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T H E

Statutes at Large,

Anno tricesimo quinto GEORGII III. Regis:

Being the FIFTH Session of the

Seventeenth Parliament of GREAT BRITAIN.

VOL. XL. PART I.

THE
Statutes at Large,

FROM

MAGNA CHARTA

To the END of the

Eleventh Parliament of GREAT BRITAIN,

Anno 1761.

CONTINUED.

By **DANBY PICKERING**, of Gray's-Inn, Esq.

Reader of the Law Lecture to that Honourable Society.

VOL. XL.

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A
T A B L E
O F T H E
S T A T U T E S
P U B L I C K and P R I V A T E,

Passed *anno tricesimo quinto*

GEORGI III. *Regis:*

Being the Fifth Session of the Seventeenth Parliament
of *Great Britain.*

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

Cap. 1. **F**OR continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and ninety-five.

Cap. 2. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and ninety-five.

Cap. 3. To continue, for a limited time, an act, made the last session of parliament, intituled, *An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.*

Cap. 4. For enabling his Majesty to prohibit the exportation, and permit the importation, of corn, and for allowing the importation of other articles of provision, for a limited time, without payment of duty.

Cap. 5. For raising a certain number of men, in the several counties in *England*, for the service of his Majesty's navy.

Cap. 6. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

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Cap. 7. For the regulation of his Majesty's marine forces while on shore.

Cap. 8. For authorising the company of proprietors of the *Grand Junction Canal* to vary the course of a certain part of the said canal, in the county of *Hertsford*, so as to render the navigation thereof more safe and convenient; and for making some other amendments and alterations in an act, made in the thirty-third year of the reign of his present Majesty, for making the said canal.

Cap. 9. For procuring a supply of men from the several ports of this kingdom, for the service of his Majesty's navy.

Cap. 10. For granting to his Majesty additional duties of excise on foreign wine and sweets.

Cap. 11. For granting to his Majesty additional duties of excise on worts, wash, and other liquors, made in *England*, for extracting spirits for home consumption; and for preventing distillers from making use of wheat or wheat flour in making wash for extracting spirits.

Cap. 12. For granting to his Majesty additional duties of excise on foreign spirits.

Cap. 13. For granting to his Majesty additional duties of excise on tea, coffee, and cocoa nuts.

Cap. 14. For raising the sum of eighteen millions by way of annuities.

Cap. 15. For rendering effectual his Majesty's orders in council of the sixteenth and twenty-first days of *January* one thousand seven hundred and ninety-five, respecting the admission of the effects mentioned in the said orders into the ports of this country, to be warehoused; and for indemnifying all persons who have acted in consequence of such orders.

Cap. 16. For applying certain sums of money, raised in the county of *Derby* by virtue of several acts of parliament made respecting the militia of this kingdom.

Cap. 17. For appointing commissioners to put in execution an act of this session of parliament, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and ninety-five*, together with those named in two former acts for appointing commissioners of the land tax.

Cap. 18. To repeal an act made in the last session of parliament, intituled, *An act to enable his Majesty to establish a court of criminal judicature in Norfolk Island*; and for better enabling his Majesty to establish such court in the said island.

Cap. 19. For rendering more effectual an act of the present session of parliament, intituled, *An act for raising a certain number of men, in the several counties in England, for the service of his Majesty's navy*.

Cap. 20. For granting certain duties of customs on the importation of fruit, sallad oil, waste silk, and timber, and on the exportation of *British* rock salt, and coal.

Cap. 21. For raising a certain sum of money, by loans or
exchequer

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exchequer bills, for the service of the year one thousand seven hundred and ninety-five.

Cap. 22. For raising a further sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and ninety-five.

Cap. 23 For granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the governor and company of the bank of *England*, to be by them placed to the account of the commissioners for the reduction of the national debt.

Cap. 24. Further to continue an act, made in the thirty-third year of his Majesty's reign, intituled, *An act for establishing regulations respecting aliens arriving in this kingdom, or resident therein, in certain cases.*

Cap. 25. For further continuing an act, made in the thirty-third year of the reign of his present Majesty, intituled, *An act for establishing courts of judicature in the island of Newfoundland, and the islands adjacent.*

Cap. 26. To continue the laws now in force for regulating the trade between the subjects of his Majesty's dominions and the inhabitants of the territories belonging to the united states of *America*, so far as the same relate to the trade and commerce carried on between this kingdom and the inhabitants of the countries belonging to the said united states.

Cap. 27. For altering, amending, and rendering more effectual, an act, made in the last session of parliament, intituled, *An act for amending so much of an act, passed in the thirteenth and fourteenth years of the reign of his late majesty King Charles the Second, intituled, 'An act for ordering the forces in the several counties of this kingdom,' as relates to the militia of the city of London; and for the better ordering the same.*

Cap. 28. To enable petty officers in the navy, and seamen, non-commissioned officers of marines, and marines, serving in his Majesty's navy, to allot part of their pay for the maintenance of their wives and families.

Cap. 29. For raising a certain number of men, in the several counties, stewartries, royal burghs, and towns, in that part of *Great Britain* called *Scotland*, for the service of his Majesty's navy.

Cap. 30. For granting to his Majesty several additional duties on stamped vellum, parchment, and paper; and for repealing a certain exception as far as relates to bonds given as security for the payment of one hundred pounds or under, contained in an act of the twenty-third year of his present Majesty's reign.

Cap. 31. For extending the provisions of an act, made in the thirty-fourth year of the reign of his present Majesty, to cutters, luggers, shallops, wherries, smacks, or yawls, of any built whatever; for amending an act, made in the twenty-eighth year of the reign of his present Majesty, more effectually to secure the performance of quarantine, and for amending several laws relative to the revenue of customs; for amending an act,

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made in the thirty-third year of the reign of his present Majesty, intituled, *An act for the relief of the captors of prizes, with respect to the bringing and landing certain prize goods in this kingdom*; and for authorising the commissioners of excise at *Edinburgh* to grant licences to manufacturers and dealers in tobacco and snuff, within the limits of the chief office of excise at *Edinburgh*.

