Hides or Skins doth amount unto, and expressing the Weight of the Hides and Calve Skins so exported or shipped for Exportation, in such Oath or Affirmation; then and in every such Case, it shall and may be lawful for the Customer or Collector (such Security being given as the said Act requires) to make forth a Debenture for the two third Parts of the said Duties payable by the said former Act and this present Act, or either of them, for the Hides and Calve Skins already exported, or shipped to be exported, for which no Drawback hath already been paid, and for the like Hides and Calve Skins which shall hereafter be exported, or shipped to be exported, and for which a Drawback ought to be made, according to the true Meaning of this or the said former Act; and every such Debenture being verified by the Certificate of the Searcher, attesting the shipping of such Hides and Skins, shall be satisfied according to this and the said former Act, as fully as if the Marks or Stamps on the said Hides and Skins had been seen by the proper Officers of the Customs; any thing in this or the said former Act contained to the contrary notwithstanding.

9 Annæ, c. 11.
 §. 39.
 On Oath of the Exporter, that the Hides have been marked, &c.
 Debentures to be made out for a Drawback of two Thirds of the Duty.

VI. And whereas by the said Act made last Session of Parliament, intituled, *An Act for laying certain Duties upon Hides, and Skins tanned, tawed, or dressed, and upon Vellum and Parchment, for the Term of thirty-two Years, for prosecuting the War, and other her Majesty's most necessary Occasions*, there is Provision made in the said Act, that a Drawback be allowed upon all tanned or rough Hides and Calve Skins, upon their Exportation, but no Allowance is made for a Drawback on Hides or Calve Skins that are dressed or curried: For Remedy whereof, be it enacted, and it is hereby enacted by the Authority aforesaid, That all Hides or Calve Skins that are or shall be dressed, or curried, shall be entitled to a Drawback upon their Exportation, of one Penny per Pound Weight, as they shall weigh at the Custom-house, to be paid and allowed in the same Manner, and under such Cautions, Rules, and Security, as the Drawback upon rough tanned Hides and Calve Skins is to be paid or allowed.

Hides dressed or curried to have a Drawback on Exportation of one Penny per lb.
 9 Annæ, c. 11.
 By 12 Annæ, stat. 2. c. 9. §. 64. a farther Drawback is allowed.

See farther concerning Hides, &c. 5 Geo. 1. c. 2. 12 Geo. 2. c. 25.

VII. And be it enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Starch which, at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the first Day of August one thousand seven hundred and twelve, shall be imported or brought into the Kingdom of Great Britain (over and above all Customs, Subsidies, and Duties already imposed thereupon) the Sum of two Pence for every Pound Weight, consisting of sixteen Ounces *Averdupois*, and after that Rate for a greater or lesser Quantity, to be paid down in ready Money by the Importers thereof, from time to time, before the landing of the same; and for and upon all Starch of what Kind soever, which at any Time or Times within or during the same Term of thirty-two Years, shall be made within the said Kingdom of Great Britain, the Sum of one Penny for every such Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity: The same to be paid by the Makers thereof respectively.

Duties on Starch, from 1 Aug. 1712. for 32 Years, imported, 2d. Made perpetual by 3 Geo. 1. c. 7. §. 1.
 Made in Great Britain, 1d.

VIII. And be it enacted by the Authority aforesaid, That the said Duties upon imported Starch shall be raised, levied, recovered, answered, and paid, and be brought into the Receipt of her Majesty's Exchequer in England, (to and for the Uses and Purposes in this Act expressed) by such Rules, Ways, Means, and Methods, and under such Penalties, Forfeitures, and Disabilities, and with such Allowances, and in such Manner and Form, as the Duties upon imported Sops, granted by one other Act of the present Session of Parliament, or by any Laws and Statutes therein referred unto, are to be raised, levied, recovered, answered, and paid.

Duties on imported Starch to be raised as the Duties on Sops.
 10 Annæ, c. 19.

IX. And for the better ascertaining, charging, and securing the Duties by this Act set and imposed upon all Sorts of Starch made in Great Britain, during the Term last-mentioned, according to the true Meaning of this Act, and for preventing of Frauds concerning the same; Be it further enacted by the Authority aforesaid, That such Commissioners or Persons as her Majesty, her Heirs or Successors, or the high Treasurer of Great Britain now being, or the High Treasurer of Great Britain, or any three or more of the Commissioners of the Treasury for the time being, shall, from time to time, by one or more Commission or Commissions for that Purpose appoint, shall be her Majesty's Commissioners for the Receipt and Management of the said Duties set and imposed upon all the Starch made within Great Britain chargeable by this Act; which said Commissioners, or the major Part of them respectively, shall and have hereby Power, by their Commissions under their respective Hands and Seals, to substitute and appoint under them such Receivers General, Collectors, Comptrollers, Surveyors, and other Officers, as shall be requisite and necessary for the Purposes aforesaid; and that the said Commissioners so to be appointed, and all the Officers for the said Duties on Starch, shall have out of the same such Salaries and Rewards for their respective Services, in Relation to the same Duties, as the said High Treasurer now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think reasonable to establish or allow

Her Majesty or Treasury to appoint Commissioners.
 Commissioners to substitute inferior Officers.
 The Monies to be paid into the Exchequer.

in that Behalf; and that the respective Commissioners for the said Duties on Starch to be made in *Great Britain*, for the time being, shall, from time to time, cause all the Monies to arise by or for the said Duties on Starch to be made in *Great Britain*, during the Term aforesaid, (the necessary Charges of managing, collecting, and raising the same excepted) to be paid, from time to time, as the same shall arise, into the Receipt of her Majesty's Exchequer in *England*, under the Penalties, Forfeitures, and Disabilities herein after expressed.

Starch-makers to give Account of their Names and Places of Abode, and of their Work-houses, &c. at the next Office, on Forfeiture of 50 l.

X. And it is hereby enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who, on or before the first Day of *August* in the Year of our Lord one thousand seven hundred and twelve, shall make any Starch in *Great Britain*, for Sale or not for Sale, shall, on or before the same first Day of *August* one thousand seven hundred and twelve, give Notice in Writing at the Office for the said Duties on Starch, next to the Place where such Starch shall be made, of their respective Names and Places of Abode, and of every Work-house, Store-house, Room, and other Place by him, her, or them respectively made use of in or for the making, drying, and keeping of such Starch, or of Flour, Meal, or other Materials proper to be made into Starch, and also of all the Fats, Troughs, Boxes, Kilns, Stoves, Utensils, and Vessels, used in the making of the same; and that from and after the said first Day of *August*, during the Continuance of the said Duties upon Starch, no Maker of Starch shall erect, set up, alter, change, enlarge, or make use of any Work-house, Store-house, Room, or other Place, for the making, drying, or keeping of Starch, or for the converting or keeping any Flour, Meal, or other Materials proper to be made into Starch, or use any Fat, Trough, Box, Stove, Utensil, or other Vessel, for the making of Starch, without first giving Notice thereof in Writing, or unless Notice thereof shall have been before given in Writing at the next Office, as aforesaid; and if any Maker of Starch shall erect, set up, alter, enlarge, or make use of any Work-house, Store-house, Room, or other Place, for the making, drying, or keeping of Starch, or for the keeping or converting of any Flour, Meal, or other Materials proper to be made into Starch, or shall use any Fat, Trough, Kiln, Stove, Box, Utensil, or other Vessel, for the making of Starch, without giving such Notice thereof, as aforesaid, contrary to the true Meaning of this Act, then, and in every such Case, the Offender therein, for every such Offence, shall forfeit the Sum of fifty Pounds.

Starch-makers in London, &c. to make Entry on Oath Monthly, in all other Places in 6 Weeks, on Forfeiture of 50 l.

XI. And it is hereby enacted, That from and after the said first Day of *August*, during the Continuance of the said Duties upon Starch hereby granted, all and every Person and Persons whatsoever, who shall make any Starch in *London*, *Westminster*, or in any Parts within the Weekly Bills of Mortality, shall monthly and every Month, and all and every Person or Persons whatsoever, who shall make any Starch in any other Part of *Great Britain*, shall once in every six Weeks, make a true Entry in Writing at the next Office for the said Duties, of all the Starch by him, her, or them severally made within such Months or six Weeks respectively; which said Entries shall contain the Weight of all the Starch mentioned therein, and what Quantity thereof was made at a Time in the several Weeks to which such Entry shall relate, on Pain to forfeit for every Neglect of Entry the Sum of fifty Pounds; which Entry shall be made upon Oath, by the Makers of such Starch, or by their chief Workman or Servant employed in making the same, according to the best of their Knowledge and Belief, unless such Maker, Workman, or Servant be a known Quaker, and the solemn Affirmation of such Maker, Workman, or Servant to the same Effect, in case he or she be a known Quaker, shall and may be taken instead of such Oath; and the said Entries, Oaths, and Affirmations to verify the same, shall for such Starch as shall be made within the Limits of the Weekly Bills of Mortality, be made with, and administered by such Officer or Officers as shall be appointed by the Commissioners for the said Duties in *England*, or the major Part of them, for the time being, who shall attend at a General Office in *London* or *Westminster*, for that Purpose; and all for Starch made in all other Parts of *Great Britain*, with and by the Collectors and Supervisors of the District or Division within which the respective Makers of Starch shall inhabit, without any Fee or Charge whatsoever to be demanded or taken for the same.

Entries to be at the next Market Town.

XII. Provided always, That no Maker of Starch shall be obliged to go or send further than the Market Town where his or her Starch is made, or the next Market Town to the Place where his or her Starch is made, for the making of such Entries, as aforesaid.

Persons in London, &c. to clear off the Duty in 4 Weeks, in any other Parts in 6 Weeks, on Forfeiture of double the Duty, &c.

XIII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who shall make any Starch in *London*, *Westminster*, or within the Limits of the said Weekly Bills of Mortality, shall, within four Weeks, and all and every Person and Persons whatsoever who shall make any Starch in any other Part of *Great Britain*, shall, within six Weeks, after he, she, or they shall make, or ought to have made such Entry, as aforesaid, pay and clear off all the said Duties for Starch, which shall be due from him, her, or them respectively; and that all and every such Makers of Starch, who shall refuse or neglect to make such Payment, as aforesaid, shall forfeit and lose, for every such Offence, double the Sum of the said Duty, whereof the Payment shall be so refused or neglected; and that no such Maker of Starch, after such Default in Payment made, shall deliver, or carry out any Starch, until he hath paid and cleared off his Duty, as aforesaid, on Pain to forfeit double the Value of such Starch, so delivered or carried out.

Officers to enter Ware-houses, &c. to take Account of Starch,

XIV. And be it further enacted by the Authority aforesaid, That all and every the Officers for the said Duties on Starch, shall at all Times, by Day or by Night (and if in the Night, then in the Presence of a Constable, or other lawful Officer of the Peace) be permitted, upon his or their Request, to enter the House, Work-house, Ware-house, or other Place whatsoever, belonging to, or used by any Person or Persons, who, within or during the last-mentioned Term of thirty-two Years, shall be a Maker or Makers of any Starch whatsoever, and by gauging or weighing of the Starch, or gauging the Boxes and other Utensils, or otherwise, as to such Officer shall seem most proper and convenient, to take an Account of the just Quantity of the Starch which shall have been made by such Maker or Makers of Starch, from time to time; and shall thereof make Return or Report in Writing to the respective Commissioners for the said Duties on Starch, or such as they respectively shall appoint to receive the same, leaving a true Copy (if demanded)

and to make a Return in Writing to the Com-

manded) of such Report in Writing under his Hand with or for such Maker or Makers of Starch respectively; and such Report or Return of the said Officer or Officers shall be a Charge upon such Maker or Makers of Starch; and if the said Officer shall refuse or neglect to give or leave a true Copy of his Report in Writing with or for such Maker or Makers of Starch, at the Time of taking such Account, upon Demand, as aforesaid, every such Officer, for every such Offence, shall forfeit and pay the Sum of forty Shillings to every such Maker and Makers of Starch respectively.

XV. Provided always, That if such Charge be made by gauging the said Starch before it be dried in the Stove, then, and in every such Case, every Box of green Starch, or Starch before it be so dried, containing fifty seven Inches in Length, and ten Inches in Breadth, (or by a Medium of the Breadth) and eight Inches in Depth, or in the Whole, four thousand five hundred and sixty solid Inches, shall be esteemed one hundred and twelve *Averdupois* Pounds Weight of Starch dried and perfectly made, and shall be charged accordingly by this Act, and proportionally for greater or lesser Quantities.

and 8 in Depth, or 4560 solid Inches, to be charged as 112 lb.

XVI. Provided also, That every Officer, who shall be impowered to make such Charge, as aforesaid, shall in the first Place be sworn for the due and faithful Execution of his Office; and the Oath in that Behalf shall and may be administered by all or any the Commissioners of the said Duties on Starch, or by any of her Majesty's Justices of the Peace, who shall give to such Officers a Certificate thereof; and all and every such Maker or Makers of Starch respectively, are hereby required to keep sufficient and just Scales and Weights at the Place or Places where he, she, or they do make such Starch; and permit and assist the Officer to make Use thereof, for the Purposes aforesaid, under the Penalty of ten Pounds to be forfeited and lost for not keeping such Scales and Weights, or for not permitting and assisting the Officer to use the same, as aforesaid.

XVII. And the better to prevent any Frauds and Concealments, it is hereby likewise enacted and declared by the Authority aforesaid, That all and every the Officers for the said Duties upon Starch, shall also be permitted to take an Account by gauging, weighing, or otherwise, of the Quantities of Flour, Meal, and other Materials proper to be made into Starch, that shall be in the Custody or Possession of any Maker of Starch, during the Continuance of the said Duties on Starch hereby granted; and in case such Officer or Officers shall miss any Quantity or Quantities of such Flour, Meal, or other Materials aforesaid, which he had taken an Account of at the last Time he was at such Makers of Starch, and shall not, upon reasonable Demand, receive Satisfaction what is become of such Flour, Meal, and other Materials so missing; then, and in every such Case, it shall and may be lawful for every such Officer to charge such Maker of Starch with such Quantity of Starch as such Flour, Meal, and other Materials so missing, in his Judgment, would reasonably have made, not exceeding twenty-five Pounds Weight of Starch for every Bushel of such Ingredients mixed or unmix'd, and so in Proportion for a greater or lesser Quantity.

XVIII. And be it enacted, That if any Maker or Makers of Starch shall obstruct or hinder any of the said Officers in the Execution of the Powers and Authorities given to him or them by this Act, for the ascertaining and securing the said Duties upon Starch, the Person or Persons offending therein shall, for every such Offence, forfeit and lose the Sum of twenty Pounds.

XIX. And it is hereby further enacted, That no Maker or Makers of Starch, after the said first Day of *August* one thousand seven hundred and twelve, during the Continuance of the said Duties on Starch, shall (under Pain of forfeiting the Sum of twenty Pounds for every Offence) remove, carry, or send away, or suffer to be removed, carried, or sent away, any Starch by him, her, or them made, of which no Account shall have been first taken by the proper Officer for the said Duties, from the Place where the same Starch shall have been made, without giving to the proper Officer or Officers within the Limits of the said Weekly Bills of Mortality, twenty-four Hours Notice at the least, and to the proper Officer or Officers in other Parts of *Great Britain*, two Days Notice at the least, of his, her, or their Intentions to remove, carry, or send away the same; that so the said Officer (without his own wilful Neglect or Default) may have Time to weigh, or otherwise take an Account thereof.

XX. And for the better ascertaining the said Duties upon Starch; be it further enacted by the Authority aforesaid, That all Makers of Starch shall, from time to time, keep all the Starch by them to be made, and which shall not have been surveyed and taken an Account of by the said Officers for the said Duties on Starch, separate and apart from all other their Starch which shall have been surveyed and taken an Account of by such Officers, for the Space of twenty-four Hours after the making thereof within the Limits of the Weekly Bills of Mortality, or for the Space of two Days after the making such Starch in any other Part of *Great Britain*, unless such Starch shall have been sooner surveyed and taken an Account of by the said Officers respectively, on Pain to forfeit for every such Offence therein the Sum of five Pounds.

XXI. And be it further enacted, That if any of the said Makers of Starch shall fraudulently hide or conceal, or cause to be hid or concealed, any Starch chargeable by this Act, or any the Materials for making the same, to the Intent to deceive her Majesty of the just Duties by this Act granted, that then, and in every such Case, the Party so offending shall forfeit the Sum of twenty Pounds for every such Offence.

XXII. And be it further enacted by the Authority aforesaid, That all Flour and Meal, and other Materials for making Starch, which shall be found in any private Work-house, Ware-house, or other Place, and all private Utensils and Vessels for making or keeping Starch, for which no Entry shall be made, or Notice given as aforesaid, shall be forfeited and lost, and the same, or the Value thereof, shall and may be seized and recovered by the said Officer or Officers for the said Duties on Starch, for her Majesty's Use.

XXIII. And it is hereby further enacted by the Authority aforesaid, That all the Starch, and all the Materials, and Utensils for the making of Starch, in the Custody of any Maker or Makers of Starch, or of any Person or Persons to the Use of, or in Trust for such Maker or Makers of Starch, shall be liable and subject to, and are hereby made chargeable with all the Debts and Duties for Starch in Arrear and owing by

Commissioners, leaving a Copy thereof with the Maker, on Forfeiture of 40 s.

See 1 Geo. 1. Stat. 1. c. 2. §. 6. Every B x of green Starch of 57 Inches in Length, and 10 in Breadth of Starch.

Officers to be sworn. Makers to keep Scales and Weights, &c. on Pain of 10 l.

Officer missing any Flour, &c. may charge the Maker with 25 lb. of Starch for every Bushel missing.

Obstructing Officers, forfeits 20 l.

Starch-makers not to remove Starch, of which no Account hath been taken, on Pain of 20 l.

Makers to keep Starch of which no Account hath been taken separate, on Pain of 5 l.

Fraudulently hiding Starch, forfeits 20 l.

Materials for making Starch found in private Workhouse, forfeited, &c.

Starch Materials, &c. liable to the Duties in Arrear, &c.

by such Maker or Makers for any Starch made by him, her, or them, or in his or their Working-houses or Places aforesaid, and shall also be subject to all Penalties and Forfeitures incurred by such Person or Persons so using such Work-house, or other Place, for any Offence against this Act relating to the said Duties upon Starch; and that it shall and may be lawful, in all such Cases, to levy Debts and Penalties, and use such Proceedings as may lawfully be done by this Act, in relation to Starch, in case the Debtor or Offender were the true and lawful Owner of the same.

XXIV. And be it further enacted by the Authority aforesaid, That for all Starch which any Starch-makers, or other Sellers and Dealers in Starch in *Great Britain*, or any Person or Persons in Trust for him, her, or them, or for his, her, or their Use, shall be possessed of, and interested in, upon the said first Day of *August* one thousand seven hundred and twelve, for Sale, there shall be yielded and paid to her Majesty the like respective Rates as are by this Act to be paid for the like Sorts of Starch respectively to be made or imported after the said first Day of *August* one thousand seven hundred and twelve; and that all and every the said Starch-makers, and other Sellers and Dealers in Starch, and all and every other Person and Persons, who, in Trust for them, or any of them, or for the Use of them, or any of them, shall be possessed of, or have in his, her, or their Custody or Possession, or in his, her, or their Work-house, Warehouse, Store-house, Shop, Room, or other Place or Places whatsoever, upon the said first Day of *August* one thousand seven hundred and twelve, any Stock, Parcel, or Quantity of Starch, of Foreign or *British* Manufacture, for Sale, shall, on or before the said first Day of *August* one thousand seven hundred and twelve, make a true and particular Entry thereof, at the Office for the said Duties on Starch, within the Limits of which they shall respectively inhabit, upon Pain to forfeit the Sum of fifty Pounds, and the Starch for which no such Entry shall have been made; and within six Days after he, she, or they shall have made, or ought to have made such Entries, as aforesaid, shall pay down the Duties hereby payable for such Starch, or within the said six Days, shall give Security to the proper Officers for paying the same Duties to her Majesty's Use, within three Months then next ensuing; and in case the said Duties for such Stock of Starch be paid down within the said six Days, then there shall be allowed out of the same Duty for such Prompt Payment, an Allowance after the Rate of ten Pounds *per Centum per Annum*, for the said Time of three Months, and that all and every such Starch-makers, and other Sellers and Dealers in Starch, who shall refuse or neglect to make such Payment, or to give such Security for Payment of the said Duties, upon his, her, or their said Stock of Starch, within the Time by this Act limited for that Purpose, shall forfeit double the Sum of the said Duty which should have been so paid or secured by him, her, or them, as aforesaid; and that it shall and may be lawful to and for the proper Officers for the same Duties respectively, to take a true and particular Account of all such Stock or Quantities of Starch as any Starch-makers or other Sellers and Dealers in Starch, or any in Trust for them, shall, on the said first Day of *August* one thousand seven hundred and twelve, have or be possessed of; and for that Purpose shall be permitted in the Day-time to enter into any Shop, Ware-house, Work-house, or any Dwelling-house, Out-house, or other Places belonging to such Starch-makers, and other Sellers and Dealers in Starch, and every of them, who are hereby required to permit such Officer and Officers, upon his or their Request, to make such Entrance on the said first Day of *August* one thousand seven hundred and twelve, or afterwards, at any Time before the Duty last mentioned shall be paid or secured, and to take an Account of the Quantity of such Starch, under the Penalty of twenty Pounds; and if any Person or Persons, having on the said first Day of *August* one thousand seven hundred and twelve, in his, her, or their Custody or Possession, any Stock or Quantity of Starch, chargeable by this Act with the said Duties for any Stock of Starch, as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away the same, or any Part thereof, before her Majesty's Duties thereupon shall be paid or secured, as aforesaid, or shall fraudulently conceal or hide any Part of his, her, or their said Stock of Starch; that then, and in every such Case, he, she, or they so offending, for every such Offence, shall forfeit the Sum of twenty Pounds; and in all and every such Case and Cases, the Stock or Quantity of Starch which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any the said Officers for the said Duties on Starch; and the Person or Persons, in whose Custody such Stock of Starch shall be found, who shall not, before the Discovery thereof, give Notice at the next Office for the said Duties on Starch, of the Stock or Quantity of Starch, so in his, her, or their Custody, shall also forfeit and lose the Sum of twenty Shillings for every Pound Weight.

XXV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, who shall have actually paid her Majesty's Duties by this Act payable for any Quantities of Starch whatsoever, and to and for any other Person or Persons, who shall buy, or be lawfully entitled to any such Quantity of Starch from the said Person or Persons who actually paid her Majesty's Duties for the same, to export such Starch for any Foreign Parts, by Way of Merchandize, giving sufficient Security before the Shipping thereof for Exportation, that the particular Quantities of Starch, which shall be intended to be exported, as aforesaid, and every Part thereof, shall be shipped and exported, and that the same, or any Part thereof, shall not be re-landed or brought again into any Part or Parts of *Great Britain*; which Security the Customer or Collector of the respective Port for such Exportation, is hereby directed and authorized to take, in her Majesty's Name, and to her Use.

XXVI. Provided always, That if after the Shipping any such Starch to be exported, as aforesaid, and the giving or tendering such Security, as aforesaid, in order to obtain the Allowance or Drawback herein after-mentioned, the Starch so shipped to be exported, or any Part thereof, shall be re-landed in any Part of *Great Britain*, that then, and in every such Case (over and above the Penalty of the Bond, which shall be levied and recovered to her Majesty's Use) all the Starch which shall be landed, or the Value thereof, shall be forfeited.

XXVII. And it is also hereby enacted, That any Person or Persons, who shall export any Starch to any Foreign Parts, shall or may make Proof upon Oath, or by such Affirmation respectively, as aforesaid, That

Stock in Hand on 1 Aug. 1712. to pay.

Starch-makers to enter their Stock in Hand at the proper Office, on Forfeiture of 50 l. and the Starch not entered,

and the Duty to be paid or secured in 6 Days.

50 l. per Cent. for Prompt Payment. Neglecting to pay, forfeits double.

Officers may enter Shops, &c. to view Stock, on Pain of 20 l.

Clandestinely removing Stock, &c. forfeits 20 l. &c.

Starch that hath paid the Duty, may be exported, on Security, &c.

Such Starch re-landed, forfeited,

On Oath that the Duty hath been paid, and

the Duty of such Starch hath been paid or secured, according to this Act (which Oath or Affirmation the Customer or Collector of the Port of Exportation is hereby empowered to administer) and thereupon the said Customer or Collector of the said Port of Exportation, shall give to the Exporter thereof a Debenture, expressing the true Kinds and Quantities of the Starch so exported, and the Exportation thereof being certified by the Searcher upon the said Debenture, the Collector appointed to receive the said Duties upon Starch in such County or Place where the said Starch was exported (upon producing the said Debenture to certified to him) shall forthwith pay the Duties which shall have been received upon this Act, for the Starch so exported, to the Persons or Agents for exporting the same; and if such Collector shall not have Money in his Hands to pay any such Debenture, then the respective Commissioners for the said Duties of Starch are hereby required to pay, or cause to be paid, the said Debenture out of any Duties upon Starch arising by this Act; or if the Duty of such Starch so exported, were only secured and shall remain unpaid, then the same shall be discharged upon the Securities for the same; any thing in this Act contained to the contrary notwithstanding.

XXVIII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauses, Matters, and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*; or by any other Law now in Force, relating to her Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled, or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Duties thereby granted, or any of them (other than in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duties upon Starch hereby granted, during the Continuance of this Act, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters and Things, were particularly repeated, and again enacted in the Body of this present Act.

XXIX. And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, in relation to the said Duties by this Act imposed upon Starch, shall be sued for, levied, and recovered, or mitigated, by such Ways, Means and Methods, as any Fine, Penalty or Forfeiture is or may be recovered or mitigated, by any Law or Laws of Excise, or by Action of Debt, Bill, Complaint, or Information, in any of her Majesty's Courts of Record at *Westminster*, or in the Court of Session, Court of Justiciary, or Court of Exchequer in *Scotland* respectively; and that one Moiety of every such Fine, Penalty, or Forfeiture (not otherwise directed by this Act) shall be to her Majesty, her Heirs and Successors, and the other Moiety, besides Full Costs of Suit, to him or them that shall discover, inform, or sue for the same.

XXX. Provided always, and it is hereby enacted by the Authority aforesaid, That such Persons as shall be, in Pursuance of this Act, appointed Commissioners for the Duties on Starch to be made in *England, Wales, or Berwick upon Tweed*, shall and may have and exercise the same, or like Jurisdiction, Power, and Authority, and may adjudge, determine, mitigate, or order, in all Cases and Matters relating to the said Duties on Starch arising within the Limits aforesaid, as the Commissioners of Excise upon Beer, Ale, and other Liquors, may or lawfully can exercise, adjudge, determine, mitigate, or order in the like Cases or Matters, in relation to the said Duties of Excise, by any Law or Statute now in Force.

XXXI. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *August* one thousand seven hundred and twelve, no Perfumer, Barber, or Sellers of Hair Powder, shall mix any Powder of Alabaster, Plaster of Paris, Whiting, Lime, or other Matter or Thing of the like Nature (Sweet Scents only excepted) with any Starch or Powder of Starch, to be made use of for the making of Hair Powder, under Pain of forfeiting all the Hair Powder so made, and the Sum of fifty Pounds for every such Offence; the one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety (besides Full Costs of Suit) to the Seizor or Informer, to be recovered as any other Penalties concerning the Duties on Starch are by this Act recoverable; and if any Perfumer, Barber, Maker or Seller of Powder shall, after the said first Day of *August* one thousand seven hundred and twelve, presume to expose or offer to Sale, or sell, vend, or utter any Hair Powder, which shall be mixed or wrought up with any such Powder of Alabaster, Plaster of Paris, Whiting, Lime, or other Matter or Thing of like Nature (Sweet Scents only excepted) that then, and in such Case, all and every such Perfumer, Barber, Maker or Seller of Powder, and such other Person or Persons, shall not only lose and forfeit all such Powder so exposed or offered to Sale, as aforesaid, but also the Sum of twenty Pounds for every such Offence, to be recovered and divided in like Manner.

XXXII. And be it also enacted by the Authority aforesaid, That there shall be raised, levied, answered and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Coffee, Tea, and Drugs of what Kind soever (Dying Drugs imported from any Foreign Parts, and Turpentine imported from the *British* Plantations, excepted) which at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the sixteenth Day of *June* one thousand seven hundred and twelve, shall be imported or brought into the Kingdom of *Great Britain*, (over and above all other Customs, Subsidies, and Duties imposed upon or payable for the same, or any of them) the several new Rates, Duties, and Sums of Money following; that is to say, For all Coffee imported, as aforesaid, twelve Pence for every Pound Weight *Averdupois*, and proportionally for greater or lesser Quantities: For all Kinds of Tea imported from any Place or Places within the Limits of the Charter granted to the *East India* Company, two Shillings for every such Pound Weight; and for all Kinds of Tea imported from any other Place or Places, five Shillings for every such Pound Weight, and proportionally for greater or lesser Quantities of Tea: And

on Debenture from the Customer, &c. Collector to repay the Duties. Concerning the Duties on Starch, see further 12 Ann. stat. 2. c. 9. 1 Geo. 1. stat. 1. c. 2. 3 Geo. 1. c. 4. 4 Geo. 2. c. 14.

All the Powers in 12 Car. 2. c. 24. and other Excise Acts, to be in Force for managing these Duties on Starch.

All Fines to be sued for as by the Laws of Excise.

Moiety to the Crown, Moiety to the Informer.

Commissioners for these Duties to have the same Jurisdiction as Commissioners of Excise.

No Perfumer, Barber, &c. to mix Alabaster, &c. with any Powder, on Forfeiture of the Powder, and 50 l.

Exposing such Mixture to Sale forfeits the Powder and 20 l.

New Duties on Coffee, Tea, and Drugs (except Dying Drugs and Turpentine of *British* Plantations) for 32 Years from 16 June 1712. Made perpetua by 3 Geo. 1. c. 7. §. 1. By 10 Geo. 1. c. 10, & 13 Geo. 2. c. 26.

these Duties
are repealed,
and new ones
imposed.

By 11 Geo. 1.
c. 7. §. 9. this

Values of Drugs
how to be ascer-
tained.
12 Car. 2. c. 4.

Coffee and Tea
imported after
16 June 1712.
to be ware-
housed,

and so much of
the Duty as
would not be
drawn back on
Exportation to
be paid down.
and if to be
consumed in
Great Britain,
the remaining
Duty to be paid
on Delivery out:
If to be export-
ed, Security to
be given, &c.

Farther Provi-
sion made for
Coffee and Tea
exported to
Ireland by
5 Geo. 1. c. 11.
§. 5.

What shall be
deemed clan-
destine Impor-
tation of Coffee
and Tea.

What shall be
deemed clande-
stine carrying
out of Coffee
and Tea.

for all Kinds of Drugs imported (except as aforesaid) within or during the Term last-mentioned, a Duty after the Rate of twenty Pounds for every one hundred Pounds of the true and real Value of the same: Which said Duties upon Coffee, Tea, and Drugs, chargeable by this Act, as aforesaid, shall be paid by the respective Importers thereof from time to time.

Duty of 20 l. per Cent. on Drugs is determined.

XXXIII. And it is hereby declared and enacted, That the Values of such of the said Drugs chargeable by this Act, as had any particular Valuation set thereupon in the Book of Rates, annexed to the Act of Tonnage and Poundage, made in the twelfth Year of the Reign of King CHARLES the Second, shall be valued according to the gross Valuations contained in the said Book, for the Payment of the said Duty, after the Rate of twenty *per Centum* by this Act charged thereupon, without any Abatement in respect of the Clause contained in the said Book for Drugs imported in *English* built Shipping; and that all such unrated Drugs as shall be brought from any Places within the Limits of the Charter granted to the *East India* Company, shall be valued by the Price thereof upon Sale at the Candle, for the Payment of the Duty by this Act granted, in the same Manner, and with such Allowances, as are prescribed by the Laws now in Force for Payment of the other Duties upon unrated Goods brought from Places within those Limits; and that the Values of all other the Drugs chargeable by this Act, shall, in all Cases, be taken to be so much as such imported Kinds are really worth to be sold at the Port of Importation, without any Abatement for the Duties thereupon charged by this or any former Acts; and that the respective Customer, Collector, or other Person or Persons, Officer or Officers of the Customs for the time being, shall receive and levy the same Duties of the said Drugs so payable *ad Valorem*, upon the Oath of the Merchant or Importer accordingly; and such Oath shall and may be administered, and all other Matters done for ascertaining the said Duties of such Drugs as are last-mentioned, in the same Manner and Form as are lawfully used and practised for ascertaining any Duties payable *ad Valorem* by the Oath of the Importer upon any other Commodities imported.

XXXIV. And for the better securing the Duties upon Coffee imported from any Foreign Parts, and all such Tea as shall be imported from any Places within the Limits of the Charter granted to the *East India* Company by this and other Acts of Parliament imposed; and to the Intent the same may not be too burdenson on the Importers of such Coffee and Tea, as shall again be exported to Parts beyond the Seas; it is hereby provided and further enacted by the Authority aforesaid, That from and after the sixteenth Day of *June* one thousand seven hundred and twelve, during the Continuance of the said Duties on Coffee and Tea hereby granted, all such Coffee as shall be imported into the Kingdom of *Great Britain* from any Foreign Parts, and all such Tea as shall be imported from any Places within the Limits of the said Charter granted to the *East India* Company, shall, upon Entry thereof, be forthwith carried and put into such Warehouse or Warehouses as shall for that Purpose be provided, by and at the Charge of the Importers of such Coffee and Tea, and be approved of by the Commissioners of her Majesty's Customs for the time being; and so much of the Duties of the same Coffee and Tea as (in case of Exportation) would remain, and not be drawn back by any former Laws now in force, shall be paid down in ready Money by the Importer or Importers thereof, who shall have Power to garble such Coffee, as hath been usual, to make it merchantable; which said Coffee and Tea so brought into such Warehouse or Warehouses shall not be taken or carried out thence upon any Account whatsoever, other than as is herein after mentioned, that is to say, such of the said Coffee and Tea as shall be sold to be consumed in *Great Britain*, shall be delivered out of such Warehouse or Warehouses, upon Payment of her Majesty's Duties payable by this or any other Act or Acts for the same Coffee and Tea (other than and except so much as was before paid down, as aforesaid) and such of the said Coffee and Tea as shall be for Exportation to Parts beyond the Seas, shall be delivered out of such Warehouse or Warehouses unto the Importers, or such Buyers, or other Person or Persons as such Importers shall appoint in that Behalf, upon sufficient Security to be first given to her Majesty, her Heirs and Successors (which Security the said Commissioners of the Customs, or such Officers of the Customs as they shall appoint, are hereby required and impowered to take) that the same, and every Part thereof, shall be exported, and not relanded in *Great Britain*; which said Securities shall be discharged without Fee or Reward, upon Certificate returned or produced to the Commissioners of the Customs, or such Officers, as aforesaid, under the Common Seal of the Chief Magistrate in any Place or Places in Parts beyond the Seas, or under the Hands and Seals of two known *British* Merchants then being at such Place or Places, that such Coffee or Tea was there landed, or upon Proof by credible Persons, that such Coffee or Tea was taken by Enemies, or perished in the Seas; the Examination and Proof thereof being left to the Judgment of the said Commissioners of the Customs for the time being.

XXXV. And for preventing all clandestine importing or bringing of Coffee or such Tea, as aforesaid, into this Kingdom of *Great Britain*; be it further enacted, That if any Person or Persons, Bodies Politick or Corporate, from and after the said sixteenth Day of *June* one thousand seven hundred and twelve, during the Continuance of the said Duties upon Coffee and Tea, shall import or bring any Coffee, or such Tea as is to be secured in such Warehouses, as aforesaid, into *Great Britain*, and shall not make due Entries thereof, and bring the same into the said Warehouse or Warehouses, as aforesaid, the same shall be and is hereby adjudged to be clandestine running, and unlawful Importation thereof; and such Person and Persons, or Bodies Politick or Corporate, offending therein, and their Abettors, shall forfeit all the Coffee and Tea so clandestinely run, and the Sum of five hundred Pounds, to be recovered and divided; one Moiety thereof to the Queen, and the other Moiety, together with Full Costs of Suit, to the Person or Persons that shall seize, inform, or sue for the same in any of her Majesty's Courts aforesaid.

XXXVI. And for preventing the clandestine carrying any the said Coffee or Tea out of the said Warehouses; be it enacted, That the Keeper or Keepers of the said Warehouse and Warehouses (who shall be appointed by the Commissioners of the Customs, and be at the Charge of the Importers) shall keep one or more

more Book or Books, wherein he or they shall fairly enter or write down an exact particular and true Account of all Coffee and Tea which shall be brought into, and carried out of his or their said Warehouse and Warehouses, and the Days and Times when the same was so brought in and carried out, and how much thereof was delivered out to be consumed and spent in *Great Britain*, and how much for Exportation, as aforesaid, and shall at the End of every six Months transmit in Writing an exact Account thereof, upon Oath, to the Commissioners of the Customs for the time being, together with an exact Account of how much shall be remaining in his or their said Warehouse or Warehouses respectively; and the said Commissioners are hereby impowered and enjoined, within one Month after the same shall be transmitted to them, as aforesaid, to appoint one or more Person or Persons to inspect the said Book or Books, Warehouse or Warehouses, and to examine the same Accounts; and if upon Examination it shall appear that any of the said Coffee or Tea was delivered out otherwise than as aforesaid, or before Payment of her Majesty's Duties for such of the said Coffee or Tea as shall be sold to be consumed in *Great Britain*, or giving such Security, as aforesaid, for such of the said Coffee or Tea as shall be delivered out for Exportation, as aforesaid, then the Warehouse-keeper or Warehouse-keepers offending therein shall not only be disabled to hold or enjoy any publick Employment, but also shall forfeit the Sum of one hundred Pounds for every such Offence, to be recovered and divided, to wit, one Moiety thereof to the Queen's Majesty, and the other Moiety thereof, with Full Costs of Suit, to the Person or Persons who shall seize, sue, or inform for the same in any the Courts aforesaid.

XXXVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Proprietor or Proprietors of the Coffee and Tea, so lodged in any Warehouse or Warehouses, to affix one Lock to every such Warehouse, the Key of which shall remain in the Custody of such Proprietor or Proprietors; and that he or they may in the Presence of the said Warehouse-keeper or Warehouse-keepers (who is and are hereby obliged to attend at all reasonable Times for that Purpose) view, sort, and receive out the said Coffee and Tea, or any Part thereof, in Manner following, that is to say, such of the said Coffee or Tea as shall be sold to be consumed in *Great Britain*, upon paying the Remainder of all the Duties imposed thereon, as aforesaid, and such of the said Coffee or Tea as shall be sold for Exportation, upon giving such Security as is before in that Behalf expressed.

XXXVIII. Provided always, and it is hereby enacted, That from and after the said sixteenth Day of *June* one thousand seven hundred and twelve, all the Duties and Impositions (so much as is to be paid down in ready Money, as aforesaid, excepted) for the said Coffee or Tea delivered out of the said Warehouses to be consumed in *Great Britain*, shall be paid upon such Delivery out of the Warehouse, and not otherwise; and that from and after the said sixteenth Day of *June* one thousand seven hundred and twelve, all Duties imposed upon such of the said Coffee or Tea as shall be delivered for Exportation, and exported accordingly (except so much as was paid down in ready Money, as aforesaid) shall be discharged; and from thenceforth no Drawback or Allowance shall be paid or made out of her Majesty's Customs for or on Account of the Exportation of any such Coffee or Tea; any thing herein, or in any former Act or Acts of Parliament, to the contrary notwithstanding.

XXXIX. Provided always, That if any Importers of Coffee or Tea shall pay down all her Majesty's Duties for the same, upon the Importation, and before the Landing thereof, then such Importers shall not be obliged to secure the same in a Warehouse or Warehouses, as aforesaid.

XL. And be it enacted by the Authority aforesaid, That the said Duties hereby granted upon imported Tea and Drugs (except such Tea as shall be imported from any Places within the Limits of the Charter granted to the *East India Company*) chargeable by this Act, shall be raised, levied, recovered, answered, and paid (to and for the Uses and Purposes in this Act expressed) by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, and subject to such Allowances, as the other Duties upon the same Goods respectively are by any Law or Statute now in force, to be ascertained, secured, raised, levied, recovered and answered, during the Continuance thereof respectively.

XLI. Provided always, and be it further enacted and declared, That in case any of the said Tea and Drugs hereby charged, (and except as before excepted) upon which the said new Duties by this Act granted, shall, upon the Importation thereof, be duly paid or secured to be paid, be again exported at any Time or Times within eighteen Months by *British Merchants*, or within nine Months by Aliens, to be accounted from the respective Times of the Importation of the said Goods inwards, and that Proof be first made upon Oath, That the said Tea or Drugs, except as before excepted, so exported, be the same for which the said Duties are paid, or secured to be paid, as aforesaid, That then and in every such Case, and not otherwise, the same Duties so paid shall, without any Delay or Reward, be wholly repaid out of any the Duties upon Tea and Drugs by this Act granted, or the Security for such of the said Duties as shall be secured shall be vacated (on a Debenture or Debentures regularly certified and sworn to) as to so much of the said Tea and Drugs as shall be so exported; any thing in this Act contained to the contrary notwithstanding.

XLII. And whereas several Companies, and divers Merchants Importers, have or may have, on the sixteenth Day of *June* one thousand seven hundred and twelve, several Stocks or Quantities of Coffee and Tea; It is hereby further enacted, That all and every such Companies and Merchants Importers, having on the sixteenth Day of *June* one thousand seven hundred and twelve, in his, her or their Custody or Possession, or in the Custody or Possession of any other Person or Persons in Trust for them or any of them, or for their or any of their Benefit or Account, any Stock or Quantity of Coffee or Tea, or either of them, within the Realm of *Great Britain*, being for Sale, shall yield and pay unto her Majesty the like respective Duties for the same, as are by this Act granted and to be paid for and upon the like Goods respectively, to be imported after the said sixteenth Day of *June* one thousand seven hundred and twelve; the said Duties for such Stocks to be answered and paid to her Majesty's Use, within six Months after the said sixteenth Day of *June* one thousand seven hundred and twelve.

Proprietors may affix Locks on the Warehouses, &c.

All the Duties to be paid on the Delivery out for Consumption here.

On Exportation the Duties to be discharged, except, &c.

Importers on paying down all the Duties, not obliged to warehouse their Coffee, &c.

Duties on imported Tea and Drugs how to be levied.

New Duties on Tea and Drugs to be repaid on Exportation. These 18 and 19 Months enlarged to 3 Years by 7 Geo. I. stat. 1. c. 21. §. 10. Farther Provisions made on Exportation of Drugs to Ireland by 5 Geo. I. c. 11. §. 5.

Importers of Coffee and Tea to pay for Stock in Hand on 16 June 1712.

Importers of Coffee, &c. to enter their Stock in Hand at the next Custom-house, and to permit the proper Officers to enter their Warehouses, &c. to take Account of the same, &c.

on Forfeiture thereof, or Value.

10 l. per Cent. for prompt Payment.

See farther concerning Duties on Coffee, &c.

5 Geo. 1. c. 11.
10 Geo. 1. c. 10.

8 Annæ, c. 7.
§. 7.

Stones, Dirt, &c. found among Pepper or Coffee, to be destroyed.

Duties on Gilt and Silver Wire imported or made in Great Britain for 32 Years from 1 July 1712. Made perpetual by 3 Geo. 1. c. 7. §. 1.

Duties on imported Wire to be raised as the Duties on Sope and Starch.
10 Annæ, c. 19.

Her Majesty or Treasury to appoint Commissioners,

who are to substitute inferior Officers.

XLIII. And to the end the said Stocks of Coffee and Tea, hereby intended to be charged may be known, and the Duties thereupon duly ascertained and secured; It is hereby enacted, That all and every the said Companies and Merchants Importers of Coffee and Tea, shall, on or before the sixteenth Day of *June* one thousand seven hundred and twelve, make a just Entry thereof at the Custom-house nearest the Place where the said Stocks of such Goods do remain, as aforesaid, and permit the proper Officers of the Customs thereunto to be appointed, at any Time before the sixteenth Day of *June* one thousand seven hundred and twelve, to enter into their and every of their Warehouses or Places where such Stocks are to be found, and to view, weigh, and take Account of the same; and if any such Company or such Merchants Importers shall neglect to make such Entry at the Custom-house within the Time aforesaid, or shall refuse to permit such Officer to enter into their or any of their Warehouses or other Places (being thereunto required) there to view the said Stock, or any Part thereof, or shall hide, remove, or convey away the said Stock or any Part thereof, with Intent to defraud her Majesty, or shall not pay her Majesty's Duties for the same, according to the true Meaning of this Act, then, for every or any such Offence, the Company, or such Merchant Importer respectively so offending, shall forfeit and lose his, her, or their said Stocks of Coffee and Tea, or the Value thereof; one Half to her Majesty, and the other Half thereof to the Use of the Scizor or Informer, to be recovered in any of her Majesty's Courts aforesaid.

XLIV. Provided always, That if any such Companies or Persons so chargeable for any Stocks of Coffee or Tea, shall pay her Majesty's Duties for the same, before the End of the said six Months, then they respectively shall be allowed for such prompt Payment after the Rate of ten Pounds *per Centum per Annum*, for every Sum so advanced; and in case of Exportation thereof, or any Part thereof, within eighteen Months after Entry made, as aforesaid, the said Duties payable by this Act for such Part of the same Stocks, as shall be so exported, shall be discharged or repaid.

11 Geo. 1. c. 30. 13 Geo. 1. c. 28. 4 Geo. 2. c. 14. 5 Geo. 2. c. 24. 18 Geo. 2. c. 25. 21 Geo. 2. c. 14. 32 Geo. 2. c. 10.

XLV. And whereas, upon the Garbling and Cleaning of Pepper, great Quantities of Stones, Dirt, and Trash have been found, and now remaining in the Warehouses appointed by the Commissioners of the Customs for receiving of Pepper, by virtue of the Act of the ninth of the Queen, and more of the same may probably be found among the Pepper; to be imported, and the same being of no Use, either to the Importers or Buyers; Be it enacted by the Authority aforesaid, That the Commissioners of her Majesty's Customs for the time being, shall have hereby, at the Request of the Importers or Buyers, Power to cause such Stones, Dirt, or other Trash, to be destroyed, from time to time, in such Manner as they shall think fit, so as no Prejudice doth or shall arise to the Revenue thereby; and the said Commissioners shall have the like Power, with respect to any Stones, Dirt, or Trash that may be found amongst Coffee to be lodged in Warehouses, in pursuance of this Act; and the respective Ware-house Keepers shall be discharged in their respective Books, of so much Pepper or Coffee as shall be so destroyed, as aforesaid.

XLVI. And moreover be it enacted by the Authority aforesaid, That there shall be raised, levied, answered and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Gilt and Silver Wire, which at any Time or Times within or during the Term of thirty-two Years, to be reckoned from the first Day of *July* one thousand seven hundred and twelve, shall be imported or brought into the Kingdom of *Great Britain* (over and above all Customs, Subsidies, and Duties already imposed thereupon) the Duties following, that is to say, For all Gilt Wire imported, as aforesaid, a Duty after the Rate of one Shilling for every Ounce *Troy*; and for all Silver Wire imported, as aforesaid, nine Pence for every such Ounce, and proportionally for greater or lesser Quantities, to be paid down in ready Money by the Importer thereof, from time to time, before the landing of the same; and for and upon all Gilt and Silver Wire, which at any Time or Times, within or during the same Term, shall be made in *Great Britain*, the Duties following; that is to say, For all Gilt Wire so made in *Great Britain*, a Duty after the Rate of eight Pence for every Ounce *Troy*; and for all Silver Wire, so made in *Great Britain*, a Duty after the Rate of six Pence for every Ounce *Troy*, and proportionably for greater or lesser Quantities, to be paid by the Makers thereof respectively.

XLVII. And be it enacted by the Authority aforesaid, That the said Duties upon Gilt and Silver Wire imported, shall be raised, levied, recovered, and paid, and be brought into the said Exchequer (to and for the Uses and Purposes in the said Act expressed) by such Rules, Ways, Means and Methods, and under such Penalties and Forfeitures, and with such Allowances, and in such Manner and Form, as the Duties upon imported Sope, granted by one other Act of this Session of Parliament, and the Duties on Starch, granted by this Act, or any of them, are prescribed and appointed to be raised, levied, recovered, answered and paid.

XLVIII. And for the better ascertaining, charging, and securing the Duties by this Act set and imposed upon gilt and Silver Wire made in *Great Britain*; Be it further enacted by the Authority aforesaid, That such Commissioners or Persons, as her Majesty, her Heirs or Successors, or the High Treasurer of *Great Britain* now being, or the High Treasurer of *Great Britain*, or any three or more of the Commissioners of the Treasury for the time being, shall, from time to time, by one or more Commission or Commissions for that Purpose, appoint, shall be her Majesty's Commissioners for the Receipt and Management of the said Duties set and imposed upon all the Gilt and Silver Wire made within *Great Britain*, chargeable by this Act; which said Commissioners, or the major Part of them respectively, shall and have hereby Power, by Commissions under their respective Hands and Seals, to substitute and appoint under them such Officers as shall be requisite in that Behalf; and that the same Commissioners and Officers for the said Duties on Wire shall have out of those Duties such Salaries and Rewards for their Services therein, as the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think reasonable to establish or allow in that Behalf; and that the respective Commissioners for the said Duties on Wire to be made in *Great Britain*, for the time being, shall, from time to time, cause all the Money to arise for the said

said Duties on Gilt and Silver Wire to be made in *Great Britain* (the necessary Charges of Management excepted) to be paid, as the same shall arise, into the Receipt of her Majesty's Exchequer in *England*, under the Penalties, Forfeitures, and Disabilities herein after expressed.

The Monies to be paid into the Exchequer.

XLIX. And it is hereby enacted, That all and every Person and Persons, who at any Time or Times within or during the Term last-mentioned shall draw or cause to be drawn, any Gold or Silver into big Wire in *Great Britain*, shall give Notice in Writing at the next Office for the said Duties on Wire, of their respective Names and Places of Abode, and of the Houses or Places by them respectively made use of, for the drawing or making of such Wire therein, upon Pain to forfeit the Sum of twenty Pounds for every Offence in drawing or causing to be drawn any such Wire, in any House or Place, without having first notified the same, as aforesaid; and that no Refiner, Wire-drawer, or other Person or Persons shall, during the Continuance of the said Duties on Wire, draw or cause to be drawn any Gold or Silver into such Wire as is commonly called *Big Wire*, at any House or Place other than some common Bar-house, to be approved by the Commissioners for the said Duties on Wire for that Purpose, upon Pain to forfeit the Sum of twenty Pounds for every Offence therein.

Wire-drawers to give Notice at the next Office of their Names and Work-houses, &c. on Forfeiture of 20 l.

and of their Bar-houses.

L. And it is hereby enacted, That from and after the said first Day of *July* one thousand seven hundred and twelve, during the Continuance of the said Duties upon Wire hereby granted, all and every the Refiners, Wire-drawers, and other Persons, who shall draw, or cause to be drawn, any Gilt or Silver Wire, commonly called *Big Wire*, as aforesaid, shall once in every Month make a true Entry in Writing at the next Office for the said Duties of all the Gilt and Silver Wire by them severally made or drawn within such Month respectively; which Entries shall contain the Weight and Kinds of all the Wire mentioned therein, and how much thereof respectively was made in each Week, on Pain to forfeit, for every Neglect of Entry, the Sum of one hundred Pounds; which Entry shall be made upon the Oath of the Refiner, or other Person for whom the said Wire was drawn, or of the chief Workman employed therein, or (if he or she be a Quaker) then upon his or their solemn Affirmation, to the best of their respective Knowledge and Belief; which Entries, Oaths, and Affirmations shall and may be made with, and administered by such Officer or Officers as shall be appointed to take the same, without any Fee or Charge whatsoever.

Wire-drawers, &c. to make Entries, on Oath, &c. at the next Office monthly.

on Forfeiture of 100 l.

LI. And be it further enacted by the Authority aforesaid, That every Refiner, Wire-drawer, and other Person, who shall draw, or cause to be drawn, any Gold or Silver Wire, as aforesaid, shall, from time to time, within six Weeks after they respectively shall make, or ought to have made, such Entry as aforesaid, pay and clear off all the said Duties for Gilt and Silver Wire which shall be due from them respectively, upon Pain of forfeiting double the Sum of the said Duty whereof the Payment shall have been so refused or neglected.

Wire-drawer, &c. to clear off the Duties in 6 Weeks, on Forfeiture of double the Duty.

LII. And it is hereby declared and enacted, That all and every the Officers for the said Duties on Wire, shall at all Times, by Day or by Night, and if in the Night, then in the Presence of a Constable, or other lawful Officer of the Peace, be permitted, upon his or their Request, to enter the Bar-house, Work-house, or other Place which shall be made use of by any Person or Persons for the drawing or making of Gilt or Silver Wire, commonly called *Big Wire*, liable to the said Duties, and to take an Account of the just Weight of the Gilt and Silver Wire which shall have been so drawn or made from time to time; and shall thereof make Return in Writing to the Commissioners of the said Duties upon Wire, or such as they shall appoint to receive the same, leaving a true Copy thereof (if demanded) with the Maker of the said Wire, upon whom such Return of the said Officer shall be a Charge; and if the said Officer shall refuse to give or leave such Copy (being demanded, as aforesaid) every such Officer, for every such Offence, shall forfeit the Sum of forty Shillings to every such Refiner, Wire-drawer, or other Person, as aforesaid.

Officers may enter any Bar-house, &c. at all Times, to take Account of the Wire, and make Return thereof to the Commissioners, leaving a Copy thereof with the Maker, on Pain of 40 s.

If Charge be taken at the Bar-house, one Fifth to be allowed.

Officers to be sworn.

Wire-drawers to keep Weights and Scales, on Penalty of 10 l.

LIII. Provided always, That if such Charge be made by taking the Weight of the Gold and Silver in such *Big Wire* at the Bar-house, as aforesaid, then an Allowance of one fifth Part shall be made in Consideration of the Waste to be sustained in reducing the same to Small Wire.

LIV. Provided also, That every Officer who shall be empowered to make such Charge, as aforesaid, shall, in the first Place, be sworn for the due and faithful Execution of his Office; which Oath shall and may be administered by all or any the Commissioners of the said Duties upon Wire, or by any Justice of the Peace, who shall give to such Officer a Certificate thereof; and all Persons chargeable with the said Duties upon Wire, are hereby required to keep sufficient and just Scales and Weights at the Place or Places where he, she or they do make such Wire, and permit and assist the Officer to make use thereof for the Purposes aforesaid, under the Penalty of ten Pounds, to be forfeited and lost for not keeping such Scales and Weights, or for not permitting and assisting the Officer to use the same, as aforesaid.

Obstructing Officer forfeit 20 l.

LV. And be it enacted, That if any Maker of Wire shall obstruct or hinder any of the said Officers in the Execution of any the Powers given to him or them by this Act, for ascertaining and securing the said Duties upon Gilt and Silver Wire, the Person or Persons offending therein shall, for every such Offence, forfeit the Sum of twenty Pounds.