Cap. 32. For granting annuities to satisfy certain navy and victualling bills.

Cap. 33. For defraying the charge of the pay and cloathing of the militia, in that part of *Great Britain* called *England*, for one year, beginning the twenty-fifth day of *March* one thousand seven hundred and ninety-five.

Cap. 34. For enabling the magistrates, in the several counties in *Great Britain*, to raise and levy, under certain regulations, such able-bodied and idle persons as shall be found within the said counties, to serve in his Majesty's navy.

Cap. 35. For making allowances, in certain cases, to subaltern officers of the militia, in time of peace.

Cap. 36. For granting to his Majesty a certain sum of money, to be raised by a lottery.

Cap. 37. For enabling his Majesty to raise the sum of two millions five hundred thousand pounds for the uses and purposes therein mentioned.

Cap. 38. To continue several laws relating to the granting a bounty on certain species of *British* and *Irish* linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax; to the discontinuing the duties payable on the importation of tallow, hogs lard, and grease; and to the prohibiting the importation of foreign wrought silks and velvets; and for making perpetual an act, made in the twenty-fifth year of the reign of his present Majesty, to prohibit the exportation of tools and utensils made use of in the iron and steel manufactures of this kingdom; and to prevent the seducing of artificers or workmen employed in those manufactures to go into parts beyond the seas.

Cap. 39. For allowing a drawback of the duties upon coals used in carrying on the *Pennygored* works, in the county of *Pembroke*.

Cap. 40. To enable his Majesty to grant to the right honourable *John* earl of *Upper Ossory* in the kingdom of *Ireland*, baron *Upper Ossory*, of *Amptill*, in the county of *Bedford*, his heirs and assigns, in fee simple, all the estate, right, title, and interest, remaining in his Majesty, in and upon the haye or walk of *Farming Woods*, in the forest of *Rockingham*, in the county of *Northampton*, and also the reversion of certain offices, rents, and other hereditaments in the said county of *Northampton*, to which the said earl of *Upper Ossory* is entitled for three lives, under a grant from his present Majesty, upon a full and adequate consideration to be paid for the same.

Cap. 41. To continue the term, and alter and enlarge the powers, of an act, made in the thirteenth year of the reign of his

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his present Majesty, intituled, *An act for deepening, cleansing, and making more commodious, the harbour of Aberdeen; for erecting new piers and quays therein; and for regulating ships and vessels trading into, and going out of, the said harbour.*

Cap. 42. For enlarging the term and powers of three several acts, made in the sixth year of the reign of his majesty King George the First, in the seventh year of the reign of his late Majesty, and in the ninth year of the reign of his present Majesty, for laying a duty of two pennies *Scots*, or one sixth part of a penny sterling, upon every pint of ale or beer, vended or sold within the town of *Montrose* and privileges thereof, for supplying the said town with fresh water, and for other purposes therein mentioned.

Cap. 43. For making a navigable cut from the *Grand Junction Canal*, in the precinct of *Norwood*, in the county of *Middlesex*, to *Paddington*, in the said county.

Cap. 44. To enable the most noble *Francis* duke of *Bridgewater* to make a navigable cut from his present navigation in the township of *Worsley*, in the county palatine of *Lancaster*, to the township of *Pennington*, near the town of *Leigh*, in the said county.

Cap. 45. To explain, amend, and render more effectual an act, made and passed in the thirty-first year of the reign of his present Majesty, intituled, *An act for paving, lighting, watching, cleansing, watering, repairing, and keeping in repair, Finsbury Square, in the parish of Saint Luke, in the county of Middlesex, and part of the manor of Finsbury, and certain other streets and places communicating with or near to the said square; and for preventing or removing nuisances and annoyances within the same.*

Cap. 46. For laying out and making a new street from *Whitefriar Gate* to the south end of *Quay Street*, within the town and county of the town of *Kingston-upon-Hull*,

Cap. 47. For taking down the chapel of the chapelry of *Haydon*, in the parish of *Warden*, in the county of *Northumberland*, and for building a new chapel, in a convenient situation, within the said chapelry.

Cap. 48. For amending two acts of the thirtieth year of King George the Second, and the thirty-second year of his present Majesty, so far as relates to the draining and preserving certain fen lands and low grounds, within the township or hamlet of *March*, in the isle of *Ely*, and county of *Cambridge*.

Cap. 49. For granting to his Majesty a duty on certificates issued for using hair powder.

Cap. 50. To indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or

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misfold, and for allowing them time to provide admissions duly stamped; to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors; for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time limited by law, and for allowing further time for that purpose; and for giving further time to such persons as have omitted to pay the duties on the indentures and contracts of clerks, apprentices, or servants.

Cap. 51. For making and maintaining a navigable canal from the town and county of the town of *Southampton* to the city of *New Sarum* in the county of *Wilts*, with a collateral branch to *Northam* within the liberties of the town of *Southampton*.

Cap. 52. For making and maintaining a navigable canal from the river *Thames* or *Isis*, at or near the town of *Abingdon*, in the county of *Berks*, to join or communicate with the *Kennet* and *Avon* canal, at or near the town of *Trowbridge*, in the county of *Wilts*; and also certain navigable cuts therein described.

Cap. 53. For further regulating the sending and receiving letters free from the duty of postage; for allowing non-commissioned officers, seamen, and private men, in the navy and army, whilst on service, to send and receive letters at a low rate of postage; and for permitting patterns and samples of goods to be transmitted by the post at an easier rate than is now allowed by law.

Cap. 54. For the encouragement of the mackerel fishery.

Cap. 55. For granting to his Majesty certain additional duties on receipts.

Cap. 56. To continue and amend an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, *An act for the more effectual encouragement of the British fisheries*.

Cap. 57. To indemnify governors, lieutenant governors, and persons acting as such, in the *West India* islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms.

Cap. 58. For requiring all boats, barges, and other vessels, of certain descriptions, used on navigable rivers, and on inland navigations, in *Great Britain*, to be registered.

Cap. 59. For granting to his Majesty additional duties on distilleries in *Scotland*, and on the exportation of *British-made* spirits from *England* to *Scotland*, and from *Scotland* to *England*; and to amend an act, made in the thirty-third year of the reign of his present Majesty, intituled, *An act for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England, for a limited time*.