LVI. And it is hereby further enacted, That no Refiner, Wire-drawer, or Person, who shall draw, or cause to be drawn, any Gilt or Silver Wire, as aforesaid, after the said first Day of *July* one thousand seven hundred and twelve, during the Continuance of the said Duties upon Wire, shall (under Pain of forfeiting forty Pounds for every Offence) remove, carry, or send away, or suffer to be removed, carried, or sent away, any Gilt or Silver Wire by or for him, her, or them made or drawn, of which no Account shall have been first taken by the proper Officer of the said Duties, from the Bar-house, or Place where the same Wire shall have been made or drawn, without giving to the proper Officer four and twenty Hours Notice at the least of his, her or their Intention to remove, carry, or send away the same, that so the said Officer (without his own wilful Default) may have Time to weigh and take an Account thereof.

Wire-drawer not to remove Wire without due Notice, on Pain of 40 l.

Wire not surveyed to be kept separate, on Pain of 10 l.

LVII. And for the better ascertaining the said Duties upon Wire, It is hereby enacted, That all Persons, by or for whom any Wire shall be made or drawn, as aforesaid, shall, from time to time, keep all

the Wire so made, and which shall not have been surveyed and taken an Account of, separate and apart from all the Gilt and Silver Wire which shall have been surveyed and taken an Account of, as aforesaid, for the Space of four and twenty Hours after the making or drawing the same, unless such Wire shall have been sooner surveyed and taken an Account of by the said proper Officer, on Pain to forfeit for every Offence therein the Sum of ten Pounds.

Wire concealed
forfeits 20l.

LVIII. And it is hereby enacted, That if any the said Persons by or for whom any such Gilt or Silver Wire, commonly called Big Wire, shall be made or drawn, as aforesaid, shall fraudulently hide or conceal, or cause to be hid or concealed, any Wire chargeable by this Act, or any Bars of Silver prepared for making the same, with Intent to defraud her Majesty, then, and in every such Case, the Offender shall forfeit the Sum of twenty Pounds for every such Offence.

Wire, &c. found
in private Work-
house, &c. for-
feited.

LIX. And it is hereby further enacted by the Authority aforesaid, That all Gilt and Silver Wire, and all Bars for making such Wire, which shall be found in any private Work-house, and all private Utensils for barring or drawing of such Wire, of which no Notice shall have been given as this Act directs, shall be forfeited and lost, and the same, or the Value thereof, shall and may be seized and recovered by any Officer of the said Duties upon Wire, for her Majesty's Use.

Wire, Materials,
&c. chargeable
with the Duties
in Arrear, &c.

LX. And it is hereby further enacted by the Authority aforesaid, That all such Gilt and Silver Wire, and all the Materials and Utensils for the making of such Wire, in the Custody of any Maker or Makers of Wire, or of any Person or Persons to the Use of, or in Trust for such Maker or Makers of Wire, shall be liable and subject to, and are hereby made chargeable with all the Debts and Duties for Gilt and Silver Wire in Arrear, and owing by such Maker or Makers, for any Wire made by him, her, or them, or in his or their Work-houses or Places aforesaid, and also be subject to all Penalties and Forfeitures incurred by such Person or Persons so using such Work-house or other Place, for any Offence against this Act relating to the said Duties upon Wire; and that it shall and may be lawful in all such Cases to levy Debts and Penalties, and use such Proceedings, as may lawfully be done in case the Debtor or Offender were the true and lawful Owner of the same.

Stock in Hand
on 1 July 1712.
to pay one Half
of the Duty;

LXI. And be it further enacted by the Authority aforesaid, That for all Gilt and Silver Wire, commonly called Big Wire, which any Wire-drawers, Refiners, or other Traders or Dealers in any such Wire, or any Person or Persons in Trust for them or any of them, or for their or any of their Use, shall be possessed of or interested in, upon the said first Day of July one thousand seven hundred and twelve, for Sale, there shall be yielded and paid to her Majesty one Half of the like respective Rates and Duties as are by this Act to be paid for the like Sorts of Gilt and Silver Wire respectively to be made or imported after the said first Day of July one thousand seven hundred and twelve; and that all and every the said Refiners, Wire-drawers, or other Traders or Dealers in Gilt and Silver Wire, and all and every other Person and Persons, who, in Trust for them or any of them, or for the Use of them or any of them, shall be possessed of, or have in his, her, or their Custody or Possession, or in his, her or their Work-house, Ware-house, Store-house, Shop, Room, or other Place or Places whatsoever, upon the said first Day of July one thousand seven hundred and twelve, any Stock, Parcel, or Quantity of such Big Wire for Sale, shall, on or before the said first Day of July one thousand seven hundred and twelve, make a true and particular Entry thereof at the Office for the said Duties on Wire, within the Limits of which they shall respectively inhabit, upon Pain to forfeit the Sum of fifty Pounds, and the Gilt and Silver Wire for which no such Entry shall have been made; and within six Days after he, she, or they shall have made such Entries, as aforesaid, shall pay down the Duties hereby payable for such Gilt and Silver Wire, or within the said six Days shall give Security to the proper Officers for paying the same Duties to her Majesty's Use within six Months then next ensuing; and in case the said Duties for such Stock of Gilt and Silver Wire be paid down within the said six Days, then there shall be allowed out of the same Duty for such Prompt Payment, an Allowance after the Rate of ten Pounds *per Centum per Annum* for the said Time of six Months; and that all and every such Wire-drawers, Refiners, and other Traders and Dealers in such Wire, as aforesaid, who shall refuse or neglect to make such Payment, or to give such Security for Payment of the said Duties for his, her, or their said Stock of Wire, within the Time by this Act limited for that Purpose, shall forfeit double the Sum of the said Duty which should have been so paid or secured by him, her or them, as aforesaid; and that it shall and may be lawful to and for the proper Officers for the same Duties respectively, to take a true and particular Account of all such Stock or Quantities of Big Wire, as any Wire-drawers, Refiners, and other Traders and Dealers in such Wire, or any in Trust for them, shall on the said first Day of July one thousand seven hundred and twelve, have or be possessed of; and for that Purpose shall be permitted in the Day-time to enter into any Shop, Ware-house, Work-house, or any Dwelling-house, Out-house, or other Places belonging to such Persons, and every of them; who are hereby required to permit such Officer and Officers upon his or their Request, to make such Entrance on the said first Day of July one thousand seven hundred and twelve, or afterwards, at any Time before the Duty last mentioned shall be paid or secured, and to take an Account of the Quantity of such Big Wire, under the Penalty of twenty Pounds; and if any Person or Persons having on the said first Day of July one thousand seven hundred and twelve, in his, her or their Custody or Possession, any Stock or Quantity of Big Wire chargeable by this Act with the said Half Duties for Stock, as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away, the same or any Part thereof, before her Majesty's Duties thereupon shall be paid or secured, as aforesaid, or shall fraudulently conceal or hide any Part of his, her or their said Stock of Wire, that then and in every such Case, he, she, or they so offending, for every such Offence shall forfeit the Sum of twenty Pounds; and in all and every such Case and Cases, the Stock or Quantity of Wire which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any the said Officers for the said Duties on Wire; and the Person or Persons in whose Custody such Stock of Wire shall be found, who shall not, before the Discovery thereof, give Notice at the next Office for the said Duties on Wire, of the Stock or Quantity of Wire so

and to be entred
at the proper Of-
fice, on Forfeit-
ure of 30l. and
the Wire not
entred,

and the Duty to
be paid or se-
cured in 6 Days.

10l. per Cent.
for prompt Pay-
ment.
Refusing to pay,
forfeits double
the Duty.

Officers may en-
ter Shops, &c.
to view Stock.

Refusal to per-
mit them for-
feits 20l.

Clandestinely re-
moving Stock,
&c. forfeits 20l.
&c.

in

in his her, or their Custody or Possession, shall also forfeit and lose the Sum of twenty Shillings for every Pound Weight.

LXII. Provided always, and it is hereby enacted by the Authority aforesaid, That in case any Person or Persons whatsoever shall, at any Time or Times after the first Day of July one thousand seven hundred and twelve, during the Continuance of the said Duties on Gilt and Silver Wire, export, by Way of Merchandize, for any Foreign Parts, any Gold or Silver Thread, or any Gold or Silver Lace or Fringe, made of Plate Wire spun upon Silk, and shall give sufficient Security before the Shipping thereof for Exportation, that the particular Quantities of such Thread, or of such Lace or Fringe, intended to be exported, as aforesaid, and every Part thereof, shall not be relanded or brought again into Great Britain, and shall make Proof upon Oath, or by such Affirmation, as aforesaid, that the said Gold and Silver Thread, or the said Gold and Silver Lace, or Fringe, was actually made after the said first Day of July one thousand seven hundred and twelve (which Securities shall be taken in her Majesty's Name, and to her Use; and the said Oaths and Affirmations shall be administered by the Customer or Collector of the respective Port for such Exportation) that then and in every such Case, the said Customer or Collector shall give to the Exporter thereof a Debenture, expressing the true Kinds and Quantities of such Gold or Silver Thread, and Gold and Silver Lace or Fringe, so exported or shipped to be exported, and the Exportation or Shipping thereof being certified by the Searcher upon the said Debenture, the Collector or Receiver for the said Duties upon Wire (upon producing the said Debentures so certified to him) shall forthwith pay a Drawback or Allowance, after the Rate of five Shillings for every Pound Weight *Averdupois*, of such Silver Thread, Lace, or Fringe, and after the Rate of six Shillings and eight Pence for every Pound Weight *Averdupois*, of such Gold Lace, Thread, or Fringe, out of the Monies of the said Duties on Wire then in the Hands of such Receiver or Collector, without Fee or Reward; and if such Receiver or Collector shall not have Money in his Hands to pay any such Debenture, then the respective Commissioners of the said Duties upon Wire are hereby required to pay or cause to be paid the said Debenture out of any the Duties on Gilt or Silver Wire arising by this Act; any thing herein contained to the contrary notwithstanding.

On Exportation of Gold Thread &c. made after 1 July, and on Debenture from the Customer, &c. Collector to allow a Drawback.

LXIII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, and Forfeitures, Clauses, Matters, and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Courts of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*; or by any other Law in Force relating to her Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled, or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the Duties thereby granted, or any of them (other than in such Case for which other Penalties or Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used, and put in Execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said Duties upon Gilt and Silver Wire hereby granted, during the Continuance of this Act, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters and Things, were particularly repeated, and again enacted in the Body of this present Act.

All the Powers in 12 Car. 2. c. 24. and other Excise Acts, to be in Force for managing these Duties.

LXIV. And be it further enacted by the Authority aforesaid, That all Fines, Penalties and Forfeitures, in relation to the said Duties by this Act imposed upon Gilt and Silver Wire, shall be sued for, levied, and recovered, or mitigated, by such Ways, Means and Methods, as any Fine, Penalty or Forfeiture is and may be recovered or mitigated by any Law or Laws of Excise, or by any Action of Debt, Bill, Plaint or Information, in any her Majesty's Courts before mentioned; and that one Moiety of such Fine, Penalty and Forfeiture, relating to the said Duties on Wire (not otherwise directed by this Act) shall be to her Majesty, her Heirs and Successors, and the other Moiety to him or them that shall discover, inform, or sue for the same.

All Fines to be sued for as by the Laws of Excise.

LXV. Provided always, and it is hereby enacted by the Authority aforesaid, That such Persons as shall be in pursuance of this Act appointed Commissioners for the Duties on Gilt and Silver Wire, to be made in England, Wales, or Berwick upon Tweed, shall and may have and exercise the same or like Jurisdiction, Power and Authority, and may adjudge, determine, mitigate or order, in all Cases and Matters relating to the said Duties on Gilt and Silver Wire arising within the Limits aforesaid, as the Commissioners of Excise upon Beer, Ale and other Liquors, may or lawfully can exercise, adjudge, determine, mitigate or order, in the like Cases or Matters in relation to the said Duties of Excise, by any Law or Statute now in Force.

Commissioners for these Duties to have the same Jurisdiction as Commissioners of Excise.

LXVI. And be it further enacted by the Authority aforesaid, That during the Continuance of the said Duties upon Gilt and Silver Wire by this Act granted, no Gold or Silver Thread, Lace, Fringe, or other Work made thereof, shall be imported or brought into Great Britain, upon Pain of being forfeited, and upon the further Penalty of one hundred Pounds to be paid by the Importer for every Parcel so imported; and that one Moiety of such Forfeitures shall be to the Queen, her Heirs and Successors, and the other Moiety (besides Full Costs of Suit) to him or them that shall seize, inform, or sue for the same in any of her Majesty's Courts aforesaid.

During this Act no Gold Lace, &c. to be imported. See farther concerning these Duties, 25 Geo. 2. c. 20.

LXVII. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon every Policy of Assurance, which shall, at any time or times within or during the Term of thirty-two Years, to be reckoned from the first Day of August in the Year of our Lord one thousand seven hundred and twelve, be made or entred into within the Cities of London or Westminster, or elsewhere within the Limits of the Weekly Bills of Mortality, the Sum of two Shillings and four Pence, over and above all such Duties as are already chargeable upon the same, by any Act or Acts of Parliament formerly made in that Behalf.

22 Geo. 2. c. 36. Policies of Assurance to pay 2s. 4d. for 32 Years from 1 Aug. 1712. Made perpetual by 3 Geo. 1. c. 7. §. 1.

LXVIII. And

Policies of Assurance defined.

LXVIII. And be it declared and further enacted, That all Deeds, Instruments and Writings, for the Payment of any Sum of Money upon the Loss of any Ship or Goods, or upon any Loss by Fire, or for any other Purpose for which any Writing, commonly called a Policy of Assurance or Insurance, is or hath been usually made, shall be construed, deemed and adjudged to be Policies of Assurance within this Act, and to be charged with the Duty last mentioned.

Commissioners of the Stamps to manage these Duties.

LXIX. And be it further enacted, That the same Duty upon such Policies, Deeds, Instruments, and Writings, as aforesaid, shall be under the Government of the Commissioners for the time being, appointed to manage the Duties charged on stamp Vellum, Parchment and Paper, who, or the major Part of them, are hereby required and empowered to employ the necessary Officers under them for that Purpose, and to cause one or more new Stamp or Stamps to be provided, to denote the same Duty, and to do all other Things necessary to be by them done for the putting this Act in due Execution, with relation to the same Duty.

The Vellum, &c. to be stamped before the Assurance be written thereon.

LXX. And for the better securing the same Duty, be it further enacted, That all Vellum, Parchment, and Paper, upon which any such Policy shall be written or printed, shall, before any Name of any Person, or any particular Day, Time, or Sum of Money shall be written or printed therein, be brought to the Head Office for stamping and marking of Vellum, Parchment and Paper; and the same Commissioners, by themselves or their Officers, shall forthwith, upon Demand, from time to time, stamp or mark, as this Act directs, any Quantities or Parcels of such Vellum, Parchment or Paper, he or they paying the Duty hereby payable for the same, without any Fee or Reward, and without Delay; which Stamp or Mark to be put thereupon, in pursuance of this Act, shall be a sufficient Discharge for the same Duty.

Penalty for Writing the Assurance before stamped, 50 l.

LXXI. And be it further enacted by the Authority aforesaid, That if any Person or Persons, who shall, from and after the said first Day of August one thousand seven hundred and twelve, write or cause to be written, any Name of any Person, or any Day, Time, or Sum of Money, in or upon such Policy of Assurance, Deed, Instrument, or Writing, as aforesaid, or sign, seal, execute, or subscribe the same, before the Vellum, Parchment, or Paper, whereupon the same shall be printed or written, shall appear to have been so duly stamped or marked, that then every such Person so offending shall, for every such Offence, forfeit the Sum of five Pounds; the one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety thereof, with Full Costs of Suit, to such Person or Persons as shall inform and sue for the same in any of her Majesty's Courts of Record, by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Privilege, Protection, or Waiver of Law shall be allowed; and that if any such Policy of Assurance shall, during the Term last mentioned, be signed, sealed, executed, or subscribed, upon Vellum, Parchment or Paper, not appearing to have been duly stamped or marked according to Law, that then and in every such Case, there shall be paid to her Majesty, her Heirs and Successors (over and above the Duties hereby payable) for every such Policy of Assurance, the Sum of five Pounds; and that no such Policy of Assurance shall be available in Law or Equity, or be given in Evidence, or admitted in any Court, unless as well the said Duty hereby charged, as the said Sum of five Pounds shall be first paid to the Use of her Majesty, her Heirs or Successors, and a Receipt produced for the same, under the Hand of the Receiver General for the time being of the Stamp Duties, or of his Deputy or Clerk, and until the Vellum, Parchment or Paper, on which such Policy of Assurance is so signed, sealed, executed, or subscribed, shall be marked or stamped according to the true Meaning hereof; and the said Receiver General, and his Deputy or Clerk, are hereby enjoined and required, upon Payment or Tender of the said Duty payable by virtue hereof, and of the said Sum of five Pounds, to give a Receipt for such Money, and the other proper Officers are thereupon required to mark or stamp such Policy of Assurance with the proper Mark or Stamp requisite in that Behalf.

Counterfeiting Stamps Felony.

LXXII. And be it further enacted, That if any Person or Persons shall, at any time or times hereafter, counterfeit or forge any Stamp or Mark, to resemble any Stamp or Mark, which shall be provided, made or used, in pursuance of this Act, or shall counterfeit or resemble the Impression of the same, upon any Vellum, Parchment or Paper, thereby to defraud her Majesty, her Heirs or Successors, of the Duty hereby granted and made payable for or in respect of such Policy of Assurance, or shall utter, vend or sell any Vellum, Parchment or Paper with counterfeit Mark or Stamp thereupon, knowing such Mark or Stamp to be counterfeit; or if any Person whatsoever shall privately and fraudulently use any Stamp or Mark, which shall be provided or used in pursuance of this Act, so as thereby to defraud her Majesty, her Heirs or Successors, of the Duty hereby granted for such Policy of Assurance, then every such Person so offending, and being thereof convicted in due Form of Law, shall be adjudged a Felon, and suffer Death as in Cases of Felony, without Benefit of Clergy.

Concerning Stamp Duties, see further 12 Ann. stat. 1. c. 2. 12 Ann. stat. 2. c. 9. 5 Geo. 1. c. 19. sect. 48. 6 Geo. 1. c. 21. 11 Geo. 1. c. 8. 12 Geo. 1. c. 33. 9 Geo. 2. c. 32. 16 Geo. 2. c. 26.

29 Geo. 2. c. 12 & 13. 30 Geo. 2. c. 19. 32 Geo. 2. c. 35.

These Duties to be raised as the Duties on Surrenders, &c. of Copyhold Lands. 10 Annæ, c. 19. See farther concerning Assurances, 6 Geo. 1. c. 18. 7 Geo. 1. c. 27. 11 Geo. 1. c. 30. 19 Geo. 2. c. 37. 21 Geo. 2. c. 4. 25 Geo. 2. c. 26. and 30 Geo. 2. c. 3.

LXXIII. And be it further enacted, That all other Powers, Authorities, Penalties, Forfeitures, Directions, Provisions, Articles, Matters and Things, which are enacted, imposed, or contained in one other Act made in this present Session of Parliament (wherein certain other Duties are granted upon stamp Vellum, Parchment and Paper) with relation to the Duties thereby granted and made payable, for and in respect of any Surrender of or Admittance to any Copyhold Lands or Tenements within those Parts of Great Britain, called England, Wales, and the Town of Berwick upon Tweed, and not hereby otherwise directed or provided for, shall be practised, applied, observed and executed, with relation to the said Duty on Policies of Assurance, in as full and ample Manner, as if the same, and every of them, were herein fully and particularly repeated and re-enacted with relation to the same Duty hereby granted.

Not to extend to Warrants of

LXXIV. And be it hereby enacted and declared, That nothing in this Act, or in any other Act of Parliament passed for granting any Duties upon stamped Vellum, Parchment or Paper, shall extend, or be construed

construed to extend, to charge the said Stamp Duties, or any of them, on any Warrants or Instruments the Chief Ju-
which have been signed, or that hereafter shall be signed by the Chief Justices in Eyre, or by any War- stices in Eyre,
den, Lieutenant, or other Officer of her Majesty's Forests or Chafes, or any of them, or by their Officers, &c.

LXXXV. Provided always, and it is hereby enacted, That every Person, who shall be appointed a Com- Commissioners
missioner for all or any the Duties granted by this Act, and every subordinate Officer under such Com- and Officers to
missioners, who shall receive any Salary or Allowance in respect of his Office (the several Commissioners be sworn.
and Officers of the Customs excepted) shall, before his acting in his respective Trust, take an Oath for his due and faithful Execution of the same, according to this Act; which Oath shall and may be admini-
strated to any such Commissioners by any other Person who shall be appointed a Commissioner, as aforesaid, and to the said Officers respectively, by any one of the said Commissioners, or by one Justice of the Peace, who shall give to the Officer a Certificate thereof gratis.

LXXXVI. Provided also, and it is hereby further enacted by the Authority aforesaid, That if any Per- Persons sued up-
son or Persons shall at any Time or Times be sued or prosecuted for any Thing by him or them done or on this Act, or
executed in pursuance of this Act, or of any Matter or Thing in this Act contained, or in pursuance of the Leather or
of the said former Act (intituled, *An Act for laying certain Duties upon Hides and Skins, tanned, tawed, or Candle Acts,
dressed, and upon Vellum and Parchment, for the Term of thirty-two Years, for prosecuting the War, and other may plead the
Majesty's most necessary Occasions,)* or if any Person or Persons now is, or hereafter shall be sued or pro- General Issue.
secuted for any Matter or Thing by him or them done in pursuance of an Act of the eighth Year of her 9 Annæ, c. 11.
Majesty's Reign, *For laying certain Duties on Candles, and certain Rates upon Monies to be given with Clerks 8 Annæ, c. 9.
and Apprentices, or in pursuance of an Act of the ninth Year of her Majesty's Reign, For granting further 9 Annæ, c. 6.
Duties on Candles, and other Duties therein mentioned,* such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Teeble Costs to him or them awarded against such Plaintiff or Plaintiffs.

LXXXVII. And to the end all the said Rates and Duties upon Skins and Hides, and Pieces of Skins and Hides, made Wares, Vellum, and Parchment, Starch, Coffee, Tea, Drugs, Gilt and Silver Wire, Policies of Assurance, and any other Duties before by this Act granted, may be duly and certainly raised, and the same (except the necessary Charges of executing this Act) may be justly and duly brought into the said Receipt of Exchequer, according to the true Meaning hereof, it is hereby enacted by the Authority aforesaid, That from time to time, during the Continuance of this Act, there shall be appointed such and so many Commissioners and Officers as shall be proper and necessary for managing, raising, collecting, and paying the said several Rates and Duties herein before granted, and for keeping and rendring the Accounts of the same; and that the respective Commissioners and Officers concerned therein, shall perform their several Duties in relation to the Premises, as to them respectively shall appertain, under such and the like Penalties, Forfeitures, and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the Monies arising by the same Rates and Duties, as are prescribed and to be inflicted by virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum, not exceeding two Millions, upon a Fund for Payment of Annuities after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies, for the like Offence or Neglect relating to the Duties thereby granted or referred unto, or for detaining, diverting, and misapplying any Part of the Monies which were granted or appropriated by the Act last-mentioned.*

LXXXVIII. And whereas it is intended that the said several Rates and Duties upon Hides and Skins, and Pieces of Hides and Skins, made Wares, Vellum, and Parchment, and upon Starch, Coffee, Tea, and Drugs, and upon Gilt and Silver Wire, and the said Duties upon Policies of Assurance, and all such Sum and Sums of Money as shall arise or be brought into the Receipt of her Majesty's Exchequer, by, upon, or for all and every or any the Rates and Duties granted by this Act, shall all together be made a Fund or Security for raising any Sum not exceeding eighteen hundred thousand Pounds, towards your Majesty's Supply, by such Methods, and in such Manner and Form as are herein after mentioned: Now we your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, for and towards the raising the said Sum of eighteen hundred thousand Pounds, do further most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Authority aforesaid, That yearly and every Year, during the Term of thirty-two Years, reckoning the first Year to begin from the nine and twentieth Day of September one thousand seven hundred and twelve, the full Sum of one hundred sixty-eight thousand and three Pounds, by or out of the Monies to arise by or for the said several Rates and Duties herein before granted, or any of them, and to be brought into the Receipt of the Exchequer, from time to time, in case the same shall extend to the said Sum of one hundred sixty-eight thousand and three Pounds, shall be computed and reckoned to be a yearly Fund; and in case all the Monies arising into the Exchequer of or for all the Rates, Duties, and Sums of Money charged, as aforesaid, shall not amount to one hundred sixty-eight thousand and three Pounds per Annum, then the Monies so arising, so far as the same shall extend, shall be Part of the said yearly Fund of one hundred sixty-eight thousand and three Pounds per Annum, for and towards the answering and paying of all and every the principal Sums herein after mentioned, amounting in the whole to the Sum of two Millions three hundred forty-one thousand nine hundred and ninety Pounds, principal Money, together with Interest for the same after the Rate of six Pounds per Centum per Annum, as herein after is also mentioned; and in case the said Monies by this Act appointed or appropriated, as aforesaid, shall, at any Time or Times, appear to be so deficient or low in the Produce of the same, as that within any one Year to be reckoned, as aforesaid, the said Monies arising into the Exchequer, for all the Rates, Duties, and Sums of Money charged, as aforesaid, shall not amount to

Commissioners and Officers to be appointed, who are to be liable to the Act 9 W. 3. c. 44.

1680031. to be the yearly Fund for clearing off the Principal Sum of 2341990l. with Interest at 6 l. per Cent.

Deficiency to be made good out of the first Aid to be granted in Parliament.

so much as one hundred sixty-eight thousand and three Pounds, that then, and so often, and in every such Case, so much as shall be wanting to make up the said Fund or Sum of one hundred sixty-eight thousand and three Pounds, for every or any such Year; shall be supplied and made good, from time to time, by and out of the first Aid or Supply to be granted in Parliament next after such Deficiency shall appear, and shall, from time to time, be transferred thêreûnto, as soon as the same shall be granted.

Any Persons
may be Contri-
butors at 100 l.
a Ticket.

LXXIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute for or towards advancing the aforesaid Sum of eighteen hundred thousand Pounds, by paying at or before the respective Days and Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpose, as is herein after mentioned; the Sum of one hundred Pounds, or divers intire Sums of one hundred Pounds upon this Act; and that for the raising the said Sum of eighteen hundred thousand Pounds, any Person who will become a Contributor or Adventurer, shall and may advance the Sum of one hundred Pounds, for which Sum so advanced, he, she, or they shall be entitled to receive such principal Money and the Interest thereof, and such Premiums as herein after is expressed, to be paid by and out of the said yearly Fund by this Act appointed; and that every Contributor or Adventurer may advance as many entire Sums of one hundred Pounds as he, she, or they shall think fit, and for every such Sum of one hundred Pounds so advanced, he, she, or they is or are to be interested in one Lot or Share of and in the said yearly Fund by this Act appointed; and the same intire Sums of one hundred Pounds each, are hereby appointed to be paid unto such Receiver and Receivers, at or before the respective Days and Times, and in the respective Proportions herein after mentioned (that is to say) one fourth Part thereof, on or before the first Day of *August* in the Year of our Lord one thousand seven hundred and twelve; one other fourth Part thereof, on or before the twelfth Day of *September* in the said Year of our Lord one thousand seven hundred and twelve; one other fourth Part thereof on or before the four and twentieth Day of *October* in the said Year of our Lord one thousand seven hundred and twelve; and the remaining fourth Part thereof, on or before the fifth Day of *December* in the said Year of our Lord one thousand seven hundred and twelve.

Times of Pay-
ment.

E X P.

“ The Queen to appoint Managers, who are to meet together at some publick Office. Books to be pro-
“ vided with three Columns, &c. Receivers to be appointed by the Lord Treasurer, &c. Managers to
“ examine the Books, and to deliver them to the Receivers, &c. Tickets to be delivered out. Receivers
“ to redeliver the Books by 10 *Sept.* 1712. Outermost Column Tickets not disposed of to be delivered into
“ the Exchequer, and thence issued as Cash, &c. and the Bearers to be esteemed Contributors. Middle
“ Column Tickets to be rolled up and put into a Box. Innermost to remain in the Books. There shall be
“ printed eighteen thousand Tickets, divided into five Classes; the first Classis to consist of one thousand
“ and five hundred Tickets, upon one of which Tickets shall be writ one thousand Pounds, upon one
“ hundred forty and five other Tickets, two hundred Pounds, and upon the remaining one thousand three
“ hundred fifty and four Tickets, one hundred and five Pounds; the second Classis to consist of two thou-
“ sand five hundred Tickets, upon one of which shall be writ three thousand Pounds, upon one other two
“ thousand Pounds, upon one other one thousand Pounds, upon one other five hundred Pounds, upon four
“ other four hundred Pounds, upon five other three hundred Pounds, upon two hundred twenty and nine
“ other two hundred Pounds, and upon the remaining two thousand two hundred fifty and eight Tickets
“ shall be severally writ one hundred and ten Pounds; the third Classis to consist of three thousand and five
“ hundred Tickets, upon one of which shall be writ four thousand Pounds, upon one other three thou-
“ sand Pounds, upon one other two thousand Pounds, upon one other one thousand Pounds, upon one
“ other five hundred Pounds, upon four other four hundred Pounds, upon five other three hundred Pounds,
“ upon three hundred twenty-six other two hundred Pounds, and upon the remaining three thousand one
“ hundred and sixty Tickets one hundred and fifteen Pounds; the fourth Classis to consist of four thousand
“ and five hundred Tickets, upon one of which shall be writ five thousand Pounds, upon one other four
“ thousand Pounds, upon one other three thousand Pounds, upon one other two thousand Pounds, upon
“ one other one thousand Pounds, upon one other five hundred Pounds, upon four other four hundred
“ Pounds, upon five other three hundred Pounds, upon four hundred twenty and three other two hundred
“ Pounds, and upon the remaining four thousand and sixty-two Tickets one hundred and twenty Pounds;
“ the fifth Classis to consist of six thousand Tickets, upon one of which shall be writ twenty thousand
“ Pounds, upon one other five thousand Pounds, upon one other four thousand Pounds, upon one other
“ three thousand Pounds, upon one other two thousand Pounds, upon one other one thousand Pounds,
“ upon one other five hundred Pounds, upon four other four hundred Pounds, upon five other three hun-
“ dred Pounds, upon five hundred and seventy other two hundred Pounds, and upon the remaining five
“ thousand four hundred and fourteen Tickets shall be writ one hundred twenty-five Pounds: Which Sums
“ together with five hundred Pounds to the first drawn Ticket of each respective Classis, and five hundred
“ Pounds to the Owner to the last drawn Ticket of each Classis, will amount to two Millions three hun-
“ dred forty-one thousand nine hundred and ninety Pounds. The 18000 Tickets to be put into five several
“ Boxes. No Money to be received after 1 *Aug.* 1712. Publick Notice of the Time of cutting the Tick-
“ ets. The Manner of drawing the Tickets. The Manner of filing the Tickets. The Manner of en-
“ tring the Tickets of the several Classes. The Manner of adjusting the several Premiums. The Tickets
“ to be paid in such Numerical Order, as they shall be drawn, &c. The first Classis to be first paid, &c.
“ A Table of the Number, Order, and Course of the Tickets, &c. to be printed. Managers to adjudge
“ to whom the Premiums belong. Forging Tickets Felony. Managers to make a Book of the Fortunate,
“ &c. and transmit it to the Exchequer. Payments to be made quarterly. Managers to be sworn: Pe-
“ nalty on Officers of the Exchequer, and other Officers offending. Money lent Tax-free. Tickets to
“ be exchanged for standing Orders. How the first and second Year's Interest of large Premiums shall be
“ secured.

“ secured. Orders to be paid in Course, &c. Treasury may divide extraordinary Benefits of 2000*l.* or upwards into Orders of 500*l.* The Monies appropriated by this Act, to be applied to pay off the Principal and Interest. Surplus disposable by Parliament. Publick Notice to be given when standing Orders shall become payable. Eight Pence *per Cent. per Diem* to *Sept.* 1712. allowed for the first Payment. Four Pence *per Cent. per Diem*, for the other three Payments. Receivers to take in Money before they receive their Books. Contributor advancing one Part of the Payment, and failing in the rest, forfeits what is paid, &c. Officers to be paid out of the Money arising by this Act. If Principal and Interest be fully paid off before the 32 Years, the Duties to be disposed by Parliament. Treasury to appoint a Paymaster, &c. Assignments of standing Orders to be registred.” E X P.

CVI. And for the more effectual preventing the Frauds of the Chandlers and Makers of Candles for Sale, whereby her Majesty's Duties upon Candles are very much lessened; Be it further enacted by the Authority aforesaid, That every Chandler or Maker of Candles for Sale, who, from and after the first Day of *August* one thousand seven hundred and twelve, shall make any Candles for Sale, shall, before he begins to make or dip any Making or Course of Candles, declare to the Officer or Officers appointed to take an Account of the same, the Number of Sticks which he designs to make at such Making or Course, and also the Sizes of the Candles whereof each Stick is to consist; and if such Making or Course is intended to be of Mould Candles, then such Maker shall declare to such Officer or Officers, before he begins to fill any of the said Moulds, how many Moulds he intends to fill at such Making, and how often he intends at such Making to draw the said Moulds; and in case any Chandler or Maker of Candles for Sale, shall neglect or refuse to make such Declaration, as aforesaid, or shall, after such Declaration made, make any Increase of his Number of Sticks, or of the Sizes of his Candles in such Making or Course, over and above the Number and Sizes so declared, as aforesaid, or in the Case of making of Mould Candles shall fill a greater Number of Moulds, or draw such Moulds oftener than shall be declared, as aforesaid; or in case any Chandler or Maker of Candles shall, after the Weighing of any Making of Candles by the Officer or Officers appointed to take an Account of the same, increase the Weight of such Candles so weighed, by redipping the same, or otherwise; then and in any of the said Cases, such Chandler or Maker of Candles for Sale, shall, for every such Offence, forfeit and lose the Sum of ten Pounds, to be recovered, levied, and mitigated, by the same Ways, Means, and Methods, as any Penalty or Forfeiture can or may be recovered, levied, or mitigated, by any of the Laws of Excise, and to go one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety to the Person or Persons who shall inform or sue for the same.

Chandler to declare to the Officers, before he begins to make a Course of Candles, the Number of Sticks he designs to make, with the Sizes of the Candles, and how many Moulds he designs to fill, &c.
 11 *Geo.* 1. c. 30.
 12 *W.* 3. c. 3. *Stat.* 16.
 3 *Ann.* c. 1.
 9 *Ann.* c. 6.
 on Forfeiture of 10*l.*

CVII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *August* one thousand seven hundred and twelve, no Chandler or Maker of Candles for Sale shall begin to make any Course or Making of Candles, without Notice thereof first given to the Officer for the said Duties, for the Place or Division where such Maker shall inhabit, to the Intent that such Officer may take an Account of the same, unless as are herein after mentioned; that is to say, from the twenty-ninth Day of *September* to the twenty-fifth Day of *March*, yearly, between the Hours of seven in the Morning and five in the Evening; and from the said twenty-fifth Day of *March* to the twenty-ninth Day of *September*, yearly, between the Hours of five in the Morning and seven in the Evening; upon Pain, that every such Chandler or Maker of Candles, doing contrary hereunto, shall forfeit and lose, for every such Offence, the Sum of ten Pounds, to be recovered, levied, and distributed, as is last before mentioned.

No Chandler to begin a Course of Candles without Notice, unless within the Statute Hours. Concerning Candles, see farther
 11 *Geo.* 1. c. 30.
 23 *Geo.* 2. c. 21.
 26 *Geo.* 2. c. 32.

CVIII. And whereas by an Act made in the seventh Year of her present Majesty, intituled, *An Act for ascertaining and directing the Payments of the Allowances to be made for or upon the Exportation from Scotland of Fish, Beef, and Pork, cured with Foreign Salt, imported before the first Day of May one thousand seven hundred and seven; and for disposing of such Salt still remaining in the Hands of her Majesty's Subjects there; and for ascertaining and securing the Allowances for Fish and Flesh exported and to be exported from Scotland for the future*; it is amongst other Things enacted, That the Allowances therein granted shall be paid and satisfied out of any her Majesty's Duties arising upon Salt in *Scotland*, or out of the Revenues of Customs and Excise in *Scotland*, or any of them, with Preference to all other Payments whatsoever to be made out of the same, the Charge of raising and managing those Revenues, and the Fees, Salaries, and other Charges, allowed or to be allowed by her Majesty, her Heirs or Successors, for keeping up the Court of Session and Judiciary, and the Exchequer Court in *Scotland*, always excepted and foreprized: And whereas since the Union the Expence of keeping up the said Courts could no otherwise be provided for there than out of the Duties of Customs and Excise; and Doubts may arise upon the Provisions made by the Act above recited for that Purpose: For obviating and preventing of all such Doubts, be it enacted by the Authority aforesaid, That the Fees, Salaries, and other Charges, allowed or to be allowed by her Majesty, her Heirs or Successors, for keeping up the Courts of Session, and Judiciary, and Exchequer Court of *Scotland*, are and may be chargeable upon any Parts of the said Customs and Excise, preferable to all other Payments whatsoever, the Charge of Management excepted, but so as not any Ways to prevent any Application of the Excrefcence out of the said Customs and Excise appointed by any former Laws.

7 *Ann.* c. 11.
 Fees, Salaries, &c. for keeping up the Court of Session, &c. in *Scotland*, to be charged on the Customs and Excise.
 See 5 *Geo.* 1. c. 20. §. 1.

CIX. And whereas notwithstanding the Provision made for suppressing of unlawful Lotteries, by an Act made in the tenth Year of the Reign of the late King WILLIAM, intituled, *An Act for suppressing of Lotteries*; and the further Provision made for suppressing the same, and for the preventing the erecting or setting up any Office or Place, for making Insurances on Marriages, Births, Christnings, or Service; by an Act made in the last Session of Parliament, intituled, *An Act for reviewing, continuing, and appropriating certain Duties upon several Commodities to be exported, and certain Duties upon Coals to be waterborn and carried Coastwise; and for granting further Duties upon Candles for thirty-two Years; to raise fifteen*

Clause for suppressing unlawful Lotteries, and other Devices of the same Kind.
 10 & 11 *W.* 3. c. 17.
 hundred & twenty-two, c. 6.

See further,
 5 Geo. 1. c. 9.
 1st. 43. 8 Geo.
 1. c. 2. 1st. 36.
 9 Geo. 1. c. 19.
 6 Geo. 2. c. 35.
 12 Geo. 2. c. 28.
 13 Geo. 2. c. 19.
 29 Geo. 2. c. 7.
 1st. 26.

‘ hundred thousand Pounds by way of a Lottery, for the Service of the Year one thousand seven hundred and eleven; and for suppressing of such unlawful Lotteries, and such Insurance Offices, as are therein mentioned; many ill disposed Persons, with Design to evade the said Laws, have of late presumed to erect and set up Offices or Places for making Insurances on Marriages, Births, Christnings, or Service, and also other Offices or Places under the Denominations of Sales of Gloves, of Fans, of Cards, of Numbers, and of the Queen’s Picture, for the Improvement of small Sums of Money; and Advertisements thereof are daily published in the common printed News Papers, and otherwise; which Practices are prejudicial to the Publick, and to the Trade of this Kingdom, and tend to defraud her Majesty’s Subjects:’ Be it further enacted by the Authority aforesaid, That the said Act of the tenth Year of the late King WILLIAM, and also the said Act of the said last Session of Parliament, shall be duly put in Execution for the effectual preventing and suppressing all such unlawful Lotteries and Offices; and further, That every Person or Persons who, after the twenty-fourth Day of June in the Year of our Lord one thousand seven hundred and twelve, shall erect, set up, or keep any Office or Place, for making Insurances on Marriages, Births, Christnings, or Service, or on any of them, or any other Office or Place, under the Denominations of Sales of Gloves, of Fans, of Cards, of Numbers, of the Queen’s Picture, for the Improvement of small Sums of Money, or the like Offices or Places, under the Pretence of improving small Sums of Money, shall forfeit, for every such Offence, the Sum of five hundred Pounds, to be recovered with Costs of Suit by Action of Debt, Bill, Plaint, or Information, in any of her Majesty’s Courts aforesaid, wherein no Esloin, Protection, Wager of Law, nor any more than one Inparlance shall be allowed; one third Part thereof to the Use of her Majesty, her Heirs and Successors, one other third Part thereof to the Use of the Poor of the Parish of the Place where the Offence shall be committed, and the other third Part thereof, together with Full Costs of Suit, to the Person or Persons who shall inform or sue for the same: And every Printer or other Person, who, after the said twenty-fourth Day of June one thousand seven hundred and twelve, shall, by Writing or Printing, publish the setting up or keeping any such Office or Place under any the Denominations aforesaid, or like Denominations, for the Improvement of small Sums of Money, shall, for every such Offence, forfeit the Sum of one hundred Pounds, to be recovered and distributed in such Manner as the Penalty last mentioned is to be recovered and distributed; and every Person or Persons who, after the said twenty-fourth Day of June one thousand seven hundred and twelve, in any Office or Place, before the said twenty-fourth Day of June one thousand seven hundred and twelve, erected or set up for making Insurances on Marriages, Births, Christnings, or Service, or under any other the Denominations aforesaid, or any like Denominations, for Improvement of small Sums, shall make or suffer to be made therein, any new Insurances or Contracts for new Insurances on Marriages, Births, Christnings, or Service, or receive any Payments into any the Offices or Places aforesaid, for Improvement of small Sums of Money, shall forfeit, for every such Offence, the Sum of one hundred Pounds, to be recovered and distributed in like Manner.

Proviso for Officers set up before 24 June 1712.

CX. Provided nevertheless, That the Offices or Places erected under the Denominations aforesaid; set up or used before the said twenty-fourth Day of June one thousand seven hundred and twelve, may be continued after the said twenty-fourth Day of June one thousand seven hundred and twelve, for making good and executing only such Contracts therein respectively made before the said twenty-fourth Day of June one thousand seven hundred and twelve, as they might have been continued if this Act had not been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

Cake Sope or Ball Sope not obliged to be put into Casks. 10 Annæ, c. 19. §. 8.

CXI. And whereas by the said Act for laying new Duties on Sope (amongst other Things therein mentioned) it is required, That all Sope to be made during the Term thereby granted, shall, upon the making thereof, be put by the Maker into such Casks as are thereby prescribed, and none other, under the Penalty therein expressed;’ It is hereby declared, That the same shall not be construed to extend to hard Cake Sope, or Ball Sope; any thing in that Act to the contrary notwithstanding.

Clause in Favour of Mary Ravenell. 8 Annæ, c. 7.

CXII. And whereas in pursuance of an Act of Parliament of the eighth Year of her Majesty’s Reign, intituled, *An Act for granting to her Majesty new Duties of Excise, and upon several imported Commodities; and for establishing a yearly Fund thereby, and by other Ways and Means, to raise nine hundred thousand Pounds by Sale of Annuities, and in Default thereof by another Lottery, for the Service of the Year one thousand seven hundred and ten; Mary Ravenell, Widow, became Purchaser of an Annuity of eighteen Pounds per Annum, and paid into the Receipt of the Exchequer the three first Payments, according to the said Act, but by Mistake of her Agent, one Moiety only of the fourth and last Payment was paid, and twenty-five Pounds remaining of the said last Payment is yet unpaid, and by Means thereof the said Mary Ravenell cannot have an Order for Payment of the said Annuity, in pursuance of the said Act;’ Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the several and respective Officers at the Receipt of the Exchequer, to receive from the said Mary Ravenell, for her Majesty’s Use, the Sum of twenty-five Pounds, so omitted to be paid, as aforesaid, and upon the Receipt thereof, to levy such Talley for the said Money, and to make out such Order for the Payment of the said Annuity of eighteen Pounds per Annum, as they respectively might have done, in case the said fourth and last Payment had been duly paid according to the Directions of the said Act; the said Act, or any thing therein contained, to the contrary thereof in any wise notwithstanding.*

10 Annæ, c. 22.

CXIII. And whereas by an Act passed this present Session of Parliament, intituled, *An Act for the Relief of Merchants importing Prize Goods from America*, Prize Cocoa of the Growth or Produce of Foreign Plantations, not belonging to her Majesty or her Subjects, taken in America, is to pay only such Duties and Customs as the same would pay if it were of the Growth and Produce of the Plantations belonging to the Crown of Great Britain; on which a Doubt is made by the Officers of her Majesty’s Customs, what Duties and Customs such Prize Cocoa is to pay, there not being any Customs imposed on Cocoa of the Growth or Produce of her Majesty’s Plantations, but on Cocoa imported from the same:’ For Remedy thereof, be it enacted and declared by the Authority aforesaid, That all Prize Cocoa of the Growth or Produce of such Foreign Plantations, not belonging to the Crown of Great Britain, taken in America,

Prize Cocoa brought from the Plantations

America, now in Warehouses under the Queen's Locks, or on Board any Ship or Ships, Vessel or Vessels, now imported, or that hereafter shall be imported, into any Part of *Great Britain*, having proper Certificates to prove the same being Prize, according to the Meaning of the said Act for the Relief of Merchants importing Prize Goods from *America*, shall be subject and liable to no other Duties than what such Prize Cocoa was liable and subject to pay by her Majesty's Declaration made in Favour of the Captors of Prizes, dated the seventeenth Day of *May* one thousand seven hundred and three; any thing in the said Act, or any other Act, to the contrary notwithstanding.

how to be charged.
Concerning Plantations, see further 4 Geo. 1. c. 11. 8 Geo. 1. c. 12, & 15.
13 Geo. 1. c. 5.
3 Geo. 2. c. 12.
2. c. 51, & 53.

28. 4 Geo. 2. c. 15. 5 Geo. 2. c. 7, & 9. 6 Geo. 2. c. 13. 8 Geo. 2. c. 19. 12 Geo. 2. c. 30. 15 Geo. 2. c. 31, & 33. 24 Geo. 2. c. 5, & 35. 30 Geo. 2. c. 9.

‘CXIV. And whereas by the Act of Parliament made in the ninth Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and satisfying the Publick Debts; and for erecting a Corporation to carry on a Trade to the South Seas, and for Encouragement of the Fishery; and for Liberty to trade in unwrought Iron with the Subjects of Spain; and to repeal the Acts for registering of Seamen;* (reciting therein, that Part of the Debt of the Navy is ascertained by Tickets made out for Wages due to Seamen, and others, who served on board any of her Majesty's Ships) the Commissioners of the Navy are thereby required to cause an exact and true Account to be made up and delivered to the Lord High Treasurer, of all the said Tickets made out on or before the twenty-fifth Day of *March* one thousand seven hundred and eleven; and so much Money as the said Tickets should amount unto, are, by the said recited Act, directed to be deducted (among other Things therein mentioned) out of the several Sums therein before computed to be the Debt of the Office of the Navy, Victualling, Transport and Ordnance, in order to ascertain the same, to be subscribed into the Joint Stock of the said Company, for the Use of the Publick; and the said Tickets are, by the said recited Act, directed to be subscribed, admitted, and taken into the Joint Stock of the said Company for the respective Sums due upon the same respectively, with such Interest as in the said recited Act is mentioned: And whereas the Tickets made out for Wages due to Seamen, and others, who served on board any of her Majesty's Ships, do only ascertain the Time such Persons served on board any of her Majesty's Ships, but not the Wages or Money due to them, so that such Account cannot be made out as the said recited Act directs; Be it therefore enacted by the Authority aforesaid, That no more or other of the said Tickets shall be subscribed, admitted, or taken into the Joint Stock of the said Company than have been already subscribed, admitted, and taken thereinto; and that all the Tickets made out, or to be made out for such Service, as aforesaid (except such of them as are already subscribed, admitted, and taken into the Joint Stock of the said Company) shall and may be paid in such Method and Manner as the same might or should be paid if they had not been directed by the said recited Act to be subscribed, admitted, and taken into the Joint Stock of the said Company; and that there shall and may be subscribed into the Joint Stock of the said Company, for the Use of the Publick, such Sum or Sums as might or should have been subscribed for the Use of the Publick, if the said Tickets had not by the said recited Act been directed to be subscribed, admitted, and taken into the Joint Stock of the said Company; any thing in the said recited Act to the contrary notwithstanding: And all the Stock which shall be subscribed into the said Joint Stock of the said Company, for the Use of the Publick, shall be applicable and applied, and are hereby appropriated to such Uses, as by the said recited Act is directed, for and concerning the Stock to be subscribed into the said Company, for the Use of the Publick.

Clause concerning certain Tickets intended to be subscribed into the South Sea Company, by virtue of 9 Annæ, c. 21.
See farther concerning South Sea Company, 10 Annæ. c. 30.
1 Geo. 1. c. 21.
3 Geo. 1. c. 9.
5 Geo. 1. c. 19.
6 Geo. 1. c. 4.
& 11. 7 Geo. 1. c. 5. 7 Geo. 1. stat. 2.
8 Geo. 1. c. 21, & 22. 9 Geo. 1. c. 6. 1 Geo. 2. c. 8. 3 Geo. 2. c. 16, & 20.
4 Geo. 2. c. 5.
5 Geo. 2. c. 17.
6 Geo. 2. c. 25, & 28. 7 Geo. 2. c. 17. 9 Geo. 2. c. 34. 10 Geo. 2. c. 17.
2. c. 17.
12 Geo. 2. c. 3. sect. 60.
24 Geo. 2. c. 2, & 11.
26 Geo. 2. c. 16.

CXV. And be it further enacted by the Authority aforesaid, for the Indemnity of such Persons, who through Neglect or Inadvertency, have omitted to pay the several Rates and Duties upon Monies given, paid, or contracted for with Apprentices, and to have the Indentures or Contracts stamped within the Times for those Purposes respectively limited by the Acts of Parliament in that Case made; That upon Payment of the respective Rates and Duties so omitted or neglected to be paid, as aforesaid, on or before the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and twelve, to such Person or Persons to whom the same ought to have been paid, and tending to be stamped such Indentures or Contracts so omitted to be stamped, on or before the twenty fifth Day of *December* in the said Year of our Lord one thousand seven hundred and twelve, the same Indentures or Contracts shall be good and available in Law or Equity, and the Apprentices therein named shall be capable of following and exercising the respective intended Trades or Employments, as fully as if the Rates and Duties, so omitted, had been duly paid within the respective Times in the said Acts of Parliament limited; and the Persons who have incurred any Penalty by the Omissions aforesaid, are hereby acquitted and discharged of and from the said Penalty; any thing in the said Acts contained to the contrary notwithstanding.

Clause to indemnify those who have omitted to pay the Duties on Apprentices.

CXVI. And be it enacted by the Authority aforesaid, That all the Monies lent, and to be lent to her Majesty upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty, to be raised by a Land Tax in Great Britain, for the Service of the Year one thousand seven hundred and twelve;* and so much Money (if any such be) of the Tax thereby granted, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred, or directed to be transferred thereunto, and the Interest thereof, and the Charges thereby allowable for the raising the said Tax, shall be satisfied, or Money sufficient shall be reserved, to discharge the same; and all the Monies lent, or to be lent unto her Majesty, upon another Act of this Session of Parliament, intituled, *An Act for charging and continuing the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and twelve; and for applying Part of the Coinage Duties to pay the Deficiencies of the Value of Plate coined; and to pay for recovering the old Money in Scotland;* and so much Money of the said Duties of Malt, Mum, Cyder, and Perry, thereby granted, as shall arise and remain after all the Loans made, or to be made upon that Act, or thereby transferred, or directed to be transferred thereunto, and the Interest thereof, and the Charge thereby allowable for the raising the said Duties thereby granted, shall be satisfied, or Money sufficient shall be reserved

Clauses of Appropriation of the several Sums granted this Session. 10 Annæ, c. 3. 10 Annæ, c. 3.

reserved to discharge the same; and all the Monies of the Deduction of two and a half *per Centum*, which has been, or ought to be made from the Pay, Subsidies, or other Allowances for Foreign Forces in her Majesty's Service, for the Year one thousand seven hundred and twelve; and all the Monies of the Sum of one Million eight hundred thousand Pounds, arisen, or to arise by another Act of this Session of Parliament, intituled, *An Act for laying several Duties upon all Soap and Paper made in Great Britain, or imported into the same, and upon chequered and striped Linens imported; and upon certain Silks, Callicoes, Linens, and Stuffs, printed, painted, or stained; and upon several Kinds of stamp Vellum, Parchment and Paper; and upon certain printed Papers, Pamphlets, and Advertisements; for raising the Sum of one Million eight hundred thousand Pounds by way of a Lottery towards her Majesty's Supply; and for licensing an additional Number of Hackney Chaires; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp Duties by Licences for Marriages and otherwise; and for Relief of Persons who have not claimed their Lottery Tickets in due Time, or have lost Exchequer Bills, or Lottery Tickets; and for borrowing Money upon Stock (Part of the Capital of the South Sea Company) for the Use of the Publick; over and above the Allowances for Prompt Payment, and other Allowances directed by the Act last-mentioned; and all the Monies which, over and above the Allowances for Prompt Payment, and other Allowances directed by this present Act, shall arise of or for the said Contributions, not exceeding the Sum of eighteen hundred thousand Pounds in this Act mentioned; shall be appropriated for or towards the several Uses, Intents, and Purposes herein after expressed, (that is to say) For or towards defraying the Charges of the Ordinary of her Majesty's Navy, and for Victuals, Wages, Wear and Tear, and other Services of the Navy, and Victualling thereof, performed and to be performed, and for Sea Service in the Ordnance, performed and to be performed, so as all the Issues to be made out of the said Aids or Supplies for all the said Naval or Marine Services, do not in the whole exceed two Millions two hundred and sixty thousand Pounds, over and above the Money to be made good to the *South Sea Company*, as is herein after mentioned; and for or towards maintaining the Body of forty thousand Men, which was raised to act in Conjunction with the Forces of her Majesty's Allies; and for and towards maintaining the additional Forces of ten thousand Men, which were taken into her Majesty's Service in the Year one thousand seven hundred and three, in the *Low Countries*; and for or towards maintaining a further Number of additional Forces in the *Low Countries* in the Year one thousand seven hundred and twelve, not exceeding fifteen thousand one hundred seventy-eight men, to be continued upon Condition that the States General of the United Provinces do agree to add to such additional Forces the Proportion of three Fifths to two Fifths, so as all the Issues to be made out of the said Aids or Supplies for all the said Forces, and additional Forces before-mentioned, do not in the whole exceed one Million three hundred twenty-four thousand seven hundred and twenty-eight Pounds eighteen Shillings and seven Pence; and for or towards defraying the Charge of the *British* and other Forces in her Majesty's Pay in *Spain* for one Quarter of a Year, from *Christmas* one thousand seven hundred and eleven to *Lady-Day* one thousand seven hundred and twelve; and for or towards her Majesty's Proportion of the Charge of the War in *Spain* for three Quarters of a Year, from *Lady Day* one thousand seven hundred and twelve to *Christmas* one thousand seven hundred and twelve; so as all the Issues to be made out of the said Aids or Supplies for the aforesaid Charges of the Forces and War in *Spain*, do not in the whole exceed four hundred seventy-five thousand three hundred and eighty-five Pounds seven Shillings and eight Pence Farthing; and for or towards defraying her Majesty's Proportion of the Pay, Subsidy, and other Charges for carrying on the War in *Portugal* for the Year one thousand seven hundred and twelve, not exceeding in the whole one hundred ninety-six thousand four hundred fifty-two Pounds fourteen Shillings and ten Pence, out of the said Aids or Supplies; and for or towards the Charge of the Office of her Majesty's Ordnance for Land Service, performed and to be performed, not to exceed in the whole one hundred sixteen thousand four hundred and eleven Pounds seventeen Shillings and one Penny, out of the same Aids or Supplies, including the Fortifications of *Edinburgh Castle*, *Fort William*, and *Dumbarton Castle* in *Scotland*; and for or towards the Charge, not exceeding two thousand five hundred Pounds, for building a Church at *Rotterdam*, wherein Divine Service is celebrated after the Usage of the Church of *England*, for the Benefit of her Majesty's Subjects there; and for or towards the Pay of the Horse, Foot and Dragoons in *Great Britain*, and of nine independent Companies; and for or towards the Pay of the Garrisons in *Great Britain*; and for or towards the Pay of the General Officers for the Guards and Garrisons in *Great Britain*; and for or towards the Payment of Contingencies for the Guards and Garrisons in *Great Britain*; so as all the Issues to be made out of the said Aids or Supplies for the Pay of the said Horse, Foot and Dragoons in *Great Britain*, and of the said nine independent Companies, and for the said Garrisons, General Officers, and Contingencies, in *Great Britain*, do not in the whole exceed five hundred fourteen thousand one hundred and forty one Pounds fourteen Shillings and five Pence three Farthings; and for or towards her Majesty's Proportion of Subsidies payable pursuant to Treaties made and to be made with her Majesty's Allies, not to exceed in the whole three hundred twenty-eight thousand nine hundred fifty-six Pounds sixteen Shillings and seven Pence, out of the said Aids or Supplies; and for or towards the Charge of transporting Land Forces, performed and to be performed, not to exceed eight thousand Pounds, out of the said Aids or Supplies; and for or towards making good the Deficiencies of the Grants in Parliament for the Year one thousand seven hundred and eleven, not to exceed in the whole five hundred eighty-nine thousand eight hundred thirty-nine Pounds seventeen Shillings and four Pence, out of the Aids and Supplies aforesaid; and for or towards defraying several extraordinary Charges, not exceeding in the whole two hundred forty-three thousand and twenty Pounds seventeen Shillings and six Pence, relating to the War, incurred and to be incurred; and for or towards Satisfaction of the Sum of three thousand five hundred Pounds for Salaries; and any Sum not exceeding two thousand five hundred Pounds, for Payment of Clerks and other Charges to be allowed without Account to the seven Commissioners, continued by an Act of this Session of Parliament, for stating the Accounts of all the publick Monies; and any further Sum not exceeding three thousand five hundred Pounds, for Salaries of such Commissioners as*

Ordinary of the Navy.