Cap. 60. For applying certain sums of money raised in the county of *Stafford* by virtue of several acts of parliament made respecting the militia of this kingdom,

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Cap. 61. For repealing an act passed in the twelfth year of the reign of his present Majesty, intituled, *An act for the more effectual assessing and collecting of the rates for the relief of the poor in the parish of Saint Botolph, Bithopgate, in the liberties of the city of London*; for providing a workhouse for the reception of the poor of the said parish; and for the employment, maintenance, and regulation, of the said poor therein.

Cap. 62. To enable his Majesty's postmaster general to open and return certain letters contained in the mails, made up at the general post office in *London*, for the *United Provinces*, on the thirteenth, sixteenth, and twentieth days of *January* one thousand seven hundred and ninety-five, and now remaining in the said general post office.

Cap. 63. For granting to his Majesty certain stamp duties on sea insurances.

Cap. 64. For increasing the rates of subsistence to be paid to innkeepers, and others, on quartering soldiers, for a limited time.

Cap. 65. To prevent unnecessary delay in the execution of writs for the election of members to serve in parliament for that part of *Great Britain* called *Scotland*.

Cap. 66. For making part of certain principal sums, or stock and annuities, raised or created, or to be raised or created, by the parliament of the kingdom of *Ireland*, on loans for the use of the government of that kingdom, transferrable, and the dividends on such stock and annuities payable, at the bank of *England*; and for the better security of the proprietors of such stocks and annuities, and of the governor and company of the bank of *England*.

Cap. 67. For rendering more effectual an act, passed in the first year of the reign of King *James* the First, intituled, *An act to restrain all persons from marriage until their former wives and former husbands be dead*.

Cap. 68. For vesting, for a certain term of years, in the right honourable *Henry Seymour Conway*, his executors, administrators, and assigns, the sole property of a kiln or oven, by him invented, for burning lime, and for the use of distillers and brewers, and for other beneficial purposes.

Cap. 69. For repealing so much of an act, made in the twenty-fourth year of the reign of his present Majesty, intituled, *An act to enable his Majesty to grant to the heirs of the former proprietors, upon certain terms and conditions, the forfeited estates in Scotland, which were put under the management of a board of trustees by an act, passed in the twenty-fifth year of the reign of his late majesty King George the Second, and to repeal the said act*, as relates to the amount of the debt charged upon the lands and estate which became forfeited by the attainder of *Evan Macpherson*, late of *Cluny*.

Cap. 70. For amending an act, passed in the thirtieth year of the reign of his present Majesty, intituled, *An act for taking down the church and tower belonging to the parish of Saint John at*

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Hackney, in the county of Middlesex; and for building another church and tower for the use of the said parish; and for making an additional cemetery or church yard; and for raising a further sum of money for completing the said church, and other works.

Cap. 71. For building a new church or chapel in the town of *Halifax*, in the west riding of the county of *York*.

Cap. 72. For making a navigable cut from the *Stratford-upon-Avon* canal, in the parish of *Lapworth*, into the *Warwick* and *Birmingham* canal, in the manor of *Kingswood*, in the county of *Warwick*.

Cap. 73. For repealing several acts, made in the eighth, tenth, thirteenth, and fifteenth years of the reign of his present Majesty, for regulating the nightly watch and beadles, and for paving, repairing, cleansing, and lighting, the parish of *Saint Mary-le-Bone*, in the county of *Middlesex*, and for the better relief and maintenance of the poor thereof, and for divers other purposes therein mentioned; and for making more effectual provision for those purposes.

Cap. 74. For keeping in repair the footways in the high street of the town of *Kensington*, in the county of *Middlesex*, and for lighting and watching the said street, and also certain courts and alleys communicating therewith, and for removing and preventing encroachments, nuisances, and annoyances therein.

Cap. 75. For paving the footways, and for cleansing, lighting, watching, and regulating, the streets, lanes, passages, and places, within the borough of *Wallingford*, in the county of *Berks*, and for removing and preventing nuisances, annoyances, encroachments, and obstructions therein.

Cap. 76. For the better paving, lighting, cleansing, and otherwise improving, the streets, lanes, and other publick passages, of the city of *Aberdeen*, and the roads and avenues within the royalty thereof; for the better supplying the inhabitants with fresh water, and for the removing and preventing all obstructions and annoyances within the said city and royalty.

Cap. 77. For improving the drainage of the middle and south levels, part of the great level of the fens, called *Bedford Level*, and the low lands adjoining or near to the said levels; as also the lands adjoining or near to the river *Ouze*, in the county of *Norfolk*, draining through the same to sea, by the harbour of *King's Lynn*, in the said county; and for altering and improving the navigation of the said river *Ouze*, from or near a place called *Eau Brink*, in the parish of *Wiggenhall Saint Mary*, in the said county, to the said harbour of *King's Lynn*; and for improving and preserving the navigation of the several rivers communicating with the said river *Ouze*.

Cap. 78. For building a bridge over the river *Severn*, at *Bewdley*, in the county of *Worcester*, and for opening convenient avenues thereto.

Cap. 79. For amending an act, passed in the twenty-first year of the reign of his present Majesty, intituled, *An act for building a bridge over the river Thames, at the town of Henley-upon-*

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upon-Thames, in the county of Oxford, and making commodious avenues thereto, for widening some part of the high street and the market place, for lighting and watching, for regulating the footways in, and removing nuisances, obstructions, and annoyances from, the said town, so far as the same relates to widening some part of the high street and market place, for lighting and watching, for regulating the footways in, and removing nuisances, obstructions, and annoyances from, the said town.

Cap. 80. To make further provision respecting ships and effects come into this kingdom to take the benefit of his Majesty's orders in council, of the sixteenth and twenty-first days of *January* one thousand seven hundred and ninety-five, and to provide for the disposal of other ships and effects detained in, or brought into, the ports of this kingdom.

Cap. 81. To apportion the relief, by the several statutes now in force, directed to be given to the families of non-commissioned officers, drummers, suters, and privates, serving in the militia, between the county at large, and the peculiar districts therein not contributing to the county rate, according to the number of men serving for each in such militia; and to remove certain difficulties in respect to the relief of families of substitutes, hired men, or volunteers, serving in the militia.

Cap. 82. For inclosing, dividing, allotting, draining, embanking, and improving, the open and common fields, meadows, pastures, commons, wastes, and other uninclosed grounds, within the township of *Gainsburgh*, in the parish of *Gainsburgh*, in the county of *Lincoln*; and also for making a compensation for the tythes arising within the said township, and within the lordship of *Tbenock*, in the said parish.

Cap. 83. For augmenting the royal corps of artillery, and providing seafaring men for the service of the navy, out of the private men now serving in the militia; and to amend an act, passed in the twenty-sixth year of his present Majesty, intituled, *An act for amending, and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England.*

Cap. 84. For continuing several acts, passed for the better regulation of lastage and ballastage in the river *Thames*.

Cap. 85. For making and extending a navigable cut from the town of *Watford*, in the county of *Hertford*, to the town of *Saint Alban*, in the same county.

Cap. 86. To explain, amend, and render more effectual, the several acts, of the sixteenth and seventeenth of King *Charles the Second*, and of the seventh of his present Majesty, relating to the navigation of the river *Itchin*, in the county of *Southampton*, and for improving the navigation thereof, and for ascertaining the rates of carriage, riverage, and wharfage, payable thereon.

Cap. 87. For making and maintaining a navigable canal from and out of the navigation from the *Trent* to the *Mersey*, at or near *Stoke-upon-Trent*, in the county of *Stafford*, to the town of *Newcastle-under-Lyme*, in the said county.

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Cap. 88. To remedy certain omissions in an act, passed in the last session of parliament, intituled, *An act for the discharge of certain insolvent debtors.*

Cap. 89. For making perpetual an act made in the thirtieth year of the reign of his present Majesty, to discontinue the payment of the duties in *Scotland* upon low wines and spirits, and upon worts, wash, and other liquors, there used in the distillation of spirits; and for regulating the exportation of *British*-made spirits from *England* to *Scotland*, and from *Scotland* to *England*; to continue so much of an act, made in the thirty-third year of the reign of his present Majesty, as permits sir *William Bishop*, *George Bishop*, and *Argles Bishop*, to carry on the manufacture of *Maidstone* geneva; and to make perpetual the duties granted by an act, made in the twenty-seventh year of the reign of his present Majesty, upon worts, wash, and other liquors, for extracting spirits for home consumption.

Cap. 90. For regulating the shipping and carrying slaves in *British* vessels from the coast of *Africa*.

Cap. 91. To amend an act, made in the twenty-ninth year of the reign of his present Majesty, for the better regulation of hawkers, pedlars, and petty chapmen; and for repealing so much of the said act as restrains them from selling goods, wares, or merchandize, within a certain distance from any city or market town.

Cap. 92. For further encouraging and regulating the southern whale fisheries.

Cap. 93. For guaranteeing the payment of the dividends on a loan of four millions six hundred thousand pounds to the emperor of *Germany*.

Cap. 94. For establishing a more easy and expeditious method for the punctual and frequent payment of the wages and pay of certain officers belonging to his Majesty's navy.

Cap. 95. To enable boatswains, gunners, and carpenters, serving in his Majesty's navy, to allot part of their wages or pay for the maintenance of their wives and families.

Cap. 96. For the relief of persons detained in gaol for want of bail, in certain cases relating to the publick revenue.

Cap. 97. To declare that hides and skins, tanned by a new method, shall be deemed tanned hides and skins within the meaning of the acts relating to the duties of excise on hides and skins tanned in *Great Britain*.

Cap. 98. For allowing further time for the payment of the drawback on *China* ware, imported by the *East India* company before the first day of *April* one thousand seven hundred and ninety-five.

Cap. 99. For allowing further time for inrollment of deeds and wills made by papists, and for relief of protestant purchasers.

Cap. 100. For permitting the importation of organzined thrown silk, flax, and flax seed, into this kingdom, in ships or vessels belonging to any kingdom or state in amity with his Majesty, for a limited time.

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Cap. 101. To prevent the removal of poor persons, until they shall become actually chargeable.

Cap. 102. For the more effectual prevention of the use of defective weights, and of false and unequal balances.

Cap. 103. To enable his Majesty to grant the inheritance of certain lands or grounds situate at or near *Painsbill*, in the several parishes of *Cobham*, *Walton*, and *Wisley*, in the county of *Surrey*, to *George Chamberlaine* esq. *George Bond* esq. one of his Majesty's serjeants at law, and *sir Samuel Hayes* baronet, of the kingdom of *Ireland*, upon the trusts declared by the will of *Benjamin Bond Hopkins* esq. deceased, of and concerning his estate at *Painsbill* aforesaid.

Cap. 104. For enabling the mayor and commonalty and citizens of the city of *London*, governors of the possessions, revenues, and goods, of the hospitals of *Edward King of England*, the Sixth, of *Christ*, *Bridewell*, and *Saint Thomas the Apostle*, and other the governors of *Christ's Hospital*, to purchase houses and ground for enlarging *Christ's Hospitals* in *London*, and at *Hertford*, and erecting additional buildings thereto, and for other purposes.

Cap. 105. For improving and supporting the navigation of the river *Ivel*, otherwise *Yeo*, from the town of *Iwelchester* to *Bicknell Bridge*, in the parish of *Huish Episcopi*, in the county of *Somerset*, and for making a navigable cut from thence into a certain drain, called *Portlake Rhine*, in the parish of *Langport*, in the same county, and for making the said drain navigable from thence to the river *Parrett*, below *Great Bow Bridge*, in the town of *Langport*.