Sea Service in the Ordnance.

Land Forces to act with those of the Allies.

Additional Forces in the Low Countries.

British and other Forces in Spain.

Charge of the War in Spain.

Charge of the War in Portugal.

Ordnance for Land Service, &c.

Building a Church at Rotterdam.

Forces, &c. in Great Britain.

Subsidies pursuant to Treaties.

Transport Service.

* Eighty in the former Edition.

Deficiencies for the Year 1711.

Extraordinaries of the War.

Salaries.

Clerks, &c. to the Commissioners of Accounts.

are

are or shall be impowered by any Act of this Session of Parliament, to state and determine the Debts of the Army; and also any Sum not exceeding one thousand Pounds, to be received without Account, for the incident Charges of the said Commissioners relating to the Service last mentioned, and to none other Uses, Intents and Purposes whatsoever.

Commissioners for stating the Debts of the Army, And their incident Charges. Soldiers for Sea Service.

CXVII. Provided always, That out of the Monies to be issued to the Guards and Garrisons, as aforesaid, there shall and may be taken and applied any Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, towards the Charge of maintaing the Soldiers raised and to be raised for the Sea Service, with their Officers, and the contingent Charges thereunto belonging; and out of the Monies to be issued for the Service of the Navy and Sea Service, as aforesaid, there shall and may be taken and applied such Sums as, together with the said Sum not exceeding eighty-seven thousand one hundred twenty-five Pounds and ten Shillings, shall be necessary for the Charge of maintaining the said Soldiers for Sea Service, with their Officers, and the contingent Charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

CXVIII. Provided also, and it is hereby enacted and declared; That no Appropriation, or other Matter or Thing in this Act contained, shall obstruct or hinder any Payment or Payments which, by or in pursuance of an Act made in the ninth Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and satisfying the publick Debts; and for erecting a Corporation to carry on a Trade to the South Seas, and for the Encouragement of the Fishery; and for Liberty to trade in unwrought Iron with the Subjects of Spain; and to repeal the Acts for registering Seamen*, and of her Majesty's Charter grounded thereupon, are or shall be required and authorized to be made by the Treasurer or Paymaster of the Navy for the time being; or by any other Persons to be intrusted with the publick Monies for the Service of the Navy, out of such publick Monies, Tallies, Orders, or Parliamentary Securities in their Hands or Power respectively, as are or shall thereby be charged or chargeable to make good any Deficiency or Deficiencies to the Corporation erected in pursuance of the Act last-mentioned, called by the Name of the Governor and Company of Merchants of Great Britain, trading to the South Seas, and other Parts of America, and for encouraging the Fishery, or to their Treasurer for their Use; any thing herein contained to the contrary notwithstanding.

No Appropriation to obstruct any Payment by the Treasurer of the Navy, to make good Deficiencies to the South Sea Corporation, in pursuance of 9 Annæ, c. 21.

CXIX. Provided also, and it is hereby enacted, That so much Money as, before the first Day of August one thousand seven hundred and twelve, shall be deficient to complete the quarterly Payments incurred before that Time, for or upon the Annuities, amounting to eighty thousand Pounds per Annum, settled by one Act of Parliament made and passed in the sixth Year of her Majesty's Reign; and so much Money as shall be deficient to complete the Quarterly Payments incurred or to incur at any Quarter Day, on or before the twenty-fifth Day of December one thousand seven hundred and twelve, for or upon the Annuities, amounting to forty thousand Pounds per Annum, settled by another Act of Parliament made and passed in the said sixth Year of her Majesty's Reign, shall and may be supplied out of any publick Money that is or shall be in the Exchequer, not appropriated to particular Uses by any former or other Act or Acts of Parliament; and in Default thereof, the same Deficiencies, or so much thereof as shall remain unpaid out of such publick Money, shall and may be completed and made good out of any Money that is or shall be in the Exchequer, of the Aids or Supplies granted in this Session of Parliament, and hereby appropriated for Services relating to the War, as aforesaid; the same Appropriations, or any of them, to the contrary notwithstanding.

Deficiencies on the Annuities 6 Annæ, c. 11. to be made good out of the publick Monies, &c. 6 Annæ, c. 5.

C A P. XXVII.

An Act for making effectual such Agreement as shall be made between the Royal African Company of England and their Creditors. Two third Parts or more of the Creditors of the African Company, their Executors, &c. may, before Dec. 20. 1712. allow them Time for Payment of their Debts; and such Agreements shall bind the rest of the Creditors. Such Agreements by Guardians, &c. shall bind Infants, &c. Saving Debts due to the Crown before 1 June 1712.

C A P. XXVIII.

An Act for continuing the Trade and Corporation Capacity of the united East India Company; although their Fund should be redeemed.

WHEREAS in and by an Act made in the ninth Year of the Reign of our late Sovereign Lord King WILLIAM the Third, of glorious Memory, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*, it is, amongst other Things, enacted, That the Sum of one hundred and sixty thousand Pounds per Annum, arising by the several Duties upon Salt, and upon stampd Vellum, Parchment and Paper, in the said Act mentioned, should be applied for the paying of Annuities of eight Pounds per Centum per Annum, to such Persons or Corporations as should subscribe and pay the Sum of two Millions of Money, upon the Terms of the said Act; and that the Persons and Corporations, who should so subscribe and pay the said Monies, should have the sole Trade to the East Indies, and the other Places mentioned in the said Act, subject nevertheless to a Proviso or Condition of being redeemed by Parliament at any Time upon three Years Notice after the nine and twentieth Day of September one thousand seven hundred and eleven, upon Repayment of the said two Millions, and of the Arrears of the said Annuities of eight Pounds per Centum, in the Manner directed by the said Act: And it was by the said Act likewise provided, That his said late Majesty might constitute

9 & 10 W. 3. c. 41. 1 Ann. stat. 2. c. 12. 6 Annæ c. 3, & 17.

Recital of the
Act 6 Annæ,
c. 17.

'tute a Corporation to trade with a Joint Stock to the said *East Indies*, with such Powers and Authorities, and under such Limitations as in the said Act are for that Purpose set forth; and his said late Majesty did, in pursuance of the said Act, by his Letters Patents under the Great Seal of *England*, bearing Date the fifth Day of *September* in the tenth Year of his Reign, constitute a Corporation or Body Politick, by the Name of *The English Company trading to the East Indies*, with such Benefit of Trade, Powers, Privileges and Advantages, and subject to such Restrictions, Conditions and Agreements, as are in the said Letters Patents set forth: And whereas, in and by one other Act made in the sixth Year of her present Majesty's Reign, intituled, *An Act for assuring to the English Company trading to the East Indies, on Account of the United Stock, a longer Time in the Fund and Trade therein mentioned; and for raising thereby the Sum of one Million two hundred thousand Pounds, for carrying on the War, and other her Majesty's Occasions*, it was enacted, That upon Payment to her Majesty of the Sum of one Million two hundred thousand Pounds, at the Times, and upon the Terms in the said Act mentioned, they the said *English Company* trading to the *East Indies*, now called *The United Company of Merchants of England trading to the East Indies*, should have such further Time and Interest in the said Fund and Trade to the *East Indies*, as in the last-mentioned Act is particularly set forth, but subject to the Proviso or Condition of Redemption in the said last-mentioned Act, and herein set forth; that is to say, it was thereby declared and enacted, That at any Time upon three Years Notice, after the five and twentieth Day of *March*, which shall be in the Year of our Lord one thousand seven hundred and twenty-six, upon the Expiration of the said three Years, and upon Repayment by Parliament, as well of the said Sum of two Millions then before advanced, as of the said Sum of one Million two hundred thousand Pounds then to be advanced, and since advanced and paid accordingly, making in the whole three Millions two hundred thousand Pounds, and of all Arrears which, at the End of the said three Years, shall be due for and upon the said Fund of one hundred and sixty thousand Pounds, then and from thenceforth, as well the said Duties upon Salt, as the said Duties upon stamp Vellum, Parchment and Paper, and also the said yearly Fund of one hundred and sixty thousand Pounds, and all the Corporations erected in pursuance of the said Acts, or the Benefit of Trade granted by them, or by any Charters made in pursuance thereof, should absolutely cease and determine: Now to the Intent that the said United Company of Merchants of *England* trading to the *East Indies*, and their Successors, may be the better encouraged to proceed in their Trade, and to make such lasting Settlements for the Support and Maintenance thereof for the Benefit of the *British* Nation, may it please your Majesty, at the humble Petition of the said United Company of Merchants of *England* trading to the *East Indies*, that it may be enacted; and be it enacted by the Queen'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 last-mentioned Proviso for Redemption and Determination of the said several Duties, yearly Fund, Annuities, Corporations, and Benefit of Trade, shall be and is hereby repealed, and made void; and that the said Duties upon Salt, and the said Duties upon stamp Vellum, Parchment and Paper, and the Duty of five Pounds in the hundred charged by the said Acts upon Goods imported from the *East Indies*, shall continue, and the said United Company of Merchants of *England*, trading to the *East Indies*, and their Successors, shall have and enjoy the said yearly Sum of one hundred and sixty thousand Pounds *per Annum*, or such Part thereof as they now are or hereafter shall be entitled unto, and all the Benefit of Trade, Franchises, Privileges, and Profits, and Advantages whatsoever, in respect thereof given and granted, or intended to be given or granted unto them by the said Act of the ninth Year of his said late Majesty's Reign, or by the said Charter of the fifth Day of *September* in the tenth Year of his said late Majesty's Reign, or by the said Act of the sixth Year of her present Majesty's Reign, or by any of them, freed and discharged of and from the said former Proviso or Condition of Redemption contained in the said last recited Act, and all other Provisoes, Powers, Acts, Matters or Things, heretofore had, made, done or committed, for redeeming, determining, or making void the said Duties, yearly Fund, Benefit of Trade, Franchises, Privileges, Profits and Advantages, or any of them, subject nevertheless to the Restrictions, Covenants and Agreements in the said recited Acts, and Letters Patents, or any of them contained, now in force, and also subject to the general Provisoes or Condition of Redemption herein after contained; that is to say, Provided always, and it is hereby declared and enacted by the Authority aforesaid, That at any Time, upon three Years Notice after the five and twentieth Day of *March*, which shall be in the Year of our Lord one thousand seven hundred and thirty-three, and upon Repayment by Parliament as well of the said Sum of two Millions, as of the said Sum of twelve hundred thousand Pounds, making in the whole three Millions two hundred thousand Pounds, unto such Companies, Corporations, and Persons, as shall be then entitled thereto, and of all Arrears which, to the End of the said three Years, shall be due for or upon the said yearly Fund of one hundred and sixty thousand Pounds *per Annum*, then and from thenceforth the said Duties upon Salt, and the said Duties upon stamp Vellum, Parchment and Paper, and the said Yearly Fund of one hundred and sixty thousand Pounds, shall absolutely cease and determine.

The Proviso in the last recited Act for Redemption of the Duties on Salt, &c. repealed, and the said Duties shall continue.

And the East India Company shall enjoy the yearly Sum of 160,000 l. &c. discharged of the said Condition.

9 & 10 W. 3. c. 44.
6 Annæ, c. 17.

Proviso that on 3 Years Notice after 25 March 1733. and on Repayment of 2,000,000 l. and 1,200,000 l. and all Arrears due on the said 160,000 l. per Ann. the said Duties on Salt, &c. shall determine. Farther Provisions relating to East India Company, 5 Geo. 1. c. 21. 7 Geo. 1. c. 5, 21. 9 Geo. 1. c. 26. 3 Geo. 2. c. 14, 20. 12 Geo. 2. c. 22. 17 Geo. 2. c. 17. 27 Geo. 2. c. 9. 1 Geo. 3. c. 14.

C A P. XXIX.

An Act for better ascertaining and securing the Payments to be made to her Majesty for Goods and Merchandizes to be imported from the East Indies, and other Places within the Limits of the Charter granted to the East India Company.

WHEREAS the United Company of Merchants of England trading to the East Indies, do yearly import great Quantities of Goods, the Species and Quantities whereof cannot be known, nor due Entries made, so as to ascertain the Customs, without having them first landed and examined, to bring the Contents thereof into a Method fit for the Computation of the Customs and other Duties payable for the same; for which Reason it hath been the constant Practice of all Companies trading to the East Indies, to enter and land their Goods and Merchandizes by Bills at Sight, or Sufferance, and to give Security for Payment of the Customs, and other Duties thereof, at two six Months Time from the Importation: And whereas some Doubts have lately arisen concerning the Legality of the said Practice; Be it therefore enacted and declared by the Queen'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 and may be lawful for the said Company, and their Successors, from time to time, to enter such Goods as are or shall be imported by them at the Custom-house by Bills at Sight, or Sufferance, and to give Security under their Common Seal for the Payment of the Customs, and other Duties laid, or to be laid, upon all such Goods as are rated in the Book of Rates, and upon Coffee, which is to be ascertained by the Oath of the Importer, videlicet, for the Payment of one half Part thereof at the End of six Calendar Months next after the Time within which the Report of the Master or Purser of the Ship, in which they shall be imported, shall or ought to have been made, and for the Payment of the other Half Part thereof, at the End of twelve Calendar Months next after the time within which such Report shall or ought to be made, as aforesaid; and the Commissioners and principal Officers of the Customs, are hereby authorized and required to grant to the said Company such Bills at Sight, or Sufferance, and take such Security, as aforesaid, and to make them such Allowances and Deductions as are to be made to other Merchants, paying their Customs and other Duties at or before the landing of their Goods.

9 W. 3. c. 44.
6 Ann. c. 3.
§ 17.

East India Company may enter the Goods they import, by Bills at Sight, and give Security for Payment of the Customs, &c.

II. Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any thing therein contained, shall not extend, or be construed to extend, to alter the Method or Manner of paying the Duties of fifteen per Cent. on Muslins and Callicoës, or the Duties upon any other Goods, which are to be ascertained by Sale at the Candle.

Not to alter the Manner of paying the Duties on Muslins, &c. See the References 15 Geo. 2. c. 34.

to the foregoing Chapter. And concerning India Goods, see farther 7 Geo. 1. c. 7, § 21. 10 Geo. 1. c. 11. 9 Geo. 2. c. 4.

C A P. XXX.

An Act for continuing the Trade to the South Seas, granted by an Act of the last Session of Parliament, although the Capital Stock of the said Corporation should be redeemed.

WHEREAS by an Act of Parliament made in the ninth Year of her Majesty's Reign, intituled, An Act for making good Deficiencies, and satisfying the publick Debts; and for erecting a Corporation to carry on a Trade to the South Seas, and for the Encouragement of the Fishery; and for Liberty to trade in unwrought Iron with the Subjects of Spain; and to repeal the Acts for registering Seamen; it is provided and enacted, That at any Time upon one Year's Notice after the five and twentieth Day of December one thousand seven hundred and sixteen, upon Repayment by Parliament of the principal Sum of which the Capital Stock of the Company, which was intended to be established by virtue of the said Act, should, for the time being, consist, and of all Arrears of the Annuities or yearly Payments therein mentioned, or by Payment thereof by and out of the Surplus Monies of the Fund settled by the said Act for Payment of the said Annuities to the said Company, then all the Impositions and Duties thereby granted or appropriated, should or might be disposed of by Parliament, and the yearly Fund therein mentioned, and the Annuities issuing out of the same, shall absolutely cease and determine; and her Majesty, by Letters Patent under the Great Seal of Great Britain, bearing Date the eighth Day of September one thousand seven hundred and eleven, grounded on the said Act of Parliament, hath incorporated all and every the Person and Persons, Natives and Foreigners, Bodies Politick and Corporate, who then were or should be interested in, or entitled unto any the Bills, Tickets, Debentures, Certificates, or other publick Debts, Deficiencies, or Sums of Money, intended to be provided for by that Act, and all and every Person and Persons, Bodies Politick and Corporate, who as Executors, Administrators, Successors, or Assigns, or by any other lawful Title derived, or to be derived from, by, or under the original Proprietors, at any Time or Times, should have and be entitled to any Part, Share, or Interest of or in the yearly Fund, by the first Act settled, so long as they respectively should have any Part, Share, or Interest therein, to be one Body Politick and Corporate, by the Name of The Governor and Company of Merchants of Great Britain, trading to the South Seas and other Parts of America, and for encouraging the Fishery; and by that Name to have perpetual Succession, with such Powers, Privileges, and Advantages, as in the said Charter are mentioned, subject nevertheless to the Condition or Power of Redemption in the said Act expressed, as by the said Act of Parliament and Charter may respectively appear: And whereas some Doubts have arisen, or may arise, concerning the Power of Redemption intended by the said Act and Charter, which might tend to discourage the said Company in expending such large Sums of Money as are necessary to be

9 Annæ, c. 22.

On One Year's Notice after 25 Dec. 1716. and on Repayment of the principal Sum of which the Company's Stock shall then consist, and of all Arrears, &c. the Duties granted by the recited Act may be disposed of by Parliament: But the Corporation shall continue for ever, and enjoy all Forts, &c.

expended for making new Settlements within the Limits of their Charter, and settling a Trade there, for the future Benefit of Great Britain.' For Explanation whereof, Be it therefore enacted and declared by the Queen'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 at any Time upon one Year's Notice, after the five and twentieth Day of December one thousand seven hundred and sixteen, upon Repayment by Parliament of the said principal Sum, of which the Capital Stock of the said Company shall, for the Time being, consist, and of all Arrears of the Annuities and yearly Payments aforesaid, or by Payment thereof by and out of the Surplus Money of the Funds settled by the said Act, for Payment of the said Annuities to the said Company, then all the Impositions and Duties by the said Act granted or appropriated, shall and may be disposed of by Parliament; and the said yearly Fund, and the said Annuities out of the same, shall cease and determine: But that the said Corporation by the Name aforesaid, after such Redemption of the said yearly Fund, shall continue for ever, and have perpetual Succession, and shall hold and enjoy all Forts, Factories and Acquisitions that they shall erect, establish, and make within the Limits prescribed by the said Act and Charter, and the Lands, Tenements and Hereditaments, that shall be by them purchased in Great Britain, not exceeding one thousand Pounds per Annum; and the Members thereof, without having any Share or Interest in the yearly Fund so to be redeemed, shall have and be entitled to have the sole Benefit of Trade in and to the South Seas, and elsewhere, and such Power of Trade in the Fishery, as by the said Act is directed, and all other Benefits, Powers, Privileges and Advantages (the Annuities issuing out of the said yearly Fund only excepted) as if no such Redemption were had or made; and from and after such Redemption of the said yearly Fund, all Persons having any Share or Interest in the Money or Stock paid into or gained by the said Company, to carry on the Trade of the said Company, shall be, and be deemed Members of the said Company, and be entitled to all the Benefits, Profits, Privileges and Advantages thereof, in Proportion to their respective Parts and Shares in the said Money or Stock, that is or shall, from time to time, be paid in for Trade, or shall be gained thereby; and the said Money or Stock so paid, or to be paid in for Trade, or gained thereby, shall be assignable and transferrable in such and the like Manner (*mutatis mutandis*) as the Shares in the Capital Stock and yearly Fund are now assignable, or may be assigned; and that from and after such Redemption of the said yearly Fund by Parliament, or after one Moiety thereof, or more, shall be redeemed and discharged, by and out of the Surplus of the Funds settled by the said Act for Payment of the same, the said Governor and Company may, from time to time, by By-Laws or Orders to be made in their General Court, or General Courts, declare and direct how much and what Part or Share in the then remaining Capital Stock or yearly Fund, and the Money or Stock paid in for Trade, or gained thereby, or in both or either of them, shall qualify the Members of the said Company, to give any Vote or Votes in any General Court or General Courts, and for the electing of a Governor, Sub-Governor, Deputy-Governor, and Directors of the said Company, and for the continuing and being elected in the said Offices, or any of them.

and the Company may make By-Laws, &c.

See farther concerning South Sea Company, 1 Geo. 1. stat. 2. c. 21. 3 Geo. 1. c. 9. 5 Geo. 1. c. 19. 6 Geo. 1. c. 4 & 11. 7 Geo. 1. c. 5. 7 Geo. 1. stat. 2. 8 Geo. 1. c. 20, 21 & 22. 9 Geo. 1. c. 6. 1 Geo. 2. c. 3. 3 Geo. 2. c. 16 & 20. 4 Geo. 2. c. 5. 5 Geo. 2. c. 17. 6 Geo. 2. c. 25 & 28. 7 Geo. 2. c. 17. 9 Geo. 2. c. 34. 10 Geo. 2. c. 17. 20 Geo. 2. c. 3. 24 Geo. 2. c. 2 & 11.

C A P. XXXI.

An Act for the appointing Commissioners to take, examine, and determine the Debts due to the Army, Transport Service; and Sick and Wounded. E X P.

C A P. XXXII.

An Act for enlarging the Time for Ministers, Advocates, and other Members of the College of Justice in Scotland, to take the Oaths therein mentioned.

10 Annæ, c. 7.

WHEREAS by an Act made in this present Session of Parliament, intituled, *An Act to prevent the Disturbing those of the Episcopal Communion, in that Part of Great Britain called Scotland, in the Exercise of their Religious Worship, and in the Use of the Liturgy of the Church of England; and for repealing the Act passed in the Parliament of Scotland, intituled, Act against irregular Baptisms and Marriages;* it is enacted, That all Ministers of the Established Church in Scotland, and all and every Person or Persons who is or are Pastor or Pastors, Minister or Ministers of any Episcopal Congregation in Scotland, shall be obliged, and are thereby required, on or before the first Day of August next, to take and subscribe the Oaths therein set forth, in such Manner, and under such Penalties, as all Officers, Civil and Military, in Scotland, are obliged to take the Oath recited in the fourteenth Act of the sixth Year of her Majesty's Reign, intituled, *An Act for the better Security of her Majesty's Person and Government:* And whereas, by the said last mentioned Act, it is amongst other Things enacted, That all Officers, Civil and Military, in that Part of the Kingdom of Great Britain called Scotland, who are obliged and required to take in Scotland an Oath, called the Oath of Allegiance and Assurance, before the Privy Council there, should be obliged, on or before the twentieth Day of April one thousand seven hundred and eight, to take and subscribe the Oath by the said Act appointed, before the Privy Council, while it should continue, and after the Determination thereof, before and in the Court of Session, or the Court of Justiciary, or the Court of Exchequer there; and that all others then in any of the Offices aforesaid, who, in Respect thereof, had used and been obliged to take the said Oath of Allegiance and Assurance in any other Court and Place, should be obliged to take and subscribe the same at the next Quarter-Sessions of the Peace that should be held for any County or Place in which any such Officer should be resident and abiding; and that

6 Annæ, c. 14.

‘ that all and every Person or Persons whatsoever, who should after be admitted into any Office, Civil or Military, within that Part of *Great Britain* called *Scotland*, should, within three Months after his Admittance into any such Office, be obliged to take the Oath appointed by the said Act, in the respective Courts above mentioned, according to the Distinction therein and above mentioned, for Persons then in Office: And whereas many of the Ministers of the Established Church, and Episcopal Persuasion in *Scotland*, had not Notice of the Passing of the said Act of this present Session of Parliament, until after the last Quarter Sessions of the Peace, and that there will be no other Quarter-Sessions of the Peace in *Scotland* before the second Day of *August* next, whereby many of the said Ministers and Pastors are rendered incapable of taking the Oaths by the said Act required:’ For Remedy whereof, Be it enacted by the Queen’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 Authority of the same, That if any Minister or Ministers of the Established Church of *Scotland*, or any Person or Persons who is or are Pastor or Pastors, Minister or Ministers of any Episcopal Congregation in *Scotland*, shall, on or before the first Day of *November* in the Year of our Lord one thousand seven hundred and twelve, take and subscribe the Oaths in the Act of this present Session of Parliament mentioned and set forth, in such Manner as all Officers, Civil and Military, in *Scotland*, are obliged to take the Oaths recited in the said Act made in the sixth Year of her Majesty’s Reign, the same shall be, to all Intents, Constructions and Purposes, as effectual as if such Minister or Ministers, Pastor or Pastors, had taken the said Oaths within the Time appointed by the Act of this present Session of Parliament.

Ministers in *Scotland* taking the Oaths mentioned in 10 Annæ, c. 7. before 1 Nov. 1712. shall be as effectual as if they had taken them within the Time appointed by that Act.

‘ II. And whereas by another Act made in this present Session of Parliament, intituled, *An Act for preserving the Protestant Religion, by better securing the Church of England as by Law established, and for confirming of the Toleration granted to Protestant Dissenters, by an Act, intituled, An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws; and for supplying the Defects thereof; and for the farther securing the Protestant Succession, by requiring the Practisers of the Law in North Britain to take the Oaths, and subscribe the Declaration therein mentioned;* It is enacted, That all Advocates, Writers to the Signet, Notaries Publick, and other Members of the College of Justice, within that Part of *Great Britain* called *Scotland*, shall be obliged, on or before the fifteenth Day of *June*, to take and subscribe before the Lords of Session, the Oath appointed by an Act made *Anno. sexto Reginae*, intituled, *An Act for the better Security of her Majesty’s Person and Government;* and in case of their Neglect or Refusal to take and subscribe the said Oaths, as aforesaid, such Person shall be *ipso facto* incapable and disabled in Law to have, enjoy or exercise his said Employment: And whereas the Court of Session in *Scotland* does not sit from the last of *February* to the first of *June*, and that several of the Advocates, Writers to the Signet, Notaries Publick, and others, Members of the College of Justice aforesaid, have, either by Reason of Sicknes, Indisposition, or Absence, been rendered incapable of taking the Oath by the said Act required:’ For Remedy whereof, Be it further enacted by the Authority aforesaid, That if any Advocate, Writer to the Signet, Notary Publick, or any Member of the College of Justice aforesaid, shall, on or before the said first Day of *November*, take and subscribe the aforesaid Oath, either in her Majesty’s Court of Session, Justiciary, or Exchequer in *Scotland*, or at the Quarter-Sessions there, for the City or County where such Person or Persons inhabit or dwell, or in her Majesty’s Court of *Chancery*, *Queen’s Bench*, *Common Pleas*, or Court of *Exchequer* at *Westminster*, the same shall be, to all Intents and Purposes, as effectual, as if such Advocate, Writer to the Signet, Notary Publick, or other Member of the College of Justice, had taken the same within the Time, and in the Manner appointed by the aforesaid Act; any thing therein contained to the contrary notwithstanding.

10 Annæ, c. 2.

6 Annæ, c. 14.

Advocates, &c. taking the Oaths in the Act 6 Annæ, c. 14. before the said first Day of *November* shall be as effectual as if they had taken the same, as appointed by the recited Act.

C A P. XXXIII.

An Act for the appointing the Circuit Courts in that Part of *Great Britain* called *Scotland*, to be kept only once in the Year.

‘ WHEREAS it has been found by Experience to be sufficient for the Administration of Justice in that Part of *Great Britain* called *Scotland*, that the Circuit Courts should be kept only once in the Year;’ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That in all Time coming the said Circuit Courts in *Scotland* shall be kept only once in the Year, and that in the Months of *April* or *May* at the several Places, and in Manner and Form as by Law established; and that in all Time coming, the Circuit Courts formerly appointed to be kept in the Month of *October* yearly, be superseded and cease, excepting only when it shall please her Majesty or her Successors, by a Proclamation to be issued in the Month of *July* preceding, to order the said Circuit Courts for the *October* following to be kept at all or any of the Places mentioned in an Act of Parliament of *Scotland*, passed in the third Session of the second Parliament of King *CHARLES* the Second, in which Case, and not otherwise, the said *October* Circuit shall that Year be kept upon the Days and at the Places so appointed by the Proclamation, and in the usual Form of Law.

The Circuit Courts in *Scotland* to be kept but once a Year. And the Circuit Court in *October* shall cease, except when the Crown by Proclamation shall order it to be kept.

C A P. XXXIV.

An Act for explaining several Clauses in an Act passed the last Session of Parliament, for the Relief of the Sufferers of the Islands of *Nevis* and *St. Christophers*, by Reason of the Invasion of the *French* there, in the Year one thousand seven hundred and five.

9 Annæ, c. 23.

WHEREAS in an Act made in the ninth Year of her Majesty's Reign, intituled, *An Act for licensing and regulating Hackney Coaches and Chairs; and for charging certain new Duties on stamp Vellum, Parchment and Paper, and on Cards and Dice; and on the Exportation of Rock Salt for Ireland; and for Security thereby, and by a weekly Payment out of the Post Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred eighty-six thousand six hundred and seventy Pounds, for thirty-two Years, to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sum, not exceeding two Millions, to be raised for carrying on the War, and other her Majesty's Occasions; a Sum of one hundred and three thousand and three Pounds, eleven Shillings and four Pence, is appointed to be distributed amongst the Proprietors and Inhabitants of the Islands of Nevis and St. Christophers, who sustained great Losses by a late Invasion and Depredation of the French, to encourage them to resettle in the said Islands, in Debentures to be paid and satisfied in like Manner as the then unsatisfied Debentures, charged upon the Forfeited Estates in Ireland, were to be satisfied and discharged; concerning the Distribution whereof some Doubts and Difficulties have arisen, to the great Prejudice and Delay of the poor Sufferers who have resettled there: For Remedy and Removal whereof, Be it enacted, &c.*

None shall be entitled to a Part of the 103,003 l. 11 s. 4 d. granted 9 Annæ, c. 23. but such of the Proprietors or Inhabitants of *Nevis* and *St. Christophers* as were Sufferers and resettled there before 25 Dec. 1711. This Clause is confirmed 5 Geo. 1. c. 32. What shall be deemed a Resettlement. The Commissioners for Trade and Plantations may, on Proof of such Resettlement, issue out, in the Name of each Sufferer, his Executors, &c. Debentures for the third Part of their Losses. Sufferers not making Proof of their Losses before 25 Dec. 1712. shall be excluded from any Share of the Bounty. Sufferers may redeem their Shares, if assigned, by Payment of the Consideration Money, &c.

See farther,

5 Geo. 1. c. 32.

8 Geo. 1. c. 20.

sect. 43. 13 Geo.

2. c. 3. sect. 30.

Anno Regni ANNÆ Reginae Magnæ Britanniae, Franciae, & Hiberniae, duodecimo. Stat. I.

AT the Parliament begun and holden at *Westminster* the twenty-fifth Day of *November* Anno Domini one thousand seven hundred and ten, in the ninth Year of the Reign of our Sovereign Lady ANNE, by the Grace of GOD, of *Great Britain, France and Ireland*, Queen, Defender of the Faith, &c. Being the first Session of this present Parliament. And from thence continued by several Prorogations, to the seventh Day of *December* one thousand seven hundred and eleven: Being the second Session of this present Parliament. And from thence continued by several Prorogations to the ninth Day of *April* one thousand seven hundred and thirteen: * Being the third Session of this present Parliament. and continued by several Adjournments till the 16th Day of *July* in the twelfth Year of her Majesty's Reign.

C A P. I.

An Act for granting an Aid to her Majesty, to be raised by a Land-Tax in *Great Britain*, for the Service of the Year one thousand seven hundred and thirteen. EXP. 2s. in the Pound.

C A P. II.

An Act for granting to her Majesty Duties upon Malt, Mum, and Cyder and Perry, for the Service of the Year one thousand seven hundred and thirteen; and for making forth Duplicates of Lottery Tickets, lost, burnt, or destroyed; and for enlarging the Time for adjusting Claims in several Lottery Acts; and to punish the counterfeiting or forging of Lottery Orders; and for explaining a late Act in Relation to Stamp Duties on customary Estates, which pass by Deed and Copy.

Continued annually, and particularly by 13 Geo. 1. c. 7. and 8 Geo. 2. c. 3.

Compounders to continue their Composition, &c. before 24 June 1713.

XIII. AND be it further enacted by the Authority aforesaid, That all and every such Person and Persons, who by Virtue, or in Pursuance of any former Act for laying Duties upon Malt, Mum, Cyder and Perry, have made or shall make any Composition still in being, for the Duties of their Malt, shall on or before the four and twentieth Day of *June* one thousand seven hundred and thirteen, continue such their Composition for the Duties hereby granted, and pay the Composition Money, or give Bond for the same, according to the Purport, true Intent, and Meaning of this present Act, or in Default thereof shall be, and are hereby charged and made liable to pay unto her Majesty, her Heirs and Successors, the Sum of six

or liable to the Duty, &c.

fix Pence for every Bushel of Malt which he, she or they or any other Person or Persons in Trust for him, her or them, shall be possessed of, on the said four and twentieth Day of *June* one thousand seven hundred and thirteen; and that all and every such Person and Persons who have or hath, or shall make such Composition for their said Duties on Malt, in Pursuance of the said former Acts or any of them, and who shall make Default in continuing such their Composition, as aforesaid, shall on or before the tenth Day of *July* one thousand seven hundred and thirteen, make true and particular Entries of all such Malt as they or any of them, or any other Person or Persons in Trust for them or any of them, shall be possessed of, or have in his or their Custody or Possession, at the Office of Excise within the Limits of which they shall respectively inhabit, upon Pain to forfeit the Sum of fifty Pounds and the Malt, of which no such Entry shall be made; and within six Days after he, she or they shall have made or ought to have made such Entry, as aforesaid, shall pay down the Duties hereby charged upon the same, or in Default thereof shall forfeit and lose double the Value of the said Malt; and that the Houses, Out-houses, and other Places belonging to such Compounders, who shall make Default in continuing such their Compositions, as aforesaid, shall be and are hereby made liable to the Search and View of the Officers for the said Duties, in the same Manner, and under the same Penalties for Refusal, as other Persons making Malt for Sale are liable.

XIV. And be it further enacted by the Authority aforesaid, That from and after the said three and twentieth Day of *June* one thousand seven hundred and thirteen, and after the Duty by this Act imposed on Malt is paid by the Malster, if any Quantity of Malt shall unfortunately happen to be damaged by the casting away or sinking of the Barge or Vessel in which the said Malt shall be transported from one Part of this Kingdom to another within the same, That the Justices of the Peace of the County, Riding, or Division, where such Accident shall happen, shall at the next General Quarter-Sessions to be held for such County, Riding, or Division, upon Proof of such Damage, and of Payment of the Duty, as aforesaid, determine and settle the Quantity of the Damage done to such Malt by the casting away or sinking of the Barge or Vessel in which the same shall be transported, as aforesaid, and an Allowance to be made in respect thereof, and to give a Certificate under their Hands and Seals of the Sum allowed, which Allowance shall bear the same Proportion to the whole Duty, as the said Damage shall appear to bear to the Value of the said Malt before it was so damaged; upon producing of which Certificate to the Officer appointed to collect the said Duty, he shall be obliged to repay or allow to the said Proprietor or Proprietors, out of the Duty paid for the said Malt, so much Money as the Sum certified by the said Justices shall amount unto, or in Default thereof, that the Proprietor or Proprietors of the said Malt shall and may deduct the Allowance so certified out of the next or any other subsequent Monies becoming due from such Proprietor or Proprietors by Virtue of this present Act.

Malt damaged by the casting away of the Vessel, &c.

Justices to determine the Damage, &c.

and Officer to repay the Duty, &c.

XV. Provided always, and it is hereby enacted by the Authority aforesaid, That where any such Loss or Damage shall happen, as aforesaid, the Person or Persons who shall sustain the same, shall, three Days at least before the next Quarter-Sessions, give or leave Notice in Writing thereof with the Collectors of Excise of the District or Collection where such Loss or Damage shall happen, and of his and their Intention of applying at the next General Quarter-Sessions of the Peace for an Allowance in respect of such Damage or Loss.

Notice to be left with the Collector three Days before Quarter-Sessions.

XVI. And whereas many Malsters and Makers of Malt, in order to the defrauding her Majesty of the Duty, and preventing the Officers from taking and keeping a true Account of the Corn or Grain by them steeping and steeped, and making into Malt, do in the Absence of the Officers remove Part of their Corn or Grain out of the Cistern or Wetting-Fat, and mix the same with Corn or Grain of a former Wetting, and supply the Place of the Corn or Grain so removed with fresh Corn or Grain, and do also mix their several Couches and Floors, in such Manner that the Officers for the said Duties cannot distinguish one Wetting from another; For Remedy whereof, Be it further enacted by the Authority aforesaid, That during the Continuance of the Duties hereby granted, no Malster or Maker of Malt, other than Compounders for the said Duties, shall, during the Continuance of the said Duties, mix, or cause to be mixed, his, her or their Corn or Grain making into Malt, of one Wetting or Steeping, or any Part thereof, with his, her or their Corn or Grain making into Malt, of a former Wetting or Steeping, or any Part thereof, before the same is put on the Kiln for drying, on Pain of Forfeiture of the Sum of five Shillings for every Bushel of Corn so mixed, contrary to the true Intent and Meaning hereof.

No Malster to mix Corn of one Wetting with Corn of another Wetting, on forfeiture of 5 s. per Bushel.

XVII. And be it further enacted by the Authority aforesaid, That the Gagers and other Officers of Excise, for the Time being, or that shall be deputed to put this present Act into Execution, shall, during the Continuance of the Duties hereby charged, measure such Corn and Grain making into Malt by the Gage only, and not by the Bushel; any Thing herein before contained, or in any former Act or Acts, relating to the Duties hereby granted, to the contrary in any wise notwithstanding.

Gagers to measure by the Gage, and not by the Bushel.

XVIII. And whereas in making of Malt, practised before the granting the said Duties, the Barley, or other Corn or Grain, during its Steeping in the Cistern or Uting-Fat, did usually rise and swell so considerably, that it was thought reasonable, upon granting the said Duties, in all Charges to be made by the Officers from the Cistern or Couch, to allow to the Malsters, upon Payment of the Duty, four Bushels in every twenty Bushels, and so proportionably upon every greater or lesser Quantity, in Consideration of such Rise or Swelling of the Corn, which Allowances have been and are made accordingly: And whereas many Malsters or Makers of Malt for Sale, by pressing, treading, ramming, or other Methods, do now not only make their Corn lye so close in the Cistern or Uting-Fat, and also in the Couch, that the Rise or Swelling, as aforesaid, is prevented, but also renders it very difficult for Officers to know the true Quantity of the Corn steeped or in the Couch, and thereby have the Allowance, as aforesaid, though the Reason of making the same is taken away; Be it therefore further enacted, That if any Malster or Maker of Malt for Sale, during the Continuance of the Duties on Malt by this Act granted, shall tread, ram, or otherwise Force together in the Cistern, Uting-Fat, or Couch, any Corn steeped or steeped, in order to the making into Malt, every such Malster or Maker of Malt for Sale, shall for every such Offence, forfeit

Penalty on Malsters pressing Malt together in the Cistern, &c. 2 s. 6 d. per Bushel.

and lose the Sum of two Shillings and six Pence for every Bushel of Corn steeping or steeped, that shall be so pressed, trodden, rammed, or forced; any Thing herein or in any former Act or Acts contained to the contrary in any wise notwithstanding.

All Prosecutions to be within five Years.

XIX. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons shall be sued or charged with the Duties hereby granted, unless some Action, Information, or Suit be commenced for the same, within five Years after the same shall become due.

Allowance for Malt charged in the Uting-Fat, &c.

XX. And in Regard the Quantity of Barley, or other Corn or Grain, taken by the Gage in any Cistern, Uting-Fat, or other Vessel or Utensil, wherein such Barley, or other Corn or Grain shall be found Wetting or Steeping, or which shall be found to have been wetted or steeped for the making of Malt, is by this Act to be charged and returned by the Gager, as so many Bushels of Malt: It is hereby further enacted by the Authority aforesaid, That out of every twenty Bushels so charged by the Gager, there shall be an Allowance made to the Maker of such Malt so charged in the Uting-Fat, Cistern, or other Vessel, wherein the same shall be found Wetting or Steeping, as aforesaid, or upon the Floor within thirty Hours after the same shall be thrown out of the Uting-Fat, Utensil, Cistern or other Vessel, of four Bushels, and out of every greater or lesser Quantity, a proportionable Allowance shall be made in Consideration of the Difference between the Quantity of such Corn when it is wet and swoln, and the Quantity thereof, when it is converted into Dry Malt; any Thing herein contained to the contrary notwithstanding.

Debentures for Malt unsatisfied, on 24 June 1713, how to be paid.

XXIV. And be it enacted, That all Debentures for Malt exported upon any former Act or Acts for laying Duties upon Malt, Mum, Cyder and Perry, which shall remain unsatisfied, on the four and twentieth Day of June one thousand seven hundred and thirteen, shall (in Case the respective Commissioners or Officers of Excise shall not have sufficient in their Hands of the Duties granted by the said former Acts to satisfy the same) be paid and satisfied out of the Duties arising by this present Act.

An Allowance of 10 Bushels in 20 on a Floor-Gage.

XXVIII. Provided always, That if any Barley or other Corn or Grain that hath been steeped or wetted in any Cistern, Uting-Fat, or other Vessel, shall, during the Continuance of this Act, be found working or growing upon the Floor, before it is put upon the Kiln, in order to be made into Malt, after the said three and twentieth Day of June one thousand seven hundred and thirteen, which when dried and made into Malt, will not answer so great a Quantity from the Floor as from the Cistern or Fat; is hereby enacted by the Authority aforesaid, That out of every twenty Bushels so charged upon the Floor, there shall be an Allowance made to the Maker of the said Malt, which shall be gaged and charged upon the Floor, after the same shall have been thrown out of the Uting-Fat, Utensil, Cistern, or other Vessel before mentioned, by the Space of thirty Hours or more, and before the same shall be dried, of ten Bushels, and out of every greater or lesser Quantity a proportionable Allowance shall be made, in Consideration of the Difference between the Quantity of such Corn when it is making upon the Floor, and the Quantity thereof when it is dried and perfectly made into Malt; any Thing herein contained to the contrary thereof in any wise notwithstanding.

The same Allowance on exporting ground Malt, as if whole, &c.

XXX. Provided always, and be it further enacted and declared by the Authority aforesaid, That in case any Person or Persons whatsoever shall export any ground Malt from any Port or Place in *Great Britain*, to any foreign Parts, the Duties whereof shall have been paid or secured to be paid according to this Act, such Person and Persons shall have the like Drawback or Allowance out of the Duties on Malt by this Act granted, as if the said Malt had been whole, upon Debentures to be obtained, and upon producing Certificates, making Oath, and doing and performing the other Matters and Things herein before prescribed and directed, in order to obtain Debentures upon Exportation of Malt for foreign Parts; yet nevertheless such ground Malt so exported shall be computed and estimated after the Rate of so many Bushels of Malt as the same did contain before it was ground, and no more.

Gager to leave a Copy of each Gage with the Maker.

XXXI. Provided always, and be it further enacted, That every Gager or other Officer, who shall be constituted or appointed to put this Act in Execution, shall be and are hereby required to leave a true Copy of each Gage, and the Quantity thereof, in Writing under his or their Hands, with or for the said Maker or Makers of Malt, at the Time of taking such Gage upon Demand, under the Penalty of forty Shillings.

Concealing Malt forfeits 10s. per Bushel.

XXXV. And it is hereby further enacted by the Authority aforesaid, That if any Maker of Malt shall, during the Continuance of the Duties hereby granted, fraudulently hide, conceal or convey any of his Malt from the Sight or View of the Gager or Gagers appointed to take an Account of the same, the Person or Persons offending therein, shall forfeit and lose for every Bushel of Malt so hid, concealed, or conveyed away from the Sight and View of such Gager or Gagers, the Sum of ten Shillings, to be recovered and distributed, or mitigated, as other Penalties and Forfeitures by this Act, or by any Law herein referred unto, are to be recovered, distributed, or mitigated.

Persons aggrieved may appeal to the Quarter-Sessions, &c.

XXXVII. And be it enacted by the Authority aforesaid, That if either Party think him or themselves aggrieved by any Judgment or Order to be given or made by any Justices of the Peace, in Pursuance of this present Act, touching or concerning the Duties hereby granted, or any Penalty and Forfeiture relating to the same, it shall and may be lawful to and for such Person or Persons, so finding him, her or themselves aggrieved by such Judgment or Order, to appeal from the same to the Justices assembled at the next General Quarter-Sessions of the Peace, to be holden for the County, Shire or Stuartry where such Judgment or Order shall have been made; which said Justices of the Peace, or the major Part of them, are hereby empowered to hear and finally determine the same; and no Writ of *Certiorari* shall be allowed or brought to set aside any Determination or Order of the said Justices.

No Certiorari.

Appeller to give Notice thereof six Days before Quarter-Sessions, &c.

XXXVIII. Provided always, and it is hereby enacted by the Authority aforesaid, That the Party or Parties so appealing, as aforesaid, shall give Notice in Writing, by the Space of six Days next before such Session shall be held, as aforesaid, unto the Party or Parties of the other side, of his, her or their Intention to bring such Appeal; and that it shall and may be lawful to and for such Justices or the major Part of them, in their Quarter-Sessions, to award Costs to either Party, as they shall in their Discretion think fit,

to be levied by Warrant of the Justices of the Peace of such County, Shire, or Stuartry, or any two or more of them, on the Goods and Chattels of the Party or Parties, against whom the same shall be awarded. Provided also, That in case there be not the Space of six Days between the first Judgment or Order of the two Justices and the Quarter-Sessions then next following, that then the Appeal may be made at the second Quarter-Sessions after such Judgment or Order made.

XXXIX. And it is hereby further enacted by the Authority aforesaid, That all Malt made in Scotland, not to be consumed there, which at any time or times between the twenty-third Day of June one thousand seven hundred and thirteen, and the twenty-fourth Day of June one thousand seven hundred and fourteen, shall be brought into England, Wales, or the Town of Berwick upon Tweed, shall, in case the same be brought by Sea, be entred with the Officer for the said Duties of the Port where the same shall be so brought into England, Wales, or Berwick; and the Sum of six Pence per Bushel (unless a Certificate from the proper Officer be produced, that it had paid the said Duty in Scotland) for the same Malt, shall be paid to such Officer before landing thereof: And in case the same shall be brought by Land, such Malt shall pass and be carried by and through the Towns of Berwick or Carlisle, and there entred with the Officer of the said Duties, in such of the said Towns by or through which such Malt shall be so carried; and the like Duty of six Pence per Bushel for the same, unless such Certificate be produced, as aforesaid, shall be paid down in ready Money to such Officer, on Pain of forfeiting all such Malt, and the Value thereof, as shall be landed or put on Shore, or brought into England, without such Entry or Payment of such additional Duties, as aforesaid: And in case any Malt made in Scotland shall, during the said Term, be found coming out of Scotland, or brought from thence by Land, by or beyond the Towns before-mentioned, without Entry or Payment of the Duties thereof, or producing such Certificate, as aforesaid, then all such Malt, or the Value thereof, shall be forfeited; the last mentioned Forfeiture thereof to be and go, one Moiety thereof to the Queen's Majesty, the other Moiety thereof to such Person or Persons as will inform, seize, or sue for the same, or the Value thereof, and to be recovered and levied by such Ways, Means and Methods, as any other Penalties or Forfeitures, relating to the Malt Duties are by this Act to be recovered and levied.

XL. And be it enacted by the Authority aforesaid, That all the Monies which shall arise by this Act of the said Duties on Malt, Mum, Cyder and Perry, over and above the necessary Charges of raising and paying the said Duties, shall from Time to Time be brought and paid into the Exchequer.

“ There shall be kept in the Office of the Auditor of the Receipt one Book, in which all the Orders for Money payable upon this Act shall be registred; and the Money lent upon the Act of the ninth Year of her Majesty's Reign unsatisfied, with Interest of six per Cent. shall be placed upon the Register, and shall be paid out of the Monies arising by this Act: Interest to be paid every three Months. It shall be lawful for any Persons to lend upon Credit of the said Duties any Sums, as together with the Principal Monies appointed to be transferred, shall not exceed seven hundred thousand Pounds; which Lenders shall have Interest of five per Cent. to be paid every three Months. Where it shall appear by Affidavit before any of the Barons of the Exchequer, that any Exchequer Bills, or Tickets, before the twentieth Day of May one thousand seven hundred and thirteen, have been lost, burnt, or destroyed; It shall be lawful for the respective Officers, upon producing a Certificate from any of the said Barons, and on Security given to the said Officers, to make forth Duplicates of the said Bills and Tickets. It shall be lawful for the Commissioners to settle and adjust the Properties of any Tickets in the Lotteries that have not hitherto been settled, provided the Persons possessed of the Tickets do appear on or before the five and twentieth of December one thousand seven hundred and thirteen. If any Person shall forge or counterfeit any of the Lottery Orders, or alter the Number or Principal Sum of any such Order, or counterfeit the Hand of any Person to such Order, thereby to procure a fraudulent Assignment, or sell any such Order, knowing the same to be forged, every such Person shall be adjudged a Felon, without Benefit of Clergy.” E X P.

20 Geo. 2. c. 5. 27 Geo. 2. c. 2. 33 Geo. 2. c. 3 & 7. And see annual Malt Acts.

XLVIII. And whereas in the tenth Year of her Majesty's Reign an Act did pass, For laying several Duties upon all Soap and Paper made in Great Britain, or imported into the same; and upon chequered and striped Linen imported; and upon certain Silks, Calicoes, Linens and Stuffs, printed, painted or stained; and upon several Kinds of stamp Vellum, Parchment and Paper; and upon certain printed Papers, Pamphlets and Advertisements, for raising the Sum of eighteen hundred thousand Pounds, by way of a Lottery, towards her Majesty's Supply; and for Licencing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp-Duties, by Licences for Marriages and otherwise; and for Relief of Persons who have not claimed their Lottery Tickets in due Time, or have lost Exchequer Bills or Lottery Tickets; and for borrowing Money upon Stocks, Part of the Capital of the South-Sea Company, for the Use of the Publick; in which said Act it is enacted, That for every Skin, or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed or written, within or during the Term of thirty-two Years, to be reckoned from the first Day of August in the Year one thousand seven hundred and twelve, any Surrender of or Admittance to any Copyhold Land or Tenement, within those Parts of Great Britain called England, Wales, and the Town of Berwick upon Tweed, or any Grant or Lease by Copy of Court-Roll, or any other Copy of the Court-Roll of any Honor or Manor within the same Parts of Great Britain, or any of them, other than and except the original Surrender to the Use of a Will, and the Court-Roll or Book wherein the Proceedings of the Court are entred or enrolled, the Sum of two Shillings and three Pence Sterling; and a Doubt having arisen whether by the said Clause, Copies of Admittances to Custom Right or Tenant-Right Estates, not being Copyhold, which pass by Deed, Surrender and Admittance, or by Deed and Admittance, ought to be stamped; It is declared and enacted

Malt made in Scotland, brought by Sea into England, to be entred at the Port of landing, and pay 6 d. per Bushel, unless certified to have paid the Duty. Malt brought by Land, to pass thro' Berwick or Carlisle, and to be entred there, and to pay 6 d. per Bushel, on pain of Forfeiture. Such Malt coming by Land, beyond the said Towns, without Entry, &c. forfeited, or the Value.

The Monies arising to be paid into the Exchequer.

A Book to be kept, for transferring the Principal Sums on the Malt Act 9 Annæ to the Register of this Act.

Concerning Malt, see farther 1 Geo. 1. Stat. 2. c. 2. 4 Geo. 1. c. 3. 6 Geo. 1. c. 21. 9 Geo. 1. c. 3. 12 Geo. 1. c. 4. 13 Geo. 1. c. 7. 2 Geo. 2. c. 1. 8 Geo. 2. c. 1. 15 Geo. 2. c. 1.

Clause for Explaining a late Act in relation to Stamp Duties on Customary Estates, which pass by Deed and Copy. 10 Ann. c. 19.

acted

Concerning Stamp Duties, see farther 12 Ann. Stat. 2. c. 9. 5 Geo. 1. c. 19. 17 Geo. 1. c. 48. 6 Geo. 1. c. 21. 11 Geo. 1. c. 8. 12 Geo. 1. c. 33. 9 Geo. 2. c. 32. 16 Geo. 2. c. 26. 29 Geo. 2. c. 12 & 13. 30 Geo. 2. c. 19. 32 Geo. 2. c. 35.

acted hereby, That no Copies of any Surrenders or Admittances to such Custom-Right or Tenant-Right Estates, as aforesaid, ought to be stamped, nor were they ever designed or intended, nor ought they to be deemed or construed to be within the Meaning of the said Act.