Cap. 106. For amending and rendering more effectual an act, passed in the twenty-eighth year of the reign of his present Majesty, intituled, *An act to explain, amend, and enlarge, the powers of so much of two acts, passed in the eleventh and fifteenth years of the reign of his present Majesty, for improving and completing the navigation of the rivers Thames and Isis, from the city of London to the town of Cricklade, in the county of Wilts, as relates to the navigation of the said rivers, from the boundary of the jurisdiction of the city of London, near Staines, in the county of Middlesex, to the said town of Cricklade*; and for extending and enlarging the powers of the said several acts, passed in the eleventh and fifteenth years of the reign of his said present Majesty, so far as the same relate to the improving and completing of the navigation of the said rivers, from the jurisdiction of the city of *London*, near *Staines*, in the county of *Middlesex*, to the town of *Cricklade*, in the county of *Wilts*.

Cap. 107. For dividing, allotting, inclosing, draining, and improving, the commons and waste grounds within the several parishes of *Hepworth*, *Haxey*, *Belton*, and *Owston*, in the isle of *Axholme*, in the county of *Lincoln*, and also for making a compensation for the tythes arising from the said commons, and from certain other lands within the said parishes.

Cap. 108. For amending an act, passed in the thirteenth year of the reign of his present Majesty, intituled, *An act for building a bridge*

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a bridge across the river Severn, near Redstone, in the county of Worcester, and for making proper avenues and roads to and from the same, and for making satisfaction to the proprietors of a ferry across the said river at Redstone, aforesaid, and for enabling the trustees for executing the said act to rebuild the said bridge.

Cap. 109. For repealing so much of an act of parliament, passed in the twenty-ninth year of the reign of his present Majesty, intituled, *An act for granting to his Majesty several additional rates and duties upon horses, and carriages with four wheels; and for explaining and amending an act, passed in the twenty-fifth year of his present Majesty, as far as relates to certain carriages with two or three wheels therein mentioned, as relates to the additional duties upon coaches with four wheels, used as stage coaches; and for reducing the duties upon carriages with less than four wheels, mostly used in the affairs of husbandry, or for the purposes of trade.*

Cap. 110. To amend an act, made in the thirty-second year of the reign of his present Majesty, intituled, *An act for regulating the allowance of the drawback and payment of the bounty on the exportation of sugar; and for permitting the importation of sugar and coffee into the Bahama and Bermuda islands, in foreign ships; and for reducing the bounty on refined sugars exported in any other than British ships.*

Cap. 111. For more effectually carrying into execution an act made in the thirty-third year of the reign of his present Majesty, intituled, *An act for the encouragement and relief of friendly societies, and for extending so much of the powers thereof as relates to the framing rules and regulations for the better management of the funds of such societies, and the appointment of treasurers to other institutions of a charitable nature.*

Cap. 112. For allowing further time for persons to take out certificates for using or wearing hair powder, in pursuance of an act of this present session of parliament, intituled, *An act for granting to his Majesty a duty on certificates issued for using hair powder; and also further time for the admeasurement and registering of boats, barges, and other vessels, in pursuance of another act of the same session, intituled, An act for requiring all boats, barges, and other vessels, of certain descriptions, used on navigable rivers, and on inland navigations, in Great Britain, to be registered.*

Cap. 113. For the more effectual prevention of selling ale, and other liquors, by persons not duly licensed.

Cap. 114. For better securing the duties on glafs.

Cap. 115. For allowing, for a limited time, the importation of goods from *India* and *China*, and other parts within the limits of the exclusive trade of the *East India* company, in ships not of *British*-built, nor registered as such, and for the exportation of goods from *Great Britain* by the same ships, under certain restrictions.

Cap. 116. To remove doubts arising from the construction of certain acts of this session of parliament, respecting the duties

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of excise thereby granted on wash, coffee, cocoa nuts, foreign spirits, wines, and sweets.

Cap. 117. For allowing the importation of rape seed, and other seeds used for extracting oil, from any country whatever, whenever the prices of middling *British* rape seed shall be above a certain limit.

Cap. 118. For charging warehouse rent on wines, in certain cases, secured in his Majesty's warehouses; for equalizing the duties on wines exported to *India* and *China*; and for providing warehouses for coffee and cocoa nuts imported into this kingdom.

Cap. 119. To prohibit, for a limited time, the making of low wines or spirits from wheat, barley, malt, or any other sort of grain, or from any meal, flour, or bran; and for permitting home-made spirits, deposited in the warehouses for exportation, to be taken out for home consumption, on payment of duty.

Cap. 120. For granting to his Majesty a certain sum of money out of the consolidated fund, for the service of the year one thousand seven hundred and ninety-five; and for further appropriating the supplies granted in this session of parliament.

Cap. 121. To explain and amend an act, made in the twentieth year of the reign of his present Majesty, intituled, *An act to amend an act made in the last session of parliament, intituled, 'An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy, and for making further provisions for those purposes*; and also an act, made in the twenty-first year of the reign of his present Majesty, intituled, *An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy*; and for the better encouragement of seamen for his Majesty's navy.

Cap. 122. To enable his Majesty, under certain regulations, to erect independent burghs of barony, in that part of *Great Britain* called *Scotland*; and for removing certain difficulties as to the granting of leases in towns and villages on the fishing coasts of that kingdom.

Cap. 123. For the more easy and expeditious recovery of small debts, and determining small causes arising out of personal contract or obligation, in that part of *Great Britain* called *Scotland*.

Cap. 124. To enable woolcombers to exercise trades in any town or place in *Great Britain*.

Cap. 125. For preventing the accumulation of debts by any future heir apparent of the crown; and for regulating the mode of expenditure, from the time when a separate establishment shall be made for such future heir apparent.

Cap. 126. For widening and improving the entrance into the city of *London* near *Temple Bar*, for making a more commodious street or passage at *Snow Hill*, and for raising, on the credit of the orphans fund, a sum of money for those purposes.

Cap. 127. For enabling his Majesty to direct the issue of exchequer bills to a limited amount, for the purposes, and in the manner therein mentioned.

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Cap. 128. For allowing a further annuity to the subscribers to the sum of eighteen millions, authorised to be raised for the service of the year one thousand seven hundred and ninety-five.

Cap. 129. For enabling his Majesty to settle an annuity on his royal highness the Prince of *Wales*, during the joint lives of his Majesty and of his said royal highness; for making provision, out of his revenues, for the payment of any debts that may be due from his royal highness; for preventing the accumulation of debts in future; and for regulating the mode of expenditure of the said revenues.

Cap. 130. For the better enabling his Majesty to make provision for a ture and certain jointure for her royal highness the Princess of *Wales*, for the term of her life.

Cap. 131. For repairing the common sewer in *New Bridge-street Black Friars*, in the city of *London*, or making a new sewer instead of the defective part or parts thereof, and for maintaining and cleansing the same.

PUBLICK ACTS not printed in this COLLECTION.

Cap. 132. For continuing an act of the fifteenth year of his present Majesty, for amending and widening the road leading from *Yarmouth Bridge*, through the hamlet of *South Town*, otherwise *Little Yarmouth*, to *Gorleston*, in the county of *Suffolk*.

Cap. 133. To amend and render effectual so much of an act, of the twenty-eighth year of his present Majesty, as relates to improving the entrance into the city of *Worcester*, from the *London* and *Upton* roads.

Cap. 134. To continue the term, and enlarge the powers of, two acts, made in the seventh and thirty-first years of the reign of his present Majesty, for repairing the highways from that part of *Counter's Bridge* which lies in the parish of *Kensington*, in the county of *Middlesex*, leading through the towns of *Brentford* and *Hounslow*, to the powder mills, in the road to *Staines*; and to *Cranford Bridge*, in the said county, in the road to *Colnbrook*; and for repairing, turning, or altering, the highway leading from the said road, at or near the end of *Sion Lane*, to the town of *Isleworth*, in the said county, and from thence to a gate on the south side of *Teddington Field*; and also the highway leading out of the said great road, near *Smallberry Green* turnpike, to a house known by the sign of *The George*, in the town of *Isleworth* aforesaid; and for lighting and watering part of the said highways.

Cap. 135. For continuing the term, and altering and enlarging the powers of certain acts for repairing several roads in the west riding of the county of *York*, so far as relates to the road from *Keighley* to *Bradford*.

Cap. 136. For repairing and widening the road from *Horseley Upright Gate*, leading from *Bowden Hill*, in the county of *Wilts*, to the top of *Kingsdown Hill*, in the parish of *Box*, in the said county, and several other roads near or adjoining thereto.

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Cap. 137. For making and maintaining a turnpike road from *Mumps Brook*, within *Oldham*, in the county palatine of *Lancaster*, to *Ripponden*, in the west riding of the county of *York*, and a branch therefrom, at or near *Denshaw*, to or near to *Brownbill*, and another branch therefrom, at or near *Grains*, to *Delph*, all within *Saddleworth*, in the said riding.

Cap. 138. For repairing and widening the road from *Preston Candover* to *Basingstoke*, in the county of *Southampton*, and from thence to *Alton*, in the said county.

Cap. 139. For continuing the term, and altering, enlarging, and consolidating the powers of two acts of parliament, passed in the twenty-fourth and twenty-ninth years of the reign of his late majesty King *George the Second*, for repairing the high roads from *Darlington* to *West Auckland*, in the county of *Durham*, and several other roads in the same county, therein mentioned.

Cap. 140. For enlarging the term and powers of several acts, passed in the thirteenth year of the reign of King *George the First*, and the fifteenth and thirty-first years of the reign of his late majesty King *George the Second*, for repairing the road from *Cirencester* to *Saint John's Bridge*, in the county of *Gloucester*, and certain other roads therein mentioned.

Cap. 141. To enlarge the term and powers of two several acts, passed in the twentieth year of the reign of his late majesty King *George the Second*, and in the tenth year of the reign of his present Majesty, for repairing the road from *Cirencester*, in the county of *Gloucester*, to *Birdlip Hill*, in the said county.

Cap. 142. For more effectually repairing the road from *Hyde Park Corner* to *Counter's Bridge*, and certain other roads in the county of *Middlesex*, and for other purposes therein mentioned.

Cap. 143. For enlarging the term and powers of an act, of the nineteenth year of his present Majesty, for amending, widening, and keeping in repair, the roads leading from *Ludlowfach*, in the county of *Carmarthen*, to the town of *Llandoverly*, and from thence, through the town of *Llangadock*, to the river *Amman*, and several other roads communicating therewith.

Cap. 144. To continue the term, and alter and enlarge the powers, of so much of an act, made in the twenty-ninth year of the reign of his present Majesty, intituled, *An act for amending, widening, turning, varying, altering, and keeping in repair, the road from a certain dwelling house in Bury, now or late in the occupation of William Walker, gentleman, to Haslingden, and from thence to the east end of Salford Bridge, in Blackburn; and also the road from Haslingden aforesaid, to the east end of Cockshut Bridge, in the town of Walley; and also the road from Haslingden aforesaid, through New Church and Bacup, to Todmorden; and for making a road from the said road between Bury and Haslingden, in the township of Walmersley, to the river Irwell, and for building a bridge over the said river, all in the county palatine of Lancaster*, as relates to the first district of road therein mentioned.

Cap. 145. For continuing the term and altering and enlarging the powers of an act of the nineteenth year of his present Ma-

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Majesty, for more effectually repairing, widening, and amending, the roads from Wigan to Preston, in the county palatine of Lancaster.

Cap. 146. For amending, improving, and keeping in repair, the road from the town of *Burnley*, in the county palatine of *Lancaster*, to the turnpike road leading from *Bury* to *Hastlingden*, at or near *Edensfield Chapel*, in the township of *Tottington Higher End*, in the same county.

Cap. 147. For amending, improving, and keeping in repair, the road leading from the hamlet of *Highbate*, in the county of *Middlesex*, through a certain lane called *Maiden Lane*, in the parish of *Saint Mary, Islington*, to a certain place called *Battle Bridge*, in the same county, and the several other highways and foot paths in the said parish of *Saint Mary, Islington*, (which are not included in any turnpike acts), and to enable the inhabitants of the said parish to raise money for that and other the purposes therein mentioned.

Cap. 148. For repairing, widening, and altering, the road leading from *The Way Post*, at the north-east end of the town of *Bedford*, in the county of *Bedford*, to the north-east end of a lane, in the parish of *Kimbolton*, in the county of *Huntingdon*, called *The Park Lane*.