C A P. III.

An Act to revive and continue the Act for taking, examining, and stating the publick Accounts of the Kingdom; and also to continue the Act for appointing Commissioners to take, examine, and determine the Debts due to the Army, Transport-Service, and Sick and Wounded. E X P.

C A P. IV.

An Act for making Inclosures of some Part of the Common Grounds in the *West-Riding* of the County of *York*, for the Endowing poor Vicaridges and Chapelries, for the better Support of their Ministers.

WHEREAS in the *West-Riding* of the County of *York* there are divers Parishes of great Extent, and very populous, which hath occasioned the erecting of divers Chapels of Ease for the Benefit of the Inhabitants: But there being very small or no settled Provision made for the Maintenance of the Ministers that perform Divine Offices in those Chapels, or for the Vicars of many of the Parish-Churches within the said *West-Riding*; and there being large Commons or Waste Grounds, within many of the said Parishes, which yield little or no Profit or Advantage to any Person, it would be a great Advantage and Incouragement to the Vicars and Ministers there, if they might, by inclosing some Parts of the said Commons and Waste Grounds, improve the same for the Benefit of themselves and their Successors: May it therefore please your most Excellent Majesty, at the humble Suit of the Justices of the Peace, Gentlemen, Clergy, Freeholders and other Inhabitants of the said Riding, that it may be enacted; And be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the nine and twentieth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and thirteen, it shall and may be lawful for any of the Inhabitants of any Parish in the *West-Riding* of the County of *York*, wherein any such Chapels of Ease, as aforesaid, now are, or hereafter shall be erected or built, and wherein there are large Wastes or Commons, with the Consent of the Lord or Lords of the Manor wherein such Waste-Ground lies, (and if there be above two Lords of such Manor, then with the Consent of the major Part of them) and with the Consent of three Parts of four of all Freeholders and others, who have any Right of Common therein, according to their Number, and the Value of their respective Estates, to inclose any Part of the Wastes or Common Grounds within such Parish (or Chapelry therein) not exceeding sixty Acres, or a sixth Part of such Common Land, where the said sixth Part shall not exceed sixty Acres, and to settle the same in Trustees and their Heirs, for the Benefit, and as a Maintenance and Support of such Ministers as shall not have a settled Provision of above forty Pounds *per Annum* for their Maintenance; and shall reside within the same Parish or Chapelry, and perform Divine Offices in the Parish Church or Chapel therein, according to the Usage of the Church of *England*, and be licensed by the Archbishop of *York*, or the Guardian of the Spiritualities (*Sede Vacante*); any former Law or Usage to the contrary notwithstanding.

II. Saving always, and reserving unto all Lords of Manors, and other Owners and Proprietors of Royalties within the said Riding, their Heirs and Assigns, all and all Manner of Mines and Quarries of Stone, Coal and Ore, and other Mines, with full Power, and free Liberty to dig, get, and sough for the same, in and through any such Inclosures that shall be made pursuant to this Act; and the same so got, with Carts, Wains and Carriages to take, lead, and carry away.

III. And be it further enacted by the Authority aforesaid, That after any such Inclosure and Settlement, it shall not be in the Power of any Trustee or Minister, or any other Person whatsoever, to alienate and employ any of the Profits of such inclosed Lands to any other Use or Uses, but only for the Support and Maintenance of the Vicar or Minister who shall serve the Cure, (if it belong to a Vicarage) and to the Minister that performs Divine Service in the Chapel, according to the Usage of the Church of *England*, (if it be appropriated to any Chapel) and not otherwise.

IV. And be it further enacted, That it shall and may be lawful for any of the said Trustees and their Heirs, from Time to Time, by any Writing or Writings under their Hands and Seals, with the Consent of the Vicar or Minister, for whose Use such Inclosure is made, to be testified by his being made a Party to, and signing and sealing such Writing, to demise or lease any Common or Waste Grounds, or any Parcel or Parcels thereof, that shall be inclosed by Virtue of this Act, for any Term or Number of Years not exceeding one and twenty, so as upon every such Demise or Lease there be reserved, payable Half-yearly, during the said Term, as much Rent as can, at the making such Lease, be really gotten for the same; and that such Rent be made payable to or for the only Use and Benefit of such Vicar and Minister of such Vicarage or Chapelry, and their Successors, and so as no Fine, Income, or other Consideration be taken for the same.

V. And it is hereby enacted, That all Leases made of such Inclosures in any other Manner, shall not be good or available in the Law, but shall be *ipso facto* void.

VI. And be it further enacted by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons, for any Thing that he or they shall do or

cause

After 29 Sept. 1713. the Inhabitants of the *West-Riding* of *Yorkshire*, where there are Chapels of Ease, may, with the Consent of the Lords of Manors, &c. enclose Part of the Wastes, and settle the same in Trustees for the Support of Ministers who have not a settled Provision of above 40 l. *per Annum*.

Saving to Lords of Manors all Mines, &c.

No Trustee, &c. shall alienate the Profits of such enclosed Lands to any other Use but for Support of the Minister.

Trustees, &c. with Consent of the Minister, may lease the Grounds so enclosed for 21 Years, reserving Rent payable Half-yearly, for the Use of the Minister.

Lease otherwise made, void.

General Issue.

veyance whereon Infeoffment is not taken, and Seisin registred a Year before the Teste of the Writ, shall intitle to vote or be elected in Scotland; nor if any Election happen during the Continuance of a Parliament. Any Elector may require the Preses to tender

ral, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Determination of this present Parliament, no Conveyance or Right whatsoever, whereupon Infeoffment is not taken, and Seisin registred one Year before the Teste of the Writs for calling a new Parliament, shall, upon Objection made in that Behalf, entitle the Person or Persons so infeofter, to vote or to be elected at that Election in any Shire or Stewartry in that Part of Great Britain called Scotland; and in case any Election happen, during the Continuance of a Parliament, no Conveyance or Right whatsoever, whereupon Infeoffment is not taken one Year before the Date of the Warrant for making out a new Writ for such Election, shall, upon Objection made in that Behalf, entitle the Person or Persons so infeofter to vote or be elected at that Election; and that from and after the said Day, it shall or may be lawful to or for any of the Electors present, suspecting any Person or Persons to have his or their Estates in Trust, and for the Behoof of another, to require the Preses of the Meeting to tender the following Oath to any Elector; and the said Preses is hereby impowred and required to administer the same in the Words following, viz.

an Oath to one whom he suspects to have an Estate in Trust.

The Oath.

I A. B. do, in the Presence of God, declare and swear, That the Lands and Estate of which I claim to give my Vote in this Election, are not conveyed to me in Trust, or for the Behoof of any other Person whatsoever; and I do swear before God, that neither I, nor any Person to my Knowledge, in my Name, or by my Allowance, hath given, or intends to give, any Promise, Obligation, Bond, Back-bond, or other Security, for re-disponing or re-conveying the said Lands and Estate, any Manner of Way whatsoever: And this is the Truth, as I shall answer to God.

Refusing, shall not vote.

And in case such Elector refuse to swear, and also to subscribe the said Oath, such Person or Persons shall not be capable of voting, or being elected at such Election.

Other Objections as allowable by Law. No Infeoffment on any redeemable Right (except proper Wadsetts, &c.) shall entitle to vote or be elected.

II. Provided always, That notwithstanding such Oath taken, it shall be lawful to make such other Objections as are allowed by the Laws of Scotland against such Electors.

And Persons not enrolled at former Elections, shall not vote without producing a Right.

III. And be it further enacted and declared by the Authority aforesaid, That no Infeoffment taken upon any redeemable Right whatsoever (except proper Wadsetts, Adjudications, or Apprisings, allowed by the Act of Parliament relating to Elections in one thousand six hundred eighty-one) shall entitle the Person so infeofter to vote or be elected at any Election in any Shire or Stewartry; and that no Person or Persons, who have not been inrolled and voted at former Elections, shall, upon any Pretence whatsoever, be inrolled or admitted to vote at any Election, except he or they first produce a sufficient Right or Title to qualify him or them to vote at that Election, to the Satisfaction of the Freeholders formerly inrolled, or the Majority of them present; and the returning Officers are hereby ordained to make their Returns of the Persons elected by the Majority of the Freeholders inrolled, and those admitted by them, reserving always the Liberty of objecting against the Persons admitted to, or excluded from the Roll, as formerly.

This Clause is repealed by 16 Geo. 2. c. 11.

Sheriffs, &c. shall, on Penalty of 50 l. make publick Intimations three Days before the Day of Election.

IV. And be it further enacted by the Authority aforesaid, That all Sheriffs of Shires, and Stewarts of Stewartries; shall be obliged, under the Pain of fifty Pounds Sterling, one Moiety whereof shall be to the Queen's most Excellent Majesty, her Heirs and Successors, and the other Moiety to the Person or Persons who shall sue for the same, to be recovered before the Court of Session, by any Action summarily, without abiding the Course of the Roll, to make the publick Intimations required by the Laws of Scotland, at the several Parish Churches within their respective Jurisdictions, at least three Days before the Dyet of Elections.

Saving the Rights of Heirs and Husbands.

V. Provided always, That the Right of apparent Heirs in voting at Elections by Virtue of their Predecessors Infeoffments, and the Right of Husbands by Virtue of their Wives Infeoffments, be and is hereby reserved to them, as formerly; any Thing in this Act contained to the contrary notwithstanding.

Any Right whereon Infeoffment is taken before 1 June 1713. shall entitle to vote for Members of Parliament.

VI. Provided also, That any Conveyance of Right, which by the Laws of Scotland is sufficient to qualify any Person to vote in the Elections of Members to serve in Parliament for Shires or Stewartries, and whereupon Infeoffment is taken, on or before the first Day of June in the Year of our Lord one thousand seven hundred and thirteen, shall entitle the Person or Persons, so infeofter, to vote at the Elections of Members to serve in the next ensuing Parliament; any Thing herein contained to the contrary notwithstanding.

Husbands not to vote by Virtue of their Wives Infeoffments, unless they are Heir-esses, &c.

VII. Provided always, and it is hereby declared to be the true Intent and Meaning of this Act, That no Husbands shall vote at any ensuing Election by Virtue of their Wives Infeoffments, who are not Heir-esses, or have not Right to the Property of the Lands on Account whereof such Vote shall be claimed.

C A P. VII.

An Act for the more effectual preventing and punishing Robberies that shall be committed in Houses.

25 H. 8. c. 3. 5 & 6 Ed. 6. c. 9 & 10. 3 W. & M. c. 9. 10 & 11 W. 3. c. 23. 5 Ann. c. 31. After 1 July 1713. Persons stealing to the

FORASMUCH as divers wicked and ill-disposed Servants, and other Persons, are encouraged to commit Robberies in Houses by the Privilege, as the Law now is, of demanding the Benefit of their Clergy; Be it therefore enacted by the Queen'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 and every Person or Persons that shall, at any Time, from and after

the first Day of July in the Year one thousand seven hundred and thirteen, feloniously steal any Money, Goods or Chattels, Wares or Merchandizes, of the Value of forty Shillings or more, being in any Dwelling-house or Out-house thereunto belonging, although such House or Out-house be not actually broken by such Offender, and although the Owner of such Goods, or any other Person or Persons, be or be not in such House or Out-house, or shall assist or aid any Person or Persons to commit any such Offence, being thereof convicted or attained by Verdict or Confession, or being indicted thereof shall stand mute, or will not directly answer to the Indictment, or shall peremptorily challenge above the Number of twenty returned to be of the Jury, shall, by Virtue of this Act, be absolutely debarred of and from the Benefit of Clergy; any Law or Custom to the contrary notwithstanding.

Value of 40s. being in a Dwelling house, tho' such House, &c. be not broken, &c. and being thereof convicted, shall be debarred the Benefit of Clergy.

II. Provided always, That nothing in this Act shall extend to Apprentices under the Age of fifteen Years, who shall rob their Masters, as aforesaid.

Not to extend to Apprentices under 15 Years of Age.

III. And whereas there has been some Doubt, whether the entering into the Mansion-house of another, without breaking the same, with an Intent to commit some Felony, and breaking the said House in the Night-time to get out, be Burglary; Be it declared and enacted by the Authority aforesaid, That if any Person shall enter into the Mansion or Dwelling house of another, by Day or by Night, without breaking the same, with an Intent to commit Felony, or being in such House shall commit any Felony, and shall in the Night-time break the said House to get out of the same, such Person is and shall be adjudged and taken to be guilty of Burglary, and shall be ousted of the Benefit of his and her Clergy, in the same Manner as if such Person had broke and entred the said House in the Night-time, with an Intent to commit Felony there.

Entering into a House without breaking it, or being there committing Felony, and breaking the House in the Night to get

out, shall be Burglary. Farther Provisions concerning Burglary, 4 Geo. 1. c. 11. and 6 Geo. 1. c. 23.

C A P. VIII.

An Act for raising the Militia for the Year one thousand seven hundred and thirteen, although the Month's Pay formerly advanced be not repaid. E X P.

C A P. IX.

An Act for continuing an Act made in the third and fourth Years of the Reign of her present Majesty, intituled, *An Act for encouraging the Importation of Naval Stores from her Majesty's Plantations in America*; and for encouraging the Importation of Naval Stores from that Part of *Great Britain* called *Scotland*, to that Part of *Great Britain* called *England*.

WHEREAS An Act was made in the third and fourth Years of her present Majesty's Reign, intituled, *An Act for encouraging the Importation of Naval Stores from her Majesty's Plantations in America*; which hath been found to be very advantageous for furnishing with Naval Stores the Royal Navy and Shipping of this Kingdom, wherein, under God, the Wealth, Safety, and Strength of this Nation is so much concerned, and depends on the due Supply of Stores necessary for the same; which by a due Encouragement may be had from her Majesty's Colonies and Plantations in *America*, which were at first settled, and are still maintained and protected at a great Expence from this Kingdom; and in Regard the said Colonies and Plantations may (as they have done) commodiously afford great Quantities of all Sorts of Naval Stores, by continuing the Encouragement given in the said Act for importing the same into *England*; And whereas the said Act is near expiring; Be it therefore enacted by the Queen'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 Act made in the third and fourth Years of her present Majesty's Reign, intituled, *An Act for encouraging the Importation of Naval Stores from her Majesty's Plantations in America*; and every Part thereof, shall be and is hereby continued from the Time of the Expiration of the same, for and during the Space and Term of eleven Years, and from thence to the End of the next Session of Parliament.

3 & 4 Annæ, c. 10.

12 Car. 2. c. 18.
15 Car. 2. c. 7.
25 Car. 2. c. 7.
The Act 3 & 4 Ann. c. 10. continued for 11 Years from the Expiration thereof, &c. The Premium for Hemp Water-rotted's continued for 16 Years by 8 Geo. 1. c. 12. § 1.

II. And whereas there are in several Parts of *North Britain*, commonly called *Scotland*, great Store of Pine and Fir-trees, fit for Malts, and for the making of Pitch, Tar, Rozin, and other Naval Stores; but the Lands and Woods which may yield such Naval Stores are mostly in Parts mountainous and remote from navigable Rivers; Therefore for the Encouragement of the Proprietors of such Lands and Woods, in the making the Roads, Passages, and Rivers in those northern Parts useful and commodious to the Publick, as well as for conveying such Naval Stores to Sea Ports in *North Britain*, to be brought by Sea to that Part of *Great Britain* called *England*; Be it enacted, &c.

Premiums for bringing Naval Stores from *Scotland*, after 1 Sept. 1713. For the Encouragement hereto, see 2 Geo. 2. c. 35.

Tar 4l. per Tun. Pitch 4l. per Tun. Rosin 3l. per Tun. Malts, &c. 2s. per Tun. To be paid by the Officers of the Navy on Certificate from the Custom Officers where landed. By 5 Geo. 1. c. 11. §. 16, 17. and 8 Geo. 1. c. 12. §. 4. farther Provisions are made concerning such Certificate. And on Certificate from the Comptroller of the Customs, &c. in *North Britain* where such Stores shall be embarked, that such Naval Stores were of the Growth of *Scotland*, &c. The Preemption to be tendered to the Commissioners of the Navy. Making a false Oath, or counterfeiting Certificate, &c. to suffer the Penalties of wilful Perjury, and forfeit 100l. Comptroller, &c. making false Certificate, liable to the

Farther Provi-
sions relating to
the Plantations,

4 Geo. 1. c. 11.
12 Geo. 2. c. 30.

“ Penalties in 13 & 14 Car. 2. c. 11. Master, &c. importing Foreign Stores, as of the Growth of Scotland,
“ to forfeit 100l. as also the Ship, &c.” E X P.

8 Geo. 1. c. 12 & 15. 13 Geo. 1. c. 5. 3 Geo. 2. c. 12 & 28. 4 Geo. 2. c. 15. 5 Geo. 2. c. 7 & 9. 6 Geo. 2. c. 13. 8 Geo. 2. c. 19.
15 Geo. 2. c. 31 & 33. 24 Geo. 2. c. 51 & 53. 29 Geo. 2. c. 5 & 35. and 30 Geo. 2. c. 9.

C A P. X.

An Act for continuing the Acts therein mentioned, for preventing Theft and Rapine upon the Northern Borders of England.

13 & 14 Car. 2.
c. 22.

18 Car. 2. c. 3.

29 & 30 Car. 2.
c. 2.

1 Jac. 2. c. 14.

7 & 8 W. 3.
c. 17.

12 & 13 W. 3.
c. 6.

WHEREAS in the Session of Parliament holden in the thirteenth and fourteenth Years of the Reign of our late Sovereign King CHARLES the Second, an Act was made, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of England*; which was thereby to continue in Force for and during the Term of five Years: And whereas another Act was made in the eighteenth Year of the said late intituled, *An Act to continue a former Act to prevent Theft and Rapine upon the Northern Borders of England*; both which Acts were revived and continued by another Act made in the twenty-ninth and thirtieth Years of the Reign of the said late King, intituled, *An Act for continuing two former Acts, for preventing of Theft and Rapine upon the Northern Borders of England*, for and during the Space and Term of seven Years, and also from thence until the End of the first Session of the then next Parliament; which three aforementioned Acts, by an Act made in the first Year of the Reign of King JAMES the Second, intituled, *An Act for Continuance of three former Acts, for preventing of Theft and Rapine upon the Northern Borders of England*, were continued for and during the Space and Term of eleven Years, and from thence unto the End of the first Session of the then next Parliament; and were further continued by an Act made in the seventh and eighth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act to continue four former Acts for preventing Theft and Rapine upon the Northern Borders of England*, for and during the Space and Term of five Years, and from thence unto the End of the first Session of the next Parliament; all which Acts and every of them, by an Act made in the twelfth and thirteenth Years of the said late King WILLIAM, intituled, *An Act for continuing the Acts therein mentioned, for preventing Theft and Rapine upon the Northern Borders of England*; and all and every Matter, Clause and Clauses therein contained, and all and every the Powers and Authorities thereby given, were enacted to continue and be in full Force from and after the Expiration of the therein last mentioned Act, for and during the Space and Term of eleven Years, and from thence to the End of the first Session of the next Parliament: And it was also by the last herein mentioned Act provided and enacted, That the said Acts shall be accepted, taken and reputed to be general and publick Acts of Parliament, of which all and every the Judge and Judges of this Kingdom, in all Courts, shall take Notice on all Occasions whatsoever, as if they were publick Acts of Parliament relating to the whole Kingdom: All which Acts have been found necessary for the Preservation of those Places from that great Number of lewd and disorderly Persons that usually frequented and infested those Parts, and are now near expiring; Be it therefore enacted by the Queen'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 the said Acts, and every of them, and all and every Matter, Clause and Clauses in them or any of them contained, and all and every the Powers and Authorities thereby given, shall continue and be in full Force from and after the Expiration of the said Act, made in the twelfth and thirteenth Years of the said late King WILLIAM, for and during the Space and Term of eleven Years, and from thence to the End of the first Session of the next Parliament, and no longer. [Farther continued by 24 Geo. 2. c. 57. to 1 Sept. 1757, &c. See 6 Geo. 2. c. 37.]

C A P. XI.

An Act to raise twelve hundred thousand Pounds for publick Uses, by circulating a further Sum in Exchequer Bills; and for enabling her Majesty to raise five hundred thousand Pounds on the Revenues appointed for Uses of her Civil Government, to be applied for or towards Payment of such Debts and Arrears owing to her Servants, Tradesmen, and others, as are therein mentioned.

Preamble recit-
ing the Acts
7 Ann. c. 7. &
8 Ann. c. 1.
relating to Ex-
chequer Bills.

MAY it please your most Excellent Majesty; Whereas in Pursuance of an Act of Parliament made in the seventh Year of your Majesty's Reign (amongst other Things) for enlarging the Capital Stock of the Bank of England, several Bills commonly called Exchequer Bills, were made forth, amounting in Principal Money to two Millions and five hundred thousand Pounds, for your Majesty's Supply; and in Pursuance of another Act of the same Session of Parliament-made (amongst other Things) for circulating a further Sum in Exchequer Bills; and of an Act made in the eighth Year of your Majesty's Reign, intituled, *An Act for granting an Aid to her Majesty to be raised by a Land-Tax in Great Britain, for the Service of the Year one thousand seven hundred and ten*, further Exchequer Bills, to the Amount of four hundred thousand Pounds in Principal Money, have also been issued for your Majesty's Supply: And whereas Provision was made in the Acts before mentioned, That the said Bills should bear an Interest of two Pence per Cent. per Diem, when they respectively should not be in the publick Receipts; and that the Governor and Company of the Bank of England, for circulating the said Bills (by exchanging such of them

' them for ready Money as should, from Time to Time, have passed through your Majesty's Revenue or
 ' Taxes, and also through the Exchequer in the Manner therein mentioned) should have an Allowance after
 ' the Rate of three Pounds *per Cent. per Ann.* for the whole Sum of the said Bills, amounting to two Mil-
 ' lions and nine hundred thousand Pounds: And whereas in and by the said Act of the seventh Year of your 7 Ann. c. 7.
 ' Majesty's Reign, certain Duties were granted, continued, or made payable to your Majesty, your Heirs
 ' and Successors, for ever (subject to such Redemption as is therein expressed) that is to say, the Duties
 ' called the two Thirds of a Subsidy of Tonnage and Poundage therein mentioned, which were to take
 ' Effect by that Act, from the seventh Day of *March* one thousand seven hundred and eleven, certain Du-
 ' ties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, Pic-
 ' tures and Muslins, and certain increased Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paste, Tea,
 ' Nutmegs, Cinnamon, Cloves, Mace and Pictures, and certain further Rates or Duties upon all white
 ' Callicoes, Porcelan, commonly called *China Ware*, and Drugs; all which are to take Effect by the Act
 ' last mentioned, from the twenty-third Day of *June* one thousand seven hundred and fourteen; and one Half
 ' of another Subsidy of Tonnage and Poundage therein mentioned, which is to take Effect from and after
 ' the last Day of *July* one thousand seven hundred and fourteen; and all the said Duties so granted, conti-
 ' nued, or made payable, together with the Surplus which should, from Time to Time, arise of or from
 ' the other Half of the same Subsidy of Tonnage and Poundage (over and above eighty thousand Pounds
 ' *per Ann.* formerly charged thereupon for Payment of Annuities) and divers Arrears and other Sums of Mo-
 ' ney or Revenues more largely described in the said Act of the seventh Year of your Majesty's Reign, are
 ' thereby, and by the other Acts abovementioned, or some of them, made a general Fund or Security for
 ' paying the said Interest which was to be born on the said Bills, and the said Allowance after the Rate of
 ' three Pounds *per Cent. per Ann.* and for or towards raising a yearly Sum of two hundred thousand Pounds
 ' for paying off and cancelling the said Bills; and by the aforesaid Acts, or some of them, it was provided,
 ' that Quarterly at the four usual Feasts of the Year, until the said Duties should take Effect, and be suffi-
 ' cient for Payment of the said Interest and Allowance, there should be a Computation made of the Sum
 ' which on every of the said Feast Days should be due and owing (over and above so much as should
 ' have been applied of the said Duties to those Purposes) for the said Interest and Allowance, and that
 ' other Exchequer Bills should be made out for so much as should be so computed to be due, bearing the
 ' like Interest, and for circulating whereof the said Governor and Company were to have the like Allow-
 ' ance of three Pounds *per Cent. per Ann.* and the Quarterly Bills so made forth until and for the Quarter
 ' ended at *Lady-Day* one thousand seven hundred and thirteen, have amounted to the further Sum of four
 ' hundred and eighty thousand three hundred and twelve Pounds, and ten Shillings, or thereabouts, and more
 ' Quarterly Bills of the like Nature may further be issuable on the said former Acts: And by the same Acts,
 ' or some of them, it was declared and enacted, That out of the Remainder of the said Duties and Reve-
 ' nues, when and as the same should respectively take Effect (Regard being first had to the said Payments
 ' for Interest and Circulation, which are always to be preferred) the full Sum of two hundred thousand
 ' Pounds, or so much thereof as the said Remainder would from Time to Time extend unto, should be
 ' appropriated for paying off all the Principal Money which should be contained in the said Bills, and for
 ' cancelling the same, until all the said Bills should be discharged and cancelled: And whereas by an Act Recital of
9 Ann. c. 7.
 ' made and passed in the ninth Year of your Majesty's Reign, for enabling and obliging the Bank of *England*
 ' to exchange all Exchequer Bills for ready Money upon Demand, it was enacted, That the full Sum of
 ' forty-five thousand Pounds *per Ann.* should be paid to and for the Use of the said Governor and Com-
 ' pany, and their Successors, by Quarterly Payments, and by such Ways and Means, and in such Manner
 ' and Form, as in that Act are prescribed, until such Time as all the said Quarterly Exchequer Bills made or
 ' to be made for Interest or Allowance, as aforesaid, together with a Million of the said Bills for two Mil-
 ' lions nine hundred thousand Pounds shall be paid off and cancelled, or until such Time as there shall not
 ' be standing out and uncanceled more than one million and nine hundred thousand Pounds in the
 ' whole of the said Bills for two millions and nine hundred thousand Pounds, and Quarterly Bills taken
 ' together (which of the Limitations aforesaid shall first happen) as by the said several Acts, Relation
 ' being thereunto respectively had, may more fully appear: And whereas the said Governor and Com-
 ' pany of the Bank of *England* are willing (for the Publick Service) to undertake the Circulation of the
 ' further Sum of twelve hundred thousand Pounds in other Exchequer Bills to be issued for your Majesty's
 ' Supply, and of such Quarterly Bills for Interest and other Allowances, as shall and may be made forth
 ' in Pursuance of this present Act, so as the said Governor and Company may have such Encouragements,
 ' and such Terms and Advantages as are hereafter in this Act expressed: Now we your Majesty's most du-
 ' tiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do humbly beseech your
 Majesty that it may be enacted, &c.'

" Treasury may issue out 1,200,000l. in Exchequer Bills. Bills to bear Interest at 2d. *per Cent. per Diem*
 " to the Bearer, and to the Bank 3l. *per Cent. per Ann.* 8000l. above the 45000l. of 9 Ann. c. 7. to be paid
 " to the Bank yearly, to commence 31 July 1713. and paid Quarterly. To be paid till no more than
 " 1,900,000l. stand out uncanceled. 9 Ann. c. 7. Subsidies, Duties, &c. 7 Ann. c. 7. shall be the gene-
 " ral Fund and Security. The 3l. *per Cent.* to be paid weekly. Treasury to direct Imprest Money for
 " discharging Interest on Exchequer Bills. After paying the Interest of 2d *per Cent. per Diem*, an Allowance
 " of 3l. *per Cent. per Ann.* the Monies grown due on the 8000l. and 45,000l. *per Ann.* shall Quarterly be paid
 " to the Bank, &c. Remainder appropriated for paying off and discharging Exchequer-Bills. See 1 Geo. 1.
 " Stat. 2. c. 12. Sect. 15. Till the Fund established takes Effect, Treasury to compute Quarterly the In-
 " terest due and owing, &c. And to make out other Bills for so much as shall be due, with like Interest
 " and Currency, &c. Deficiency to be made good by Parliament. Surplus disposable by Parliament.
 " These Bills shall be subject to the Rules, &c. of the former Acts, &c. The Powers, &c. of the former
 " Acts

“ Acts relating to Exchequer-Bills, to be in Force. Yearly Sums, Allowance, and Interest, Tax-free.
 “ Bank obliged to exchange for Ready Money all Exchequer-Bills, in Default may be sued. Bank may
 “ contract with others for furnishing Monies : Such Contracts not chargeable with the Stamp-Duties. Fur-
 “ ther sealed Bills may be issued to the Amount of the Contracts. Bank may call in Money from their
 “ Members, for circulating, &c. Monies so called in may be made Part of the Capital Stock. All Rules,
 “ &c. relating to the Capital Stock, to be extended to the same so enlarged. Bank continued till all the
 “ Exchequer-Bills be discharged. After all the Bills, &c. are discharged, the several Subsidies, &c. shall
 “ be understood to be redeemed by Parliament. The said Subsidies, &c. may be redeemed, without re-
 “ deeming the other Funds.” E X P.

7 Ann. c. 7.

“ XXIII. And whereas by the said Act made in the seventh Year of her Majesty's Reign, it was declared
 “ and enacted, That the said Governor and Company of the Bank of *England*, and their Successors, for ever,
 “ should continue and be one Body Corporate and Politick, and should for ever have, receive and enjoy the
 “ intire yearly Fund of one hundred thousand Pounds therein mentioned, out of certain Rates and Duties of
 “ Excise therein described, and such Abilities, Capacities, Powers, Authorities, Franchises, Exemptions, Pri-
 “ vileges, Profits, and Advantages, as are therein expressed, subject nevertheless to a Power and Condition
 “ of Redemption, in that Act contained in that Behalf: And it was thereby provided and enacted, That at
 “ any Time upon twelve Months Notice after the first Day of *August*, which should be in the Year of our
 “ Lord one thousand seven hundred and thirty-two. and not before, and upon Repayment by Parliament to
 “ the said Governor and Company of the Bank of *England*, or their Successors, of the several Sums, amount-
 “ ing to sixteen hundred thousand Pounds, therein mentioned, without any Deduction, Discount, or Abate-
 “ ment whatsoever, to be made out of the said Sum of sixteen hundred thousand Pounds, or any Part there-
 “ of, and upon Payment to the said Governor and Company, and their Successors, of all Arrears of the said
 “ one hundred thousand Pounds *per Annum*, and all the Principal and Interest Money, which should be
 “ owing unto them upon all such Tallies, Exchequer Orders, or Parliamentary Funds, which the said Go-
 “ vernor and Company, or their Successors, should have remaining in their Hands, or be entitled to, at the
 “ Time of such Notice to be given, as aforesaid, (such Funds, for Redemption whereof other Provision
 “ was made in the same Act, only excepted) then, or in such Case, and not till then, the said yearly Fund
 “ of one hundred thousand Pounds should cease and determine, as by the same Act (Relation being thereunto
 “ had) may more plainly appear :’ Now for the better Encouragement of the said Governor and Company
 “ of the Bank of *England*, to perform the Service of circulating all the Exchequer-Bills, according to the
 “ true Meaning of this Act, It is hereby declared and enacted by the Authority aforesaid, That the said rec-
 “ ited Proviso or Condition for determining the said yearly Fund of one hundred thousand Pounds, upon
 “ twelve Months Notice, after the said first Day of *August* one thousand seven hundred thirty-two, upon such
 “ Payments, as aforesaid, shall be, and is hereby repealed and made void; and that the said Governor and
 “ Company of the Bank of *England*, and their Successors, for ever, shall remain, continue and be one Body
 “ Corporate and Politick, by the Name of the Governor and Company of the Bank of *England*, and shall for
 “ ever have, receive and enjoy the said intire yearly Fund of one hundred thousand Pounds out of the said
 “ Rates and Duties of Excise, together with a perpetual Succession, and all Abilities, Capacities, Powers,
 “ Authorities, Franchises, Exemptions, Privileges, Profits and Advantages whatsoever, whereunto the Go-
 “ vernor and Company of the Bank of *England* are, or before the making of this Act were entitled by any
 “ Act or Acts of Parliament, Grants or Charters whatsoever, now in Force; subject nevertheless to such Re-
 “ strictions, Rules, Directions, Agreements, Matters and Things, as in the said Acts and Charters, or any
 “ of them, now in Force are contained or prescribed; and also subject to the Power and Condition of Re-
 “ demption, hereafter in this Act contained in this Behalf.

Proviso in
 7 Anne for de-
 termining the
 yearly Fund and
 Corporation, on
 twelve Months
 Notice after
 1 August 1732.
 repealed.

On 12 Months
 Notice after
 1 Aug. 1742.
 and on Pay-
 ment to the
 Bank of
 1,600,000 l. &c.
 the yearly Fund
 of 100,000 l.
 to cease.
 Repealed by
 1 Geo. 2. c. 15.
 sect. 3.

“ XXIV. Provided always, and it is hereby further enacted by the Authority aforesaid, That at any Time
 upon twelve Months Notice after the first Day of *August*, which shall be in the Year of our Lord one thou-
 sand seven hundred forty-two, and not before, and upon Repayment by Parliament to the said Governor
 and Company of the Bank of *England*, or their Successors, of the said Sum of sixteen hundred thousand
 Pounds, without any Deduction, Discount or Abatement whatsoever, and upon Payment to the said Go-
 vernor and Company, and their Successors, of all Arrears of the said one hundred thousand Pounds *per*
Annum, and all the Principal and Interest Money which shall be owing unto them upon all such Tallies,
 Exchequer-Orders, or Parliamentary Funds, which the said Governor and Company, or their Successors,
 shall have remaining in their Hands, or be entitled to at the Time of such Notice to be given, as afore-
 said (such Funds, for Redemption whereof other Provision is made in the said former Acts, or any of them,
 or in this Act, always excepted) then and in such Case, and not till then, the said yearly Fund of one hun-
 dred thousand Pounds shall cease and determine.

After Redemp-
 tion, &c. Cor-
 poration to de-
 termine.
 Further Provi-
 sions concern-
 ing Bank, 12 A. n.
 Stat. 2. c. 3.
 3 Geo. 1. c. 8.
 11 Geo. 1. c. 9.
 14 Geo. 2. stat. 2.
 c. 8. 2 Geo. 2.
 c. 3.

“ XXV. Provided also, and it is hereby enacted, That from and after such Redemption of the said one hun-
 dred thousand Pounds *per Annum*, and from and after Redemption shall also be made by Parliament of the
 Annuity of one hundred and six thousand five hundred and one Pounds, thirteen Shillings and five Pence
per Annum, by the said Act of the seventh Year of her Majesty's Reign, settled and payable to the said
 Governor and Company, in the Manner therein mentioned, and from and after Redemption shall likewise
 be made of the Fund established by this Act, in Relation to the said Exchequer Bills, then, and not till then,
 the said Corporation of the Governor and Company of the Bank of *England* shall cease and determine, but
 till then, the said Governor and Company shall continue a Corporation, and shall have and enjoy all the
 Powers and Privileges they are now entitled unto, as aforesaid.

Publick Act.

“ XXVI. And be it further enacted and declared, That this Act shall be esteemed in all Courts of
 Law and Equity to be a publick Act, and Notice thereof shall be taken as such by all Courts and Per-
 sons accordingly.

“ XXVII. And

‘ XXVII. And whereas by an Act of Parliament made and passed in the first Year of her Majesty’s ^{Recital of the} Reign, intituled, *An Act for the better Support of her Majesty’s Household, and of the Honour and Dignity of* ^{Act 1 Annæ,} *the Crown,* It was enacted and declared, That the Hereditary Rates and Duties of Excise upon Beer, Ale, ^{Stat. 1. c. 7.} and other Liquors, which were granted to the Crown in the twelfth Year of the Reign of his late Majesty ^{12 Car. 2. c. 23.} King CHARLES the Second, and the Duties of Excise upon Beer, Ale, and other Liquors, by the said Act of the first Year of her Majesty’s Reign granted to her Majesty for the Term of her Life (subject nevertheless to such weekly Payments or Incumbrances as were thereby appointed to be charged upon, and payable out of the several Duties of Excise before mentioned) and the Revenue of the General Letter-Office or Post-Office, and divers small Branches of her Majesty’s Revenues therein enumerated, and the Monies arising by the further Subsidy of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes, by the said Act granted or made payable to her Majesty during her Life, should be for the Support of her Majesty’s Household, and of the Honour and Dignity of the Crown; and in the said Act several Provisions are made to restrain Granting or Aliening the Revenues aforesaid, or any of them: since which Time the Revenues of First-fruits and Tenths of the Clergy (being Part of the said small Branches) have been otherwise disposed by or in Pursuance of an Act of Parliament in that Behalf; and ^{5 Annæ, c. 24.} the Revenue arising in the General Letter-Office or Post-Office hath been since regranted and increased, and Part of that Revenue so regranted and increased hath been appropriated to raise Money for the publick Use, and other Part thereof is applicable to the Support of her Majesty’s said Household, and the Honour and Dignity of the Crown, pursuant to another Act of Parliament made for those Ends and Purposes, as by the said respective Acts, Relation being thereunto had, may more fully appear: And whereas by Occasion of several extraordinary Expences since the said Act of the first Year of her Majesty’s Reign, divers Arrears of Salaries, Wages, Diet-Monies, and other Allowances, and sundry Debts for Emptions, Provisions, and other Causes, have incurred, and grown due to her Majesty’s Servants, Tradesmen, and others, and do now remain unsatisfied, which Debts and Arrears do amount to a very considerable Sum in the Whole, and are properly chargeable upon the said Branches or Revenues which were appointed to the Support of her Majesty’s Household, and of the Honour and Dignity of the Crown, as aforesaid: Now her Majesty’s said most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous that her Majesty, in the Administration of her Civil Government, may not remain under any Difficulties, in Respect of the Arrears or Debts contracted, as aforesaid, and being therefore desirous that a Sum not exceeding five hundred thousand Pounds may be raised, by such Ways and Means, as in this Act are authorized or appointed, the better to enable her Majesty to discharge the said Debts and Arrears, do, for that End and Purpose, most humbly pray that it may be enacted, &c.’

“ Her Majesty, by Letters Patents, may appoint 35,000 l. *per Annum* for 32 Years, to be issued out of the Exchequer, chargeable on the Revenues of the Crown, &c. and preferable to all other Payments, but not to prejudice any Dispositions, &c. since ^{1 Annæ,} of the First-Fruits, Post-Office, &c. Letters Patents to direct how the said Sum shall be paid, and to empower Persons to advance the same, &c. and to direct how the Monies may be transferred. The Letters Patents good in Law. No Fee to be taken, nor Money to be diverted, on Pain of Incapacity, and treble Damages. Money advanced, Tax-free. E X P.”

XXXII. And be it enacted by the Authority aforesaid, That all the Money lent, and to be lent to her Majesty upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty, to be raised by a Land-Tax in Great Britain, for the Service of the Year one thousand seven hundred and thirteen,* and so much Money (if any such be) of the Tax thereby granted, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred or directed to be transferred thereunto, and the Interest thereof, and the Charges thereby allowable for raising the said Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Monies lent, or to be lent unto her Majesty upon another Act of this Session of Parliament, for granting to her Majesty Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and thirteen; and so much Money of the said Duties of Malt, Mum, Cyder and Perry thereby granted, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred or directed to be transferred thereunto, and the Interest thereof, and the Charge thereby allowable for the raising the said Duties thereby granted, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Sums (not exceeding twelve hundred thousand Pounds) authorized by this Act to be issued in Exchequer-Bills, shall be appropriated for or towards the several Uses, Intents and Purposes herein after expressed, (that is to say) For or towards defraying the Charges of the Ordinary of her Majesty’s Navy, and for Victuals, Wages, Ordinary of the Navy, &c. Wear and Tear, and other Services of the Navy, and Victualling thereof, performed and to be performed, and for Sea Service in the Ordnance, performed and to be performed, so as all the Issues to be made out of the said Aids or Supplies, for all the Naval or Marine Services beforementioned, do not in the whole exceed one Million and two hundred thousand Pounds, over and above the Money to be made good to the *South Sea Company*, as is herein after mentioned; and for or towards defraying the Charge of Half-Pay, Half-pay for Sea-Officers. to such Officers as have served well at Sea in the late War, and shall be out of Employment by Sea or Land in Time of Peace, so as such Half-Pay, within the Year one thousand seven hundred and thirteen, do not exceed seventeen thousand Pounds, out of the same Aids or Supplies; and for or towards defraying the Charge of the Land Forces in her Majesty’s Service for six Months, from the two and twentieth Day of *December* one thousand seven hundred and twelve to the three and twentieth Day of *June* one thousand seven hundred and thirteen, both inclusive, and for reducing their Numbers; and for or towards the Charge of her Majesty’s Guards and Garrisons in *Great Britain*, from the three and twentieth Day of *June* one thousand seven hundred and thirteen to the five and twentieth Day of *December* following, including *General*

neral Officers and Contingencies; and for or towards the Charge of her Majesty's Forces in the Island of *Minorca*, from the four and twentieth Day of *June* one thousand seven hundred and thirteen to the four and twentieth Day of *December* following; and for or towards the Charge of her Majesty's Forces in *Gibraltar*, from the four and twentieth Day of *June* one thousand seven hundred and thirteen to the four and twentieth Day of *December* following; and for or towards the Charge of her Majesty's Forces at *Dunkirk* for five Months, from the four and twentieth Day of *June* one thousand seven hundred and thirteen; and for or towards defraying her Majesty's Part of the Charge of the Pay of the *Saxe Gotha* Troops, from the two and twentieth Day of *December* one thousand seven hundred and twelve to the Time of their Dismission, with one Month's Pay from that time, according to the Treaty in that Behalf; and for or towards defraying the Charge of her Majesty's Forces in the Plantations for six Months, from the four and twentieth Day of *June* one thousand seven hundred and thirteen to the four and twentieth Day of *December* following; so as all the Issues to be made out of the said Aids or Supplies, for the said Guards, Garrisons, and Land-Forces, as aforesaid, for or upon Account of such respective Services, as are before mentioned, do not in the whole exceed nine hundred thirty-seven thousand six hundred and eight Pounds eleven Shillings and six Pence; and for or towards defraying the Charge of Half-pay to the Officers (who have served well in the said War) of four Marine Regiments to be disbanded, from the first Day of *July* one thousand seven hundred and thirteen to the four and twentieth Day of *December* following, so as such Half-pay for the said Marine Officers do not exceed four thousand eight hundred seventy-nine Pounds and six Shillings, out of the Aids or Supplies aforesaid; and for or towards defraying the Charge of Half-pay to the Land-Officers who have served well in the said War, and are disbanded, or are to be disbanded, to the five and twentieth Day of *December* one thousand seven hundred and thirteen, so as such Half-pay to the said Land-Officers do not exceed ninety-nine thousand twenty and eight Pounds six Shillings and eleven Pence, out of the same Aids or Supplies; and for or towards defraying the Charge of the Out-Pensioners of the Royal Hospital at *Chelsea*, to the four and twentieth Day of *December* one thousand seven hundred and thirteen, so as the Charge last mentioned do not exceed the Sum of sixty-one thousand four hundred sixty and four Pounds five Shillings and seven Pence, out of the Aids or Supplies aforesaid; and for or towards defraying extraordinary Charges incurred in relation to the late War, so as such extraordinary Charges do not exceed in the whole twenty thousand five hundred seventy and two Pounds five Shillings and ten Pence, out of the Aids or Supplies before mentioned; and for or towards the Charge of the Office of her Majesty's Ordnance for Land-Service, performed and to be performed, not to exceed in the whole sixty-six thousand six hundred ninety and eight Pounds three Shillings and five Pence, out of the same Aids or Supplies, including so much (not exceeding two thousand Pounds) as shall be necessary to defray the Charge of covering the Works of the Fortifications already begun in *North Britain*; and for or towards making good the Deficiency of the Fund granted for the Payment of Principal and Interest of the Class Lottery in the Year one thousand seven hundred and eleven, for the Year ended at *Michaelmas* one thousand seven hundred and twelve, so as the Sum to be supplied out of the Aids or Supplies aforesaid, for or towards the same Deficiency, do not exceed sixty-two thousand Pounds; and for or towards Satisfaction of the Sum of six thousand Pounds to defray the Salaries and incident Charges of the seven Commissioners, continued by an Act of this Session of Parliament for stating the publick Accounts of the Kingdom, from the four and twentieth Day of *March* one thousand seven hundred and twelve to the five and twentieth Day of *March* one thousand seven hundred and fourteen; and the further Sum of four thousand and five hundred Pounds, to defray the Salaries and incident Charges of the same Commissioners, continued by the same Act for stating and determining the Debts to the Army, from the four and twentieth Day of *June* one thousand seven hundred and thirteen to the four and twentieth Day of *June* one thousand seven hundred and fourteen; the said respective Sums to be issued and paid by Quarterly Payments to the said Commissioners, for themselves, and for Payment of their Clerks, and other incident Charges, without Account, Imprest, or other Charge to be set upon them or any of them for the same, or any Part thereof; and to none other Uses, Intents and Purposes whatsoever.

XXXIII. Provided always, and it is hereby enacted and declared, That no Appropriation, or other Matter or Thing in this Act contained, shall obstruct or hinder any Payment or Payments, which, by and in Pursuance of an Act made in the ninth Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and satisfying the publick Debts; and for erecting a Corporation to carry on a Trade to the South Seas; and for the Incouragement of the Fishery; and for Liberty to trade in unwrought Iron with the Subjects of Spain, and to repeal the Acts for registering Seamen*, and of her Majesty's Charter grounded thereupon, are or shall be required and authorized to be made by the Treasurer or Paymaster of the Navy, for the Time being, or by any other Persons to be intrusted with the Publick Monies for the Service of the Navy, out of such Publick Monies, Tallies, Orders, or Parliamentary Securities in their Hands or Power respectively, as are or shall thereby be charged or chargeable to make good any Deficiency or Deficiencies to the Corporation erected in Pursuance of the Act last mentioned, called by the Name of the Governor and Company of Merchants of *Great Britain*, trading to the *South Seas*, and other Parts of *America*, and for incouraging the Fishery, or to their Treasurer, for their Use; any thing herein contained to the contrary notwithstanding.

XXXIV. And be it further enacted and declared, That all such of the said Arrears and Debts (intended by this Act to be satisfied out of the said Sum not exceeding five hundred thousand Pounds, to be raised, as aforesaid) and all Debentures for the same, or any of them, as have been, at any Time or Times before the thirtieth Day of *June* one thousand seven hundred and thirteen, sold, assigned or granted, or covenanted to be assigned or granted, or for which any Authority hath heretofore been given or granted by any of her Majesty's Servants, or by any Husband of any her Majesty's Servants, or by any Tradesman, or other Person, who served Provisions or Goods for her Majesty's Service, or by any of their Executors or Administrators, to receive the same, or any Part thereof, to the Use of such Buyer, Assignee or Grantee, or of such Person or Persons so authorized, shall and may be redeemed, and are hereby redeemable by the

Forces in *Minorca*.Forces in *Gibraltar*.
Forces at *Dunkirk* for five Months.Troops of *Saxe Gotha*.
Forces in the Plantations.

Half-pay for the Marines.

Half-pay for Land-Officers.

Out-Pensioners of *Chelsea* Hospital.

Extraordinaries of the late War.

Ordnance for Land Service.

Deficiency of the Class Lottery.

Salaries, &c. of Commissioners of Accounts.
12 Annæ, Stat. 1. c. 3.

Salaries, &c. of the Commissioners for stating the Debts to the Army.

No Appropriation to obstruct any Payment by the Treasurer of the Navy, to make good Deficiencies to the *South Sea Corporation* in Pursuance of 9 Annæ, c. 21.

All Debts intended by this Act to be satisfied, assigned, before 30 June 1713, may be redeemed, &c.

Persons who made such Sales, Assignments or Grants, or that gave such Authority respectively, or by their respective Executors or Administrators, on Payment of the Principal Sum of Money paid in Consideration of making such Sales, Assignments, Grants, Covenants or Authorities respectively, with the Charges and Interest for the same, from the Time of the Payment thereof, after the Rate of six Pounds *per Centum per Annum*, discounting for what hath been received, for or in respect of the Arrear or Debt, by any such Person or Persons, to whom such Sale, Assignment or Authority was made or given; and upon Payment, or Tender of the said Principal Money, Interest and Charges, such Sale, Grant, Assignment or Authority, and all Covenants and Agreements concerning the same shall be void.

XXXV. Provided nevertheless, That such Redemption, as aforesaid, be made within the Space of six Months from and after the End of this Session of Parliament.

XXXVI. Provided always, That no such Redemption shall be allowed, unless the Party, who shall claim the Benefit thereof, do enter or cause to be entered a Note or Memorandum of such Claim in the Office where the said Arrear or Debt became due, in a Book to be kept in every such Office for that Purpose, on or before the nine and twentieth Day of *September* one thousand seven hundred and thirteen.

XXXVII. Saving always to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators and Assigns (other than to her Majesty, her Heirs and Successors) all such Rights, Titles, Estates, Customs, Interests, Claims and Demands whatsoever, of, in, to or out of any of the Revenues or Hereditaments, charged or chargeable by virtue of this Act with any Sum not exceeding thirty-five thousand Pounds, as they or any of them had or ought to have had, before the making of this Act, as fully to all Intents and Purposes, as if this Act had never been made; any Thing herein contained to the contrary notwithstanding.

XXXVIII. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Sum of five hundred thousand Pounds, or so much thereof as shall be raised, as aforesaid, is hereby appropriated, and shall be applied and disposed in Aid of the said Revenues or Branches, which were appointed for Support of her Majesty's Household, and of the Honour and Dignity of the Crown, for or towards the Paying and Discharging of such Arrears of Salaries, Wages, Diet Money, and other Allowances, and such Debts for Emptions, Provisions, and other Causes, as shall appear to be justly due and owing to her Majesty's Servants, Tradesmen, and others, as aforesaid, and to none other Use, Intent or Purpose whatsoever.

Redemption to be within six Months after this Session.

Claim to be entered in the Office where the Debt became due before 29 Sept. 1713.

Saving Clause.

Appropriation of 500,000 l.

See farther concerning *Excise-Bills*,

12 *Geo. 1. c. 12.*

16 *Geo. 2. c. 12.*

33 *Geo. 2. c. 1.*

13, 21, & 23.

1 *Geo. 3. c. 13.*

C A P. XII.

An Act for the better Regulating the Forces to be continued in her Majesty's Service; and for the Payment of the said Forces, and of their Quarters. E X P.

C A P. XIII.

An Act to enable such Officers and Soldiers as have been in her Majesty's Service, during the late War, to exercise Trades, and for Officers to account with their Soldiers.

“ WHEREAS there hath been and are divers Officers and Soldiers who have served her Majesty in the late Wars, and were Instrumental, by the Blessing of Almighty God, in obtaining an advantageous Peace for these Kingdoms, some of which are Men that used Trades, others that were Apprentices to Trades, who had not served out their Times, and others who by their own Industry have made themselves apt and fit for Trades, many of which (the Wars being now ended) would willingly employ themselves in those Trades which they were formerly accustomed to, or which they are apt or able to follow, and make Use of, for the getting their Living by their own Labour, but are or may be hindered from exercising those Trades in certain Cities and Corporations, and other Places within this Kingdom, because of certain By-Laws and Customs of those Places, and of the Statute made in the fifth Year of Queen *Elizabeth*, prohibiting the Use of certain Trades by any Person who hath not served as an Apprentice to such Trade for the Space of seven Years: For Remedy whereof, Be it enacted, &c.

For former Laws concerning *Soldiers*, refer to

18 *H. 6. c. 13.*

& 19. 7 *H. 7.*

c. 1. 2 & 3 *Ed.*

6. c. 2.

43 *El. c. 3.*

31 *Car. 2. c. 1.*

5 *Eliz. c. 4.*

“ Officers and Soldiers who have not deserted the Service, having used any Trade, or that were Apprentices, and did not serve out their Times, may set up and exercise Trades: That is to say, Apprentices may set up their Trades, though they have not served out their Times, and others any Trade in the Counties where they were born. And if indicted, may plead the General Issue, and shall recover treble Costs. Service how to be proved. Penalty of producing a forged Commission, or false Certificate. Paymasters to state Accounts of disbanded Regiments, and pay the Arrears to the Colonels. Colonels to state Accounts with the Captains; and the Captains with inferior Officers, &c. and pay what is due, on Forfeiture of double the Sum. Disbanded Soldiers setting up Trades shall be freed from Arrests for three Years, and their Stock, &c. from being taken in Execution. Executors of Colonels, Agents, &c. who died indebted to the Officers and Soldiers, shall pay such Debts, preferably to all others. Executors having paid Debts before the making of this Act, such Payment shall be good. Neither this nor the 10 & 11 *W. 3. c. 11.* shall prejudice the Privileges of *Oxford* and *Cambridge*.” E X P.

Concerning *Soldiers* see farther 1 *Geo. 1. stat. 2. c. 47.* 3 *Geo. 1. c. 2.* 9 *Geo. 2. c. 30.* 22 *Geo. 2. c. 44.* 23 *Geo. 2. c. 1.* 33 *Geo. 2. c. 6, 8, & 13.* And the yearly *Mutiny Acts*.

C A P. XIV.

An Act for explaining the Acts for Licencing Hackney Chairs.

9 Ann. c. 23. **W**HEREAS by an Act of Parliament made in the ninth Year of her now Majesty's Reign, intituled, *An Act for licencing and regulating Hackney Coaches and Chairs, and for charging certain new Duties on stamp'd Vellum, Parchment and Paper, and on Cards and Dice, and on the Exportation of Rock Salt for Ireland, and for securing thereby, and by a weekly Payment out of the Post-Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred eighty-six thousand six hundred and seventy Pounds, for thirty-two Years; to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sum not exceeding two Millions; to be raised for carrying on the War, and other her Majesty's Occasions, a Power was given to the Commissioners therein mentioned, for licencing two hundred Chairs within the Cities of London and Westminster, and Suburbs thereof, and all Parishes and Places within the weekly Bills of Mortality, for the Term of thirty-two Years, from the four and twentieth Day of June one thousand seven hundred and eleven; and by another Act of Parliament, made in the tenth Year of the Reign of her said Majesty, the said Commissioners had a Power for the licencing an additional Number of Chairs, not exceeding one hundred, from the twenty-fourth of June one thousand seven hundred and twelve, for the Term of thirty-one Years, within the Cities and Liberties aforesaid, so that the whole shall not exceed three hundred: And whereas by the aforesaid Act, made in the ninth Year of her said Majesty's Reign, it is, amongst other Things enacted, That the said Commissioners should, in the first Place, license all such Persons as had then been ancient Coachmen, or ancient Chairmen, or the Widows of any of them, unless they should neglect or refuse to take such Licences, upon the respective Terms thereby allowed, within a reasonable Time to be limited by the said Commissioners, not less than twenty Days: And whereas several Doubts have arisen, whether the said Commissioners are obliged by the said Act of the ninth of the Queen, to license the Widows of Chairmen, or to let them have the Benefit of such Licences as were granted to their Husbands whilst living, and several Suits of Law have been commenced thereupon, to the great Oppression and Grievance of the Parties concerned; Be it therefore enacted by the Queen'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 Commissioners for the Time being, for licencing Coaches and Chairs, pursuant to the recited Acts mentioned, shall and are hereby required, in the first Place, to license all and every the Widow and Widows of such Hackney Chairmen or Chairmen respectively, who have died or shall die possessed of any Licence or Licences, granted by the said Commissioners in Pursuance of the said Acts, unless such Widow or Widows shall neglect or refuse to take such Licences upon the respective Terms allowed by the said recited Acts, within a reasonable Time to be limited by the said Commissioners, not less than twenty Days.*

The Commissioners shall in the first Place license the Widows of Hackney Chairmen, unless they neglect to take out such Licence in a reasonable Time.

Such Widows, their Chairs and Servants, liable to such Rules, &c as other licenced Chairmen.

II. Provided always, and be it further enacted by the Authority aforesaid, That such Widow or Widows, their Chairs, Servants, and every other Person or Persons carrying the same, shall be subject and liable to such Rules, Penalties, Punishments, Orders, and Bye-Laws, made, or to be made, concerning licenced Hackney Chairs, by Virtue of the said recited Acts, as any other licenced Chairman is by the said Acts liable unto; any Thing in this Act, or in the said recited Acts, contained to the contrary in any wise notwithstanding.

Continued by 16 Geo. 2. c. 26. to 24 June 1750, &c. And farther by 33 Geo. 2. c. 25, Farther Provisions concerning Coaches and Chairs, 1 Geo. 3. c. 57. 12 Geo. 1. c. 12. 20 Geo. 2. c. 10. 30 Geo. 2. c. 22. sect. 6. 33 Geo. 2. c. 25.

C A P. XV.

An Act for making perpetual an Act made in the seventh Year of the Reign of the late King WILLIAM, intituled, *An Act to prevent false and double Returns of Members to serve in Parliament*.

7 & 8 W. 3. c. 7. **W**HEREAS in the seventh Year of the Reign of the late King WILLIAM the Third, an Act was made, intituled, *An Act to prevent false and double Returns of Members to serve in Parliament*, and was thereby enacted to continue for the Term of seven Years, and from thence to the End of the next Sessions of Parliament, and no longer; which Act by another Act made in the twelfth Year of the Reign of the said late King, intituled, *An Act for continuing a former Act to prevent false and double Returns of Members to serve in Parliament*, was enacted, should thereafter be in Force for and during the Term of eleven Years, and from thence to the End of the first Sessions of the next Parliament, and no longer; which said Act has been found by Experience to be very useful for the Preservation of the Rights of the several Counties, Cities and Boroughs of this Kingdom, in the Election of Members to serve in Parliament, and being near expiring: Be it therefore enacted by the Queen'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 Act made in the seventh Year of the Reign of the late King WILLIAM the Third, intituled, *An Act to prevent false and double Returns of Members to serve in Parliament*, and every Clause, Matter and Thing therein contained, shall be, and is hereby declared to be in full Force, and is hereby made perpetual.

The Act 7 & 8 W. 3. c. 7. made perpetual.

C A P. XVI.

An Act for the better Encouragement of the making of Sail-Cloth in Great Britain.

Most Gracious Sovereign,

WHEREAS the making of Sail-Cloth in Great Britain is of great Use and Benefit to the Nation, being set up in several Parts of this united Kingdom, imploying many thousands of the Poor, and is brought to great Perfection; but by the Duties on Hemp and Flax imported, and Drawback on Foreign made Sail-Cloth exported, the Makers of British Sail-Cloth have not a sufficient Encouragement for so useful and beneficial a Manufacture; Therefore we your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, have given and granted to your Majesty such additional Duty upon Foreign Sail-Cloth to be imported, as is herein after mentioned; and do most humbly beseech your Majesty, That it may be enacted; And be it enacted by the Queen'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 from and after the one and twentieth Day of July one thousand seven hundred and thirteen, over and above all Subsidies, Duties, Impositions and Payments, already due and payable, or which ought to be paid to her Majesty, for or upon such Foreign made Sails and Sail-Cloth, or Canvas usually entred as *Hollands-Duck* or *Vitry Canvas*, which shall be fit and proper to be made use of, for making of Sails for navigating Ships and Vessels, and which shall be imported into Great Britain by Way of Merchandize, except such Canvas as is of the Product and Manufacture of *Ireland*, there shall be raised and levied, collected, and paid unto her Majesty, her Heirs and Successors, a further Duty of one Penny per Ell, and after that Rate for greater or lesser Quantities, during the Term of seven Years, and from thence to the End of the then next Session of Parliament, and no longer; the same to be raised, levied, collected and recovered, by such Ways, Means and Methods, and subject to such Penalties and Forfeitures, and in such Manner and Form, as any Subsidy payable to her Majesty, for any other Goods or Merchandizes imported, or to be imported, may by any Law or Laws now in Force be raised, levied, collected and recovered.

1 Jac. 1. c. 24.
7 & 8 W. 3.
c. 10, & 39.

After 21 July 1713. a further Duty of 1 d. per Ell, laid on Foreign Sail-Cloth, &c. imported for seven Years.

Except Canvas of the Product of *Ireland*. Continued by 33 Geo. 2. c. 17, to 29 Sept. 1767.

II. And whereas Hemp and Flax imported draws back nothing of the Duties paid for the same, when wrought up into British Sail-Cloth; Be it enacted by the Authority aforesaid, That out of the said additional Duty of one Penny per Ell, a Reward or Recompence of one Penny be given and paid for every Ell of British made Sail-Cloth or Canvas, fit for or made into Sails, which from and after the one and twentieth Day of July one thousand seven hundred and thirteen, and within the said Term of seven Years, or at any Time before the End of the then next Session of Parliament, shall be exported out of Great Britain by Way of Merchandize: Provided always, That the Exporter of such British made Sail-Cloth shall always, before he receives any such Reward, make Oath (which the proper Officers of the Customs have hereby Power to administer) that such Sail-Cloth was made in Great Britain, is actually exported or shipped to be exported, without any Intention to be relanded in any Part of Great Britain, and that no former Reward upon this Act was made for the same Sail-Cloth.

Out of the said Duty shall be allowed a Reward of 1 d. per Ell for Sail-Cloth made in Great Britain, which within the said Time shall be exported. The Exporter to make Oath that it was made in Great Britain, is actually exported, &c.

III. And it is hereby enacted, That if any British made Sail-Cloth, for which such Reward shall be given, shall be relanded in Great Britain, the same shall be forfeited; and every Person concerned in bringing back or relanding the same, shall forfeit two Shillings for every Ell so brought back or relanded; one Moiety of which Forfeitures shall be to her Majesty, and the other Moiety thereof to such as will seize, inform or sue for the same, or the Value thereof, to be recovered by Action, Bill, Suit or Information, in any her Majesty's Courts of Record at *Westminster*, or in the Exchequer at *Edinburgh*, wherein no Effoin, Protection, Wager of Law, or more than Imparance shall be allowed. [This Act is continued for seven Years by 10 Geo. 1. c. 17. §. 4. and by 20 Geo. 2. c. 45. to 1 June 1754, &c.]

Penalty of relanding Sail-Cloth for which such Reward has been given. Further Provisions concerning 26 Geo. 2. c. 32.

Sail-Cloth, 4 Geo. 2. c. 27. 9 Geo. 2. c. 37. 10 Geo. 2. c. 27. 19 Geo. 2. c. 27. 23 Geo. 2. c. 21, & 32.

C A P. XVII.

An Act to vest in the Commissioners for building fifty new Churches in and about London and Westminster, and Suburbs thereof, as much of the Street near the May Pole in the Strand in the County of Middlesex, as shall be sufficient to build one of the said Churches upon; and for restoring to the Principal and Scholars of King's Hall, and College of Brazen Nose in the University of Oxon, their Right of Presentation to Churches and Chapels in Stepney Parish.

WHEREAS by an Act of Parliament passed in the ninth Year of her Majesty's Reign, intituled, An Act for granting to her Majesty several Duties upon Coals, for building fifty new Churches in and about the Cities of London and Westminster, and Suburbs thereof, and other Purposes therein mentioned; it is (amongst other Things) enacted, That it should and might be lawful to and for her Majesty, by Letters Patent under the Great Seal of Great Britain, to nominate, constitute and appoint such Persons as her Majesty should think fit, to be Commissioners, to enquire and inform themselves in what Parishes the said new Churches (except one for Greenwich) were most necessary to be built, and of proper Places for the Sites of the said respective new Churches; and also a Cemetery or Church-yard for each of the said Churches; and also which of the Chapels within the said Parishes are fit to be made Parish Churches; and that they should

9 Ann. c. 22;

30 Ann. c. 11.

‘ should ascertain the several Houses, Lands, Tenements and Hereditaments, and the Bounds and Limits which in their Judgments or Opinion might be fit to be made distinct Parishes: And whereas her Majesty, by Letters Patent under the Great Seal of Great Britain, bearing Date at Westminster the one and twentieth Day of September in the tenth Year of her Reign, did nominate, constitute, authorize and appoint Thomas Lord Archbishop of Canterbury, John Lord Archbishop of York, John Lord Bishop of Bristol, Henry Lord Bishop of London, Jonathan Lord Bishop of Winchester, Nathaniel Lord Bishop of Durham, and divers other Persons, to be Commissioners for the Purposes aforesaid: And whereas by another Act of Parliament passed in the tenth Year of her Majesty’s Reign, intituled, *An Act for enlarging the Time given to Commissioners appointed by her Majesty, pursuant to an Act for granting to her Majesty several Duties on Coals for building fifty new Churches in and about the Cities of London and Westminster, and Suburbs thereof, and other Purposes therein mentioned; and for giving the said Commissioners further Power for better effecting the same; and for appointing Monies for rebuilding the Parish Church of St. Mary Woolnoth in the City of London*, it is, amongst other Things, enacted, That the Commissioners, or any five or more of them, should proceed to do and perform all and every the Matters and Things in and by the said Acts intended to be done and performed: And it is thereby provided and enacted, That it should and might be lawful to and for her Majesty, her Heirs and Successors, at any Time before the twenty-ninth Day of September one thousand seven hundred and twelve, by Letters Patent under the Great Seal of Great Britain, to nominate, constitute and appoint such Persons to be Commissioners to execute all and every the Powers in the first recited Act, and in the said last Act mentioned, as her Majesty should think fit: And whereas her Majesty did, in Pursuance of the said last recited Act, by Letters Patent under the Great Seal of Great Britain, bearing Date the seven and twentieth Day of September one thousand seven hundred and twelve, nominate, constitute and appoint Thomas Lord Archbishop of Canterbury, John Lord Archbishop of York, Simon Lord Harcourt, then Lord Keeper of the Great Seal of Great Britain (now Lord High Chancellor of Great Britain) John Duke of the County of Buckingham and Normanby, Henry Viscount Bolingbroke, the Right Reverend Father in God William Lord Bishop of Chester, and the Right Reverend Father in God Philip then Lord Bishop of St. Davids (now Lord Bishop of Hereford) and divers other Persons, to be Commissioners; and that they, or any five or more of them, should do, perform, and execute all and every the Powers, Matters and Things, in and by the said recited Acts, and either of them, appointed to be done and performed: And whereas the vacant Piece of Ground at and about the *May-Pole* in the Strand in the County of Middlesex, is a proper Place for the building one of the said fifty new Churches upon, which cannot be appropriated to that Use, without the Aid of Parliament; Be it therefore enacted, &c.

“ The Waste Ground in the Strand on which the new Church is to be built, vested in the Commissioners appointed by Letters Patent bearing Date 27 Sept. 1712. Such Church to be deemed one of the fifty new ones. A Street way and Passage to be left on the North Side and East End of the said Church.” P R.

3 Ann. c. 16.
a private Act.

‘ IV. And whereas by an Act made in the first Session of this present Parliament, intituled, *An Act for confirming to the Principal and Scholars of King’s Hall and College of Brazen Nose in the University of Oxon, the Purchase of the Advowsons of Stepney and other Churches, and for settling the same to the Benefit of the said College*, it is provided, That it shall and may be lawful to and for the said Principal and Scholars, and their Successors, upon every Vacancy, from Time to Time, to nominate and appoint respectively fit Clerks to officiate in the Chapel of *Stratford-Bow*, and in all other Churches or Chapels that then were or should be built, within the Parish of *Stebunbeath* alias *Stepney* in the County of *Middlesex*, and to receive the Profits belonging to the same: And whereas by a Clause in an Act made in the second Sessions of this present Parliament, intituled, *An Act for enlarging the Time given to the Commissioners appointed by her Majesty, pursuant to an Act for granting to her Majesty several Duties on Coals, for Building fifty new Churches, in and about the Cities of London and Westminster and Suburbs thereof, and other Purposes therein mentioned; and also for giving the said Commissioners further Powers for better effecting the same, and for appointing Monies for rebuilding the Parish Church of Saint Mary Woolnoth in the City of London*; it is enacted, That in every new Church and Parish to be erected or constituted pursuant to the same Act (other than such Chapels as, according to the same Act, should be converted into Parochial Churches) the first Rector should be nominated and appointed by her Majesty, of and in such new Church and Parish; in which Act there being no express Saving to the said Principal and Scholars, and their Successors, of their Right upon every Vacancy, from Time to Time, to nominate or present respectively fit Clerks to officiate, as aforesaid, it may happen to be controverted, whether the first Rector in every new Church and Parish, to be erected or constituted pursuant to the same Act, in the said Parish of *Stebunbeath* alias *Stepney*, and also in such Chapels within the same Parish as should be converted into Parochial Churches, pursuant to the same Act, might belong to the said Principal and Scholars, and their Successors, to nominate and appoint: Now for the preventing of all such Controversies, it is hereby enacted, &c.

30 Ann. c. 11.

“ The Principal and Scholars of *Brazen Nose* in *Oxford*, shall nominate the first Rector in every new Church or Chapel turned into a Church in *Stepney* Parish. Nothing in this Act shall prejudice the Right, &c. of *John Walker, &c.*” P R.

C A P. XVIII.

An Act for making perpetual the Act made in the thirteenth and fourteenth Years of the Reign of the late King CHARLES the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*; and that Persons bound Apprentices to, or being hired Servants with Persons coming with Certificates, shall not gain Settlements by such Services or Apprenticeships: And for making perpetual the Act made in the sixth Year of her present Majesty's Reign, intituled, *An Act for the Importation of Cochineal from any Ports in Spain, during the present War, and six Months longer*: And for reviving a Clause in an Act made in the ninth and tenth Years of the Reign of the late King WILLIAM, intituled, *An Act for settling the Trade to Africa, for allowing Foreign Copper Bars imported, to be exported.*

WHEREAS an Act made in the thirteenth and fourteenth Years of the Reign of the late King CHARLES the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*, was enacted, to have Continuance (except what related to the Corporations therein mentioned, and thereby constituted) only until the twenty-ninth Day of *May* one thousand six hundred sixty-five, and from thence to the End of the first Sessions of the next Parliament; which said Act, by an Act made in the first Year of the Reign of the late King JAMES the Second, (except what related to the Corporations therein mentioned, and thereby constituted) was enacted to be in Force from the first Day of *May* one thousand six hundred eighty-five, and so to continue for the Space of seven Years, and from thence to the End of the next Sessions of Parliament; and by an Act made in the third and fourth Years of the Reign of King WILLIAM and Queen MARY, the said Act (as to what therein related to the Settlement of the Poor) was enacted to be in Force from the first Day of *March* one thousand six hundred ninety-one; but no Provision was thereby made for continuing divers other Parts of the said Act, which said Act, intituled, *An Act for the better Relief of the Poor of this Kingdom*, as to all Parts thereof, not mentioned and continued in and by the said Act made in the third and fourth Years of their late Majesties (other than and except what relates to the Corporations mentioned in the said Act, [*For the better Relief of the Poor of this Kingdom,*] and thereby constituted, was, by an Act made in the fourth and fifth Years of the Reign of their late Majesties, continued only for the Space of seven Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament; which said Act afterwards by an Act of the eleventh and twelfth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act for continuing several Laws therein mentioned*, was continued only for seven Years, from the twenty-ninth Day of *September* one thousand seven hundred; and which said Act of the thirteenth and fourteenth Years of the Reign of the said late King CHARLES the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*, by an Act made in the fifth Year of the Reign of her present Majesty, intituled, *An Act for continuing the Laws therein mentioned relating to the Poor, and to the Buying and Selling of Cattle in Smithfield, and for suppressing of Piracy*, was enacted to be in Force from the twenty-fifth Day of *March* one thousand seven hundred and seven (except what relates to the Corporations therein mentioned, and thereby constituted) only for seven Years, and from thence to the End of the next Sessions of Parliament; which said Act of the thirteenth and fourteenth Years of the Reign of the said late King CHARLES the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*, being found to be a very useful and necessary Law, and being near expiring; Be it therefore enacted by the Queen'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 Act, made in the thirteenth and fourteenth Years of the said late King CHARLES the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*, shall be and is hereby made perpetual.

II. And whereas by an Act made in the eighth and ninth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom*, It was amongst other Things enacted, in the Words following, (*viz.*) That if any Person or Persons whatsoever, that from and after the first Day of *May* one thousand six hundred ninety-seven shall come into any Parish, or other Place, there to inhabit or reside, shall, at the same Time, procure, bring, and deliver to the Churchwardens or Overseers of the Poor of the Parish or Place where any such Person shall come to inhabit, or to any or either of them, a Certificate under the Hands and Seals of the Churchwardens and Overseers of the Poor of any other Parish, Township or Place, or the major Part of them, or under the Hands and Seals of the Overseers of the Poor of any other Place, where there are no Churchwardens, to be attested respectively by two or more credible Witnesses, thereby owning and acknowledging the Person or Persons mentioned in the said Certificate, to be an Inhabitant or Inhabitants legally settled in that Parish, Township or Place, every such Certificate having been allowed of and subscribed by two or more of the Justices of the Peace of the County City, Liberty, Borough, or Town Corporate, wherein the Parish or Place, from whence any such Certificate shall come, doth lie, shall oblige the said Parish or Place to receive and provide for the Person mentioned in the said Certificate, together with his or her Family, as Inhabitants of that Parish, whenever he, she, or they shall happen to become chargeable to, or be forced to ask Relief of the Parish, Township or Place, to which such Certificate was given; and then, and not before, it shall and may be lawful for any such Person, and his or her Children, though born in that Parish, not having otherwise acquired a legal Settlement there, to be removed, conveyed, and settled in the Parish or Place from whence such Certificate was brought: And

whereas.

After 24 June 1713, any Person bound Apprentice, or being a hired Servant, to one who came into a Parish by Certificate, shall not gain a Settlement there by Reason of such Apprenticeship, &c.

Further Provisions concerning Poor.

5 Geo. 1. c. 8.

‘ whereas many Persons obtaining and bringing such Certificates, do frequently take Apprentices, bound by Indenture, and hire and keep Servants by the Year, who, by Reason of such Apprenticeships and Services, do gain Settlements in, and become a great Burthen to such Parishes, Townships and Places, though such Masters coming with such Certificates have, by Virtue thereof, no Settlements in such Parishes, Townships or Places:’ For Remedy whereof, It is declared and enacted by the Authority aforesaid, That if any Person whatsoever, who, upon or after the four and twentieth Day of *June* one thousand seven hundred and thirteen, shall be an Apprentice, bound by Indenture to, or shall, upon or after the said four and twentieth Day of *June* one thousand seven hundred and thirteen, be a hired servant to or with any Person whatsoever, who did come into or shall reside in any Parish, Township or Place, in that Part of *Great Britain* called *England*, by Means or Licence of such Certificate, and not afterwards having gained a legal Settlement in such Parish, Township or Place, such Apprentice, by Virtue of such Apprenticeship, Indenture or Binding, and such Servant by being hired by, or serving as a Servant, as aforesaid, to such Person, shall not gain or be adjudged to have any Settlement in such Parish, Township or Place, by Reason of such Apprenticeship or Binding, or by Reason of such Hiring or Serving therein; but every such Apprentice and Servant shall have his and their Settlements in such Parish, Township or Place, as if he or they had not been bound Apprentice or Apprentices, or had not been an hired Servant or Servants to such Person, as aforesaid; any Act or Acts of Parliament to the contrary notwithstanding.

9 Geo. 1. c. 7. 2 Geo. 2. c. 28. 3 Geo. 2. c. 29. 17 Geo. 2. c. 3, 37 & 38. and 31 Geo. 2. c. 11.

The Act 6 Ann. c. 33. made perpetual.

9 & 10 W. 3. c. 26.

The Clause in the Act 6 & 10 W. 3. c. 26. relating to the Exportation of Copper Bars imported, continued for 14 Years, &c.

No Drawback except for East India and Barbary Copper. See 13 Geo. 1. c. 27.

‘ III. And whereas Cochineal being of the Growth of the *Spanish West Indies*, is of Principal Use in Dying of Clothes, and other the Woollen Manufactures of this Kingdom, Scarlets, Purples, and other Colours called Grain Colours, to the great Improvement thereof, and employing of great Numbers of her Majesty’s Subject, in finishing and perfecting such Woollen Manufacture: And whereas before the Act passed in the sixth Year of her present Majesty’s Reign, intituled, *An Act for the Importation of Cochineal from any Ports in Spain, during the present War, and six Months longer*, Cochineal could not be imported into this Kingdom, but from the Places of its Growth, although the same was then, and is now sold at cheaper Rates in several Parts of *Europe*, and used as well in Dying the said Manufactures of this Kingdom abroad, as also foreign Manufactures, at lower Prices than her Majesty’s Subjects can, to the Incouragement of Foreign Woollen Manufactures, and the great Prejudice of those of this Kingdom, and Impoverishment of many of her Majesty’s Subjects employed therein, if the said Act should not be further continued;’ Be it therefore enacted by the Authority aforesaid, That the said Act made in the sixth Year of her present Majesty’s Reign, intituled, *An Act for the Importation of Cochineal from any Ports in Spain, during the present War, and six Months longer*, shall be and is hereby made perpetual; any Act or Acts of Parliament to the contrary notwithstanding.

‘ IV. And whereas in an Act made in the ninth and tenth Years of the Reign of the late King *William*, intituled, *An Act to settle the Trade to Africa*, a Clause was enacted in the Words following, *viz.* And whereas by an Act of Parliament made in the fifth and sixth Years of the Reign of his present Majesty, and the late Queen *Mary*, amongst other Things, it was enacted, That no other Copper than what is made of *English Ore* only, should be exported, which proving very prejudicial to the Trade of *England*, by enabling Foreigners to export Copper much cheaper than it can be carried from *England*; Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any of his Majesty’s Subjects to export from *England* all such Copper Bars, as hath or shall be imported into *England* from Foreign Parts, and upon Exportation shall draw back all Duties, or vacate the Securities, saving the Half of the old Subsidy, as is usual in other Commodities: Which Clause being expired; and so far as the Copper Manufacture of this Kingdom is brought to such Perfection, that there is more made than can be expended here and in the Plantations;’ Be it therefore enacted by the Authority aforesaid, That the said Clause, and every Matter and Thing therein contained, shall be and is hereby immediately, from and after the Time of the Expiration thereof, revived in full Force, and shall be and is hereby continued for and during the Space and Term of fourteen Years, and from thence to the End of the next Session of Parliament, and no longer.

V. Provided nevertheless, and be it enacted, That no Drawback shall be allowed on the Exportation of any Copper, but such as hath been or shall be imported from the *East Indies* and the Coast of *Barbary* only. [Continued with 9 & 10 W. 3. c. 26. §. 19.] *Farther continued by 32 Geo. 2. c. 23.*

Anno Regni ANNÆ Reginae Magnæ Britanniae, Franciæ & Hiberniæ, duodecimo. Stat. 2.

‘ **A**T the Parliament summoned to be held at *Westminster* the twelfth Day of *November* Anno Domini one thousand seven hundred and thirteen, in the twelfth Year of the Reign of our Sovereign Lady ANNE, by the Grace of GOD, of *Great Britain, France and Ireland*, Queen, Defender of the Faith, &c. And by several Writs of Prorogation begun and holden on the sixteenth Day of *February* one thousand seven hundred and thirteen, * and by several Adjournments continued to the ninth Day of *July* in the thirteenth Year of her Majesty’s Reign. Being the first Session of this present Parliament.’

* The following Writs are added from the Enrolment.

C A P. I.

An Act for granting an Aid to her Majesty, to be raised by a Land-Tax in *Great Britain*, for the Service of the Year one thousand seven hundred and fourteen. EXP. 2s. in the Pound.

C A P. II.

An Act for allowing a Drawback upon the Exportation of Salt, to be made use of for the Curing of Fish taken at North Seas, or at *Isleland*.

WHEREAS the Fishing for Cod in the North Seas, and at *Isleland*, gives great Employment to the Navigation of this Kingdom, and breeds up great Numbers of hardy and industrious Mariners for Defence of the Realm, and Improvement of Commerce; and whereas the said Fishing Trade cannot be so effectually carried on, unless Salt for curing Cod taken there, may be had free of Excise; For the Preservation therefore, and Incouragement of the said Trade, Be it enacted by the Queen'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 Master of any Boat or Vessel bound on a fishing Voyage to the North Seas, or *Isleland*, may take on Board his said Boat or Vessel, in any Port of *Great Britain*, such Quantities of *British* Salt, as he shall judge proper and necessary for his said Voyage, such Master paying or giving Security to pay the Duties due and payable for the same; which Money shall be repaid, or Security shall be discharged, in such Manner as is herein after mentioned.

Master of a Vessel bound to the North Seas, &c. may take *British* Salt on Board, giving Security to pay the Duties.

5 W. & M. c. 7. 7 & 8 W. 3. c. 31. 9 & 10 W. c. 6 & 44. 10 & 11 W. 3. c. 22. 1 Ann. stat. 1. c. 21. 2 & 3 Ann. c. 14. 4 Ann. c. 12. 5 Ann. c. 29. 6 Ann. c. 12. 9 Ann. c. 23.

II. And be it enacted by the Authority aforesaid, That the Officer of the Place where the said Salt was made, and the Duties thereof paid, or secured to be paid, shall, upon Demand, deliver *gratis* to such Master of the Vessel, a Certificate, under his Hand and Seal, of the particular Quantity of Salt shipped on Board his Vessel for the North Seas, or *Isleland*, and that the Duties on such Salt have been paid or secured to be paid.

Officer where the Salt was made, &c. to give the Master a Certificate of the Quantity shipped.

III. And be it enacted by the Authority aforesaid, That Codfish, Ling or Hake, which have been caught and cured at the North Seas, or at *Isleland*, may be imported and landed, so as Oath be first made before the Landing thereof, by the Owner or Proprietor of such Fish, or the Master of the Vessel, before the Officer for the said Duties in the Port or Place where such Fish shall be imported, brought in, or landed, (who is hereby impowered and required to administer the same, without Fee or Charge) That all the Fish so imported came from the North Seas, or *Isleland*, and were caught and cured there, and so as the said Fish be, at the Landing thereof, and before the same be removed from the Shore, tendred to the Officer of the Port for the said Duties, to have Part of the Tail of every such Codfish, Ling or Hake, cut off, that no Allowance for such Fish be obtained upon Exportation; and the said Officer is hereby impowered and required to cut off Part of the Tail of all such Fish on the Importation thereof; and in Case any such Fish shall be landed before the same shall be tendred to the Officer, to have Part of the Tail cut off, as aforesaid, all the Fish so landed shall be forfeited, and double the Value thereof, to be recovered of the Importer or Proprietor thereof.

Codfish, &c. may be imported, on Oath made that it came from the North Seas, &c. and so as the Fish be tendred to the Officer of the Duties, to have Part of the Tail cut off.

Fish landed before so tendred, shall be forfeited.

IV. And be it enacted by the Authority aforesaid, That if any of the Salt so made use of in curing of Fish shall remain, such foul Salt shall be thrown over Board and destroyed, in the Presence of the Officer for the Salt-Duties for such Port, before the Collector shall sign his Certificate.

Foul Salt to be thrown over Board.

V. And be it enacted by the Authority aforesaid, That if it shall happen, that any of the Salt so taken on Board for curing of Fish, shall not have been used for that Purpose, it shall and may be lawful to and for the Master of such Ship or Vessel to land the said Salt, so as an Entry be made thereof within ten Days after his coming into any Port in *Great Britain* that he shall arrive at, and the Duties paid down for the same, before such Salt, or any Part thereof, shall be landed or taken out of any such Ship or Vessel: And if such Master shall neglect or refuse to enter such Salt, in such Port where he shall first arrive, and pay down the Duties for the same within the said ten Days (except in Case of his being driven into any Port, or detained there by Strefs of Weather or contrary Winds, or other unavoidable Necessities) then and in such Case all the Salt on Board such Ship or Vessel shall be forfeited, and double the Value thereof, to be recovered of the Owner or Proprietor of such Fish, or the Master of the Vessel, or the Person commanding the same in that Voyage.

Salt not used, may be relanded, so as an Entry be made thereof.

Master neglecting to enter the Salt, it shall be forfeited and double the Value.

VI. And be it enacted, by the Authority aforesaid, That the Master of such Boat or Vessel, upon producing to the Collector of the Salt-Duties for the Port where he imports his Fish, such Certificate of the Quantity of Salt taken on Board, and that the Duties of it were paid or secured to be paid, and making Oath before the said Collector, of the particular Quantity of the Salt in such Certificate mentioned, that was made use of in curing of Codfish, Ling or Hake, caught and cured at the North Sea, or at *Isleland*, and that the said Fish have been all marked, as aforesaid, that there may be no Allowance obtained for the same upon Exportation (which Oath the said Collector is hereby impowered and required to administer without Fee or Charge) shall receive *gratis* from the said Collector a Certificate of the same, which, together with a Certificate of Payment of the Duty of the Remainder of the Salt taken in for that Voyage, if there shall be any Remainder, (which Certificate he shall also receive *gratis*) being produced to the Collector of the Salt-Duties for the Place where the Duties on the said Salt were paid or secured to be paid, such

On producing a Certificate of the Quantity taken on Board, &c. and on Oath made of how much was used in Curing, &c. the Security given for the Payment of the Duties shall be discharged, and the Collector shall

repay the Duties without Fee.

The Duties of Salt that perished at Sea, or was taken by the Enemy, shall be repaid.

One Half of the Forfeitures shall be to the Crown, the other to the Seizer, &c. to be recovered, as by the Laws of Excise.

General Issue.

Double Costs. *Faviter Provisions concerning Salt, 5 Geo. 1. 18. 8 Geo. 1. c. 4 & 16. 11 Geo. 1. c. 30. 3 Geo. 2. c. 23. 5 Geo. 2. c. 6. 8 Geo. 2. c. 12. 14 Geo. 2. c. 22. 26 Geo. 2. c. 3 & 32.*

such Security shall be discharged, and all and every Sum and Sums of Money paid for the Duty of the said Salt, shall be repaid upon Demand by the said Collector, without Fee or Reward.

VII. And be it further enacted by the Authority aforesaid, That if the Master of any such Boat or Vessel shall have taken in any Quantity of *British* Salt, for the curing of Fish in the North Seas, or at *Ishland*, as aforesaid, the Duties of the Salt having been paid or secured to be paid, and the Vessel on which such Salt, as aforesaid, is shipped, shall either perish at Sea, or be taken by Enemies with such Salt on Board her, that in such Case any Merchant or Person, Owner of the said Salt, shall, upon Proof made before the Justices of the Peace at the Quarter-Sessions held for the County, Riding, Division or Town, wherein he doth inhabit, of the Loss of such Salt so shipped, receive from the said Sessions a Certificate that such Proof was made before them, and upon producing the said Certificate to the Officer of the Place, where the Duty on such Salt shall have been paid or secured to be paid, such Security shall be discharged, and so much Money, as was actually paid for the Duty of the said Salt, shall be repaid upon Demand by the said Officer, without Fee or Reward, provided such Proof be made within nine Months after such Loss or Taking, as aforesaid.

VIII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures given by this or any former Law, relating to the Duties of Excise upon Salt, shall be distributed in Manner following, (that is to say) one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety to the Officer or Officers who shall seize, sue or inform for the same, to be sued for, recovered and levied, in such Manner and Form, and with such Power of Mitigation, as any Fine, Penalty or Forfeiture may be sued for, recovered, levied, and mitigated by any Law of Excise, or by Action of Debt, Bill, Plaint or Information, in any of her Majesty's Courts of Record at *Westminster*; and all and every Officer and Officers for the said Duties on Salt, are hereby authorized and impowered to seize all Salt and other Things which by this or any former Act or Law relating to the Duties on Salt are declared to be forfeited.

IX. And be it enacted by the Authority aforesaid, That if any Person or Persons shall at any Time be sued or prosecuted for any Thing by him or them done or executed in Purfance of this or any other of the Statutes relating to the Duties of Excise upon Salt, or the Powers thereby given, he or they shall or may plead the General Issue, and give this Act and the special Matter in Evidence for his Defence; and if upon a Trial, a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs become nonsuit, discontinue or forbear prosecuting the said Actions, then such Defendant and Defendants shall have double Costs to him or them awarded, against such Plaintiff or Plaintiffs, for which Costs he shall have Remedy, as in other Cases where Costs are by Law given to Defendants.

C A P. III.

An Act for charging and continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fourteen; and for the Encouragement of the distilling Brandy from malted Corn and Cyder; and for making forth Duplicates of Exchequer Bills and Lottery Tickets, lost, burnt or destroyed; and to enable the Governor and Company of the Bank of *England*, and others, to lend Money upon *South Sea* Stock.

5 Eliz. c. 4. §. 31.

of the Application of the Duties granted by this Act, see c. 9. of this Session, §. 69.

Any Person may distil Brandy from *British* Malt, &c. See 3 Geo. 1. c. 4.

Clause to enable the Bank of *England*...

IX. AND whereas in and by one Act of Parliament made in the fifth Year of the Reign of Queen ELIZABETH, intituled, *An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry and Apprentices*, it is enacted in the Words following; Be it further enacted by the Authority aforesaid, That after the first Day of *May* next coming, it shall not be lawful to any Person or Persons, other than such as now do lawfully use or exercise any Art, Mystery, or Manual Occupation, to set up, occupy, use or exercise any Craft, Mystery or Occupation, now used or occupied within this Realm of *England* or *Wales*, except he shall have been brought up therein seven Years at the least as an Apprentice; in Manner and Form above said, nor to set any Person on Work in such Mystery, Art or Occupation, being not a Workman at this Day, except he shall have been Apprentice, as is aforesaid, or else having served as an Apprentice, as is aforesaid, shall or will become a Journeyman, or hired by the Year, upon Pain that every Person willingly offending or doing the contrary, shall forfeit and lose for every Default forty Shillings for every Month: Upon which aforesaid Statute, several Distillers of Brandy or Spirits made from *British* Malt or Cyder, stand indicted for not having served seven Years, as aforesaid, to the great Discouragement of the Consumption of malted Corn and Cyder, and destructive to her Majesty's Revenue of Excise; Be it therefore enacted by the Authority aforesaid, That any Person or Persons shall or may distil Brandy or Spirits made from *British* Malt or Cyder, and such Person or Persons shall not be prosecuted for so doing by Virtue of the aforesaid Statute, or any Clause, Matter or Thing contained therein to the contrary notwithstanding.

X. And whereas in and by an Act of Parliament made and passed in the tenth Year of her Majesty's Reign, for laying Duties upon Soap, and other Matters therein mentioned, it was amongst other Things enacted, That it should and might be lawful to and for the respective Treasurers of the Navy and Ordnance, and the respective Paymasters of the Guards, Garrisons and Land Forces for the Time being, or any other Officers or Persons, who then were or afterwards should be entitled (for the publick Use and Benefit) to any Parts or Shares of the Capital Stock of the Corporation erected by the Name of the Governor and Company of Merchants of *Great Britain*, trading to the *South Seas* and other Parts of *America*, and

and for encouraging the Fishery (not being absolutely sold, applied or disposed for some of the publick Uses in that Act mentioned) from Time to Time, by any Warrant or Warrants in Writing from the High Treasurer of *Great Britain* then being, or the High Treasurer of *Great Britain*, or any three or more of the Commissioners of the Treasury for the Time being, (and not otherwise) to borrow any Sum or Sums of Money, from any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, who were or should be willing to advance or lend the same upon Credit of the said publick Stock, or any Part thereof, and to allow Interest, not exceeding the Rate of six Pounds *per Cent. per Ann.* for the Forbearance thereof, as is therein mentioned, and to assign, mortgage, and transfer such respective Shares of the said Stock, whereupon such Sums of Money should be agreed to be so lent, to the respective Lenders thereof or such as they severally and respectively should appoint, and to their Executors, Administrators, Successors and Assigns respectively, upon such Conditions of Redemption, and under such Agreements for the Sale of the Stock so mortgaged, for making Default in the Repayment of the Money to be borrowed thereupon, or for Non-payment of the Interest thereof, and subject to such other Conditions, and in such Manner and Form as in such Warrant and Warrants respectively should be prescribed in that Behalf; and that all the Money which should be borrowed upon Credit of such Stock, as aforesaid, should be applied and disposed by the said Treasurers, Paymasters, or others respectively chargeable therewith, to such publick Uses whereunto the said Stock so to be mortgaged would have been applicable by or in Pursuance of another Act in the said recited Act mentioned, if no such Mortgage, Assignment or Transfer had been made, and to no other Use, Intent or Purpose whatsoever; and that the said Treasurers, Paymasters and other Officers, borrowing the said Monies, should be answerable for the Application thereof accordingly; and that the said Company should not be responsible for permitting the Stock to be so transferred, as if the same were unduly transferred; and that the Lenders of such Money should not be chargeable with the Application thereof to the said Uses, as by the said Act of the tenth Year of her Majesty's Reign may more fully appear: And whereas some Doubt hath been made, whether the Governor and Company of the Bank of *England* (with Regard to certain Restrictions contained in former Acts of Parliament) might lawfully lend Money upon Credit of the said publick Stock, pursuant to the said Act in that Behalf: For obviating of which Doubt, it is declared and enacted by this present Act, That it shall and may be lawful, as well to and for the Governor and Company of the Bank of *England*, as to and for any other Person or Persons, Natives and Foreigners, Bodies Politick or Corporate, to advance and lend such Sum and Sums of Money, as they, or any of them, shall think fit, to the said Treasurers, Paymasters and others, or any of them, upon Credit of the publick Stock before mentioned, or any Part thereof, at such Interest, and upon such Assignments, Mortgages or Transfers, subject to such Conditions of Redemption, and with such Agreements for selling the Stock so mortgaged, in Case of Non-payment of the Principal or Interest, and in all other Respects according to the Forms prescribed in the said recited Act of Parliament in that Behalf; any former Act or Acts of Parliament, or any Restrictions, Prohibitions, Penalties, Forfeitures, Clauses, Matters or Things therein contained to the contrary in any wise notwithstanding.

c. 8. 11 Geo. 1. c. 9. 1 Geo. 2. stat. 2. c. 8. 2 Geo. 2. c. 3. 11 Geo. 2. c. 27. 15 Geo. 2. c. 13. 19 Geo. 2. c. 6. 24 Geo. 2. c. 4.

10 Ann. c. 19.
§. 185.
10 Ann. c. 19.
10 Ann. c. 19.
Further Provisions respecting Bank, 3 Geo. 1.

C A P. IV.

An Act for the better regulating the Forces to be continued in her Majesty's Service, and for the Payment of the said Forces, and of their Quarters. E X P.

C A P. V.

An Act for taking away the new additional Duty of thirty Pounds *per Centum ad Valorem*, imposed upon all Books and Prints imported into *Great Britain*, by an Act made in the tenth Year of the Reign of her present Majesty Queen ANNE.

WHEREAS by divers Acts of Parliament heretofore made, several Duties have been laid upon all Books and Prints imported into *Great Britain*: And whereas by an Act made in the tenth Year of the Reign of her present Majesty Queen ANNE, a further Duty of thirty Pounds *per Centum ad Valorem*, was laid upon all Books and Prints imported into *Great Britain*; which said Additional Duty of thirty Pounds *per Centum* has been found, by Experience, to have tended very much to the Discouragement of Learning, and to have been prejudicial to the other Duties formerly laid: Be it therefore enacted by the Queen'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 from and after the four and twentieth Day of June one thousand seven hundred and fourteen, the said Duty of thirty Pounds *per Centum ad Valorem* shall not be charged, levied, or collected upon any Books or Prints imported into *Great Britain*, but the said Duty is hereby absolutely discharged and taken away; and the said Act, so far only as it relates to the said Duty of thirty Pounds *per Centum ad Valorem*, shall be and is hereby absolutely repealed.

10 Ann. c. 19.
sect. 33.
After 24 June 1714. the Duty of 30l. per Cent. ad Valorem, laid on Books and Prints imported by 10 Ann. c. 19. taken away.

C A P. VI.

An Act for taking away Mortuaries within the Dioceses of *Bangor*, *Landaff*, *St. Davids*, and *St. Asaph*, and giving a Recompense therefore to the Bishops of the said respective Dioceses: And for confirming several Letters Patents granted by her Majesty, for perpetually annexing a Prebend of *Gloucester* to the Mastership of *Pembroke* College in *Oxford*; and a Prebend of *Rochster* to the Provostship of *Oriel* College in *Oxford*; and a Prebend of *Norwich* to the Mastership of *Catherine* Hall in *Cambridge*.

21 H. 3. c. 6.
sect. 7.

The Clause in the recited Act, so far as it relates to the taking any Mortuary in the Dioceses of *Bangor*, *Landaff*, *St. David's*, and *St. Asaph*, repealed.

And the Bishops of the said Dioceses shall not take any Mortuaries after the Times limited above.

Recompense to the Bishop of *St. Asaph* and his Successors, for such Mortuaries.

WHEREAS by an Act of Parliament passed in the one and twentieth Year of the Reign of the late King HENRY the Eighth, intituled, *An Act where Mortuaries ought to be paid, for what Persons, and how much, and in what Case none is due*, and by a Proviso or Clause therein contained, it is provided (among other Things) That it shall be lawful to the Bishops of *Bangor*, *Landaff*, *St. Davids*, and *St. Asaph*, to take such Mortuaries of the Priests within their Dioceses and Jurisdictions as thenceforth had been accustomed; and the Bishops of the said Dioceses for the Time being have accordingly used to demand and take, and continue to demand and take Mortuaries upon the Death of any Clergyman within their said Dioceses and Jurisdictions; which said Mortuaries consisting of several of the best Goods of the deceased, do oftentimes amount to a very considerable Part of his Estate, and the Payment thereof does very much lessen that small Provision which generally the Clergy of those Dioceses are able to make for the Support of their Families, and tends to the great impoverishing of the same: For the Remedying whereof for the future, and for abolishing and taking away all Mortuaries or Corse-presents, and the Custom or Usage of taking and paying Mortuaries or Corse-presents upon the Death of Clergymen within the said Dioceses and Jurisdictions: And to the End a reasonable Recompense and Satisfaction for the same may be provided and established for the Bishops of the said Dioceses for ever; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Proviso or Clause in the said Act, and all and every Proviso or Clause in the same Act, so far as the same do or doth relate to the taking any Mortuary or Corse-present upon the Death of any Clergyman within the said respective Dioceses or Jurisdictions, shall immediately, from and after the respective Times herein after mentioned, that is to say, within the said Diocese of *St. Asaph* from and after the four and twentieth Day of *June* in the Year of our Lord one thousand seven hundred and fourteen; and within the said Diocese of *Bangor*, immediately from and after such Time any Rectory *Sine Cura* shall next happen to be void and be in the Collation of the present Bishop of the said Diocese of *Bangor*, or of any of his Successors; and within the said Diocese of *Landaff*, immediately from and after such Time as the Treasurership, with the Prebend thereto annexed, founded in the Cathedral Church of *Landaff*, shall next happen to be void, such Treasurership and Prebend being in the Collation of the Bishop of the said Diocese of *Landaff*; and within the said Diocese of *St. Davids*, immediately from and after such Time as the Prebend of *Langamarch*, founded in the Collegiate Church of *Brecon*, now enjoyed by *John Medley* Arch-Deacon of *St. Davids*, shall next happen to be void, the same being in the Collation of the Bishop of *St. Davids*, stand and be absolutely repealed, annulled, and void, and all and every, and any Custom, and Usage of and for paying, demanding, or taking any Mortuary or Corse-present, or any Goods, Thing or Things, for or in the Name of a Mortuary or Corse-present, upon the Death of any Clergyman within the said respective Dioceses or Jurisdictions, shall, from the respective Times aforesaid, for ever, be absolutely abolished and void; and no Mortuary or Corse-present, or Sum or Sums of Money for or in Lieu of the same, or in the Name thereof, shall be yielded, paid, answered or satisfied, or be due or payable by any Person or Persons, to any Bishop of either of the said Dioceses, or other Person or Persons claiming by, from, or under any such Bishop: And that from and after the respective Times aforesaid, it shall not be lawful to or for the respective Bishops of the said Dioceses or any of them, their or any or either of their Successors, Farmers, Bailiffs or Lessees, or any of them, or any other Person or Persons whatsoever, claiming by or under such Bishops, or any or either of them, to take, receive or demand of any Person or Persons, any Manner of Mortuary or Corse-present, or any Sum or Sums of Money, or other Thing, for or in the Name, Lieu or Stead of any Mortuary or Corse present, or to convene, cite, sue or prosecute any Person or Persons before any Judge Spiritual, or in any of her Majesty's Courts of Law, or other Court whatsoever, for the Recovery of, or for, touching or concerning any Mortuary or Corse-present, or any Thing in Lieu thereof, for or by Reason or on Account of the Death of any Priest or Clergyman within the said respective Dioceses or Jurisdictions, at any Time after the respective Times aforesaid; any Thing in the said recited Act, or any Law, Custom or Usage whatever, to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That in Recompense and Satisfaction to the Bishop of *St. Asaph* and his Successors, for such Mortuaries as might arise or become due or payable to the said Bishop of *St. Asaph*, or his Successors, by Virtue of the said recited Act, upon the Death of any Priest or Clergyman, the Rectory *Sine Cura*, which shall first after the said four and twentieth Day of *June* one thousand seven hundred and fourteen, happen to be void, and be in the Collation of the Bishop of the said Diocese of *St. Asaph*, or any of his Successors, shall immediately upon such Vacancy, and from thenceforth be annexed and united to the said Bishoprick of *St. Asaph* for ever, and all and every the Profits, Rights, Dues, Benefits and Advantages whatsoever of the same Rectory, or thereto in any wise belonging or appertaining, shall or may be had, received, taken and enjoyed by the Bishop of the said Diocese and his Successors for ever.

III. And be it further enacted by the Authority aforesaid, That in Recompense and Satisfaction to the Bishop of *Bangor* and his Successors, for such Mortuaries as might arise or become due or payable to the said Bishop of *Bangor* or his Successors, by Virtue of the said recited Act, upon the Death of any Priest or Clergyman, the Rectory *Sine Cura*, which shall next happen to be void, and be in the Collation of the Bishop of the said Diocese of *Bangor*, or any of his Successors, shall, immediately upon such Vacancy, and from thenceforth be annexed and united to the said Bishoprick of *Bangor* for ever; and all and every the Profits, Rights, Dues, Benefits and Advantages whatsoever of the same Rectory, or thereto in any wise belonging or appertaining, shall or may be had, received, taken and enjoyed by the Bishop of the said Diocese of *Bangor* and his Successors for ever.

Recompense to the Bishop of *Bangor*, &c.

IV. Provided always, That nothing in this Act shall extend to enable any Bishop in either of the said Dioceses of *St. Asaph* and *Bangor*, to demise, let or set; and that it shall not be lawful to or for the Bishops of either of the said Dioceses, or any of their Successors, to demise, lease, set, or let to Farm, or otherwise, either of such Rectories *Sine Cura*, annexed and united to the respective Bishopricks of *St. Asaph* and *Bangor*, as aforementioned, or any the Rights, Dues, Benefits or Profits thereof, for any longer Time than such Bishop, by whom any Lease of either of the said Rectories *Sine Cura* shall be made, shall continue Bishop of the said Diocese; any Statute, Law, or Usage whatsoever to the contrary notwithstanding.

The Bishops of *St. Asaph* and *Bangor*, shall not lease the Rectories united to their Bishopricks for any longer Term than they continue Bishops.

V. And be it further enacted by the Authority aforesaid, That in Recompense and Satisfaction to the Bishop of *Landaff* and his Successors, for such Mortuaries as might arise or become due or payable to the said Bishop of *Landaff*, or his Successors, by Virtue of the said recited Act, upon the Death of any Priest or Clergyman, whensoever the Treasurership, with the Prebend thereto annexed, founded in the Cathedral Church of *Landaff*, shall next happen to be void, the said Treasurership and Prebend shall, immediately upon such Vacancy, and from thenceforth be annexed and united to the said Bishoprick of *Landaff* for ever; and all and every the Profits, Rights, Dues, Benefits and Advantages whatsoever, of the said Treasurership and Prebend, or thereto in any wise belonging or appertaining, shall or may be had, received, taken and enjoyed by the Bishop of the said Diocese of *Landaff* and his Successors for ever.

Recompense to the Bishop of *Landaff*:

VI. And be it further enacted by the Authority aforesaid, That in Recompense and Satisfaction to the Bishop of *St. Davids* and his Successors, for such Mortuaries as might arise or become due or payable to the said Bishop of *St. Davids*, or his Successors, by Virtue of the said recited Act, upon the Death of any Priest or Clergyman, whensoever the said Prebend of *Langamarck* shall next happen to be void, the said Prebend shall, immediately upon such Vacancy, and from thenceforth be annexed and united to the said Bishoprick of *St. Davids* for ever; and all and every the Profits, Rights, Dues, Benefits and Advantages whatsoever, of the same Prebend, or thereto in any wise belonging or appertaining, shall or may be had, received, taken and enjoyed by the Bishop of the said Diocese of *St. Davids* and his Successors for ever, in as full and ample Manner as the said *John Medley* now hath or enjoyeth, or might or ought to have and enjoy the same.

To the Bishop of *St. Davids*.

VII. And whereas her Majesty has been graciously pleased, by her Letters Patents under the Great Seal of *Great Britain*, bearing Date at *Westminster* the eleventh Day of *November* in the twelfth Year of her Reign, to incorporate *Collwell Brickenden* Doctor in Divinity, the Master of *Pembroke* College in the University of *Oxford*, and his Successors, Masters of the same College, by the Name, Stile and Title of Master of *Pembroke* College in the University of *Oxford*; and did thereby grant to the said Master and his Successors, Masters of the same College, for their better Support and Maintenance, that Canonship or Prebend in the Cathedral Church of the Holy and Undivided *Trinity* of *Gloucester*, which should first happen to be void, and in the Gift of her Majesty, her Heirs and Successors, from and after the Date of the said Grant; to have and to hold the said Canonship or Prebend, to the said *Collwell Brickenden* Master of the said College, and his Successors, Masters of the same College, of her Majesty, her Heirs and Successors, in pure and perpetual Alms, for and during his and their respective Continuance in the said Mastership; and did thereby likewise unite such Canonship or Prebend, as aforesaid, to the said Corporation for ever: And whereas her Majesty has been also graciously pleased, by other her Letters Patents under the Great Seal of *Great Britain*, bearing Date at *Westminster* the fourteenth Day of *January* in the twelfth Year of her Reign, to incorporate *George Carter* Doctor in Divinity, the Provost of *Oriel* College in the University of *Oxford*, and his Successors, Provosts of the same College, by the Name, Stile and Title of Provost of the House of the Blessed Virgin *Mary* in *Oxon*, commonly called *Oriel* College, of the Foundation of *Edward* the Second, some Time King of *England*, of famous Memory; and did thereby grant to the said Provost, and his Successors, Provosts of the same College, for their better Support and Maintenance, that Canonship or Prebend in the Cathedral-Church of *Christ*, and of the Blessed Virgin *Mary*, of *Rocheſter*, which should first happen to be void, and in the Gift of her Majesty, her Heirs and Successors, from and after the Date of the said Grant; Saving always the Right of the Arch-Deacons of the said Church for the Time being, to one of the said Canonships, by Virtue of a former Grant; to have and to hold the said Canonship or Prebend, to the said *George Carter*, Provost of the said College, and his Successors, Provosts of the same College, of her Majesty, her Heirs and Successors, in pure and perpetual Alms, for and during his and their Continuance in the said Provostship; and did thereby likewise unite such Canonship or Prebend, as aforesaid, to the said Corporation for ever: And whereas her Majesty has been further graciously pleased, by other her Letters Patents under the Great Seal of *Great Britain*, bearing Date at *Westminster* the six and twentieth Day of *April* in the thirteenth Year of her Reign, to incorporate *Thomas Sherlock* Doctor in Divinity, Master or Warden of *St. Catherine's* College or Hall in the University of *Cambridge*, and his Successors, Masters or Wardens of the same College or Hall, by the Name, Stile and Title of Master or Warden of *St. Catherine's* College or Hall in the University of *Cambridge*; and did thereby grant to the said Master or Warden, and his Successors, Masters or Wardens of the same College or Hall, for their better Support and Maintenance, that Canonship or Prebend in

The Queen's Letters Patents to the Master of *Pembroke* College, and to the Provost of *Oriel* College in *Oxon*, and to the Warden of *Katherine Hall* in *Cambridge*, confirmed,

‘ the Cathedral Church of the Holy and Undivided *Trinity* in *Norwich*, of the Foundation of King *Edward*
 ‘ the Sixth, which should first happen to be void, and in the Gift of her Majesty, her Heirs and Successors,
 ‘ from and after the Date of the said Grant; to have and to hold the said Canonship or Prebend to the
 ‘ said *Thomas Sherlock*, Master or Warden of the said College or Hall, and his Successors, Masters or War-
 ‘ dens of the same College or Hall, of her Majesty, her Heirs and Successors, in pure and perpetual Alms
 ‘ for and during his and their Continuance in the said Masterhip or Wardenhip; and did thereby likewise
 ‘ unite such Canonship or Prebend, as aforesaid, to the said Corporation for ever; as by the said several and
 ‘ respective recited Letters Patents (Relation being thereunto had) may more fully and at large appear.’
 Be it therefore enacted by the Authority aforesaid, That the said several and respective recited Letters
 Patents, and all and singular the Clauses, Articles and Things therein respectively contained, shall be and
 are hereby ratified and confirmed, and the said several and respective Canonships or Prebends shall be, from
 Time to Time, for ever, held and enjoyed, according to the true Intent and Meaning of the several and
 respective Letters Patents above recited.

A publick Act.

VIII. And be it further enacted, That this Act shall be taken and allowed in all Courts within this
 Kingdom as a publick Act.

Saving to the
 Crown all
 First Fruits,
 &c. for such
 Rectories, &c.

IX. Saving nevertheless, and always reserved unto her Majesty, her Heirs and Successors, all and singu-
 lar First-fruits and Tenths, in any wise due or payable to her Majesty, her Heirs and Successors, for or
 in respect of such Rectories *Sine Cura*, and Treasurership, and Prebend thereunto annexed, founded in
 the Cathedral Church of *Landaff*, and the said Prebend of *Langamarch*, and all such Right and Title, as
 her said Majesty hath in or to such First-fruits and Tenths, or any of them, and which shall continue to
 be levied and paid in like Manner as heretofore; any Thing herein contained to the contrary in any wise
 notwithstanding.