Cap. 149. For amending, widening, altering, improving, and keeping in repair, the road leading out of the turnpike road between *Aylesbury* and *Wendover*, through *Princes Risborough*, to *West Wycombe*, in the county of *Buckingham*.

Cap. 150. To continue, extend, and enlarge, the term and powers of an act, passed in the thirty-second year of the reign of his present Majesty, for making, amending, widening, and keeping in repair, the roads from the new bridge over the water of *Almond*, on the confines of the counties of *Edinburgh* and *Linlithgow*, by *Bathgate*, to *Baillieston*, in the county of *Lanerk*, and certain branches of road from the said line of road, and for the other purposes mentioned in the said act.

Cap. 151. For continuing the term, and altering and enlarging the powers, of two acts of parliament, passed in the twenty-sixth year of the reign of King *George the Second*, and in the seventeenth year of the reign of his present Majesty, for repairing and widening the road from *Kighley* to *Halifax*, in the west riding of the county of *York*, and several other roads therein respectively described, so far as the said act relate to the road from *Kighley* to *Halifax* aforesaid.

Cap. 152. For repairing, altering, and improving the road leading from the great north road, in the town of *Stamford* and county of *Lincoln*, through the town of *Oakham*, to the great north road aforesaid, at or near a house called *The Cross Guns*, in the parish of *Greetham* and county of *Rutland*.

Cap. 153. For amending, widening, and keeping in repair, the road leading from *Towcester* to the turnpike road in *Cotton End*, in the parish of *Hardingston*, in the county of *Northampton*.

Cap. 154. To enlarge the term and powers of two acts, passed in the twenty-ninth year of the reign of his late Majesty King

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King *George* the Second, and in the sixteenth year of the reign of his present Majesty, for repairing and widening the road from The White Stoop, near the north end of the town of Derby, through the towns of Duffield and Chesterfield, in the county of Derby, to the town of Sheffield, in the county of York, and from the said town of Duffield to The Moot Hall, in the town of Worksworth, in the said county of Derby.

Cap. 155. For enlarging the term and powers of an act, passed in the twenty-sixth year of the reign of his late majesty King *George* the Second, for repairing several roads leading into the city of *Glasgow*, and of another act, passed in the twenty-seventh year of the reign of his said late Majesty, to explain, amend, and render more effectual, the said act, and of another act, passed in the sixth year of the reign of his present Majesty, to enlarge the term and powers of an act, made in the twenty-sixth year of the reign of King *George* the Second, for repairing several roads leading into the city of *Glasgow*, so far as the same relates to the district of roads from *Inchbelly Bridge* to *Glasgow*, and from *Glasgow* to *Redburn Bridge*; and for altering and ascertaining the course of the last mentioned district of road, so far as the same relate to the said road from *Inchbelly Bridge* to *Glasgow*; and for more effectually making, repairing, widening, and keeping in repair, the said road, and the road branching from the aforesaid road from *Inchbelly Bridge* to *Glasgow*, and leading to *Calder Bridge*, and from thence, by or near *Balmore*, to or near the church of *New Kilpatrick*, and from thence, by or near *Lawmuir*, to the town of *Old Kilpatrick*, beginning at the bridge across the *Allander*, on the road from *Longbank Farm*, by *Balmulie Bridge* to *Glasgow* on the east, and ending at the said town of *Old Kilpatrick* on the west, and the road branching from the aforesaid road from *Inchbelly Bridge* to *Glasgow*, and leading over *Garn-gad Hill* to *Provan Mill*, and to the present turnpike road leading to *Cumbernauld*.

Cap. 156. For amending and repairing the road from the *Neath* turnpike road at or near *Abernant*, through *Mertbyr Tid-vill*, in the county of *Glamorgan*, to join the publick roads near *Rhyd y Blew*, in the county of *Brecon*.

Cap. 157. For continuing the term, and varying and altering the powers, of two acts, passed in the twenty-fourth and twenty-ninth years of the reign of his late majesty King *George* the Second, for repairing the road leading from the east end of *Brumpton High Lane* to the town of *Richmond*, and from thence to the town of *Lancaster*; and for repairing the road leading from *Richmond*, through *Gilling*, *Melfonby*, and *Aldbraugh*, to *Lacy* otherwise *Loufy Cross*, and from *Gilling* through *Gilling Town Lane*, to the turnpike road on *Gatherley Moor*; and for turning and diverting the said road, from the east end of the town of *Bainbridge*, to and through the town of *Hawes*, and up the vale of *Widdel*, to *Gearstones* otherwise *Graystones*; and for making, widening, and keeping in repair, that part of the said road; and for discharging the trustees from the reparation of that

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part of the said road which extends from the east end of the town of *Bainbridge*, over the mountain *Camm*, to *Greenside Gate*, and from thence to *Gearstones* otherwise *Graystones*; and also from the reparation of that part of the said roads which lies between the east end of *Brumpton High Lane*, and the town of *Richmond* aforesaid.

Cap. 158. For repairing the damage done by the late floods to certain bridges, and to the road, near the town of *Doncaster*; and for making the said bridges and road safe and commodious for travellers.

Cap. 159. For enlarging the term and powers of three several acts, passed in the fourteenth and twenty-sixth years of the reign of his late majesty King *George* the Second, and in the seventeenth year of the reign of his present Majesty, for repairing the road leading from *Ealand* to the town of *Leeds*, in the west riding of the county of *York*.

Cap. 160. For enlarging the terms and powers of three acts, made in the eighth and twenty-seventh years of his late majesty King *George* the Second, and the sixth year of the reign of his present Majesty, for repairing and widening the road from *Rochdale*, in the county palatine of *Lancaster*, to the towns of *Halifax* and *Ealand*, in the county of *York*.

Cap. 161. For making and repairing certain roads in the county of *Aberdeen*.