Another Saving
 to the Lessees,
 &c.

See 28 Geo. 2.
 c. 6. for taking
 away Mortuaries
 in Cheshire.

X. Saving also to the Queen's Majesty, her Heirs and Successors, and to the respective Lessee or Lessees
 of the said Treasurership, and Prebend thereunto annexed, founded in the Cathedral Church of *Landaff*,
 and to the said Prebend of *Langamarch*, and to all and every other Person or Persons whatsoever, all such
 Estate, Right, Title and Interest, in, to or out of the said Treasurership and Prebend thereto annexed,
 and the said Prebend of *Langamarch*, as any such Lessee or Lessees, or other Person or Persons, have or might
 have or claim, in, to, or out of the said Treasurership and Prebend thereunto annexed, and the said Prebend
 of *Langamarch*, if this Act had not passed.

C A P. VII.

An Act to prevent the Growth of Schism, and for the further Security of the Churches of
England and *Ireland*, as by Law established.

13 & 14 Car. 2.
 c. 4.

‘ **W**HEREAS by an Act of Parliament made in the thirteenth and fourteenth Years of his late Ma-
 ‘ jesty King *CHARLES* the Second, intituled, *An Act for the Uniformity of publick Prayers, and Ad-*
 ‘ *ministration of Sacraments, and other Rites and Ceremonies; and for establishing the Form of making, ordaining,*
 ‘ *and consecrating Bishops, Priests and Deacons in the Church of England*, it is, amongst other Things enacted,
 ‘ That every Schoolmaster keeping any publick or private School, and every Person instructing or teaching
 ‘ any Youth in any House or private Family, as a Tutor or Schoolmaster, should subscribe before his or
 ‘ their respective Archbishop, Bishop or Ordinary of the Diocese, a Declaration or Acknowledgment, in
 ‘ which, amongst other Things was contained, as follows, *viz. I A. B. do declare, That I will conform to the*
 ‘ *Liturgy of the Church of England, as it is now by Law established*; and if any Schoolmaster, or other Per-
 ‘ son instructing or teaching Youth in any private House or Family, as a Tutor or Schoolmaster, should in-
 ‘ struct or teach any Youth as a Tutor or Schoolmaster before Licence obtained from his respective Arch-
 ‘ bishop, Bishop or Ordinary of the Diocese, according to the Laws and Statutes of this Realm, for which
 ‘ he should pay twelve Pence only, and before such Subscription and Acknowledgment made, as aforesaid,
 ‘ then every such Schoolmaster and other instructing and teaching, as aforesaid, should, for the first Of-
 ‘ fence, suffer three Months Imprisonment without Bail or Mainprize, and for every second and other such
 ‘ Offence should suffer three Months Imprisonment without Bail or Mainprize, and also forfeit to his Ma-
 ‘ jesty the Sum of five Pounds: And whereas notwithstanding the said Act, sundry Papists and other Per-
 ‘ sons dissenting from the Church of *England*, have taken upon them to instruct and teach Youth as Tu-
 ‘ tors or Schoolmasters, and have for such Purpose openly set up Schools and Seminaries, whereby, if due
 ‘ and speedy Remedy be not had, great Danger might ensue to this Church and State: For the making the
 ‘ said recited Act more effectual, and preventing the Danger aforesaid, &c. [Repealed, 5 Geo. 1. c. 4.]

See farther 23
 Geo. 2. c. 28.

C A P. VIII.

An Act for encouraging the Tobacco Trade.

7 & 8 W. 3.
 c. 10. and
 1 Jac. 2. c. 4.

‘ **W**HEREAS by an Act made in the seventh Year of the Reign of the late King *WILLIAM* the
 ‘ Third, intituled, *An Act for continuing several Duties granted by former Acts upon Wines and Vine-*
 ‘ *gar, and upon Tobacco and East India Goods, and other Merchandizes imported, for carrying on the War against*
 ‘ *France*, the Methods prescribed for collecting the Impost Duty upon Tobacco, granted by an Act passed
 ‘ in the first Year of the Reign of King *JAMES* the Second, are altered, and, among other Things, it is
 ‘ enacted, That on any Payment of the said Duty for Tobacco to be consumed here, there be an Allow-
 ‘ ance of eight Pounds *per Cent.* for the Merchants Encouragement, in Consideration of Waste and Shrink-
 ‘ age in the Cellars, and an Allowance of four Pounds *per Cent.* in Consideration of Waste that may arise
 ‘ on any Tobacco exported within the Time allowed by Law, to be struck off only from the Entries, and
 ‘ not to be paid where the whole Quantity entred shall happen to be exported; both which Acts are
 since

since continued, and are now in Force: And whereas by Law there are several other Duties payable on the Importation of Tobacco, but no Provision is made thereby for giving any Allowance out of the same, in Consideration of Waste or Shrinkage, as aforesaid; and it being reasonable that the Manner of collecting the several Duties upon Tobacco should be in one uniform Method, and that the same Allowance for Waste and Shrinkage on the Consumption here, should be granted to the Exporters, for the Preservation and Improvement of that most beneficial Trade, which, for many Years past, hath greatly declined; Be it enacted and declared by the Queen'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 from and after the first Day of June one thousand seven hundred and fourteen, during the Term of five Years, and from thence to the End of the then next Session of Parliament, there shall, for the better Encouragement of the said Consumption and Export Trade, be an Allowance of eight Pounds *per Cent.* made to the Merchant at Importation, out of all the Duties payable upon Tobacco, instead of the aforesaid eight Pounds, and four Pounds *per Cent.* which by the before recited Acts are to be allowed only out of the Impost Duty, and which said Allowance of eight Pounds *per Cent.* out of all the said Duties, shall not be deducted from the Merchants on Exportation; any Law or Custom to the contrary notwithstanding.

12 Car. 2. c. 34.
 15 Car. 2. c. 7.
 22 & 23 Car. 2. c. 26. 10 & 11 W. 3. c. 21.
 2 Ann. c. 9. s. 7.
 11. 6 Ann. c. 22. s. 12.
 8 Ann. c. 13. s. 18.
 After 1 June 1714. for five Years, 8l. per Cent. allowed out of all the Duties on Tobacco.
 Not to be deducted on Exportation.

II. And whereas by the Act of Tonnage and Poundage made in the twelfth Year of the Reign of King CHARLES the Second, and by the Book of Rates thereunto annex, an additional Duty of one Penny *per Pound* was made payable for all Tobacco of the *English* Plantations, upon giving Security for Payment of the same at nine Months after the Importation: And whereas by the said Act made in the first Year of the Reign of the late King JAMES the Second, a Duty or Impost of three Pence *per Pound* was laid on the same Tobacco, and six Pence *per Pound* on all Tobacco of Foreign Plantations, the Method of collecting which Impost Duty was altered by the said Act made in the seventh Year of the Reign of the late King WILLIAM the Third, and thereby the Payment thereof was to be at the End of eighteen Months, with certain Discounts at different Rates for Prompt Payment within the respective Times thereby limited: And whereas by an Act made in the ninth Year of the Reign of his said late Majesty King WILLIAM the Third, a further Subsidy of one Penny *per Pound* was laid on all Tobacco of the *English* Plantations, payable in three Months from the Importation, upon Security: And whereas by one other Act made in the second Year of her Majesty's Reign, a Duty of one third Part of one Penny *per Pound* was made payable on the same Tobacco, and the Importer to have nine Months for the Payment thereof, on sufficient Security; all which Acts before mentioned are, by several subsequent Acts, since continued, and are now in Force: And whereas the Payment of the said several Duties, at the different Times, as before mentioned, according to the respective Acts of Parliament, has by Experience been found prejudicial and burthenfome to Trade, and a Loss to the Revenue: For Prevention whereof for the future, Be it further enacted by the Authority aforesaid, That from and after the first Day of June one thousand seven hundred and fourteen, during the Term of five Years, and from thence to the End of the then next Session of Parliament, all the said several and respective Duties on Tobacco, granted by the aforementioned Acts of Parliament, and since continued, shall be due and payable, during the Term aforesaid, at the End of eighteen Months, to commence at the End of thirty Days after the Master's Report of the Ship, or to commence from the Merchant's Entry of the Goods within those thirty Days, which shall first happen, and the Bond or Bonds to be given for the same, shall be made payable at the End of eighteen Months accordingly; any Statute or Law to the contrary notwithstanding.

12 Car. 2. c. 4.
 1 Jac. 2. c. 4.
 7 & 8 W. 3. c. 10.
 9 & 10 W. 3. c. 23.
 2 & 3 Ann. c.

III. Provided always, That if the Importer or Proprietor of Tobacco shall, upon Entry thereof, pay ready Money for all or any Part of the said Duties within the said thirty Days, or at any Time or Times within any of the first fifteen Months of the said eighteen Months, to commence at the End of the said thirty Days after the Master's Report of the Ship, he shall, in lieu of all former Discounts made for Prompt Payment, out of all the said Duties have an Allowance made of ten Pounds *per Cent. per Ann.* for the said fifteen Months, or proportionably for so many intire Months of the said fifteen Months as shall then remain unexpired, but nor to be allowed any Discount after the End of fifteen Months, nor for any less Time than a Month; and in case after the Importer or Proprietor shall have given Security, as aforesaid, (which at his Election may be in one or more Bond or Bonds) to pay the said several Duties in eighteen Months, and shall be desirous to discharge his Bond or Bonds, or any Part thereof, in ready Money, sooner than fifteen Months, he shall be abated upon the Bond or Bonds for such Prompt Payment, so much as the said Discount shall amount to, in Proportion to such Time, but not to be allowed any Discount after the End of fifteen Months.

All Duties on Tobacco to be paid at the End of 18 Months. By 5 Geo. 1. c. 7. this Act is continued as long as the Duties on Tobacco shall continue.

IV. Provided also, That nothing in this Act contained, is intended to take away the said Allowance of eight Pounds *per Cent.* to be made out of the several Duties for the Merchants Encouragement, and in Consideration of Waste and Shrinkage, nor the Allowance of five in the Hundred out of the several Subsidies, and the said additional Duty, by Virtue of the respective Act of Tonnage and Poundage, and other Acts before recited.

Allowance for ready Money.

V. And whereas several Merchants and other Persons concerned in the Importation of Tobacco of the *English* Plantations, are frequently under Difficulties, and unable to give good and sufficient Security for the Payment of the several Duties imposed thereon: And whereas putting the same into proper Warehouses may not only be an Ease and Convenience to the Importers thereof, but also a Security to her Majesty's Revenue; Be it therefore enacted by the Authority aforesaid, That from and after the first Day of June one thousand seven hundred and fourteen, during the Term of five Years, and from thence to the End of the then next Session of Parliament, in case any Person importing any of the said Tobacco, shall pay down in ready Money the Subsidy of one Penny *per Pound* due and payable to her Majesty by the Act of the twelfth Year of the Reign of his late Majesty King CHARLES the Second, or by any Act or Acts continuing the same, and shall then desire to have the said Tobacco put into Warehouses, under the

Not to take away 8l. per Cent. for Shrinkage, nor 5l. in the Hundred out of the Subsidies.
 On paying down the Duty of 1d. per lb. Tobacco may be warehoused at Merchants Charge.
 12 Car. 2. c. 4.

Queen's and the Merchant's Locks, for the Security of the Remainder of the Duties, the Merchant or his Servants shall have free Access into the said Warehouses, at all reasonable Times; and the Custom-house Officers are hereby required to attend, without Fee or Reward: And it shall and may be lawful for the Commissioners or Principal Officers of the Customs, to permit and cause the said Tobacco to be lodged and put into Warehouses (to be provided by and at the Charge of the Merchants, and to be first approved by the said Commissioners or Officers) upon the Merchant's giving his own Bond for Payment of the Duties at the End of fifteen Months; and if the Importer or Importers of such Tobacco, as has been so lodged in the Warehouses, shall not, within the said Time of fifteen Months, offer good and sufficient Security for Payment of the Duties at the End of the said eighteen Months, or by Debentures on Exportation of such Tobacco, or Payment of the several Duties for which his own Bond hath been given, discharge his or their Obligations, or any Part thereof, but that the Tobacco, or any Part thereof, shall continue and be still remaining in the said Warehouses, for Want of the Payment of the Duties due thereon; in such Case it shall be lawful for the said Commissioners, or Principal Officers of the Customs for the Time being, and who are hereby required and impowered, to cause the said Tobacco so remaining to be publicly sold by Inch of Candle, first giving the Proprietor or Proprietors fourteen Days Notice, or leaving the same in Writing at the Place of his or their last Abode, the Product thereof, after such Sale, first to be applied towards Payment of the Customs and Charges that have been expended thereon, and the Overplus, if any, to be rendred and paid to the Proprietor, or other Person lawfully authorized to receive the same.

Merchant to give his own Bond to pay the Duties at 15 Months End,

else to be sold by Inch of Candle.

Tobacco burnt in the Warehouses, Duties to be allowed, and Bond discharged.

For Tobacco in the River entered,

Time of Importation to be reckoned from 22 June 1714.

No Allowance for damaged Tobacco.

Merchant refusing to pay the Duties, such Tobacco to be destroyed, &c.

Owner to be allowed 25 lb. more or 100 lb.

The Allowance to be by Certificate,

and not to be placed to the Export Account, &c.

Not to hinder former Allowances, not exceeding 40 lb. on any one Hoghead.

VI. Provided always, That in case any Tobacco put into the said Warehouses, and so locked up, as aforesaid, shall be burnt or destroyed by Fire, during the Time it remains in the said Warehouses, the Proprietors or Owners of such Tobacco shall be allowed the Duties paid, and the Bond shall be discharged for so much thereof as shall have been so burnt or destroyed.

VII. And whereas divers great Quantities of Tobacco of the *English* Plantations have been imported for some Time, but by Reason of the Deadness of the Tobacco Trade, occasioned by the Length of the late War, the Importers or Proprietors thereof have not entred the said Tobacco, and paid or secured the Duties for the same, as the Law requires; For Relief therefore of the said Importers or Proprietors of the said Tobacco in this special Case, Be it further enacted by the Authority aforesaid, That the Time of Importation of all such Tobaccos, as are already imported, and not entred, shall be reckoned to be from the second Day of *June* one thousand seven hundred and fourteen, in like Manner as if the Masters of the said Ships or Vessels had made Report of their several Ladings on that Day; and the Importers or Proprietors of such Tobacco shall pay or secure the Duties, and have and enjoy the several Allowances and Discounts, and be entituled to drawback the Duties, as fully and in like Manner as if the said Tobacco had been imported, and the Masters of the Ships had made their respective Reports of their Ladings, on the said second Day of *June* one thousand seven hundred and fourteen; any Law, Usage or Custom, to the contrary in any wise notwithstanding.

VIII. And whereas it hath been found by Experience, that her Majesty's Revenue suffers great Prejudice, as well by Allowances for damaged Tobacco, as by the obtaining a Drawback by Debenture on the Re-shipping the same, as if such Tobacco had been found and good, and paid the Duties at Importation; For preventing the like Abuses for the future, Be it further enacted by the Authority aforesaid, That from and after the first Day of *August* one thousand seven hundred and fourteen, within or during the Term of five Years thence next ensuing, or at any Time before the End of the then next Session of Parliament, no Merchant or other Person whatsoever shall have any Allowance or Abatement for the Subsidies or other Duties made him, for any Sort of Tobacco imported, or to be imported, under Pretence of such Tobacco being corrupt or unmerchantable: But in case any Merchant or other Person shall refuse to make Entry of such damaged Tobacco, and to pay and secure the whole Duties due and payable for the same, then he or they shall have Liberty to separate from his or their Tobacco, so much thereof as they shall refuse to pay Custom for; and the Principal Officers of her Majesty's Customs, or any two or more of them, shall cause all such corrupt Tobacco to be weighed and publicly burnt, or otherwise destroyed as not wholesome and fit for Use; and the Owner or Importer thereof shall be discharged from paying or securing any Subsidy, or other Duties for the same, to her Majesty; any Law, Custom or Usage, to the contrary in any wise notwithstanding.

IX. Provided always, and be it further enacted by the Authority aforesaid, That every Owner or Importer of such damaged and corrupt Tobacco, shall, as a Compensation for Freight and other Charges, and for that the cutting off, and separating the same, may deface the Remainder of the Tobacco, have an Allowance of twenty-five Pounds Weight of Tobacco, free of all Duties, for every one hundred Pounds of such corrupt and damaged Tobacco so separated, to be burnt or destroyed, as aforesaid, and so in Proportion for any greater or lesser Quantity; which Allowance of twenty-five Pounds for every one hundred Pounds of Tobacco so to be made, as aforesaid, shall be by Certificate; and the Officers are hereby required to make, pass, and pay such Certificate without Fee or Reward, the Tobacco mentioned in such Certificate not to be placed to the Merchant's Export Account, so as such Allowance of twenty-five Pounds of Tobacco for every one hundred Pounds of damaged Tobacco so separated or destroyed, does not exceed the Quantity of one hundred and fifty Pounds of Tobacco, upon or for any Hoghead of *Aranca* Tobacco; or the Quantity of two hundred Pounds of Tobacco, upon or for any Hoghead of sweet-scented Tobacco.

X. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to forbid or hinder the Merchants or Importers having an Allowance made them for damaged Tobacco, in such Manner as hath been usual, so as such Allowance doth not exceed forty Pounds Weight of Tobacco upon any one Hoghead; and for the more ready Dispatch of Business, such small Damages, not exceeding forty Pounds Weight on any one Hoghead, shall be viewed, and the Allowance made in the Scale; any Thing herein contained to the contrary notwithstanding.

‘ XI. And whereas it frequently happens that divers Goods and Merchandizes are brought into her Majesty’s Storehouses for want of being entred, and because the Duties of Tonnage and Poundage, and other Duties are not paid and secured as the Law directs, which Goods do remain there divers Years, and often for long, until they are perished, and become of no Value, whereby the Queen hath lost the whole Custom due on the Importation of the said Goods;’ For Prevention whereof for the future, Be it likewise enacted by the Authority aforesaid, That from and after the first Day of July one thousand seven hundred and fourteen, the Commissioners of the Customs for the Time being shall, in all Cases where the Goods are or shall be brought into her Majesty’s Storehouses for Security of the Customs, and other Duties due thereon, as soon as conveniently they can, cause all Goods so brought into her Majesty’s Storehouses, as aforesaid, which shall have remained there for the Space of twelve Months, the Subsidy and other Duties not paid, compounded for, or otherwise secured as the Law directs, to be publickly sold by Auction or Inch of Candle; and after such Sale, the Produce thereof is first to be applied to or towards the Payment of the Freight, Primage and Charges of Warehouse-room, and other Charges that shall arise thereon, next the Customs and Duties, and the Overplus to be paid to the Proprietor, or other Persons authorized to receive the same.

Goods in Warehouses unentered to be sold at publick Sale.

Altered by 12 Geo. 1. c. 23. §. 19.

‘ XII. And whereas an Act passed in the eighth Year of her Majesty’s Reign for continuing several Impositions, additional Impositions, and Duties upon Goods imported, to raise Money by way of Loan for the Service of the Year one thousand seven hundred and ten, and for better preventing Frauds in Drawbacks upon Certificate Goods, and for other Purposes therein mentioned; in which Act there were several Regulations enacted to be complied with, in Order to entitle the Exporters of Tobacco to their Debentures; which new Regulations, being made to commence from the twenty-seventh Day of March one thousand seven hundred and ten, by which Time the same could not be known in Scotland, several Parcels of Tobacco, through Ignorance, were exported from thence without Regard to the Regulations laid down in the said Act, the Debentures of which Tobacco have been refused to be made forth and allowed to the Merchants upon that Account only;’ Be it therefore enacted by the Authority aforesaid, That for all Tobacco exported from Scotland, after the twenty-seventh Day of March one thousand seven hundred and ten, and before the sixteenth Day of April following, the Barons of the Exchequer in Scotland shall cause the Debentures to be made forth, and allowed to the Merchants, according to the Laws in Force before the said twenty-seventh Day of March one thousand seven hundred and ten; any Thing in the aforesaid Act to the contrary notwithstanding.

8 Ann. c. 13.

For all Tobacco exported from Scotland between 27 March and 16 April 1710. Exchequer there to make out Debentures.

‘ XIII. And whereas there has been some Doubt whether the Deputations or Authorities granted to Collectors, Surveyors, or other inferior Officers of the Customs, do remain in Force upon the Death or Removal of any of the Commissioners of the Customs, by whom the Deputations were granted;’ Be it enacted and declared by the Authority aforesaid, That all such Collectors, Surveyors, or other inferior Officers of the Customs, who are or have been, or shall be hereafter deputed or appointed, as aforesaid, shall be deemed to remain and continue in their respective Offices and Employments, notwithstanding the Death or Removal of any of the Commissioners of the Customs, who deputed and appointed such Officers, until the Deputations of such Officers respectively shall be by the said Commissioners, or any superior Authority, revoked, annulled or made void. [Continued by 5 Geo. 1. c. 7.]

Deputations in Force, notwithstanding the Death, &c. of Commissioners. Further Provisions concerning Tobacco, 1 Geo. 1. c. 46. 5 Geo. 1. c. 13.

1. c. 11. 6 Geo. 1. c. 21. 9 Geo. 1. c. 21. 12 Geo. 1. c. 26 & 28. 21 Geo. 2. c. 2. 24 Geo. 2. c. 41. and 26 Geo. 2. c. 13.

C A P. IX.

An Act for laying additional Duties on Sope and Paper, and upon certain Linens, Silks, Callicoes and Stuffs, and upon Starch, and exported Coals, and upon stamp Vellum, Parchment and Paper, for raising one Million four hundred thousand Pounds by way of a Lottery, for her Majesty’s Supply; and for Allowances on exporting made Wares of Leather, Sheepskins and Lamb skins, and for Distribution of four thousand Pounds due to the Officers and Seamen for Gun-Money; and to adjust the Property of Tickets in former Lotteries; and touching certain Shares of Stock in the Capital of the South-Sea Company; and for appropriating the Monies granted to her Majesty.

MAY it please your most Excellent Majesty; We your Majesty’s most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, being desirous that such Supplies as are necessary for defraying your Majesty’s publick Expences, may be effectually raised, have therefore cheerfully and unanimously given and granted, and do by this Act give and grant unto your Majesty the several and respective Rates and Duties for and upon all Sope made in Great Britain, or imported into the same; and for and upon all Paper made in Great Britain, or imported into the same; and for and upon all chequered and striped Linens to be imported into Great Britain; and for and upon certain Silks, Callicoes, and other enumerated Goods, which shall be printed, painted, stained, or dyed in Great Britain; and for and upon all Starch made in Great Britain; and for and upon all Coals exported for foreign Parts; and for and upon such stamp Vellum, Parchment and Paper, and other Things hereafter in this Act more particularly described or mentioned, for and during such Term or Terms of Years, and in such Manner and Form, as are herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the Queen’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 Authority of the same, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Sope of what Kind soever, which at any Time or Times, within or during the

For the Application of the Surplus of the Duties hereby granted, see 2 Geo. 2. c. 3. §. 2. for Payment of Annuities to the Bank. And see 2 Geo. 2. c. 13.

For 33 Years from 2 Aug. 1714. Sope imported to pay the Additional Duty of 1d. per lb.

Term...

Male perpetual
by 6 Geo. 1.
c. 4. §. 1.

Term of two and thirty Years, to be reckoned from the second Day of *August* in the Year of our Lord one thousand seven hundred and fourteen, shall be imported or brought into the Kingdom of *Great Britain*, or made within the same, the several and respective Additional or New Duties herein after described or mentioned (over and above all Customs, Subsidies, Rates and Duties chargeable upon such Sope, or any Part thereof, by any other Act or Acts of Parliament now in Force) That is to say, For every Pound Weight, consisting of sixteen Ounces *Averdupois*, of such Sope so to be imported or brought into the said Kingdom, within or during the Term aforesaid, one Penny, and after that Rate for a greater or lesser Quantity, to be paid down in Ready Money by the Importers thereof, from Time to Time, before the Landing of the same; and for every such Pound-Weight of Sope to be made in the said Kingdom of *Great Britain*, within and during the Term aforesaid, one Halfpenny, and after that Rate for a greater or lesser Quantity, to be paid by the Makers thereof respectively.

Sope made in
Great Britain
ob. per lb.

Additional Duty
upon Paper,
Pastboard, &c.
Made perpetual
by 6 Geo. 1.
c. 4. §. 1.

II. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Paper of what Kind soever, and all Pastboards, Millboards and Scaleboards, which, at any Time or Times within or during the Term of two and thirty Years, to be reckoned from the said second Day of *August* one thousand seven hundred and fourteen, shall be imported or brought into the Kingdom of *Great Britain* (printed Books, Maps and other Prints, always excepted) the several and respective Rates and Duties herein after expressed (over and above the present Customs, Subsidies and Duties upon the same Commodities respectively) That is to say,

Atlas Fine.

For and upon all Paper usually called or known by the Name of *Atlas Fine*, which shall be imported or brought in, as aforesaid, the Sum of eight Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Atlas Ordinary.

For and upon all Paper usually called or known by the Name of *Atlas Ordinary*, which shall be imported or brought in, as aforesaid, the Sum of four Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Imperial Fine.

For and upon all Paper usually called or known by the Name of *Imperial Fine*, which shall be imported or brought in, as aforesaid, the Sum of eight Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Super Royal
Fine.

For and upon all Paper usually called or known by the Name of *Super Royal Fine*, which shall be imported or brought in, as aforesaid, the Sum of six Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Royal Fine.

For and upon all Paper usually called or known by the Name of *Royal Fine*, which shall be imported or brought in, as aforesaid, the Sum of four Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Medium Fine.

For and upon all Paper usually called or known by the Name of *Medium Fine*, which shall be imported or brought in, as aforesaid, the Sum of three Shillings for every Ream, and after that Rate for any greater or lesser Quantity.

Demy Fine.

For and upon all Paper usually called or known by the Name of *Demy Fine*, which shall be imported or brought in, as aforesaid, the Sum of two Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Demy Second.

For and upon all Paper usually called or known by the Name of *Demy Second*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling and three Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Demy Printing.

For and upon all Paper usually called or known by the Name of *Demy Printing*, which shall be imported or brought in, as aforesaid, the Sum of ten Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Fine Holland
Royal.

For and upon all Paper usually called or known by the Name of *Fine Holland Royal*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling and seven Pence Half-penny for every Ream, and after that Rate for a greater or lesser Quantity.

Fine Holland
Second.

For and upon all Paper usually called or known by the Name of *Fine Holland Second*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling for every Ream, and after that Rate for a greater or lesser Quantity.

Blue Royal.

For and upon all Paper usually called or known by the Name of *Blue Royal*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling for every Ream, and after that Rate for a greater or lesser Quantity.

Painted Paper
imported.

For and upon all painted Paper, which shall be imported or brought in, as aforesaid, the Sum of four Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Cartridge Paper.

For and upon all Paper usually called or known by the Name of *Cartridge Paper*, which shall be imported or brought in, as aforesaid, the Sum of nine Pence for every Ream, and after that Rate for a greater or lesser Quantity.

Elephant Fine.

For and upon all Paper usually called or known by the Name of *Elephant Fine*, which shall be imported or brought in, as aforesaid, the Sum of four Shillings for every Ream, and after that Rate for a greater or lesser Quantity.

Ordinary Ele-
phant.

For and upon all Paper usually called or known by the Name of *Ordinary Elephant*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling and seven Pence Half-penny for every Ream, and after that Rate for a greater or lesser Quantity.

Fine Large Post.

For and upon all Paper usually called or known by the Name of *Fine Large Post*, which shall be imported or brought in, as aforesaid, the Sum of one Shilling and three Pence for every Ream, and after that Rate for a greater or lesser Quantity.

For and upon all Paper usually called or known by the Name of *Fine Fools Cap*, which shall be imported or brought in, as aforesaid, one Shilling and three Pence for every Ream, and after that Rate for a greater or lesser Quantity. Fine Fools Cap.

For and upon all Paper usually called or known by the Name of *Second Fools Cap*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. Second Fools Cap.

For and upon all Paper usually called or known by the Name of *Bastard or Double Copy*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. Bastard or Double Copy.

For and upon all Paper usually called or known by the Name of *Chancery Double*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. Chancery Double.

For and upon all Paper usually called or known by the Name of *Super Fine Pot*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. Super Fine Pot.

For and upon all Paper usually called or known by the Name of *Second Fine Pot*, which shall be imported or brought in, as aforesaid, nine Pence for every Ream, and after that Rate for a greater or lesser Quantity. Second Fine Pot.

For and upon all Paper usually called or known by the Name of *Genoa Royal*, which shall be imported or brought in, as aforesaid, one Shilling and seven Pence Half-penny for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Royal.

For and upon all Paper usually called or known by the Name of *Genoa Medium*, which shall be imported or brought in, as aforesaid, one Shilling and three Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Medium.

For and upon all Paper usually called or known by the Name of *Genoa Demy Fine*, which shall be imported or brought in, as aforesaid, one Shilling for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Demy Fine.

For and upon all Paper usually called or known by the Name of *Genoa Demy Second*, which shall be imported or brought in, as aforesaid, nine Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Demy Second.

For and upon all Paper usually called or known by the Name of *Genoa Crown Fine*, which shall be imported or brought in, as aforesaid, nine Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Crown Fine.

For and upon all Paper usually called or known by the Name of *Genoa Crown Second*, which shall be imported or brought in, as aforesaid, six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Crown Second.

For and upon all Paper usually called or known by the Name of *Genoa Fools Cap Fine*, which shall be imported or brought in, as aforesaid, nine Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Fool's Cap Fine.

For and upon all Paper usually called or known by the Name of *Genoa Fools Cap Second*, which shall be imported or brought in, as aforesaid, six Pence for every Ream, and after that Rate for a greater or lesser Quantity. Genoa Fool's Cap Second.

For and upon all Paper usually called or known by the Name of *German Lombard*, which shall be imported or brought in, as aforesaid, six Pence for every Ream, and after that Rate for a greater or lesser Quantity. German Lombard.

For and upon all Paper usually called or known by the Name of *German Demy*, which shall be imported or brought in, as aforesaid, nine Pence for every Ream, and after that Rate for a greater or lesser Quantity. German Demy.

For and upon all Paper usually called or known by the Name of *German Crown*, which shall be imported or brought in, as aforesaid, six Pence for every Ream, and after that Rate for a greater or lesser Quantity. German Crown.

For and upon all Paper usually called or known by the Name of *German Fools Cap*, which shall be imported or brought in, as aforesaid, six Pence for every Ream, and after that Rate for a greater or lesser Quantity. German Fool's Cap.

For and upon all Pastboards, Millboards, and Scaleboards, which shall be imported or brought in, as aforesaid, two Shillings and six Pence for every hundred Weight, and after that Rate for a greater or lesser Quantity. Pastboard, Scaleboard, &c.

And for and upon all other Paper, White or Brown, or of any other Colour or Kind whatsoever, which shall be imported or brought in, as aforesaid, (not being particularly charged in this Act) a Duty after the Rate of ten Pounds for every one hundred Pounds of the true and real Value of the same, and after that Rate for a greater or lesser Quantity. Paper not particularly charged. In Part repealed by 11 Geo. 1. c. 7. sect. 4.

Which said Duties for and upon the said several Sorts of Paper, and the said Pastboards, Millboards, and Scaleboards, to be imported within or during the Term aforesaid, shall be paid by the respective Importers thereof from time to Time. To be paid by the Importer.

III. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all Paper of what Kind soever, and upon all Pastboards, Millboards, and Scaleboards, which shall at any Time or Times, within or during the Term of two and thirty Years, to be reckoned from the said second Day of August one thousand seven hundred and fourteen, be made in Great Britain, the several and respective Duties herein after mentioned, That is to say,

- Demy Fine.** For and upon all Paper usually called or known by the Name of *Demy Fine*, which shall be so made in *Great Britain*, the Sum of nine Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Demy Second.** For and upon all Paper usually called or known by the Name of *Demy Second*, which shall be so made in *Great Britain*, the Sum of six Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Crown Fine.** For and upon all Paper usually called or known by the Name of *Crown Fine*, which shall be so made in *Great Britain*, the Sum of six Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Crown Second.** For and upon all Paper usually called or known by the Name of *Crown Second*, which shall be so made in *Great Britain*, the Sum of four Pence Half-peny for every Ream, and after that Rate for a greater or lesser Quantity.
- Fool's Cap Fine.** For and upon all Paper usually called or known by the Name of *Fool's Cap Fine*, which shall be so made in *Great Britain*, the Sum of six Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Fool's Cap Second.** For and upon all Paper usually called or known by the Name of *Fool's Cap Second*, which shall be so made in *Great Britain*, the Sum of four Pence Half-peny for every Ream, and after that Rate for a greater or lesser Quantity.
- Fine Pots.** For and upon all Paper usually called or known by the Name of *Fine Pots*, which shall be so made in *Great Britain*, the Sum of six Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Second Pots.** For and upon all Paper usually called or known by the Name of *Second Pots*, which shall be so made in *Great Britain*, the Sum of three Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Brown Large Cap.** For and upon all Paper usually called by the Name of *Brown Large Cap*, which shall be so made in *Great Britain*, the Sum of three Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Small Ordinary Brown.** For and upon all Paper usually called or known by the Name of *Small Ordinary Brown*, which shall be so made in *Great Britain*, the Sum of two Pence for every Ream, and after that Rate for a greater or lesser Quantity.
- Whited Brown.** For and upon all Paper usually called or known by the Name of *Whited Brown*, which shall be so made in *Great Britain*, the Sum of three Pence for every Bundle, each Bundle containing forty Quires, and after that Rate for a greater or lesser Quantity.
- Pastboard, &c.** For and upon all Pastboards, Millboards and Scaleboards, which shall be made in *Great Britain*, one Shilling and six Pence for every hundred Weight, and after that Rate for a greater or lesser Quantity.
- Paper not particularly charged.** And for and upon all other Paper, White or Brown, or of any other Colour or Kind whatsoever, which shall be made in *Great Britain*, as aforesaid, (not being particularly charged in this Act) a Duty after the Rate of six Pounds for every hundred Pounds of the true and real Value of the same, and after that Rate for any greater or lesser Quantity.
- To be paid by the Maker.** Which said Duties for and upon the said several Sorts of Paper, and other the Commodities last mentioned to be made in *Great Britain*, within or during the Term aforesaid, shall be paid by the Makers thereof respectively.

IV. And it is hereby enacted, That for and upon all Paper, which, at any Time or Times, during the Term last mentioned, shall be printed, painted or stained in *Great Britain*, to serve for Hangings, and other Uses, there shall be answered and paid to her Majesty (over and above the Duties payable for such Paper before the Printing, Painting, or Staining thereof) the Sum of one Half-penny for every Yard Square, and after that Rate for a greater or lesser Quantity, to be paid by such Person or Persons as shall print, paint, or stain the same.

V. And be it also enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all chequered and striped Linens, and upon all Linens printed, painted, stained, or dyed after the Manufacture, or in the Thread or Yarn before the Manufacture, in any Foreign Parts (excepting Buckrams, Lawns, Canvas, Barras, and *Silesia* Neckcloths) which at any Time or Times, within or during the Term of two and thirty Years, to be reckoned from the said second Day of *August* one thousand seven hundred and fourteen, shall be imported or brought into the Kingdom of *Great Britain*, and may lawfully be used or worn there (over and above all other Customs, Subsidies or Duties, imposed upon, or payable for the same) a Duty after the Rate of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, to be paid by the Importers respectively.

VI. And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all Silks, Callicoes, Linens and Stuffs, of what Kind soever, which at any Time or Times, within or during the Term of two and thirty Years, to be reckoned from the said second Day of *August* one thousand seven hundred and fourteen, shall be printed, stained, painted, or dyed in *Great Britain* (such Callicoes, Linens and Stuffs, as shall be dyed throughout of one Colour only, and Stuffs made of Woollen, or whereof the greatest Part in Value shall be Woollen, always excepted) the several and respective Rates and Duties herein after expressed (over and above all other Duties payable for the same, or any of them;) That is to say,

- Silks.** For and upon all Silks so printed, stained or painted, within or during the Term aforesaid, in *Great Britain* (Silk Handkerchiefs excepted) the Sum of six Pence for every Yard in Length, reckoning Half a Yard for the Breadth.
- Silk Handkerchiefs.** And for all Silk Handkerchiefs so printed, stained or painted, within or during the Term aforesaid, in *Great Britain*, the Sum of one Penny for every Yard square, and in those Proportions for wider or narrower Silks.
- Callicoes.** For and upon all Callicoes to be so printed, stained, painted or dyed, within or during the Term aforesaid,

said, in *Great Britain*, (except as aforesaid) the Sum of three Pence for every Yard in Length, reckoning one Yard wide, and after that Proportion.

The Duties in this and the next Section are made perpetual by 6 Geo. 1. c. 4. §. 1.

And for and upon all Linen and Stuffs (except before excepted) to be printed, stained, painted or dyed, as aforesaid, in *Great Britain*, within or during the Term last mentioned, the Sum of one Penny Half-penny for every Yard in Length, reckoning Yard wide, and after that Rate for a greater or lesser Quantity.

Linen and Stuffs, Concerning Linens, &c. see farther 12 Ann. Stat. 2. c. 19. &

21. 1 Geo. 1. c. 36. 3 Geo. 1. c. 7. 17 Geo. 2. c. 30. 18 Geo. 2. c. 24 & 36. 24 Geo. 2. c. 46. 29 Geo. 2. c. 15. 32 Geo. 2. c. 31.

VII. And be it enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Starch, which at any Time or Times, within or during the Term of two and thirty Years, to be reckoned from the said second Day of *August* one thousand seven hundred and fourteen, shall be imported or brought into the Kingdom of *Great Britain* (over and above all Customs, Subsidies and Duties, already imposed thereupon) the Sum of two Pence for every Pound Weight, consisting of sixteen Ounces *Averdupois*, and after that Rate for a greater or lesser Quantity, to be paid down in Ready Money by the Importers thereof, from Time to Time, before the Landing of the same; and for and upon all Starch, of what Kind soever, which at any Time or Times, within or during the same Term of two and thirty Years, shall be made within the said Kingdom of *Great Britain*, the Sum of one Penny for every such Pound Weight *Averdupois*, and after that Rate for a greater or lesser Quantity, the same to be paid by the Makers thereof respectively.

Starch imported to pay 2d. per lb.

Made in Great Britain 1 d. Made perpetual by 6 Geo. 1. c. 4. §. 1. Every Box of green Starch of 57 Inches in Length, and 10 in Breadth, to be charged as 13 lb. of Starch. The Depth of Inch Box provided for, 1 Geo. 1. Stat. 1. c. 2. §. 6. For Duties on

VIII. And it is hereby declared, That if the Charge on Starch be made by gaging the said Starch before it be dried in the Stove, then, and in every such Case, every Box of green Starch, or Starch before it be so dried, containing fifty-seven Inches in Length, and ten Inches in Breadth, shall, from the said second Day of *August* one thousand seven hundred and fourteen, be esteemed one hundred thirty-one *Averdupois* Pound Weight of Starch dried and perfectly made, and shall be charged accordingly, and proportionably for greater or lesser Quantities.

Starch, see farther 3 Geo. 1. c. 4. and 4 Geo. 2. c. 14.

IX. And be it enacted by the Authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Coals which at any Time or Times, within or during the Term of two and thirty Years, to be reckoned from the said second Day of *August* one thousand seven hundred and fourteen, shall be shipped to be exported beyond the Seas (Coals exported to *Ireland*, the *Isle of Man*, or her Majesty's Plantations excepted) the Duties following, that is to say, For such Coals shipped to be exported by Foreign Bottoms, the Sum of five Shillings the Chalders, *Newcastle* Measure, (over and above the present Duties upon the same;) and for all Coals which at any Time or Times, within or during the same Term of two and thirty Years, shall be shipped to be exported beyond the Seas in *British* Bottoms, the Sum of three Shillings for every Chalders, *Newcastle* Measure (over and above the present Duties payable for the same) and no more; any Law to the contrary notwithstanding.

Coals exported in foreign Bottoms to pay 5 s. the Chalders,

in British Bottoms, 3 s. Made perpetual by 6 Geo. 1. c. 4. §. 1. The import Duties to be under the Management of the Commissioners of the Customs. Concerning Duty on Coals, see farther 5 Geo. 1. c. 9. 6 Geo. 1. c. 4. 22 Geo. 2. c. 37. 39 Geo. 2. c. 19. Stat. 28.

X. And it is hereby enacted and declared by the Authority aforesaid, That all the Duties imposed by this Act upon such Sope, Paper, Pastboards, Millboards, Scaleboards, chequered and striped Linens, or any other Commodities before charged, as shall be imported into *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, during the Term or Terms aforesaid, and all the Duties which shall arise in *England*, *Wales*, or *Berwick* upon *Tweed*, for Coals to be exported during the Term therein granted, as aforesaid, shall be under the Management of the Commissioners and Officers of the Customs in *England*, for the Time being, according to the Duties of their respective Offices; and that all the Duties imposed by this Act upon such Sope, Paper, Pastboards, Millboards, Scaleboards, and chequered and striped Linens, or any the Commodities before charged, as shall be imported into *Scotland*, during the respective Terms aforesaid, and all the Duties imposed by this Act, which shall arise in *Scotland*, for Coals to be exported during the said Term therein granted, as aforesaid, shall be under the Management of the Commissioners and Officers of the Customs in *Scotland* for the Time being, according to the Duties of their respective Offices; and that the respective Receivers General of the Customs in *England* and *Scotland* for the Time being shall, from Time to Time, pay or cause to be paid, all the Monies that they shall respectively receive for the said imported Commodities, and for the said exported Coals (the necessary Charges of raising and accounting for the same excepted) into the Receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other Branches of the publick Revenues, for the Purposes in this Act expressed, and under the like Penalties, Forfeitures and Disabilities, as are to be inflicted by this Act for diverting or misapplying any Monies by this Act appropriated or appointed for any the Purposes herein after mentioned.

XI. And be it further enacted by the Authority aforesaid, That all the Duties imposed by this Act upon such Sope, Paper, Pastboard, Millboard, Scaleboard, Starch, and other Commodities before particularly charged, as shall be made in *England*, *Wales* or *Berwick* upon *Tweed*, during the Term or Terms aforesaid, and all the Duties imposed by this Act, upon such Silks, Callicoes, Linens, Stuffs and Paper, as shall be printed, painted, stained or dyed in *England*, *Wales* or *Berwick* upon *Tweed*, at any Time or Times within or during the Term or Terms therein granted, as aforesaid, shall be under the Management of the Commissioners of Excise in *England* for the Time being, and the Officers employed or to be employed under them; and that all the Duties imposed by this Act upon such Sope, Paper, Pastboard, Millboard, Scaleboard, Starch, and other Commodities before particularly charged, as shall be made in *Scotland* during the Term or Terms aforesaid, and all Duties imposed by this Act upon such Silks, Callicoes, Linens, Stuffs and Paper, as shall be printed, painted, stained, or dyed in *Scotland*, at any Time or Times within or during

Sope, Paper, &c. made in Great Britain, to be under the Management of the Commissioners of Excise.

the Term or Terms therein granted, as aforesaid, shall be under the Management of the Commissioners of Excise in *Scotland* for the Time being, and the Officers to be employed under them; and that the said respective Commissioners of Excise in *England* and *Scotland* for the Time being shall, from Time to Time, pay or cause to be paid, all the Monies that they shall respectively receive for the said Duties upon Sope, Paper, Pastboard, Millboard, Scaleboard and Starch, as shall be made in *Great Britain* within or during the respective Terms aforesaid, and for the said Duties upon such Silks, Callicoes, Linens, Stuffs and Paper, as shall be printed, painted, stained or dyed in *Great Britain*, at any Time or Times within or during the respective Terms therein granted, as aforesaid, as the same shall arise, into the Receipt of her Majesty's Exchequer in *England*, under the like Penalties, Forfeitures and Disabilities, as are to be inflicted by this Act for diverting or misapplying any Monies by this Act appropriated or appointed for any the Purposes herein after mentioned.

How these several Duties shall be raised, &c.

10 Ann. c. 19.

XII. And it is hereby enacted by the Authority aforesaid, That all the several Duties by this Act imposed, as aforesaid, upon Sope, Paper of all Sorts, Pastboards, Millboards, Scaleboards, chequered and striped Linens, and upon printed, painted, stained and dyed Silks, Callicoes, Linens and Stuffs, during the said Term or Terms of Years, therein by this Act granted, in all Cases whatsoever (except where other Provision or Direction is specially made or given by this Act) shall be raised, levied, ascertained, secured, collected, answered and paid, by such Ways, Means and Methods, and under such Pains, Penalties and Forfeitures, and with the like Discounts, Allowances, Exemptions and Drawbacks, and in such Manner and Form, as the Duties imposed on the same Commodities respectively, by an Act made in the tenth Year of her Majesty's Reign, for laying several Duties upon Sope, Paper, chequered and striped Linens, and upon certain Silks, Callicoes, Linens and Stuffs, printed, painted or stained, (amongst other Things thereby charged) for and during the respective Terms thereby granted, towards raising the Sum of one Million eight hundred thousand Pounds therein mentioned, or by any Act or Acts of Parliament thereby referred unto, or by any other Act of this Session of Parliament are to be raised, levied, ascertained, secured, collected, answered and paid respectively; and that the said Duty by this Act imposed upon Starch, during all the said Term of two and thirty Years therein by this Act granted, shall be raised, levied, ascertained, secured, collected, answered and paid, by such Ways, Means and Methods, and under such Pains, Penalties and Forfeitures, and with the like Discounts, Allowances, Exemptions and Drawbacks, and in such Manner and Form, as the Duties imposed by another Act of the tenth Year of her Majesty's Reign, upon Starch (amongst other Things thereby charged) for and during the Term thereby granted, towards raising another Sum of one Million eight hundred thousand Pounds therein mentioned, or by any Act or Acts of Parliament thereby referred unto, are to be raised, levied, ascertained, secured, collected, answered and paid respectively, except in such Case or Cases, touching which other Directions are given by this Act; and that the said Duties by this Act imposed upon Coals exported to any foreign Parts, (except before excepted) during the said Term of Years by this Act granted of and in the same, shall be raised, levied, ascertained, secured, collected, answered and paid, by such Ways, Means and Methods, and under such Pains, Penalties and Forfeitures, and in such Manner and Form, as the present Duties upon Exportation of Coals, or any other customable Goods, to any foreign Parts, by any Law or Statute now in Force, during the Continuance thereof, are to be raised, levied, ascertained, secured, collected, answered and paid.

10 Ann. c. 26.

10 Ann. c. 19.

Proper Stamps to be provided.

XIII. And for better securing the Duties by this Act chargeable upon such of the Commodities aforesaid, as by the first mentioned Act of the tenth Year of her Majesty's Reign are directed to be marked or stamped; and to the End the Duties arising thereupon by this Act may be better distinguished, and applied to the separate Use by this Act intended, Be it further enacted by the Authority aforesaid, That such proper Stamps or Seals shall, on or before the said second Day of *August* one thousand seven hundred and fourteen, be provided and distributed by the said respective Commissioners, as may serve to denote the Payment or charging of the several Duties by this and the said former Act chargeable on the same Commodities respectively; and that the said Stamps or Seals by this Act directed to be provided, shall be used and applied accordingly, and shall and may, from Time to Time, be renewed or altered by the said respective Commissioners, as often as there shall be a necessary Occasion for renewing the same.

All the Powers in 10 Ann. to be in Force. 10 Ann. c. 19 & 26.

XIV. And be it also enacted by the Authority aforesaid, That all the Powers, Authorities, Rules, Directions, Pains of Death, and other Pains, Penalties and Forfeitures, Clauses, Matters and Things whatsoever, contained in the said several Acts of the tenth Year of her Majesty's Reign, for raising, receiving, levying, recovering, securing and paying the Duties on such Commodities before mentioned, as are by this Act charged with new or additional Duties thereupon, or touching the Marks or Stamps thereby directed to be continued, practised, and put in Execution, for raising, receiving, levying, recovering, securing and paying the same new or additional Duties, by this Act charged upon the same Commodities respectively, and all Arrearages thereof, as fully and effectually to all Intents and Purposes as if they were particularly and at large repeated in the Body of this present Act, except in such Cases only where any Alteration therein is specially made by this Act.

Persons exporting Silks, &c. to give Notice to the proper Officer of packing the said Goods.

XV. And whereas great Quantities of Silks, Callicoes and Linens that are printed, painted, stained or dyed in *Great Britain*, are frequently shipt off in order to be exported, as is pretended, for which the Exporter doth receive a very great Drawback; and notwithstanding the Law already made to prevent the relanding of them, yet very great Quantities are frequently relanded, to the great lessening of her Majesty's Revenue, and Prejudice of the fair Trader; To prevent which evil Practices for the future, and to secure the Duties upon the said Goods, Be it enacted by the Authority aforesaid, That from and after the said second Day of *August* one thousand seven hundred and fourteen, all and every Person and Persons that shall export any Silks, Callicoes or Linens that are printed, painted, stained or dyed, for which a Drawback is to be allowed, such Person or Persons (before he or they shall ship the said Goods) in order to obtain the Drawback for the same, shall be obliged to give Notice to the proper Officer or Officers to be appointed

pointed for that Purpose by the respective Commissioners of the Customs, when and where he will pack up the said Goods in Order to be exported; and the said Commissioners of the Customs are hereby im-
 powered and directed to cause such Officer to take care to see that such Seal or Seals, Stamps or Marks, be taken off from every Piece so intended to be exported; and the said Officer or Officers shall take an Ac-
 count of the Kinds and Quantities of the Goods so intended to be exported, and make a Return thereof to the Officer that shall be appointed by such Commissioners to receive the same, without any Fee or Reward for so doing.

who is to take care that the Seals be taken off from every Piece, &c.

‘ XVI. And whereas Sope is more or less used in washing, scouring, or preparing the Sheeps Wool, or Lambs Wool, to be converted into the Woollen Manufactures of this Realm, and in the making or finishing Woollen Manufactures, or Manufactures mixed with Wool, whereof the greatest Part of the Value of the Materials is Wool, and in whitening of new Linen in the Piece, in Order to the Sale of such Linen, or in some of them, and it being judged reasonable to give an Encouragement to Persons who shall be employed in the preparing, making or finishing those Manufactures, whether the same be for Exportation or Home Consumption; It is hereby further provided and enacted, That it shall and may be lawful to and for any Person and Persons, who, after the said second Day of *August* one thousand seven hundred and fourteen, during the Continuance of the Duties on Sope by this Act granted, shall employ, spend and consume any Quantity or Quantities of Sope in the making of any Cloths, Serges, Kerfies, Bays, Stockings, or other Manufactures of Sheeps or Lambs Wool only, or Manufactures whereof the greatest Part of the Value of the Materials shall be Wool, or in the finishing the said Manufactures, or preparing the Wool for the same, or in whitening of new Linen in the Piece, in order to the Sale of such Linen, or to and for his, her or their chief Workman employed under him, her or them in those Works, or any of them, from Time to Time, to make Proof in Writing by the Affidavit of the said Person or Persons, who shall so employ, spend and consume the said Sope, or of his, her or their chief Workman, unless he, she or they be a known Quaker or Quakers, and by the solemn Affirmation of such Quaker or Quakers, before the Collector and Supervisor of the District or Division where such Sope shall be so employed, spent and consumed, or either of them (who are hereby respectively impowered and required to administer the same, upon the Request of the Manufacturer, or his, her or their chief Workman aforesaid) which said Affidavit or Affirmation shall specify the Kinds and Quantities of the Manufactures so made, finished, prepared or whitened, and the Days between which, and the Places where the same were so made, finished, prepared or whitened respectively, and the Quantities and Kinds of the Sope which were actually employed, spent and consumed therein, and that no Allowance by virtue of this Act, was before made to such Manufacturers respectively, or for his, her or their Benefit, of the Duties payable by this Act, for the Sope so specified in such Affidavit or Affirmation, or any Part thereof; and that upon the making of every such Affidavit or Affirmation, the said Collector out of the Money in his Hands of the said Duties upon Sope by this Act granted, shall pay to the said Manufacturers respectively so much as the whole Duties granted by this Act, for the Sope specified in every such Affidavit or Affirmation taken by the said Collector and Supervisor jointly, or by the said Collector singly, doth amount unto, without any Delay; and in case the same were administered by the Supervisor only, then upon a Certificate thereof made and signed by the said Supervisor (which he is hereby required to make and sign upon Demand) the said Collector shall, out of any Monies in his Hands of the said Duties on Sope, forthwith pay to the said Manufacturers respectively, the said Duties so payable by this Act for the Sope so spent and consumed, as aforesaid; and in case the Collector shall not then have Money sufficient in his Hands to satisfy such Payments, That then and in every such Case, the Commissioners of the said Duties on Sope for the Time being, upon a Certificate thereof from the said Collector (who is hereby enjoined and required to make and sign such Certificate) shall forthwith cause such Payments to be made out of any Monies arising by the said Duties on Sope by this Act granted, without any further Delay.

On Oath or Affirmation of the Quantity of Sope spent in making Cloths, &c.

Specifying the Manufactures so made, &c. and that no Allowance hath been made before, Collector to repay the whole Duties, &c.

XVII. And it is hereby declared and enacted, That the said Affidavits, Affirmations and Certificates, touching the said Allowance to the Woollen and Linen Manufacturers aforesaid, shall and may be written or printed upon Paper not stamped or marked for any the Duties charged by any Act upon stamp Vellum, Parchment or Paper; and that no Fee, Gratuity or Reward whatsoever, shall be required, demanded or taken from any the said Manufacturers, for making any the Payments of the said Allowance for Sope consumed in the said Woollen or Linen Manufactures, or for making or taking any the said Affidavits, Affirmations, or Certificates relating thereunto (except four Pence for writing every such Affidavit, Affirmation or Certificate) upon Pain that any the said Officers offending therein, shall for every such Offence pay treble Damages to the Party grieved, besides Costs of Suit, to be recovered in such Manner, as any other Penalties relating to the Duties upon Sope are by this Act to be recovered.

Such Affidavits, &c. not to be stamped, &c.

XVIII. And for the better preventing Frauds and Abuses in obtaining the Allowances last mentioned, it is hereby further enacted, That if any Person or Persons shall, in such Affidavit or Affirmation, swear, affirm or alledge any Matter or Thing that shall be false and untrue, with an Intent to defraud her Majesty, her Heirs or Successors, such Person or Persons offending therein, shall for every such Offence forfeit and lose treble the Value of the Allowance for which such Affidavit or Affirmation shall be made, to be recovered in like Manner (to wit) one third Part thereof to the Use of the Queen's Majesty, and the other two Thirds thereof, with Costs of Suit, to the Use of the Informer or Prosecutor; and if any Person or Persons, being once convicted of any such Offence, shall again offend in the like Kind, and be thereof duly convicted in any Court of Record at *Westminster*, or in any the Courts of *Scotland*, every such Person or Persons, for such other Offence, shall suffer as in Cases of wilful and corrupt Perjury.

Such Affidavit, &c. false, forfeits treble the Value of the Allowance.

Second Offence: Perjury.

‘ XIX. And whereas it has been found by Experience, That several Makers of Sope, with Intent to deceive her Majesty of the just Duties by this and the recited Act granted, do make Sope in private Cellars and other secret Places, and fraudulently issue and send out the same in small Casks: For preventing of which evil Practice for the future, Be it enacted by the Authority aforesaid, That from and after the second Day

Soft Sope in what Casks to be filled. Concerning Sope Duties see farther, 1 Geo. 1. c. 36. 11 Geo. 1. c. 30, 33.

Day of *August* one thousand seven hundred and fourteen, all soft Sope that shall be filled in any other Cask less than Barrels, Half-Barrels, Firkins and Half-Firkins, shall be forfeited, and also the Sum of five Pounds, shall be paid by the Maker of such Sope; one Moiety thereof to the Seizor or Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed, to be recovered as any other Penalties concerning the Duties on Sope are by this Act recoverable.

No Perfumer, &c. to mix Alabaster, &c. with Hair Powder.

XX. And be it further enacted by the Authority aforesaid, That from and after the said second Day of *August* one thousand seven hundred and fourteen, no Perfumer, Peruke-maker, Barber, Sellers of, or Dealers in Hair-Powder, shall make, vend, sell, dispose, or make use of, or offer to Sale any Powder made of or mixed with any Alabaster, Take, Plaister of *Paris*, Whiting, Lime, or other Matter or Thing of the like Nature (Sweet Scents only excepted) under Pain of forfeiting all the Hair-Powder so made or mixed, or made use of, vended, sold, disposed of, or offered to Sale, and the Sum of fifty Pounds for every such Offence; the one Moiety thereof to her Majesty, her Heirs and Successors, and the other Moiety to the Seizor or Informer, to be recovered as any other Penalties concerning the Duties on Starch are by this Act recoverable.

Additional Duties on Stamps.

XXI. And moreover be it enacted by the Authority aforesaid, That there shall be, throughout the Kingdom of *Great Britain*, raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for the several and respective Matters and Things herein after mentioned, which at any Time or Times, within or during the Term of two and thirty Years, to be reckoned from the said second Day of *August* one thousand seven hundred and fourteen, shall be engrossed or written (over and above the Rates, Duties, and Sums of Money now due or payable to her Majesty, her Heirs or Successors, for the same) the several and respective Rates, Duties, Charges and Sums of Money herein after expressed, in Manher following; That is to say,

These Duties made perpetual by 6 Geo. 1. c. 4. § 1.

Transfer of Stock.

For every Piece of Vellum, Parchment and Paper, upon which shall be engrossed or written any Transfer of Stock in any Company, Society or Corporation whatsoever, within *Great Britain*, the Sum of four Shillings and six Pence Sterling.

Great Seal or Dutchy Seal.

For every Skin or Piece of Vellum or Parchment, on which any Grant or Letters Patents under the Great Seal of *Great Britain*, or the Seal of the Dutchy or County Palatine of *Lancaster*, of any Honour, Dignity, Promotion, Franchise, Liberty or Privilege, to any Person or Persons, Body Politick or Corporate, or Exemplification of the same, shall be engrossed or written (Commissions of Rebellion in Process always excepted) the Sum of forty Shillings Sterling.

Pardons, &c.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Pardon (except the General Circuits and *Newgate* Pardons) of or for any Crime or Offence, or of any Sum of Money or Forfeiture whatsoever, or on which any Warrant of Reprieve or Relaxation from any Pecuniary Fine or Forfeiture, exceeding one hundred Pounds, or from any Corporal Punishment, shall be engrossed or written, the Sum of forty Shillings Sterling.

Grants of Money.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Grant from her Majesty, her Heirs or Successors, of any Sum of Money exceeding one hundred Pounds Sterling; which shall pass the Great Seal of *Great Britain*, the Great Seal of *Scotland*, or the Privy Seal not directed to the Great Seal, shall be engrossed or written, the Sum forty Shillings Sterling.

Grants of Offices.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Grant of any Office or Employment in *Great Britain*, which shall be above the Value of fifty Pounds Sterling *per Ann.* shall be engrossed or written, the Sum of forty Shillings Sterling.

Dispensations.

For every Skin or Piece of Vellum or Parchment, or Piece or Sheet of Paper, upon which any Dispensation to hold two Ecclesiastical Dignities or Benefices, or both a Dignity and a Benefice, or any other Dispensation or Faculty from the Lord Archbishop of *Canterbury*, or the Master of the Faculties for the Time being, shall be engrossed or written, the Sum of forty Shillings Sterling.

Admittances.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be engrossed or written any Admittance or Instrument for admitting of any Fellow of the College of Physicians, or of any Attorney, Clerk, Advocate, Proctor, Notary, or other Officer or Officers, in any Court whatsoever in *Great Britain* (not being an annual Officer in any Corporation or inferior Court, whose Office is under the Value of ten Pounds Sterling *per Ann.* in Salary, Fees, or other Perquisites) the Sum of forty Shillings Sterling.

Appeals.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Appeal from the High Courts of Admiralty, either in *England* or *Scotland*, Court of Arches, or the Prerogative Court of *Canterbury* or *York*, shall be engrossed or written, the Sum of forty Shillings Sterling.

Institution or Licence.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be engrossed or written any Institution or Licence, that shall pass the Seal of any Archbishop or Bishop, Chancellor or other Ordinary, or any Ecclesiastical Court whatsoever in *England*, *Wales*, or *Berwick upon Tweed*; or upon which shall be engrossed, written or registred, any Writ or Instrument for the like Purpose, with any such Institution or Licence, that shall be passed or made by any Presbytery, or other Spiritual Power in *Scotland*, the Sum of five Shillings Sterling (Licences to Schoolmasters and Tutors excepted.)

Letters of Mart.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Letters of Mart shall be engrossed or written, the Sum of five Shillings Sterling.

Beneficial Warrants.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which any Beneficial Warrant, or Order under the Sign Manual of her Majesty, her Heirs or Successors, (except Warrants or Orders for the Service of the Navy, Army and Ordnance) shall be engrossed or written, the Sum of two Shillings and six Pence Sterling.

Indentures, &c.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be engrossed or written in *Great Britain*, any Indenture, Lease, Bond, or any Deed not hereby otherwise charged

ged, the Sum of six Pence Sterling; except Bail Bonds and Assignments thereof, and Indentures for binding poor Parish or Charity Children Apprentices, and such Deeds executed in *Scotland*, as are charged with the Stamp-Duty of two Shillings and three Pence, by an Act of Parliament made in the tenth Year of her present Majesty's Reign.

XXII. Provided always, That nothing in this Act contained shall extend to charge with any the Stamp-Duties hereby granted, any the Matters or Things which, by an Act of Parliament made in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for granting to his Majesty, his Heirs and Successors, further Duties upon stamp Vellum, Parchment and Paper*, are exempted from the Duties thereby granted.

Not to charge any Matters exempted by 9 & 10 W. 3. c. 25.

XXIII. And be it further enacted by the Authority aforesaid, That for the better and more effectual levying, collecting and paying unto her Majesty, her Heirs and Successors, the said Stamp-Duties hereby granted, the same shall be under the Government, Care and Management of the Commissioners for the Time being, appointed to manage the Duties payable to her Majesty, her Heirs and Successors, and charged on stamp Vellum, Parchment and Paper, by the former Acts of Parliament in that Behalf made; who, or the major Part of them, are hereby required and impowered to employ the necessary Officers under them for that Purpose, and to appoint and provide Stamps to denote the several Stamp-Duties hereby charged, and to do all other Things necessary to be by them done, for the putting this Act in Execution with relation to those Duties.

Commissioners of the Stamps to manage these Duties.

XXIV. And it is hereby further enacted and declared by the Authority aforesaid, That where any more than one of any the Matters or Things hereby charged with any Stamp-Duty, shall be engrossed, written, entred, or registred upon one Piece of Vellum, Parchment or Paper, the said respective Duties hereby granted, shall be, and hereby are charged upon every one of such Matters and Things respectively.

Several Matters written on one Piece of Paper, to be severally charged.

XXV. And it is hereby enacted, That all Vellum, Parchment, and Paper, charged by this Act with any of the Stamp-Duties hereby granted, which hath been, or shall (before the said second Day of *August* one thousand seven hundred and fourteen) be stamped or marked, in Pursuance of the former Acts of Parliament, relating to her Majesty's Stamp-Duties, or any of them, shall, before any of the Matters or Things (in respect whereof any Duty is hereby made payable) be written or engrossed thereupon, (such Writing or Engrossing being at any Time after the said second Day of *August* one thousand seven hundred and fourteen, and within the said Term of two and thirty Years) be brought to the Head-Office for stamping or marking of Vellum, Parchment and Paper, to be stamped or marked with another Mark or Stamp, over and besides the Marks or Stamps put or to be put thereupon, in Pursuance of the said former Acts of Parliament, or any of them; and that all Vellum, Parchment and Paper, which hath not been, or shall not (before the said second Day of *August* one thousand seven hundred and fourteen) be stamped or marked in Pursuance of the said former Acts, or any of them, shall (before any the Matters or Things, in respect whereof any Stamp-Duty is payable hereby, and by the said former Acts, or any of them, shall be thereupon written or engrossed, such Writing or Engrossing being after the said second Day of *August* one thousand seven hundred and fourteen, and within the said Term of two and thirty Years) be brought to the said Head-Office, and there marked or stamped with the proper Marks or Stamps provided, used, or appointed, and to be provided, or appointed, in Pursuance of this Act, and of the said former Acts of Parliament, to denote the respective Duties hereby and thereby respectively charged thereupon; and that if any of the said Matters and Things so to be engrossed or written, as aforesaid, shall, during the Term last mentioned, be engrossed or written, contrary to the true Intent and Meaning hereof, upon Vellum, Parchment, or Paper, not appearing to have been duly marked or stamped according to this Act, That then, and in every such Case, there shall be due, answered, and paid to her Majesty, her Heirs and Successors (over and above the Stamp-Duties payable hereby, and by the said former Acts, or any of them) for every such Matter and Thing respectively, the Sum of five Pounds Sterling; and that no such Matter or Thing shall be available in Law or Equity, or to be given in Evidence, or admitted in any Court, unless as well the said Duty hereby charged in respect thereof, as the said Sum of five Pounds, shall be first paid to the Use of her Majesty, her Heirs or Successors, and a Receipt produced for the same, under the Hand of the Receiver General, for the Time being, of the Stamp-Duties, or of his Deputy or Clerk, and until the Vellum, Parchment and Paper, upon which such Matter or Thing is so written or engrossed, shall be marked or stamped, according to the Tenor and true Meaning hereof; and the said Receiver General, and his Deputy or Clerk, are hereby enjoined and required, upon Payment or Tender of the said Duties, and of the said Sum of five Pounds, and such other Sums, as by the said former Acts are payable in that Behalf, to give a Receipt for such Monies, and the other proper Officers are thereupon required to mark or stamp such Matter or Thing with the proper Marks and Stamps requisite in that Behalf.

Vellum, &c. already stamped in Pursuance of former Acts, to be brought to the Stamp-Office to be marked with the new Stamps.

No Writing before Paper stamped, good, till 5 l. paid to the Queen, and the Duty be paid.

XXVI. And be it further enacted by the Authority aforesaid, That every Commissioner and Officer, who shall act in or about the managing or collecting the Stamp-Duties last mentioned, shall, before he shall act in or about the same, take the Oath following; That is to say,

Commissioners to be sworn.

I *A. B.* do swear, That I will faithfully execute the Trust reposed in me, pursuant to the Act of Parliament made in the twelfth Year of the Reign of her Majesty Queen ANNE, whereby certain additional Duties are charged or made payable, in respect of the several Matters or Things engrossed or written, as therein is mentioned, without Fraud or Concealment; and shall, from Time to Time, true Account make of my Doings therein, and deliver the same to such Person or Persons as her Majesty, her Heirs and Successors shall appoint to receive such Account; and shall take no Fee, Reward, or Profit for the Execution or Performance of the said Trust, or the Business relating thereto, from any Person or Persons, other than such as shall be allowed by her Majesty, her Heirs or Successors, or some other Person or Persons by her or them to that Purpose authorized.

Their Oath.

Which

Which Oath shall or may be administered by any two or more of the Commissioners last mentioned, or any Justice of the Peace.

Allowance of 6 per Cent. for 6 Months, when the Duty amounts to 10 l.

‘XXXVII. And to prevent such Doubts as may arise touching the Allowance for present Payment of the Stamp-Duties charged by this and the said other Acts;’ it is hereby further declared and enacted by the Authority aforesaid, That there shall be allowed and paid to every Person who shall at any one Time bring to be stamped, or buy of the said Commissioners, Vellum, Parchment or Paper, the Duties whereof, doubly or trebly charged by this and the said other Acts, shall in the whole amount to ten Pounds or upwards, after the Rate of six Pounds in the one hundred Pounds *per Annum*, for six Months, upon the present Payment of the said Duties, at the Head-Office for marking or stamping of Vellum, Parchment and Paper.

Powers, &c. 9 & 10 W. 3. c. 25. to be in Force.

‘XXXVIII. And be it further enacted by the Authority aforesaid, That all Powers, Provisions, Articles, Clauses, Pains of Death, and other Penalties and Forfeitures, Matters and Things, prescribed, appointed or contained in or by the said Act of Parliament made in the said ninth Year of the Reign of his said late Majesty King WILLIAM the Third, or in any other Act of Parliament relating to the Duties thereby charged, or any of them, which are now in Force, and not hereby altered or otherwise provided for, shall, in the same Manner and Form as they now stand in Force, with relation to the said Duties, or any of them, charged by the said Act of the said late King WILLIAM, be of full Force and Effect with relation to the said Stamp-Duties hereby charged, and every of them, during all the said Term of two and thirty Years, and shall be applied, practised and executed, for the securing, raising, levying, collecting, executing, answering and paying the said Stamp-Duties hereby charged, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purposes, as if the same Powers, Provisions, Articles, Clauses and Things, and every of them, had severally and respectively been particularly enacted in this Act, with relation to the Stamp-Duties hereby charged, and as if the Stamp-Duties hereby charged had been charged by the said Act of the ninth Year of his said late Majesty’s Reign.

Commissioners and Officers to be appointed, liable to the Act 9 and 10 W. 3. c. 44.

‘XXIX. And to the End all the said additional, or new Duties upon Sope and Paper, and upon certain Linens, Silks, Callicoes and Stuffs, and upon Starch and exported Coals, and upon stampt Vellum, Parchment and Paper, before granted by this Act, may be certainly and duly raised, and the same (except the necessary Charges of executing this Act) may be justly and duly brought into the Receipt of the Exchequer, according to the true Meaning hereof; it is hereby enacted by the Authority aforesaid, That from Time to Time, during the Continuance of this Act, there shall be appointed such and so many Commissioners and Officers, as shall be proper and necessary for the managing, raising, collecting and paying the same Duties, and for keeping and rendering the Accounts of the same; and that the Commissioners and Officers concerned therein shall perform their several Duties in relation to the Premises, as to them respectively shall appertain, under such and the like Penalties, Forfeitures and Disabilities, for any Offence or Neglect therein, or for detaining, diverting, or misapplying any Part of the Monies arising by the same Duties, or any of them, as are prescribed, and to be inflicted by Virtue of an Act of Parliament made and passed in the ninth Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund of Payment of Annuities after the Rate of eight Pounds per Centum per Annum, and for settling the Trade to the East-Indies*, for the like Offence or Neglect relating to the Duties thereby granted or referred unto, or for detaining, diverting, or misapplying any Part of the Monies which were granted or appropriated by the Act last mentioned.

5 & 6 W. & M. c. 21.

‘XXX. And whereas a Proclamation was issued by their late Majesties King WILLIAM and Queen MARY, in Pursuance of an Act of Parliament made in the fifth Year of their Reign, intituled, *An Act for granting to their Majesties several Duties upon Vellum, Parchment, and Paper, for four Years, towards carrying on the War against France*, for publishing the Types, Devices, Marks, or Stamps provided in Pursuance of the same Act, which Act has been since continued by several subsequent Acts of Parliament, and the same Types, Devices, Marks, or Stamps have been used for the stamping or marking of Vellum, Parchment and Paper, in Pursuance of the said subsequent Acts of Parliament, which were provided and used in Pursuance of the said first Act, and published by the said Proclamation; but no Proclamation was issued in Pursuance of the said subsequent Acts, or any of them; whereupon some Doubts have arisen whether the said Types, Devices, Marks, or Stamps, ought not to have been again published by Proclamation after the passing the said Acts for continuing the said Duties upon Vellum, Parchment and Paper, as the Types, Devices, Marks, or Stamps provided for the Duties so continued? For removing whereof, Be it enacted and declared by the Authority aforesaid, That the Types, Devices, Marks, or Stamps, provided in Pursuance of the said first mentioned Act, shall be deemed, taken, and made use of, as the Types, Devices, Marks, or Stamps provided in Pursuance of the said Acts for continuing the said Duties, and every or any of them, until other Types, Devices, Marks, or Stamps, shall be provided and published by Proclamation, in Pursuance of the same Acts, or of one of them; and that the said Publishing of the said Types, Devices, Marks, or Stamps, by the said Proclamation, in Pursuance of the said first mentioned Act for granting the said Duties, shall be deemed and taken to be a sufficient Publishing thereof, as well for and in respect of the Duties granted by that Act, as for and in respect of the Duties on Vellum, Parchment and Paper, which have been since granted or continued by any other Act or Acts of Parliament relating thereto; any Thing in the said Acts, or any of them, to the contrary hereof in any wise notwithstanding.

Proclamation in Pursuance of 5 & 6 W. & M. c. 21. to be deemed a sufficient Publication of the several Stamps.

Clause to indemnify Masters and Apprentices.

‘XXXI. And whereas several Persons, who have, since the Commencement of the Rates or Duties upon Monies given, paid, or contracted for with Clerks and Apprentices, taken Clerks and Apprentices, and received and contracted for Sums of Money, with or in respect of the taking of such Clerks and Apprentices, have, through Neglect or Inadvertency, omitted to pay the several Rates and Duties payable in that Behalf, or to cause to be inserted the Sums of Money so given, paid, or contracted for, with or in respect of the taking of such Clerks and Apprentices, in the Contracts or Indentures relating thereto, and

and to have such Contracts or Indentures stamped within the Time for that Purpose respectively limited by the Act of Parliament in that Case made; whereby the said Masters and Mistresses have incurred one or more Penalty or Penalties, and such Clerks and Apprentices will, according to that Act, be disabled to follow or exercise the intended Trades, Professions, or Employments, unless some further Provision be made; Be it therefore further enacted by the Authority aforesaid; That upon Payment of the said respective Rates and Duties, which have been so omitted or neglected to be paid, as aforesaid, on or before the first Day of *March* in the Year of our Lord one thousand seven hundred and fourteen, to such Person or Persons to whom the same ought to be paid, according to the same former Act, and tending to be stamped such Indentures or Contracts so omitted to be stamped, on or before the said first Day of *March* in the said Year of our Lord one thousand seven hundred and fourteen, the same Indentures or Contracts shall be stamped, and shall be good and available in Law and Equity, and the Clerks or Apprentices therein named shall be capable of following and exercising the respective intended Trades, Professions, or Employments, as fully as if the Duties, so omitted to be paid, had been duly paid, and the Indentures or Contracts stamped within the respective Times in the same Act for those respective Purposes limited, any thing therein contained to the contrary notwithstanding; so as the true and full Sum or Sums of Money, and all other Things given or contracted for, to or for the Benefit of the Masters or Mistresses, with or in respect of the taking such Clerks or Apprentices, be truly written or indorsed in Words at length, on such Indentures or Contracts, wherein the same have been omitted to be inserted, according to the same Act, and the Masters and Mistresses truly paying the said omitted Duties, on or before the said first Day of *March* one thousand seven hundred and fourteen, are hereby indemnified and discharged off and from all Penalties by them incurred by the said recited Acts, for which no Prosecution hath been commenced before the four and twentieth Day of *June* one thousand seven hundred and fourteen.

B Ann. c. 9.

Concerning Stamp

Duties, see farther

5 Geo. 1. c. 19.

6 Geo. 1. c. 21.

11 Geo. 1. c. 8.

12 Geo. 1. c. 33.

9 Geo. 2. c. 32.

6 Geo. 2. c. 26.

29 Geo. 2. c. 12

& 13. 30 Geo.

2. c. 19. And

32 Geo. 2. c. 35.

XXXII. And be it enacted by the Authority aforesaid, That yearly and every Year, during the Term of two and thirty Years, reckoning the first Year to begin from the nine and twentieth Day of *September* one thousand seven hundred and fourteen, the full Sum of one hundred and five thousand Pounds, by or out of the Monies to arise by the said additional or new Duties upon Soap and Paper, and upon certain Linens, Silks, Callicoes, and Stuffs, and upon Starch, and exported Coals, and upon stamp Vellum, Parchment and Paper, by this Act granted, and to be brought into the Receipt of the Exchequer, as aforesaid, in case the same shall extend thereunto, shall be computed and reckoned to be a yearly Fund; and in case all the Monies arising into the Exchequer, for the said Duties, Rates, and Sums of Money so granted, shall not amount to the Sum of one hundred and five thousand Pounds *per Ann.* then the Monies so arising, so far as the same shall extend, shall be Part of the yearly Fund towards the answering and paying off all and every the Principal Sums herein after mentioned, amounting in the whole to the Sum of one million eight hundred seventy-six thousand four hundred Pounds Principal Money, together with Interest for the same after the Rate of four Pounds *per Cent. per Ann.* as herein after is mentioned; and in case the said Duties, Rates, and Sums of Money by this Act granted, shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year, to be reckoned, as aforesaid, the said Monies arising into the Exchequer, for or upon Account of the same Duties, shall not amount to as much as one hundred and five thousand Pounds, that then, and so often, and in every such Case, so much as shall be wanting to make up the said Fund or Sum of one hundred and five thousand Pounds for every or any such Year, shall be supplied and made good, from Time to Time, out of the first Aid or Supply to be granted in Parliament, next after such Deficiencies shall appear, and shall from Time to Time be transferred thereunto, as soon as the same shall be granted; and in case no such Aid or Supply shall be granted, then by and out of any Publick Money, which shall be in the said Receipt of Exchequer, not appropriated to any particular Use or Uses by Act of Parliament; and the Lord High Treasurer, or Commissioners of the Treasury, for the Time being are hereby strictly enjoined and required to make up such Deficiency accordingly, out of such unappropriated Publick Money, without any further or other Warrant or Authority for the same.

105,000 l. to be

the yearly Fund

for clearing off

the Principal

Sum of

1,876,400 l.

with Interest at

4 l. per Cent.

See 1 Geo. 1.

Stat. 1. c. 2.

sect. 2.

Deficiencies to

be made good

out of the first

Aid to be grant-

ed in Parlia-

ment.

Or out of any

Publick Money

unappropriated.

XXXIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Natives or Forcigners, Bodies Politick or Corporate, to contribute for or towards advancing the Sum of one million four hundred thousand Pounds, by paying, at or before the respective Days and Times by this Act limited in that Behalf, to any Receiver or Receivers, to be appointed for that Purpose, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds, upon this Act; and that for the raising of the said Sum of one million four hundred thousand Pounds, any Person who will become Contributor or Adventurer, shall and may advance the Sum of ten Pounds, for which Sum so advanced, he, she, or they shall be entitled to receive by virtue of this Act such Principal Money, and the Interest thereof, to be paid, as herein after is mentioned, by and out of the said yearly Fund; and that every Contributor or Adventurer may advance as many entire Sums of ten Pounds as he, she, or they shall think fit, and for every such Sum of ten Pounds so advanced, he, she, or they, is or are to be interested in one Lot or Share of and in the said yearly Fund by Virtue of this Act; and the same entire Sums of ten Pounds each, are hereby appointed to be paid unto such Receiver or Receivers, at or before the respective Days and Times, and in the respective Proportions herein after mentioned; That is to say, one fourth Part thereof on or before the tenth Day of *August* in the Year of our Lord one thousand seven hundred and fourteen; one fourth Part thereof on or before the tenth Day of *September* in the said Year of our Lord one thousand seven hundred and fourteen; one other fourth Part thereof on or before the eleventh Day of *October* one thousand seven hundred and fourteen, and the remaining fourth Part thereof on or before the tenth Day of *November* one thousand seven hundred and fourteen.

Any Persons

may be Contribu-

tors.

This Lottery is

redeemed. See

6 Geo. 1. c. 4.

10 Geo. 1. c. 5.

2 Geo. 2. c. 3.

Times of Pay-

ment.

“ Tickets to be delivered for a Lottery, &c. The Monies appropriated by this Act to be applied to pay off the Principal and Interest. No undue Preference if subsequent Orders be paid before others who did not demand their Monies. Deficiency of one Year to be made good out of the next. Surplus disposable by Vol. IV. 4 M “ Parlia-

“ Parliament. Notice to be hung up in the Office when Orders become due. 8*l.* per Cent. per Ann. allowed for the first Payment, and 6*l.* for the Remainder, till 29 Sept. 1714. Receivers may take in Money before they receive their Books. Contributor advancing one fourth Part, and failing in the rest, to forfeit the first fourth Part, &c. Treasurer to appoint a Paymaster, &c. Assignments of Orders to be registred. Her Majesty to reward the Managers out of Monies arising by the Duties. Benefits of 1000*l.* may be divided into Orders not less than 500*l.* After Interest and Principal paid off, the Residue disposable by Parliament. Guardians may contribute for Infants, &c. E X P.

9 Ann. c. 11.
10 Ann. c. 26.

Tanned Leather Manufactured, to draw back 1*d.* ob. per lb. on Exportation. Concerning Leather, see farther 3 Geo. 1. c. 4.
5 Geo. 1. c. 2.
12 Geo. 2. c. 25.

“ LXIV. And whereas, by an Act passed the ninth Year of her Majesty's Reign, certain Duties are laid upon tanned Leather; and by another Act passed the tenth Year of her Majesty's Reign, further Duties are laid thereon, and by the said Acts only two Thirds of the respective Duties are to be drawn back or allowed upon the Exportation of Boots, Shoes, Gloves, or other Manufactures, which by Experience is found to be a Discouragement to the Manufacturers employed therein; For Remedy whereof Be it declared and enacted by the Authority aforesaid, That from and after the second Day of August one thousand seven hundred and fourteen, there shall, in Lieu of the said two Thirds of the said Duties, be paid and allowed to the Exporter or Exporters, for all tanned Leather, which shall be manufactured and actually made into Goods or Wares, by him or them exported, on a proper Debenture to be made for that Purpose, and Security given for the same, as by the said Acts are prescribed, the Sum of one Penny Half-penny for every Pound-Weight thereof, and so in Proportion for every greater or lesser Quantity; which Drawback of one Penny Half-penny per Pound shall be paid out of the respective Duties granted by the said Acts of the ninth and of the tenth Years of her Majesty's Reign; any Law to the contrary notwithstanding.

9 Ann. c. 11.

“ LXV. And whereas by an Act of Parliament passed in the ninth Year of her Majesty's Reign, intituled, *An Act for laying certain Duties upon Hides and Skins, tanned, tawed or dressed, and upon Vellum and Parchment, for the Term of thirty-two Years, for Prosecuting the War, and other her Majesty's most necessary Occasions*, It is enacted, That upon the Shipping of any Hides or Calve-Skins for Exportation into Foreign Parts, and giving Security to the Customer or Collector of the Customs of the Port from whence such Exportation shall be made, That such Hides and Calve-Skins shall not be reloaded or brought on Shore, in any Port or Part of Great Britain, the Customer or Collector shall give the Exporter a Certificate or Debenture in Writing, of the Kinds and Quantities of such Hides and Calve-Skins; and that upon producing such Certificate, the Collector at the Port where such Hides or Calve-Skins shall be exported, shall repay to the Person producing such Certificate, two Thirds of the Duties which were before charged for such Hides or Calve-Skins so exported, as aforesaid: And whereas some Doubts have arisen upon the Construction of the said Act, whether the same shall extend to allow a Drawback of the said Duties, for any other Sort of Skins, tanned, tawed or dressed, than Hides and Calve-Skins; Therefore to explain the said Act, Be it enacted by the Authority aforesaid, That all Sheep-Skins and Lamb-Skins, tanned, tawed or dressed, which are chargeable with any Duties by the said Act passed in the ninth Year of her Majesty's Reign, shall, upon Exportation thereof, have a Drawback or Allowance of two Thirds of the Duties, payable by Virtue of the said Act, subject to such Rules, as by the said Act are prescribed on the Exportation of any Hides or Calve-Skins; any Thing in the said Act contained to the contrary in any wise notwithstanding.

Sheep-Skins and Lamb-Skins to drawback two Thirds of the Duty.

9 Ann. c. 11.
See 3 Geo. 1. c. 7.

10 Ann. c. 17.
Clause for Distribution of 4000*l.* due to the Officers and Seamen for Gun-Money.

“ LXVI. And whereas by an Act of Parliament made in the tenth Year of her present Majesty's Reign, intituled, *An Act for the better collecting and recovering the Duties granted for the Support of the Royal Hospital at Greenwich, and for the further Benefit thereof, and for the preserving her Majesty's Harbour Moorings*, it was (amongst other Things) enacted, That the Sum of four thousand Pounds out of the Shares of the several Captors of Prizes, by Virtue of her Majesty's Declaration of the first of June one thousand seven hundred and two, which should remain uncalled for within the Times by the said Act limited for the Payment of the same, should be applied for or towards the Payment of certain Rewards for taking or destroying Ships of War or Privateers of the Enemy, during the late War, to and amongst the Flag Officers, Captains, and other Officers and Companies of her Majesty's Ships of War, their Executors or Administrators, entitled thereunto by Virtue of the said Declaration, in such Proportion as by the said Declaration is directed, if the same should be decreed to them by the High Court of Admiralty, and Lists of the Ships entitled to such Rewards by such Decree, should be transmitted to the Receiver or Receivers of Prizes, and the same should be claimed, and afterwards demanded to be paid within the respective Times for the said several Purposes limited by the said Act; and that if the several Sums so to be decreed and demanded for such Rewards should amount in the whole to more than four thousand Pounds, then the said four thousand Pounds should be divided among the several Claimers, by way of Average, in Proportion to their respective Interests, to be adjusted by the Receiver or Receivers of Prizes, or Person or Persons appointed for the same: And whereas Lists of the Persons on Board some of the Ships, entitled to such Rewards, at the Time of the taking or destroying such Ships of War or Privateers of the Enemy, during the late War, for which the same became due, have never been transmitted unto the Receiver or Receivers of Prizes, the same not having been sufficiently provided for in the said Act, by Reason whereof the Receiver or Receivers of Prizes have been unable to adjust the Proportions belonging to several Claimers of such Rewards, and to make Distribution of the said four thousand Pounds according to the said Act; for Remedy, &c.

“ Clause for adjusting Claims in several Lottery Tickets. Debentures unclaimed on 24 December 1714. vested in her Majesty for the Use of the Publick. E X P.

LXIX. And be it enacted by the Authority aforesaid, That all the Money lent, and to be lent to her Majesty upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to her Majesty, to be raised by a Land Tax in Great Britain, for the Service of the Year one thousand seven hundred and fourteen*, and so much Money (if any such be) of the Tax thereby granted, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred or directed to be transferred thereunto, and the Interest thereof, and the Charges thereby allowable for raising the said Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Monies lent or to be lent unto her Majesty, upon the Duties of Malt, Mum, Cyder and Perry, charged and continued by another Act of this Session of Parliament, for the Service of the Year one thousand seven hundred and fourteen; and so much Money of the said Duties of Malt, Mum, Cyder and Perry thereby granted or continued, as shall arise and remain after all the Loans made or to be made upon that Act, or thereby transferred or directed to be transferred thereunto, and the Interest thereof, and the Charges thereby allowable for raising the said Duties thereby granted, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and all the Surplus or unappropriated Monies, which shall arise and be paid into the Exchequer, for the Use of the Publick, from and after the twelfth Day of *June* one thousand seven hundred and fourteen, until all the Provisions of Money intended by this Act for the Uses and Purposes hereinafter mentioned shall be satisfied, and all the Monies which, over and above the Allowances for prompt Payment, and other Allowances directed by this Act, shall arise, of or for the said Contributions, not exceeding the Sum of one Million four hundred thousand Pounds in this Act mentioned, shall be appropriated for or towards the several Uses, Intents and Purposes herein expressed, subject nevertheless to such Restrictions as are hereinafter prescribed; that is to say, it is hereby enacted and declared, That out of all or any the Aids or Supplies by this Act provided, as aforesaid, there shall and may be issued and applied the Sum of seven hundred forty-five thousand seven hundred Pounds and three Pence, for defraying the Charges of the Ordinary of her Majesty's Navy, including Half-pay to Sea-Officers, and for Victuals, Wages, Wear and Tear of the Navy, and Victualling thereof, performed and to be performed, and for Sea-Service in the Office of Ordnance, performed and to be performed; and any further Sum not exceeding three hundred thousand Pounds, towards satisfying the Debt due for Seamens Wages, and to the Yards, and for the Debt due to the Marines; and any further Sum not exceeding three thousand Pounds, to be equally distributed among the Chaplains that served in the Fleet during the late War, and are not otherwise provided for; and any Sum not exceeding three hundred eighty-six thousand four hundred twenty-seven Pounds seventeen Shillings and ten Pence, for maintaining Guards and Garrisons in *Great Britain, Jersey and Guernsey*, together with two independent Companies in *North Britain* for one Year, from the twenty-fourth Day of *December* one thousand seven hundred and thirteen, to the twenty-fifth Day of *December* one thousand seven hundred and fourteen; and any Sum not exceeding fifty-four thousand six hundred forty-five Pounds one Shilling and three Pence, for maintaining her Majesty's Forces and Garrison at *Minorca* for the same Year; and any Sum not exceeding thirty-four thousand eight hundred fifty-six Pounds fourteen Shillings and nine Pence Half-penny, for maintaining her Majesty's Forces and Garrison at *Gibraltar* for the same Year; and any Sum not exceeding twenty thousand one hundred and seventy Pounds one Shilling and six Pence, for maintaining four Companies at *New York*, four Companies at *Annapolis Royal*, four Companies for *Placentia*, one Company at *Bermudas*, and the Garrisons of *Annapolis Royal* and *Placentia* for the same Year; and any Sum not exceeding one hundred and seven thousand eight hundred thirty-one Pounds nine Shillings and two Pence, for maintaining her Majesty's Forces in *Flanders* and at *Dunkirk*, until *Michaelmas* one thousand seven hundred and fourteen; and any Sum not exceeding nineteen thousand three hundred and eight Pounds and ten Shillings for maintaining the Regiment commanded by Colonel *Handasyde* at *Jamaica*, and the Regiment commanded by Colonel *Alexander* in the *Leeward Islands*, until *Christmas* one thousand seven hundred and fourteen; and any Sum not exceeding fifty-seven thousand eight hundred seventy-seven Pounds eleven Shillings and six Pence Half-penny, to satisfy the Arrears due to the Officers of the Land Forces and Marines, for Half-pay at *Christmas* one thousand seven hundred and thirteen; and any Sum not exceeding five thousand eight hundred sixty-two Pounds sixteen Shillings and two Pence, for Charge of Half-pay to such Officers who are allowed it by special Warrant of her Majesty for one Year, from *Christmas* one thousand seven hundred and thirteen to *Christmas* one thousand seven hundred and fourteen; and any Sum not exceeding one hundred twenty-three thousand two hundred ninety-three Pounds nineteen Shillings and two Pence, for the Charge of Half-pay to the Officers of the Land Forces and Marines, being her Majesty's natural-born Subjects, or naturalized, for the same Year; and a Sum not exceeding forty-two thousand seven hundred eighty-five Pounds fourteen Shillings and four Pence, for Support of the Royal Hospital at *Chelsea*, and Pay of the Out-Pensioners, and for the extraordinary Allowance of Forage for the Dragoons in *North Britain* for the same Year; and any Sum not exceeding in the whole three hundred thousand Pounds, towards satisfying the Debt due on Account to the Land Forces, and to the said Out-Pensioners; out of which the Sum of sixty thousand ninety-five Pounds nine Shillings and two Pence, is to be applied to discharge Bills of Exchange drawn by *William Chetwynd*, Esq; her Majesty's late Envoy at *Genoa*, for Corn sent to *Barcelona*; and any Sum not exceeding fifty-five thousand two hundred eighty-one Pounds and sixteen Shillings, for the Charge of the Office of Ordnance for Land-Services performed and to be performed; and any Sum not exceeding two thousand one hundred eighty-eight Pounds nine Shillings and two Pence, for the military Officers and Chaplain that served in the Train of Artillery in *Flanders* and *Spain*, and on several Expeditions, which, with the Allowance they have on the Establishment in the Office of Ordnance, is to complete their Half-pay for the Year from *Christmas* one thousand seven hundred and thirteen to *Christmas* one thousand seven hundred and fourteen; and any Sum not exceeding sixty-seven thousand three hundred fifty-eight Pounds fifteen Shillings and seven Pence, for supplying the Deficiency of the Fund for the Classis Lottery of one thousand seven hundred and eleven, for the Year ended at *Michaelmas* one thousand

Appropriation of the several Sums granted this Session.

12 Ann. Stat. 2. c. 1.

12 Ann. Stat. 2. c. 3.

Ordinary of the Navy.

Seamens Wages, Sea-Chaplains. Vide 3 Geo. 1. c. 3.

Guards and Garrisons in Great Britain, &c.

Forces at Minorca.

Gibraltar.

New York, &c.

Forces in Flanders, &c.

Jamaica and Leeward Islands.

Arrears of Half-Pay Officers.

Half-Pay to Officers allowed by the Queen's Warrant.

Half-Pay to Land Forces and Marines. Chelsea Hospital.

Corn sent to Barcelona.

Office of Ordnance.

Artillery Officers in Flanders and Spain.

Deficiency of the Classis Lottery, 1711.

Deficiency for the Classis Lottery, 1712.

Deficiency of the Yearly Fund to the East-India Company, 9 & 10 W. 3. c. 44.

Deficiency of the two third Subsidy.

3 & 4 Ann. c. 5. Sufferers at Nevis, &c.

Proviso for the South Sea Company;

9 Ann. c. 21. Concerning South Sea Company,

see farther 1 Geo. 1. c. 21.

3 Geo. 1. c. 9.

5 Geo. 1. c. 19.

6 Geo. 1. c. 4 &

11. 7 Geo. 1.

c. 5. 7 Geo. 1.

Pat. 2. 8 Geo.

1. c. 21 & 22.

9 Geo. 1. c. 6. 1 Geo. 2. c. 8.

3 Geo. 2. c. 16 & 20.

4 Geo. 2. c. 5.

5 Geo. c. 17.

6 Geo. 2. c. 25 & 28.

7 Geo. 2. c. 17.

9 Geo. 2.

c. 34. 10 Geo. 2. c. 17.

20 Geo. 2. c. 3.

24 Geo. 2. c. 2 & 11.

26 Geo. 2. c. 16.

seven hundred and thirteen; and any Sum not exceeding sixty-seven thousand five hundred forty-six Pounds four Shillings and three Pence Half-penny, for supplying the Deficiency of the Fund for the Classis Lottery of one thousand seven hundred and twelve, for the Year ended at *Michaelmas* one thousand seven hundred and thirteen; and any Sum not exceeding forty-two thousand five hundred seventy-six Pounds six Shillings and four Pence, to make good the Deficiency of the yearly Fund, granted by an Act of the ninth Year of his late Majesty King WILLIAM the Third, for the Benefit of the Company and others trading to the *East Indies*; and any Sum not exceeding eighty-eight thousand seven hundred forty-one Pounds thirteen Shillings and ten Pence, to make good the Deficiency of Principal and Interest upon the Act made in the third Year of her Majesty's Reign, for granting a further Subsidy on Wines and Merchandizes imported, called the two third Subsidy; and any Sum not exceeding eighteen thousand five hundred and forty Pounds twelve Shillings and nine Pence three Farthings, to make good the Interest on Debentures to the Sufferers at *Nevis* and *St. Christophers* for three Years, to the twenty-fifth Day of *December* one thousand seven hundred and fourteen; and to and for none other Use, Intent or Purpose whatsoever.

LXX. Provided always, and it is hereby enacted and declared, That no Appropriation, or other Matter or Thing in this Act contained, shall obstruct or hinder any Payment or Payments, which, by and in Pursuance of an Act made in the ninth Year of her Majesty's Reign, intituled, *An Act for making good Deficiencies, and satisfying the Publick Debts; and for erecting a Corporation to carry on a Trade to the South Seas, and for Incouragement of the Fishery; and for Liberty to trade in unwrought Iron with the Subjects of Spain, and to repeal the Acts for registering Seamen*, and of her Majesty's Charter grounded thereupon, are or shall be required and authorized to be made by the Treasurer or Paymaster of the Navy for the Time being, or by any other Persons to be intrusted with the Publick Monies for the Service of the Navy, out of such Publick Monies, Tallies, Orders or Parliamentary Securities in their Hands or Power respectively, as are or shall thereby be charged or chargeable to make good any Deficiency or Deficiencies to the Corporation erected in Pursuance of the Act last mentioned, called by the Name of the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*, and for incouraging the Fishery, or to their Treasurer for their Use; any Thing herein contained to the contrary notwithstanding.

and for the Commissioners of Accounts,

LXXI. Provided also, That such Sums as, by any other Act of this Session of Parliament, shall be payable to any Commissioners of Accounts for their Salaries, or for their Clerks, or any other incident Charges, shall and may be paid out of the Aids or Supplies aforesaid, or any of them; any Thing herein contained to the contrary notwithstanding.

C A P. X.

An Act for raising the Militia for the Year one thousand seven hundred and fourteen, although the Month's Pay formerly advanced be not repaid; and for rectifying a Mistake in an Act passed in this present Session of Parliament, intituled, *An Act for the better Regulating the Forces to be continued in her Majesty's Service, and for Payment of the said Forces and their Quarters.* E X P.

C A P. XI.

An Act to prevent the Listing her Majesty's Subjects to serve as Soldiers without her Majesty's Licence.

WHEREAS several ill-affected Persons, Subjects of the Crown of *Great Britain*, have lately, in open Defiance of the Laws, presumed traiterously to list divers of her Majesty's Subjects within the Kingdoms of *Great Britain* and *Ireland*, to serve the Person pretended to be Prince of *Wales*, during the Life of the late King JAMES the Second, and since his Decease pretended to be, and taking upon himself the Stile and Title of King of *England*, by the Name of JAMES the Third, as Soldiers to the great Disturbance of the Peace of these her Majesty's Kingdoms: And whereas the like traiterous Practice may be more covertly carried on, under Pretence of listing her Majesty's Subjects to serve as Soldiers under some Foreign Prince, State or Potentate: For Remedy thereof, Be it, &c.

“ Subjects of *Great Britain* who shall, after 1 August 1714. within the Kingdom, or in *Ireland*, and after 1 October out of the Kingdom, list themselves to serve any Foreign Prince, &c. or procure any Subject so to do, without her Majesty's Licence, shall be guilty of High Treason. Offences out of the Realm, where to be tried. No Licence shall exempt from the Penalty, Persons listing any Subject to serve the French King. Continuance of the Act for three Years. E X P.

C A P. XII.

An Act for the better Maintenance of Curates within the Church of *England*; and for preventing any Ecclesiastical Persons from buying the next Avoidance of any Church-Prefement.

WHEREAS the Absence of beneficed Ministers ought to be supplied by Curates that are sufficient and licensed Preachers, and no Curates or Ministers ought to serve in any Place without the Examination

'mination and Admission of the Bishop of the Diocese, or Ordinary of the Place, having Episcopal Jurisdiction: But nevertheless, for Want of sufficient Maintenance and Encouragement for such Curates, the Cures within that Part of *Great Britain* called *England*, have been in several Places meanly supplied: For Remedy whereof, Be it enacted by the Queen'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 if any Rector or Vicar having Cure of Souls shall, from and after the ninth and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and fourteen nominate and present any Curate to the Bishop or Ordinary, to be licensed or admitted to serve the Cure of such Rector or Vicar in his Absence, the said Bishop or Ordinary, having Regard to the Greatness of the Cure, and the Value of the Ecclesiastical Benefices of such Rector or Vicar shall, on or before the granting such Licence, appoint by Writing under his Hand and Seal a sufficient certain Stipend or Allowance, not exceeding fifty Pounds *per Ann.* nor less than twenty Pounds *per Ann.* to be paid or answered at such Times as he shall think fit, by such Rector or Vicar, to such Curate, for his Support and Maintenance; and if it shall appear to the Bishop or Ordinary, upon Complaint or otherwise, that any Curate of such Rector or Vicar, licensed or admitted before the said ninth and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and fourteen, hath not a sufficient Maintenance, it shall be lawful to and for the said Bishop or Ordinary to appoint him a certain Stipend or Allowance in like Manner as before mentioned; and in case any Difference shall arise between any Rector or Vicar and his Curate, touching such Stipend or Allowance, or the Payment thereof, the Bishop or Ordinary, on Complaint to him made, shall summarily hear and determine the same; and in case of Neglect or Refusal to pay such Stipend or Allowance, may sequester the Profits of such Benefice, for or until Payment thereof.

After 20 Sept. 1714. Bishop, &c. to appoint a Stipend to Curates, not exceeding 50 l. per Ann. nor less than 20 l. and on Neglect of Payment may sequester the Benefice.

II. And whereas some of the Clergy have procured Preferments for themselves by buying Ecclesiastical Livings, and others have been thereby discouraged; Be it further enacted by the Authority aforesaid, That if any Person, from and after the twenty-ninth Day of *September* one thousand seven hundred and fourteen, shall or do, for any Sum of Money, Reward, Gift, Profit or Advantage, directly or indirectly, or for or by Reason of any Promise, Agreement, Grant, Bond, Covenant or other Assurance, of or for any Sum of Money, Reward, Gift, Profit or Benefit whatsoever, directly or indirectly, in his own Name, or in the Name of any other Person or Persons, take, procure, or accept the next Avoidance of, or Presentation to any Benefice with Cure of Souls, Dignity, Prebend or Living Ecclesiastical, and shall be presented or collated thereupon, that then every such Presentation or Collation, and every Admission, Institution, Investiture and Induction upon the same, shall be utterly void, frustrate, and of no Effect in Law, and such Agreement shall be deemed and taken to be a Simoniackal Contract; and that it shall and may be lawful to and for the Queen's Majesty, her Heirs and Successors to present or collate unto, or give or bestow every such Benefice, Dignity, Prebend and Living Ecclesiastical, for that one Time or Turn only; and the Person so corruptly taking, procuring, or accepting any such Benefice, Dignity, Prebend or Living, shall thereupon, and from thenceforth, be adjudged a disabled Person in Law to have and enjoy the same Benefice, Dignity, Prebend or Living Ecclesiastical, and shall also be subject to any Punishment, Pain or Penalty, limited, prescribed or inflicted by the Laws Ecclesiastical, in like Manner as if such corrupt Agreement had been made after such Benefice, Dignity, Prebend, or Living Ecclesiastical had become vacant; any Law or Statute to the contrary in any wise notwithstanding.

Penalty of taking for any Sum of Money, &c. the next Avoidance, &c. 31 *El.* c. 6. 1 *W. & M. stat.* 1. c. 16.

C A P. XIII.

An Act to discharge and acquit the Commissioners of Equivalent for the Sum of three hundred eighty-one thousand five hundred and nine Pounds fifteen Shillings ten Pence Half-penny by them duly issued out of the Sum of three hundred ninety-eight thousand eighty-five Pounds ten Shillings, which they received.

WHEREAS by the Treaty of Union, and fifteenth Article thereof, it is agreed, That *Scotland* shall have an Equivalent for what the Subjects thereof shall be charged towards Payment of the Debts of *England* contracted before the Union, in all Particulars whatsoever, and particularly that the Sum of three hundred ninety-eight thousand eighty-five Pounds and ten Shillings should be granted to her Majesty as an Equivalent to *Scotland*, for such Part of the Customs and Excise there, as should be applicable to the Payment of the said Debts of *England*, according to the Proportions therein set down; and it is agreed, That her Majesty be impowered to appoint Commissioners, who should be accountable to the Parliament of *Great Britain*, for disposing the said Sum of three hundred ninety-eight thousand eighty-five Pounds and ten Shillings, and all other Monies which shall arise to *Scotland* upon the Agreements in the Treaty of Union, to the Purposes mentioned in the said fifteenth Article, in an Act of the last Parliament of *Scotland*, intituled, *An Act concerning the Payment of the Sums out of the Equivalent to the African Company*; in another Act of the said last Parliament, intituled, *An Act concerning the Publick Debts*; and in an Act of the first Parliament of *Great Britain*, intituled, *An Act for further directing the Payment of the Equivalent Money*: And whereas her Majesty, by Commission dated the fifth of *June* one thousand seven hundred and seven, did nominate and appoint Sir *Andrew Hume*, *William Dalrymple*, Esq; Sir *Robert Sinclair* of *Stevenson*, Sir *Thomas Burnett* of *Leyes*, Sir *John Areskine* of *Aiva*, Sir *John Swinton* of the same, Sir *James Campbell* of *Abernehill*, Sir *James Smollet* of *Bonhill*, Sir *Patrick Johnston*, Sir *Francis Grant*, Barons; *George Baillie* of *Ferriese Wood*, *John Haldon* of *Glencagles*, *John Bruce* of *Kinross*, *William Seton* the Younger of *Pittmedin*; *John Clarke* the Younger of *Penrycook*; *Alexander Abercrombie* of *Gleslock*, *Murgo Grame* of *Gorby*, *John Graham* of *Dugalstowne*, *John Pringle* of *Haining*, *Douglas* the Younger of *Kellhead*, *Daniel Campbell* of *Buttes*, Esq; Sir *John Cope*, Knight, *Jacob Raynardson*, *John Brydges* and *James*

5 *Ann.* c. 2.

6 *Ann.* c. 24.

James Houbton, Esqrs. Commissioners for disposing the aforesaid Sum of three hundred ninety-eight thousand eighty-five Pounds and ten Shillings, and all other Monies which shall arise to Scotland upon the Agreements in the Treaty of Union: And by another Commission dated the six and twentieth of July one thousand seven hundred and nine, did nominate and appoint the aforesaid Sir Andrew Hume, William Dalrymple, Esq; Sir Robert Sinclair of Stevenson, Sir Thomas Burnet of Leyes, Sir John Areskine of Alva, Sir John Swinton of the same, Sir James Campbell of Abernethill, Sir James Smollet of Bonhill, Sir Patrick Johnston, Baronets; John Bruce of Kinross, William Seton the Younger of Pittmadin, Alexander Abercrombie of Glesflock, John Pringle of Hayning, Esq; Sir John Cope, Knt. and John Brydges, Esq; to be Commissioners for the same Ends and Purposes; which Commissioners, or the Major Part of them, pursuant to their said Commissions, have well and duly issued and paid the Sum of three hundred eighty-one thousand five hundred and nine Pounds fifteen Shillings and ten Pence Half-penny, as directed by the Laws above recited, in Manner herein after set down, viz. towards the Loss which private Persons sustained by the reducing the English Money then in Scotland to the current Rate in England, the Sum of three thousand and seventeen Pounds eighteen Shillings and nine Pence; for recoining the Scots and Foreign Money, and reducing it to the Standard of the Coin of England, the Sum of forty-nine thousand eight hundred eighty-eight Pounds fourteen Shillings and eleven Pence one sixth of a Penny; towards Payment of the Stock, Interest and Debts of the Indian and African Company, the Sum of two hundred twenty-nine thousand six hundred and eleven Pounds four Shillings and eight Pence; towards the Charges of the Commissioners, Secretaries, and Accountants of the two Treasuries of the Union, the Sum of thirty thousand four hundred ninety-eight Pounds twelve Shillings and two Pence; towards Payment of the first Class of the Civil List, the Sum of twenty-seven thousand five hundred fifty-three Pounds seventeen Shillings and nine Pence one third of a Penny; towards Payment of the second Class of the Civil List, the Sum of four thousand six hundred fifty-five Pounds and six Shillings; towards Payment of the first Class of the Military List, the Sum of fourteen thousand one hundred eighty-eight Pounds and eight Pence; towards Payment of the second Class of the Military List, the Sum of fourteen thousand four hundred fifty-eight Pounds two Shillings and eight Pence five sixths of a Penny; for the Fees and Salaries of the Servants of the Commission, till the fourteenth of March, and thirtieth of April last past, the Sum of five thousand four hundred and thirteen Pounds eleven Shillings and four Pence; for the necessary Charges of the Commission, and for defending of Law-Suits where the Titles of Parties were not clear, these Charges preceding the six and twentieth Day of March last, amounted to the Sum of two thousand two hundred twenty-four Pounds six Shillings and ten Pence one sixth of a Penny: All which Sums together amount to the above Total of three hundred eighty-one thousand five hundred and nine Pounds fifteen Shillings and ten Pence Half-penny: Be it therefore, &c.

Commissioners of the Equivalent discharged of the Sums paid by them upon the several Heads mentioned in this Act. But not freed from applying the Sum of 16575*l.* 14*s.* 1*d.* ob. now remaining in their Hands, to the Uses by the Acts directed. E X P.

III. And whereas it appears, that the other Publick Debts of Scotland yet unsatisfied, which are adjusted and certified, pursuant to the Directions of the several Acts above recited, do amount to the Sum of two hundred and thirty thousand three hundred and eight Pounds nine Shillings and ten Pence and five sixths of a Penny, including the Interest of such Parts thereof as bear Interest from the twenty-fourth Day of June one thousand seven hundred and eight, to the twenty-fourth Day of June one thousand seven hundred and fourteen; Be it therefore enacted, &c.

See farther 3 Geo. 1. stat. 2. c. 27. and 3 Geo. 1. c. 16.

Redeemed by 5 Geo. c. 20.

The Commissioners to call for all Certificates, &c. and cancel all Debentures by which the unsatisfied Debt is constituted, and to issue new Debentures, to bear Interest at 5*l.* per Cent. after 24 June 1714. and paid out of the first Money due to Scotland. E X P.

C A P. XIV.

An Act for rendering more effectual an Act made in the third Year of the Reign of King JAMES the First, intituled, *An Act to prevent and avoid Dangers which may grow by Popish Recusants*; and also of one other Act made in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act to vest in the two Universities the Presentations of Benefices belonging to Papists*; and for vesting in the Lords of Justiciary Power to inflict the same Punishments against Jesuits, Priests and other trafficking Papists, which the Privy Council of Scotland was impowered to do by an Act passed in the Parliament of Scotland, intituled, *An Act for preventing the Growth of Popery*.

3 Jac. 1. c. 5. 1 W. & M. Sess. 1. c. 26.

FOR as much as by an Act of Parliament made in the third Year of the Reign of King JAMES the First, intituled, *An Act to prevent and avoid Dangers which may grow by Popish Recusants* and also one other Act made in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act to vest in the two Universities the Presentations of Benefices belonging to Papists*, the Presentation, Nomination, Collation and Donation of and to Benefices, Prebends or Ecclesiastical Livings, Schools, Hospitals and Donatives belonging to Popish Recusants, and other Persons thereby disabled to present, collate or nominate, are given to the two Universities; but they are so given only where such Persons are and stand convicted by such Ways and Means as in the said recited Acts are mentioned and provided;

provided; which Acts do nevertheless prove ineffectual for such Purposes, by Reason such Patrons are not convicted, or not in such Manner as the said Acts do direct and appoint: Therefore for making the said Laws more effectual, and for the speedier and easier vesting the Presentations to such Benefices in the two Universities, according to the Intention of the said Laws, Be it enacted by the Queen'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 every Papist or Person making Profession of the Popish Religion, and every Child not being a Protestant, under the Age of one and twenty Years, of every such Papist or Person professing the Popish Religion, and every Mortgagee, Trustee or Person any ways intrusted, directly or indirectly, mediately or immediately, by or for any such Papist or Person making Profession of the Popish Religion, or such Child, as aforesaid, whether such Trust be declared by Writing or not, shall, from and after the tenth Day of July which shall be in the Year of our Lord one thousand seven hundred and fourteen, be disabled, and is hereby made incapable to present, collate or nominate to any Benefice, Prebend, or Ecclesiastical Living, School, Hospital or Donative, or to grant any Avoidance of any Benefice, Prebend or Ecclesiastical Living; and that every such Presentation, Collation, Nomination and Grant, and every Admission, Institution and Induction to be made thereupon, shall be utterly void and of no Effect, to all Intents, Constructions and Purposes whatsoever; and that in every such Case the Chancellor and Scholars of the University of Oxford, and the Chancellor and Scholars of the University of Cambridge, by what Name or Names soever they or either of them are incorporated, shall respectively have the Presentation, Nomination, Collation and Donation, of and to every such Benefice, Prebend or Ecclesiastical Living, School, Hospital and Donative, set, lying and being in the respective Counties, Cities and other Places and Limits in the said Act of the third Year of King JAMES mentioned, as in and by the said Act is directed and appointed in the Case of a Popish Recufant Convict.

II. And be it further enacted by the Authority aforesaid, That from and after the said tenth Day of July, when and as often as any Presentation to any Benefice or Ecclesiastical Living shall be brought to any Archbishop, Bishop or other Ordinary, from any Person who shall be reputed to be, or whom such Archbishop, Bishop or other Ordinary shall have cause to suspect to be a Papist, or Trustee of any Person making Profession of the Popish Religion, or suspected to be such, it shall and may be lawful to and for such Archbishop, Bishop, or other Ordinary, and he is hereby required to tender or administer to every such Person, if present, the Declaration against Tranfubstantiation, set down and expressed in an Act of Parliament made in the five and twentieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from Popish Recufants*, to be by such Person made, repeated and subscribed; and in case such Person shall be absent, the said Archbishop, Bishop or other Ordinary shall, by Notice in Writing to be left at the Place of Habitation of such Person, appoint some convenient Time and Place when and where such Person shall appear before such Archbishop, Bishop or other Ordinary, or some Persons to be authorized by such Archbishop, Bishop, or other Ordinary, by Commission under his or their Seal of Office; and upon such Appearance, the said Archbishop, Bishop or other Ordinary, or such Commissioners, shall tender or administer the said Declaration to the Person making such Presentation; and in case such Person shall neglect or refuse to make, repeat and subscribe such Declaration, when the same shall be so tendered, as aforesaid, or shall neglect or refuse to appear before such Archbishop, Bishop or other Ordinary, or such Commissioners, upon such Notice as aforesaid, That then such Presentation shall be utterly void and of none Effect; and in every such Case, such Archbishop, Bishop or other Ordinary shall, within ten Days next after such Neglect or Refusal, send and give a Certificate under his or their Seal of Office of such Neglect or Refusal to the Vice-Chancellor for the Time being, of that University to whom such Presentation would of Right belong, if such Person so presenting had been a Popish Recufant Convict; and it shall and may be lawful, to and for the Chancellor and Scholars of such University, to present a Person qualified according to the said Acts to such Benefice or Ecclesiastical Living; and the Presentation to such Benefice or Ecclesiastical Living, for that Turn only, is hereby given unto, and vested in them for that Purpose; any Matter, Clause or Thing contained in either of the said former recited Acts to the contrary thereof notwithstanding.

III. And for the better Discovery of all secret Trusts, and fraudulent Conveyances made by Papists or Persons making Profession of the Popish Religion, of their Advowsons and Right of Presentation, Nomination and Donation, to any Benefices or Ecclesiastical Livings; Be it further enacted by the Authority aforesaid, That when the Presentation of any Person presented to any Benefice or Ecclesiastical Living, shall be brought to any Archbishop, Bishop or other Ordinary, the said Archbishop, Bishop or Ordinary is hereby required, before he give Institution, to examine the Person presented upon Oath, whether to the best and utmost of his Knowledge and Belief, the Person or Persons who have made such Presentation, be the true and real Patron or Patrons of the said Benefice or Ecclesiastical Living, or made the said Presentation in his or her, or their own Right, or whether such Person or Persons so presenting be not, mediately or immediately, directly or indirectly, Trustee or Trustees, or any way intrusted for some other, and what Person or Persons by Name, who is or are Papists, or make Profession of the Popish Religion, or the Children of such, or for any other and what Person or Persons, or what he knows, has heard or believes, touching or concerning the same; and if such Person or Persons so presented shall refuse to be so examined, or shall not answer directly thereto, then and in every such Case such Presentation shall be void.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Chancellor and Scholars of the respective Universities, to whom the Presentations to such Benefices and Ecclesiastical Livings should belong, in case the rightful Patrons had been Popish Recufants convict, and their Presentees or Clerks, for the better Discovery of such secret and fraudulent Trusts, had, done, made and created, by or for such Papists or Persons professing the Popish Religion, and their Children, as aforesaid, to exhibit their Bill in any Court of Equity against such Person or Persons presenting, and such Person or Persons as they have Reason to believe to be the *Cestui que Trust* of the Advowson of such Benefice or Ecclesiastical

After 10 July 1714. Papists, &c. disabled to present to any Benefice, &c. 7 Jac. 1. c. 6. 25 Car. 2. c. 22.

And the two Universities shall have the Presentation, &c. in the respective Counties, &c. mentioned in 3 Jac. 1. c. 5.

When any Presentation is brought to any Archbishop, &c. he may tender to the Person, if present, the Declaration in 25 Car. 2. c. 22.

If absent, summon him to appear.

Refusing to make the Declaration, or to appear, the Presentation shall be void.

And the Archbishop, &c. shall certify such Refusal to the University, who shall present, &c.

Bishops, &c. shall examine Persons presented on Oath.

Refusing to be examined, the Presentation shall be void.

University may exhibit Bills in Chancery for the Discovery of fraudulent Trusts.

Ecclesiastical Living, or any other Person who they have Cause to suspect may be able to make any other or further Discovery of such secret Trusts and Practices; to which Bill the Defendants therein named, being duly served with the Process of the Court in which the said Bill shall be exhibited, shall forthwith directly answer to the Facts charged and enquired in the said Bill, at the Discretion of the Court where such Bill shall be exhibited; and in case the Defendants, or any of them, shall refuse or neglect to answer the said Bill in such reasonable Time as shall be for that Purpose allowed and appointed, by Discretion of the said Court where the said Cause shall be depending, (the Distance of Place and the Circumstances of the Defendant or Defendants considered) That then and in such Case the said Bill shall be taken *pro Confesso*, and be allowed as Evidence against such Person so neglecting and refusing, and his Trustee or Trustees, and his and their Clerk: Provided that every Person having fully answered such Bill in such Court of Equity, and not knowing any Thing of any such Trust for a Papist or other Person disabled, as aforesaid, shall be entitled to his Costs, to be taxed according to the Course of the Court.

When any Quare Impedit is depending, the Court may administer an Oath to discover any secret Trust:

And if it appear that the Patron is a Trustee, he shall discover for whom, or be punished as guilty of a Contempt. Court may order the Person for whom such Patron is a Trustee to appear and make the Declaration, &c. who refusing shall be esteemed a Recusant convict.

The Answer of such Patron, &c. to be allowed as Evidence.

Persons making such Discovery, liable only to the Loss of the Presentation.

If such Bill be exhibited by the University, no Lapse shall incur, &c. till three Months after the Answer put in, &c.

The University may sue any Writ of Quare Impedit, &c.

The Court may enforce the Producing of Deeds relating to Trusts.

Not to extend to Scotland.

The Lords of Judiciary may inflict the same Punishments on Jesuits, &c. which the Privy

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Court where any *Quare Impedit* shall be hereafter depending, at the Instance of either of the said Chancellors and Scholars, or their Clerk, being Plaintiffs or Defendants in such Suit, by Motion in open Court, at their Discretion, to make any Rule or Order requiring Satisfaction, upon the Oath of such Patron and his Clerk, who in the said Suit shall contest the Right of the said University to present to such Benefice or Ecclesiastical Living, by Examination of them or either of them, in open Court, or by Commission under the Seal of such Court for Examination of them or either of them, or by Affidavit, as the said Court shall find most proper, in Order to the Discovery of any secret Trust, Frauds or Practices relating to the said Presentation then in Question; and in Case it appear to the Court, upon the Examination of such Patron and Clerk or either of them, That the said Patron is but a Trustee for some other Person or Persons, that then the said Patron and his Clerk shall discover who such Person and Persons are, and where he, she, or they live or inhabit; and upon their Refusal to make such Discovery, or to give such Satisfaction, as aforesaid, they shall be punished as Persons that are guilty of a Contempt to the said Court; and in case such Patron or his Clerk shall discover the Person for whom the said Patron is a Trustee, that then and in such Case the said Court, upon Motion made in open Court, shall make a Rule or Order, That the Person or Persons, for whom the said Patron is a Trustee, shall, in the said Court, or before Commissioners to be appointed for that Purpose, under the Seal of the said Court, make, repeat and subscribe the Declaration against Transubstantiation herein before mentioned, and likewise, on Pain of incurring a Contempt against the said Court, give such further Satisfaction upon Oath, touching or relating to the said Trust, as the said Court shall think fit; and such Person so required to make, repeat and subscribe the said Declaration, and refusing or neglecting so to do, shall be esteemed as a Popish Recusant convict, in respect of such Presentation.

VI. And be it further enacted, That the Answer of such Patron and Patrons, and the Person for whom he or they are any ways intrusted, and his and their Clerk, or any of them, and his and their or any of their Examinations and Affidavits taken, as aforesaid, by Order of any Court where such *Quare Impedit* shall be depending, or by any Archbishop, Bishop, or other Ordinary, or the Commissioners, as aforesaid, (which Examinations shall therefore be reduced into Writing, and signed by the Party examined) shall be allowed as Evidence against such Patron so presenting, and his Clerk.

VII. Provided always, That no such Bill, nor any Discovery to be made by any Answer thereunto, or to any such Examination, as aforesaid, shall be made use of to subject any Person making any such Discovery, or not answering such Bill, to any Penalty or Forfeiture, other than the Loss of the Presentation then in Question.

VIII. And it is hereby further enacted, That in case of any such Bill or Bills of Discovery, as aforesaid, exhibited in any Court of Equity by the Chancellor and Scholars of either of the said Universities, or their Presentee, no Lapse shall incur, nor Penalty be a Bar, against such Chancellor and Scholars, in respect of the Benefice or Ecclesiastical Living, touching which such Bill shall be so exhibited, till after three Months from the Time that the Answer to such Bill shall be put in, or the same be taken *pro Confesso*, or the Prosecution thereof deserted; provided that such Bill or Bills be exhibited before any Lapse incurred.

IX. And whereas it hath been doubted whether any Writ of *Quare Impedit* brought by the respective Universities, for any Presentation, Nomination, Collation or Donation pursuant to the said recited Acts, or either of them, may be brought by them, in or by the Name of Chancellor and Scholars, or ought to be by their true Name of Incorporation respectively; It is hereby declared, That the said respective Chancellors and Scholars of the said Universities are by this Act, and were by the said former Acts, entitled to sue any Writ of *Quare Impedit* by the Name of Chancellor and Scholars of the University of Oxford, and Chancellor and Scholars of the University of Cambridge respectively, or by their respective proper Names of Incorporation at their Election.

X. And be it further enacted, That in case of any Trust for any Papist, or Person professing the Popish Religion, confessed or discovered in and by any Answer to such Bill, as aforesaid, or such Examination, as aforesaid, it shall and may be lawful for the Court where such Discovery shall be made, and such Court is hereby enabled, to enforce the producing of the Deeds creating and relating to the said Trusts, by such Methods as they shall find proper.

XI. Provided always, That nothing herein before contained shall extend to that Part of Great Britain called Scotland.

XII. And whereas by the Determination of the late Privy Council of Scotland, the Punishments contained in an Act of the Parliament of Scotland, passed in the eighth Session of the first Parliament of King WILLIAM, intituled, *An Act for preventing the Growth of Popery*, cannot be fully put in Execution against Jesuits, Priests, and other trafficking Papists, who disguise and shelter themselves under borrowed Names, to avoid the Penalty of the Law; It is therefore hereby enacted, and be it enacted by the Authority

thority aforesaid, That the Lords of her Majesty's Justiciary in *Scotland* be hereby impowered to inflict the same Punishments against Jesuits, Priests, and other trafficking Papists, which the Privy Council of *Scotland* was impowered to do by an Act passed in that Kingdom. *Further Provisions relating hereto, 1 Geo. 1. stat. 2. c. 55. 3 Geo. 1. c. 13. 11 Geo. 2. c. 17. 33 Geo. 2. c. 13.*

C A P. XV.

An Act for providing a Publick Reward for such Person or Persons as shall discover the Longitude at Sea.

WHEREAS it is well known by all that are acquainted with the Art of Navigation, That nothing is so much wanted and desired at Sea, as the Discovery of the Longitude, for the Safety and Quickness of Voyages, the Preservation of Ships, and the Lives of Men: And whereas in the Judgment of able Mathematicians and Navigators, several Methods have already been discovered, true in Theory, though very difficult in Practice, some of which (there is Reason to expect) may be capable of Improvement, some already discovered may be proposed to the Publick, and others may be invented hereafter: And whereas such a Discovery would be of particular Advantage to the Trade of *Great Britain*, and very much for the Honour of this Kingdom; but besides the great Difficulty of the Thing itself, partly for the Want of some Publick Reward to be settled as an Encouragement for so useful and beneficial a Work, and partly for want of Money for Trials and Experiments necessary thereunto, no such Inventions or Proposals, hitherto made, have been brought to Perfection; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That the Lord High Admiral of *Great Britain*, or the first Commissioner of the Admiralty, the Speaker of the Honourable House of Commons, the first Commissioner of the Navy, the first Commissioner of Trade, the Admirals of the Red, White, and Blue Squadrons, the Master of the Trinity-House, the President of the Royal Society, the Royal Astronomer of *Greenwich*, the *Savilian*, *Lucasian* and *Plumian* Professors of the Mathematicks in *Oxford* and *Cambridge*, all for the Time being, the Right Honourable *Thomas* Earl of *Pembroke* and *Montgomery*, *Philip* Lord Bishop of *Hereford*, *George* Lord Bishop of *Bristol*, *Thomas* Lord *Trevor*, the Honourable Sir *Thomas Hanmer* Baronet, Speaker of the Honourable House of Commons, the Honourable *Francis Robarts* Esq; *James Stanhope* Esq; *William Clayton* Esq; and *William Lowndes* Esq; be constituted, and they are hereby constituted Commissioners for the Discovery of the Longitude at Sea, and for examining, trying, and judging of all Proposals, Experiments, and Improvements relating to the same; and that the said Commissioners, or any five or more of them, have full Power to hear and receive any Proposal or Proposals that shall be made to them for discovering the said Longitude; and in Case the said Commissioners, or any five or more of them, shall be so far satisfied of the Probability of any such Discovery, as to think it proper to make Experiment thereof, they shall certify the same, under their Hands and Seals, to the Commissioners of the Navy for the Time being, together with the Persons Names, who are the Authors of such Proposals; and upon producing such Certificate, the said Commissioners are hereby authorized and required to make out a Bill or Bills for any such Sum or Sums of Money, not exceeding two thousand Pounds, as the said Commissioners for the Discovery of the said Longitude, or any five or more of them, shall think necessary for making the Experiments, payable by the Treasurer of the Navy; which Sum or Sums the Treasurer of the Navy is hereby required to pay immediately to such Person or Persons as shall be appointed by the Commissioners for the Discovery of the said Longitude, to make those Experiments, out of any Money that shall be in his Hands, unapplied for the Use of the Navy.

Commissioners appointed for discovering the Longitude, and receiving Proposals relating to it.

Commissioners to certify the Probability of such Discovery to the Commissioners of the Navy, who shall make out a Bill for 2000l. for making the Experiments. 14 Geo. 2. c. 39. 26 Geo. 2. c. 25. To be paid by the Treasurer of the Navy.

II. And be it further enacted by the Authority aforesaid, That after Experiments made of any Proposal or Proposals for the Discovery of the said Longitude, the Commissioners appointed by this Act, or the major Part of them, shall declare and determine how far the same is found practicable, and to what Degree of Exactness.

The Commissioners to determine how far any Proposal is practicable. Reward to the first Discoverer.

III. And for a due and sufficient Encouragement to any such Person or Persons as shall discover a proper Method for finding the said Longitude, Be it enacted by the Authority aforesaid, That the first Author or Authors, Discoverer or Discoverers of any such Method, his or their Executors, Administrators, or Assigns, shall be entitled to, and have such Reward as herein after is mentioned; that is to say, to a Reward, or Sum of ten thousand Pounds, if it determines the said Longitude to one Degree of a great Circle, or sixty Geographical Miles; to fifteen thousand Pounds, if it determines the same to two Thirds of that Distance; and to twenty thousand Pounds, if it determines the same to one Half of the same Distance; and that one Moiety or Half-Part of such Reward or Sum shall be due and paid when the said Commissioners, or the major Part of them, do agree that any such Method extends to the Security of Ships within eighty Geographical Miles of the Shores, which are Places of the greatest Danger, and the other Moiety or Half-Part, when a Ship by the Appointment of the said Commissioners, or the major Part of them, shall thereby actually sail over the Ocean, from *Great Britain* to any such Port in the *West-Indies*, as those Commissioners, or the major Part of them, shall choose or nominate for the Experiment, without losing their Longitude beyond the Limits before mentioned.

When to be paid.

IV. And be it further enacted by the Authority aforesaid, That as soon as such Method for the Discovery of the said Longitude shall have been tried and found practicable and useful at Sea, within any of the Degrees aforesaid, That the said Commissioners, or the major Part of them, shall certify the same accordingly, under their Hands and Seals, to the Commissioners of the Navy for the Time being, together with the Person or Persons Names, who are the Authors of such Proposal; and upon such Certificate the said Commissioners are hereby authorized and required to make out a Bill or Bills for the respective Sum or Sums

As soon as such Method shall have been found practicable, the Commissioners shall certify the same to the

Commissioners of the Navy, who shall make out Bills for Payment of the Reward, and the Treasurer of the Navy shall pay the same.

Sums of Money, to which the Author or Authors of such Proposal, their Executors, Administrators, or Assigns, shall be entitled by Virtue of this Act; which Sum or Sums the Treasurer of the Navy is hereby required to pay to the said Author or Authors, their Executors, Administrators, or Assigns, out of any Money that shall be in his Hands unapplied to the Use of the Navy, according to the true Intent and Meaning of this Act.

The Commissioners may allow a less Reward for any Proposal of considerable Use to the Publick.
Amended by
2 Geo. 3. c. 18.

V. And it is hereby further enacted by the Authority aforesaid, That if any such Proposal shall not, on Trial, be found of so great Use, as aforementioned, yet if the same, on Trial, in the Judgment of the said Commissioners, or the major Part of them, be found of considerable Use to the Publick, that then in such Case, the said Author or Authors, their Executors, Administrators or Assigns, shall have and receive such less Reward therefore, as the said Commissioners, or the major Part of them, shall think reasonable, to be paid by the Treasurer of the Navy, on such Certificate, as aforesaid.

C A P. XVI.

An Act to reduce the Rate of Interest, without any Prejudice to Parliamentary Securities.

37 H. 8. c. 9.
13 El. c. 8.
21 Jac. 1. c. 17.
12 Car. 2. c. 13.

WHEREAS the Reducing of Interest to ten, and from thence to eight, and thence to six in the Hundred, hath, from Time to Time, by Experience been found very beneficial to the Advancement of Trade, and Improvement of Lands: And whereas the heavy Burden of the late long and expensive War hath been chiefly born by the Owners of the Land of this Kingdom, by Reason whereof they have been necessitated to contract very large Debts, and thereby, and by the Abatement in the Value of their Lands, are become greatly impoverished: And whereas by Reason of the great Interest and Profit which hath been made of Money at Home, the Foreign Trade of this Nation hath of late Years been much neglected, and at this Time there is a great Abatement in the Value of the Merchandizes, Wares, and Commodities of this Kingdom, both at Home and in Foreign Parts, whither they are transported: And whereas for the Redress of these Mischiefs, and the preventing the Encrease of the same, it is absolutely necessary to reduce the high Rate of Interest of six Pounds in the hundred Pounds for a Year to a nearer Proportion with the Interest allowed for Money in Foreign States; Be it therefore enacted by the Queen'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 no Person or Persons whatsoever, from and after the nine and twentieth Day of *September* in the Year of our Lord one thousand seven hundred and fourteen, upon any Contract, which shall be made from and after the said nine and twentieth Day of *September*, take, directly or indirectly, for Loan of any Monies, Wares, Merchandize, or other Commodities whatsoever, above the Value of five Pounds for the Forbearance of one hundred Pounds for a Year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter Time; and that all Bonds, Contracts, and Assurances whatsoever, made after the Time aforesaid, for Payment of any Principal, or Money to be lent or covenanted to be performed upon or for any Usury, whereupon or whereby there shall be reserved or taken above the Rate of five Pounds in the Hundred, as aforesaid, shall be utterly void; and that all and every Person or Persons whatsoever, which shall after the Time aforesaid, upon any Contract to be made after the said nine and twentieth Day of *September*, take, accept and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Cheevance, Shift, or Interest of any Wares, Merchandize, or other Thing or Things whatsoever, or by any deceitful Way or Means, or by any Covin, Engine, or deceitful Conveyance, for the forbearing or giving Day of Payment for one whole Year, of and for their Money or other Thing, above the Sum of five Pounds for the forbearing of one hundred Pounds for a Year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter Term, shall forfeit and lose for every such Offence the treble Value of the Monies, Wares, Merchandizes, and other Things so lent, bargained, exchanged or shifted.

After 29 Sept. 1714. no Person shall take above 5 l. per Cent. Interest.

All Bonds, &c. for a greater Interest shall be void.

And Persons taking above 5 l. for the Forbearance of 100 l. for a Year, shall forfeit treble the Value of the Monies, &c.

After 29 Sept. 1714. no Scrivener, &c. shall take above 5 s. for 100 l. for a Year, for Brokage, &c. nor above 12 d. besides Stamp Duties, for making or renewing any Bond, &c. on Penalty of 20 l. Costs, and Imprisonment for six Months; one Moiety to the Crown, the other to the Prosecutor,

II. And be it further enacted by the Authority aforesaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who shall after the said nine and twentieth Day of *September* take or receive, directly or indirectly, any Sum or Sums of Money, or other Reward or Thing for Brokage, soliciting, driving, or procuring the Loan, or forbearing of any Sum or Sums of Money, over and above the Rate or Value of five Shillings for the Loan, or forbearing of one hundred Pounds for a Year, and so ratably, or above twelve Pence, over and above the Stamp-Duties, for making or renewing of the Bond or Bill for Loan, or forbearing thereof, or for any Counterbond or Bill concerning the same, shall forfeit for every such Offence twenty Pounds, with Costs of Suit, and suffer Imprisonment for Half a Year; the one Moiety of all which Forfeitures to be to the Queen's most Excellent Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue for the same in the same County where the several Offences are committed, and not elsewhere, by Action of Debt, Bill, Plaint or Information, in which no *Essoin*, Wager of Law or Protection, shall be allowed.

C A P. XVII.

An Act for the speedy and effectual preserving the Navigation of the River of *Thames*, by stopping the Breach in the Levels of *Havering* and *Dagenham* in the County of *Essex*; and for ascertaining the Coal Measure.

WHEREAS the Preservation of the River of *Thames* is of the utmost Importance, as well as the City of *London*, as to the Trade of this whole Kingdom: And whereas in the Year one thousand seven hundred and seven, by a violent Inundation of the said River of *Thames*, there happened a great Breach in the Walls or Banks of the Levels of *Havering* and *Dagenham* in the County of *Essex*, next adjoining to the said River, whereby one thousand Acres of Land in the said Levels is overflowed, and the same, if not speedily remedied, will tend to the apparent Hazard of the Navigation of the said River, by the continual Quantities of Earth and Gravel, which every Tide are brought from the said Breach, and have already occasioned a Shelf or Sand Bank to grow up near the Mouth of the said Breach, which reaches almost half cross the River in Breadth, and near a Mile in Length; insomuch that if the said Breach is not stopped, and the Walls or Banks made good again, the Navigation of the said River of *Thames* is in Danger of being utterly destroyed: For Remedy whereof, Be it enacted, &c.

For 10 Years from 10 July 1714. Ships coming into the Port of *London*, to pay 3 d. per Ton. Coasters 3 s. each Voyage. Colliers 1 d. per Chalder. Names of the Trustees. Trustees may appoint Receivers of these Duties. Duties to be applied to the Stopping the Breach. Accounts, &c. to be laid before the Parliament. No Customer, &c. to take any Entries, &c. till these Duties are paid, on Forfeiture of 50 l. Collector may enter Ships, and distrain for the Duties. Trustees may borrow Money on this Act at 6 l. per Cent. If sufficient Money be raised within the 10 Years, then the Duties to cease." E X P.

XI. And whereas the Practice and Usage in the Port of *London* for many Years last past, in the Measurement of all Sorts of Coals, commonly called Sea Coals, Water-born, liable to the several Duties, and chargeable with the same by several Acts of Parliament, hath usually been made by a Bushel equal to one Bushel and one Quart, *Winchester* Measure, according to the Standard in her Majesty's Exchequer: And whereas some Doubts and Disputes have of late arisen touching the Measurement of Sea Coals; For preventing therefore all such Disputes for the future, Be it enacted and declared by the Authority aforesaid, That the Bushel commonly called the Coal Bushel, shall be made round, with a plain and even Bottom, and to be nineteen Inches and a Half from Outside to Outside, and to contain one *Winchester* Bushel and one Quart of Water, according to the Standard for the *Winchester* Bushel, described by an Act of Parliament made in the thirteenth Year of the Reign of his late Majesty King WILLIAM for settling a Duty upon Malt, and all Sea Coals and Culm chargeable with any Duties by the *Winchester* Measure, from and after the first Day of *August* one thousand seven hundred and fourteen, shall be chargeable with the said Duties, and be sold, measured, and paid by the Chalder, containing thirty-six of such Bushels, as aforesaid, heaped up, and no other, and so in Proportion for any greater or lesser Quantity, under the like Penalties and Forfeitures as are by Law prescribed in Regard to the *Winchester* Bushel; any Law, Usage or Custom to the contrary in any wise notwithstanding.

The Contents of a Coal Bushel, 13 & 14 W. 3 c. 5- §. 28.

XII. And for the more easy and better ascertaining the Contents of the said Bushel, Be it further enacted by the Authority aforesaid, That the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall cause an exact Bushel to be made of Brass of the Manner and Dimensions aforesaid, and the same to be sealed and kept in her Majesty's Exchequer as a Standard for the Purposes aforesaid, that Recourse may be had thereto as Occasion shall require.

A Standard Bushel to be kept in the Exchequer. The Penalty of 50 l. is laid on Dealers in Coals not using such a Bushel, by 3 Geo. 2. c. 26, §. 13.

Lands sold by Decree of Commissioners of Sewers, &c. may be redeemed by the Land Owners before 1 Dec. 1714. Notice in the Gazette of receiving Proposals for stopping the Breach. Coasting Hoys not chargeable." E X P.

Farther Provisions concerning Coals, &c. 13 Geo. 2. c. 21. 17 Geo. 2. c. 35. 19 Geo. 2. c. 35. 22 Geo. 2. c. 37. 23 Geo. 2. c. 26. 30 Geo. 2. c. 19. 31 Geo. 2. c. 15. 32 Geo. 2. c. 27. and 33 Geo. 2. c. 15.

C A P. XVIII.

An Act for the Preserving all such Ships and Goods thereof, which shall happen to be forced on Shore, or stranded, upon the Coasts of this Kingdom, or any other of her Majesty's Dominions.

WHEREAS by an Act made in the third Year of the Reign of King EDWARD the First, concerning Wrecks at Sea, it is enacted, That where a Man, a Dog, or a Cat, escape quick out of the Ship, that such Ship, nor Barge, nor any Thing in them, shall be adjudged a Wreck, but the Goods shall be saved, and kept by View of the Sheriff, Coroner, or the King's Balliff, and delivered into the Hands of such as are of the Town where the Goods were found; so that if any sue for those Goods, and after prove that they were his, or perished within his keeping, within a Year and a Day, they shall be restored to him without Delay, and if not, they shall remain to the King, or to such others to whom Wreck belongeth; and he that otherwise doth, and thereof be attainted, shall be awarded to Prison, and

3 Ed. 1. c. 4.

4 Ed. 1. Stat. 2. ' make Fine at the King's Will: And whereas by another Act made in the fourth Year of the Reign of the said King EDWARD the first, intituled, *De officio Coronatoris*, concerning the Wreck of the Sea, it is enacted, That wheresoever it be found, if any lay Hands of it, he shall be attached by sufficient Pledges, and the Price of the Wreck shall be valued, and delivered to the Town: And whereas great Complaints have been made by several Merchants, as well her Majesty's Subjects as Foreigners, trading to and from this Kingdom, that many Ships of Trade, after all their Dangers at Sea escaped, have unfortunately near home, run on Shore, or been stranded on the Coasts thereof; and that such Ships have been barbarously plundered by her Majesty's Subjects, and their Cargoes embezilled, and when any Part thereof has been saved, it has been swallowed up by exorbitant Demands for Salvage, to the great Loss of her Majesty's Revenue, and to the much greater Damage of her Majesty's trading Subjects: For Remedy whereof be it enacted by the Queen'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 Sheriffs, Justices of the Peace of every County, or County of a City or Town, and also all Mayors, Bailiffs, and other Head Officers of Corporations and Port-Towns near adjoining to the Sea, and all Constables, Headboroughs, Tythingmen, and Officers of the Customs in all and every such Places shall, upon Application made to them, or any of them, by or on the Behalf of any Commander or Chief Officer of any Ship or Vessel of any of her Majesty's Subjects, or others, being in Danger of being stranded or run on Shore, or being stranded or run on Shore, are hereby impowered and required to command the Constables of the several Ports within her Majesty's Dominions, nearest to the Sea Coasts where any such Ship or Vessel shall be in Danger, as aforesaid, to summon and call together as many Men as shall be thought necessary to the Assistance and for the Preservation of such Ship or Vessel so in Distress, as aforesaid, and their Cargoes; and that if there shall be any Ship or Vessel, either Man of War or Merchants Ship, belonging to her Majesty, or any of her Subjects, riding at Anchor near the Place where such Ship or Vessel is in Distress or Danger, as aforesaid, the Officers of the Customs, and Constables above mentioned, or any of them, are hereby impowered and required to demand of the Superior Officers of such Ship or Vessel so riding at Anchor, as aforesaid, Assistance by their Boats, and such Hands as they can conveniently spare, for the said Service and Preservation of the said Ship or Vessel so in Distress, as aforesaid; and that in case such Superior Officer of such Ship or Vessel riding at Anchor, as aforesaid, shall refuse or neglect to give such Assistance, he shall forfeit for the same the Sum of one hundred Pounds, to be recovered by the Superior Officer of the said Ship or Vessel so in Distress, as aforesaid, together with their Costs of Suit, in any of her Majesty's Courts of Record, by Action, Debt, Bill, Complaint or Information, wherein no Essoin, Wager of Law, or Protection shall be allowed.

Sheriffs, Mayors, &c. and Custom-house Officers to summon Men to assist Ships in Distress.

All Ships to assist,

on Forfeiture of 100 l.

Reasonable Salvage to be made. By 5 Geo. 1. c. 11. §. 13. Goods saved from stranded Ships are to pay Custom.

Three Justices to adjust the Quantum.

Goods not claimed in 12 Months, to be sold,

and the Monies transmitted into the Exchequer, &c.

Persons entering Ship without Leave,

II. And for the Encouragement of such Persons as shall give their Assistance to such Ships or Vessels so in Distress, as aforesaid, Be it further enacted, That the said Collectors of the Customs, and the Master or Commanding Officer of any Ships or Vessels, and all others who shall act or be employed in the Preserving of any such Ship or Vessel in Distress, as aforesaid, or their Cargoes, shall within thirty Days after the Service performed be paid a reasonable Reward for the same, by the Commander, Master, or other Superior Officer, Mariners or Owners of the Ship or Vessel so in Distress, as aforesaid, or by the Merchant, whose Ship, Vessel, or Goods shall be so saved, as aforesaid; and in Default thereof, the said Ship, Vessel or Goods so saved, as aforesaid, shall remain in the Custody of such Officer of the Customs, or his Deputy, until such Time that all Charges shall be paid, and until the said Officer of the Customs, or his Deputy, and the said Master or other Officer of the Ship or Vessel, and all others so employed, as aforesaid, shall be reasonably gratified for their said Assistance and Trouble, or good Security given for that Purpose, to the Satisfaction of the several Parties that are to receive the same; and that in case after such Salvage, the Commander or other Superior Officer, Mariners or Owners of such Ship or Vessel so saved, as aforesaid, or Merchant whose Goods shall be so saved, as aforesaid, shall disagree with the said Officer of the Customs, or his Deputy, touching the Monies deserved by any of the Persons so employed, as aforesaid, it shall be lawful for the Commander of such Ship or Vessel so saved, or the Owner of the Goods, or the Merchant interested therein, and also for the said Officer of the Customs, or his Deputy, to nominate three of the neighbouring Justices of the Peace, who shall thereupon adjust the *Quantum* of the Monies or Gratuities to be paid to the several Persons acting or being employed in the Salvage of the said Ship, Vessel or Goods; and such Adjustments shall be binding to all Parties, and shall be recoverable in an Action at Law to be brought in any of her Majesty's Courts of Record, by the respective Persons to whom the same shall be allotted by the said Justices of Peace; and in case it shall happen, that no Person shall appear to make his Claim to all or any the Goods that shall be saved, that then and in such Case, the chief Officer of the Customs of the nearest Port to the Place where the said Ship or Vessel was so in Distress, as aforesaid, shall apply to three of the nearest Justices of the Peace, who shall put him or some other responsible Person in Possession of the said Goods, such Justices of Peace taking an Account in Writing of the said Goods, to be signed by such Officer of the Customs; and if the said Goods shall not be legally claimed within the Space of twelve Months next ensuing, by the rightful Owner thereof, then publick Sale shall be made thereof, and if perishable Goods, forthwith to be sold, and after all Charges deducted, the Residue of the Monies arising by such Sale, with a fair and just Account of the whole, shall be transmitted to her Majesty's Exchequer, there to remain for the Benefit of the rightful Owner when appearing, who upon Affidavit or other Proof made of his or their Right or Property thereto, to the Satisfaction of one of the Barons of the Coife of the Exchequer, shall upon his Order receive the same out of the Exchequer.

III. And it is hereby also enacted, That if any Person or Persons whatsoever, besides those impowered by the said Officer of the Customs, or his Deputy, and the Constables, as aforesaid, shall enter or endeavour to enter on board any such Ship or Vessel so in Distress, as aforesaid, without the Leave or Consent of the Commander, or other Superior Officer of the said Ship, or of the said Officer of the Customs, or his Deputy, or of the said Constable, or some or one of them employed for the Service and Preservation of the

said

faid Ship or Veffel, as aforefaid; or in cafe any Perfon fhall moleft him, them, or any of them, in the faving of the faid Ship, Veffel or Goods, or fhall endeavour to impede or hinder the faving of any fuch Ship, Veffel or Goods, or when any fuch Goods are faved, fhall take out or deface the Marks of any fuch Goods, before the fame fhall be taken down in a Book or Books for that Purpofe provided by the Commander or ruling Officer, and the firft Officer of the Customs, as aforefaid, fuch Perfon or Perfons fhall, within the Space of twenty Days, make double Satisfaction to the Party grieved, at the Difcretion of the two next Juftices of Peace, or in Default thereof, fhall by fuch Juftices of Peace be fent to the next Houfe of Correction, where he fhall continue and be employed in hard Labour by the Space of twelve Months then next enfuing; and that it fhall be lawful for any Commander or Superior Officer of the faid Ship or Veffel fo in Diffrefs, as aforefaid, or for the faid Officer of the Customs, or Conftables on board the fame Ship or Veffel, to repell by Force any fuch Perfon or Perfons as fhall, without fuch Leave or Confent from the faid Commander or Superior Officer, or the faid Officer of the Customs, or his Deputy, or fuch Conftables, as aforefaid, prefs on board the faid Ship or Veffel fo in Diffrefs, as aforefaid, and thereby moleft them in the Prefervation of the faid Ship or Veffel fo in Diffrefs, as aforefaid.

or hindering the faving the Ship, to make double Satisfaction.

Masters may repel Prefers into the Ship.

IV. And it is hereby likewife enacted, That in cafe any Goods fhall be found upon any Perfon or Perfons, that were ftolen or carried off from any fuch Ship or Veffel fo in Diffrefs, as aforefaid, he, ſhe, or they, on whom fuch Goods fhall be found, fhall immediately, upon Demand, deliver the fame to the Owner thereof, or to fuch Perfon by fuch Owner authorized to receive the fame, or in Default thereof, fhall be liable to pay treble the Value of fuch Goods, to be recovered by fuch Owner in an Action at Law to be brought for the fame.

Goods carried off, to be immediately delivered up.

Penalty treble the Value.

V. And it is hereby moreover enacted, That if any Perfon or Perfons fhall make, or be affifting in the making any Hole in the Bottom, Side, or any other Part of any Ship or Veffel fo in Diffrefs, as aforefaid, or fhall ftal any Pump belonging to any Ship or Veffel fo in Diffrefs, as aforefaid, or fhall be aiding or abetting in the Stealing fuch Pump, as aforefaid, or fhall wilfully do any Thing tending to the immediate Lofs or Destruction of fuch Ship or Veffel, fuch Perfon or Perfons fhall be and are hereby made guilty of Felony, without any Benefit of his, her, or their Clergy.

Making Holes in the Ship, &c. Felony.

VI. And be it further enacted by the Authority aforefaid, That if any Action, Suit or Information, fhall be commenced or profecuted againft any Perfon or Perfons, for any Thing that he or they fhall do, or caufe to be done, in Purfuance of this Act, and executing any of the Powers and Authorities, or any of the Orders or Directions therein mentioned, all and every Perfon and Perfons fo fued in any Court whatsoever, fhall and may plead the General Issue, and give this Act and the fpecial Matter in Evidence; and if in any fuch Suit the Plaintiff or Profecutor fhall become nonfuit, or forbear Profecution, or difcontinue the Suit, or if a Verdict fhall pafs againft him, or Judgment be given againft him upon a Demurrer, then in any of the faid Cafes, the Defendant or Defendants fhall recover full Cofts, for which he and they fhall have the like Remedy as where Cofts by Law are awarded; and this Act fhall be taken and allowed in all Courts within this Kingdom as a publick Act, and all Judges and Juftices are hereby required to take Notice thereof as fuch without fpecial pleading of the fame.

General Issue.

Publick Act.

VII. Provided nevertheless, if any Officer of the Customs, or his Deputy fo impowered, as above, fhall, by Fraud or wilful Neglect, abufe the Truft fo hereby repofed in him, as aforefaid, and fhall be convicted thereof in due Form of Law, fuch Officer, or his Deputy, fhall refpectively forfeit treble Damages to the Party grieved, to be recovered in any Action or Suit to be brought in any Court of Record, and fhall from thenceforth be fully difabled and rendred incapable of the fame, or any other Employment relating to the faid Customs.

Custom-house Officer abufing his Truft, to forfeit treble Damages, and difabled.

VIII. And it is hereby further enacted, That this Act, and the feveral Claufes herein contained, fhall take Effect from and after the firft Day of *Auguft* in the Year of our Lord one thoufand feven hundred and fourteen; and that for the better obferving of the fame, this Act fhall be read four Times in the Year in all the Parifh Churches and Chapels of every Sea-Port Town, and upon the Sea-Coaft in this Kingdom, upon the *Sundays* next before *Michaemas-day*, *Christmas-day*, *Lady-day*, and *Midsummer-day* in the Morning, immediately after the Prayers, and before the Sermon.

Act to commence 1 Aug. 1714. and to be read four Times in the Year on Sundays in Sea-Port Towns.

IX. Provided always, and it is hereby enacted, That neither this Act, nor any Thing herein contained, fhall any Ways extend to deprive, or any Ways prejudice her Royal Majesty, her Heirs or Succelfors, or any claiming under them, or any of them, or any Patentee or Grantee of the Crown, or any Lord or Lords of any Manor or Manors, or other Perfon whatsoever, of or in relation to any Right which they, or any of them refpectively have, or fhall have, or lawfully may claim to any Wreck or Wrecks, or any Goods that are or fhall be Floatfam, Jetsam or Lagan, but that fuch refpective Rights fhall be enjoyed in as full, ample, and beneficial a Manner, in every Refpect, as if this Act had never been made.

Claims to Wreck faved.

X. Provided, That this Act fhall continue in Force for the Space of three Years, and from thence to the End of the next Seffion of Parliament, and no longer. [Made perpetual by 4 Geo. 1. c. 12.]

Continuation. See farther 11 Geo. 1. c. 29. and 26 Geo. 2. c. 19.

C A P. XIX.

An Act to explain a Clause in an Act of Parliament of the tenth Year of her Majesty's Reign, for laying several Duties upon all Sope and Paper made in *Great Britain*, or imported into the same; and upon chequered and striped Linens imported; and upon certain Silks, Callicoes, Linens and Stuffs, printed, painted or stained; and upon several Kinds of stampt Vellum, Parchment and Paper; and upon certain printed Pamphlets and Advertisements; for raising the Sum of eighteen hundred thousand Pounds by Way of a Lottery; and for other Purposes in the said Act mentioned, so far as the said Act relates to Lawns, Canvas, Buckrams, Barras, and *Silesia* Neckcloths.

20 Ann. c. 19.

WHEREAS in and by an Act passed in tenth Year of her present Majesty's Reign, intituled, *An Act for laying several Duties upon all Sope and Paper made in Great Britain, or imported into the same; and upon chequered and striped Linens imported; and upon certain Silks, Callicoes, Linens and Stuffs, printed, painted or stained; and upon several Kinds of stampt Vellum, Parchment and Paper; and upon certain printed Papers, Pamphlets and Advertisements; for raising the Sum of eighteen hundred thousand Pounds by Way of a Lottery, towards her Majesty's Supply; and for licensing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp-Duties by Licences for Marriages and otherwise; and for Relief of Persons who have not claimed their Lottery-Tickets in due Time, or have lost Exchequer-Bills, or Lottery-Tickets; and for borrowing Money upon Stock (Part of the Capital of the South Sea Company) for the Use of the Publick:* It was enacted, That there should be raised, levied, collected and paid, to and for the Use of her Majesty, her Heirs and Successors, for and upon all chequered and striped Linens, and upon all Linens printed, painted, stained or dyed, after the Manufacture, or in the Thread and Yarn before the Manufacture, in any Foreign Parts, which at any Time or Times, within or during the Term of thirty-two Years, to be reckoned from the twentieth Day of *July* one thousand seven hundred and twelve, should be imported or brought into the Kingdom of *Great Britain*, and might lawfully be used or worn there (over and above all other Customs, Subsidies and Duties imposed upon, or payable for the same) a Duty of fifteen Pounds for every one hundred Pounds of the true and real Value thereof, to be paid by the Importers respectively; and also, that all and every Printers, Painters, Stainers, Dyers, Drapers, Mercers, Upholders, Traders and Dealers respectively, having on the said twentieth Day of *July* one thousand seven hundred and twelve, in his, her or their Custody or Possession, or in the Custody or Possession of any other Person or Persons, for his, her, or their Use, Benefit or Account, any Stock or Quantity of such chequered or striped Linens, or of such printed, painted, stained or dyed Silks, Callicoes, Linens, or such Stuffs, as aforesaid, being for Sale, either Wholesale or Retail, should yield and pay to her Majesty for the same, so much Money as one Half-Part of the Rates and Duties by the said Act imposed on the like respective Commodities, after the Commencement of the said Act, should amount unto; the said Half-Part of the said Stocks to be paid within three Months after the said twentieth Day of *July* aforesaid; And whereas some Doubts have arisen whether Lawns, Linens striped or chequered, being all white, and Neckcloths having Stripes at the End only; as also Barras striped or chequered, and Buckrams are liable by the said Act to the above mentioned Duties; Be it enacted and declared by the Queen'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 Lawns, and striped or chequered Linens, being all white, and Neckcloths striped at the End only, and also Barras, or packing Canvas and Buckrams, were not charged, or intended to be charged by the said recited Act, upon the Importation thereof, with any of the Duties by the same Act granted; any Thing in the said recited Act contained to the contrary thereof notwithstanding.

Lawns, *Silesia* Neckcloths, Barras, Canvas, and Buckrams, not chargeable by 10 Ann. c. 19. § 66.

C A P. XX.

An Act to explain and make more effectual an Act passed in the tenth Year of her Majesty's Reign, for preventing Abuses in making Linen Cloth, and regulating the Lengths and Breadths, and equal Sorting of Yarn, in each Piece made in *Scotland*, and for whitening the same.

10 Ann. c. 21.

WHEREAS by an Act made in the tenth Year of her Majesty's Reign, intituled, *An Act to prevent Abuses in making Linen Cloth, and regulating the Lengths, Breadths, and equal Sorting of Yarn for each Piece made in Scotland, and for whitening the same;* and forasmuch as there was no Provision made in the said Act for regulating the Lengths, Breadths, and equal Sorting of Yarn for Dornick, or Towelling, or for Quarter-Pieces of white Linen Cloth; For Remedy whereof, Be it enacted by the Queen'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 Authority of the same, That from and after the first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and fourteen, all Sorts of Dornick, Towelling, or plain Linen Cloth made in *Scotland*, shall be made of well sorted Yarn for each Piece, and equally wrought, and equally fine, from the one End of the Piece to the other, and shall be

After 7 Aug. 1714. all Dornick, Towelling and plain Linen made in Scotland, shall be made of well sorted Yarn, &c.

be by the Standard Yard-wand, of the Lengths and Breadths following, That each Piece of broad, double or single Dornick Table-Cloths, shall be in Length twelve Yards and a Quarter, the Half Piece six Yards and one eighth, and shall be full two Yards in Breadth; and that each Piece of double or single Dornick for Naprie or Towelling, shall be full twenty-four Yards, and the Half Piece twelve Yards in Length, and shall be full three Quarters of a Yard, or full Half Yard in Breadth; and that each Quarter-piece of plain white Linen Cloth shall be full ten Yards in Length, and shall be full Yard, or full three Quarters of a Yard, or full Half an Yard in Breadth.

II. And be it further enacted, That every Person offending in any of the Matters aforesaid, contrary to Directions of this Act, do and shall for every such Offence forfeit and pay the Sum of five Shillings for every Yard of Cloth; and that the Offences aforesaid shall be examinable and determinable in such Manner, and the said Forfeitures and Penalties shall be sued for, levied and recovered, as the Penalty of five Shillings Sterling mentioned in the said former Act is directed to be examined and determined, sued for, levied and recovered.

Penalty 5 s. for every Yard; to be recovered as by 10 Ann. c. 21. Further Provisions concerning Linens, &c. 1 Geo. 1. c. 36. 3 Geo. 1. c. 7, & 21. 17 Geo. 2. c. 30. 18 Geo. 2. c. 24, 25, 27, & 36. 21 Geo. 2. c. 26. 29 Geo. 2. c. 15. 32 Geo. 2. c. 32.

C A P. XXI.

An Act to explain Part of an Act made in the seventh Year of her Majesty's Reign, (for enlarging the Capital Stock of the Bank of *England*, and for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and nine) so far as the same relates to unwrought Incle imported into this Kingdom.

WHEREAS by an Act made in the seventh Year of the Reign of her present Majesty, intituled, *An Act for enlarging the Capital Stock of the Bank of England, and for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and nine*, it is expressly enacted and provided, That all *European* Linens, Sisters Thread and Tapes, or Incles (among other Things) shall be exempted from the Payment of the Duties called the Two third Subsidies, for all Times to come during the Continuance of the same: And whereas some Doubts and Disputes have arisen between the Commissioners of her Majesty's Customs and the Merchants and other Importers of the said Tapes and Incles, by Means of the Uncertainty whether the Exception of the Tape or Incle, mentioned in the said Act, be only of Tapes that are wrought Incle, so that all wrought Incle is thereby exempted from the Payment of the aforesaid Duties, though manufactured abroad in Parts beyond the Seas, and unwrought Incle, which employ great Numbers of Poor in manufacturing the same, is construed to be liable to, and is charged with the said Duties, contrary to the true Intent and Meaning of the said Law, as appears evidently, in that the bringing in and importing wrought Incle, is prejudicial to *Great Britain*, and the poor Subjects and Manufacturers thereof; Be it therefore enacted and declared by the Queen'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 Provision and Exception in the said Act above mentioned, in relation to Tapes or Incles, shall extend and be construed to exempt *European* unwrought Incle, commonly called or known by the Name of Short Spinnal, as well as wrought Incle, from the Payment of the said Duties of the Two third Subsidies, which shall be entred at any of her Majesty's Custom-houses within the Kingdom of *Great Britain*, after the twentieth Day of *July* one thousand seven hundred and fourteen; any Law, Custom or Usage to the contrary hereof in any wise notwithstanding.

European unwrought Incle exempted from the Duties of the Two third Subsidies. See the References to the foregoing Chapter.

C A P. XXII.

An Act to continue an Act of the sixth Year of her Majesty's Reign, intituled, *An Act to enable her Majesty to make Leases and Copies of Offices, Lands and Hereditaments, Parcel of her Dutchy of Cornwall, or annexed to the same.* E X P.

C A P. XXIII.

An Act for reducing the Laws relating to Rogues, Vagabonds, Sturdy Beggars and Vagrants, into one Act of Parliament; and for the more effectual punishing such Rogues, Vagabonds, Sturdy Beggars and Vagrants, and sending them whither they ought to be sent.

Repealed 13 Geo. 2. c. 24. 17 Geo. 2. c. 5.

“ Who shall be deemed Rogues and Vagabonds. Constables, &c. may apprehend a Vagabond, and carry him before a Justice. Constable, &c. neglecting, to forfeit 10 s. to the Poor. Justice may order a Reward of 2 s. for apprehending a Vagabond, to be paid by the Constable where he passed unapprehended, on Penalty of 20 s. Justices to order a general Privy Search in the Night. Persons apprehended to be examined and sent by the Justices to their legal Settlement. Examination to be transmitted to the Sessions. If no legal Settlement can be found, he shall be sent to the Place of his Birth. If under the Age of 14, to the Abode of Father or Mother, or where last found begging, &c. Persons having a legal Settlement, found wandering, &c. may be whipped or sent to the House of Correction. How the Charges of conveying shall be born. Dangerous Rogues to be sent to the House of Correction or Gaol, till next Quarter-Sessions, who may order them to be whipt and kept at hard Labour. And any such Rogue escaping from Prison shall be guilty of Felony. Justice shall not make a Pass for conveying a Vagrant to the Place of his Birth, if he has any legal Settlement, on Forfeiture of 5 l. Persons apprehended refusing to

“ be examined, &c. may be punished as incorrigible Rogues. Justices to certify the Manner, Time, and
 “ Allowance for conveying, &c. Constable, &c. to convey the Person as directed by the Pass, and deliver
 “ him to the Constable, &c. of the Place whither sent, taking a Note of such Delivery; which the said
 “ Constable, &c. is required to give, and to apply to some Justice, who shall cause such Vagabond to be
 “ whipt, &c. and conveyed forward, &c. No Constable obliged to receive any Person, unless it appear
 “ he has been whipt, (except Women with Child, Soldiers, &c.) Justices in Quarter-Sessions to appoint
 “ Rates for conveying of Vagrants. Quarter-Sessions to cause such Sums to be raised as Monies for County
 “ Gaols or Bridges: To be paid to the chief Constables, who shall account for the same twice a Year.
 “ Chief Constable to pay petty Constable the Rates ascertained in the Certificate, and be allowed it on his
 “ Account. Counterfeiting, &c. any Certificate, forfeits 20 *l.* above the Sum taken. One Half to the
 “ Poor, the other to the Informer, to be levied by Distress. Justices may examine Constable, &c. on Oath,
 “ concerning the conveying, &c. Parish to which conveyed, shall employ such Person in Work. Refu-
 “ sing to work, he shall be sent to the House of Correction. Penalty on a Parish for suffering such Per-
 “ son to wander again. Person wandering again, to be sent to the House of Correction till next Sessions,
 “ and then to give Security for good Behaviour for one Year, or be deemed an incorrigible Rogue. Person
 “ found to have no Settlement, &c. shall be an Apprentice for seven Years, either here or in the Planta-
 “ tions. Master, &c. of such Person so bound and transported, to enter into a Recognizance, that he shall
 “ be employed in the Queen’s Plantations, &c. Persons aggrieved by Orders of Justices may appeal to the
 “ Quarter-Sessions, whose Determination shall be final. Constables, &c. to remove blind and lame Beg-
 “ gars, &c. and whip them if they refuse, or offend a second Time, on Penalty of 10 *s.* Duty of Justices
 “ in regard to Lunaticks. Not to extend to abridge the Queen’s Prerogative, or the Power of the Lord
 “ Chancellor. Master of a Ship bringing any Rogue, &c. into this Realm, from *Ireland*, the Plantations,
 “ &c. shall forfeit 5 *l.* &c. And the Person so brought over shall be sent back. Penalty on the Master of
 “ the Ship, how to be recovered. Master may traverse the Order of the Justices, giving 50 *l.* Security to
 “ answer the Costs, &c. Masters of Ships, &c. bound for *Ireland*, &c. to take Vagrants on board, and
 “ convey them to *Ireland*, &c. on Forfeiture of 5 *l.* Constable remiss in his Duty, and Persons disturbing,
 “ &c. the Execution of this Act, and rescuing, &c. any Person apprehended, shall for every Offence for-
 “ feit 20 *s.* to the Poor. The Acts 39 *Eliz.* c. 4. 1 *Jac.* 1. c. 7. and so much of 7 *Jac.* 1. c. 4. as relates
 “ to the Privy Search, repealed. Not to extend to prejudice the Heirs or Assigns of *John Dutton*, &c.”

Explained and
amended by

10 *Geo.* 2. c. 23. R E P.

END of the FOURTH VOLUME.