Cap. 162. For enlarging the term and powers of two acts, passed in the twenty-sixth year of the reign of his late majesty King *George* the Second, and in the thirteenth year of the reign of his present Majesty, for repairing and widening the roads leading from *Basingstone*, near the town of *Bagshot*, in the parish of *Windleham*, in the county of *Surrey*, through *Frimley* and *Farnham*, in the same county, and from thence through *Bentley*, *Hollyborn*, *Alton*, *Chawton*, *Ropley*, *Bishop's Sutton*, *New Alresford*, and *Mattingley* otherwise *Matterley Lane*, to the city of *Winchester*, in the county of *Southampton*.

Cap. 163. For continuing the term, and altering and enlarging the powers, of several acts, passed in the thirteenth year of the reign of his late majesty King *George* the First, the sixteenth year of the reign of his late majesty King *George* the Second, and the fifteenth year of the reign of his present Majesty, for repairing the roads from *Luton*, in the county of *Bedford*, to *West-wood Gate*, in the said county; and from *Luton*, to *Saint Alban's*, in the county of *Hertford*.

Cap. 164. For continuing the term, and repealing the powers, of two acts, passed in the thirty-first year of the reign of his late majesty King *George* the Second, and the nineteenth year of the reign of his present Majesty, for repairing and widening the roads from *Little Sheffield*, in the county of *York*, through the towns of *Hatherfage*, *Hope*, and *Castleton*, to *Sparrowpit Gate*, in the county of *Derby*; and from the guide post near *Barber's Fields Cypola*, through *Grindlesford Bridge*, *Great Hucklow*, *Tidswell*, *Hardgate-wall*, and *Fairfield*, to a house known by the sign of *The Angel*,

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Angel, in Buxton, in the county of Derby; and for granting further and other powers for that purpose.

Cap. 165. For continuing the term, and enlarging the powers, of an act, passed in the thirteenth year of the reign of his present Majesty, for repairing the road from The Royal Oak, on Wrotham Heath, to the town of Wrotham, in the county of Kent, and from thence to Foot's Cray, and from the said Royal Oak to the town of Maidstone, in the said county; and for making a road from the said road between Wrotham and Maidstone into the present turnpike road leading from Mereworib to Hadlow, in the said county.

Cap. 166. To enable the commissioners and trustees for executing an act, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act for draining, preserving, and improving, certain lands lying in the several parishes of Spalding (including the hamlets of Cowbit and Peakill), Weston, Moulton, Whaplode, Holbeach, Fleet, Gedney, Sutton Saint Mary, and Sutton Saint Nicholas otherwise Lutton, all in South Holland, in the county of Lincoln*, to support and repair a certain bank extending from Spalding High Bridge to Brother House, in the said county, and to amend and repair the road thereupon; and for compounding with the creditors under an act, passed in the twelfth year of his present Majesty's reign, for making and keeping in repair the said road.

PRIVATE ACTS.

1. AN act for naturalizing *Peter Dubbledemuts Van Dyck*.

2. AN act for dividing and inclosing the open and common fields, common meadows, common pastures, and all other the commonable lands, within the parish of *Hanley Castle*, in the county of *Worcester*.

3. An act for dividing, allotting, and inclosing, the several commons and waste lands within the manor of *Great Barr and Aldridge*, in the parish of *Aldridge*, in the county of *Stafford*.

4. An act for dividing and inclosing the open and common fields, and all other commonable lands and grounds, within the parish of *Bisbampton*, in the county of *Worcester*.

5. An act for dividing and inclosing a certain moor or common called *North Moor*, and other commons and waste lands, in the parish of *North Petherton*, in the county of *Somerset*.

6. An act for dividing and inclosing the common and open fields, meadows, commonable lands, and waste grounds, within the parish of *Saint Martin Stamford Baron*, in the county of *Northampton*.

7. An act for dividing and inclosing certain commons or waste lands in the townships of *Prees, Darlestone, Fauls, Mickley, Willaston, Morton Soy, Longford, and Stanton upon Hinebeath*, in the county of *Salop*.

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8. An act for dividing and inclosing the open fields, meadows, commonable lands, and waste grounds, in the parish of *Bridge Casterton*, in the county of *Rutland*.

9. An act for naturalizing *John Christopher Cankrien*.

10. An act for naturalizing *Frederick Albert Winzer* and *Simon Maurice Bethmann*.

11. An act for naturalizing *John Van Yxendoorn*, an infant, of the age of twelve years.

12. An act for naturalizing *Peter Schmidtmeier*.

13. An act for naturalizing *Matthew Wifs*.

14. An act for dividing and inclosing the open common fields, meadows, pastures, and downs, and all the commonable and waste lands, within the manor and parish of *Cold-Aston*, otherwise *Aston Blank*, in the county of *Gloucester*.

15. An act for dividing and inclosing the commons or waste lands in the township of *Penley*, in the county of *Flint*.

16. An act for dividing and allotting certain open and common fields, and other commonable lands and grounds, in the parishes of *Winterborne Earls*, and *Allington*, in the county of *Wilts*.

17. An act for dividing, allotting, and inclosing, the whole year lands, brecks, common fields, half year or shack-lands, commons, and waste grounds, within the parishes of *Bintry* and *Twyford*, in the county of *Norfolk*.

18. An act for sale of an estate in the city of *Hereford*, given by *William Brydges*, esquire, for certain charitable purposes, and for applying the money arising by such sale to the like purposes.

19. An act for dividing and inclosing the open and common fields, common meadows, common pastures, commons, waste, and other commonable lands and grounds, within the parish and precincts of *Westcott Barton*, and within the liberty and precincts of *Middle Barton*, in the parish of *Steeple Barton*, in the county of *Oxford*.

20. An act for dividing, allotting, and inclosing, the several moors, commons, and waste lands, lying and being within the parish of *Burnbam*, in the county of *Somerset*.

21. An act for dividing and inclosing the open and common fields, common meadows, common pastures, commons, waste, and other commonable lands and grounds, within the liberties and precincts of *Wigginton*, in the county of *Oxford*.

22. An act for dividing, inclosing, and allotting, certain moors, commons, or waste lands, lying and being within the manor of *Banwell*, in the county of *Somerset*.

23. An act for dividing, allotting, and inclosing the whole year lands, common fields, half year or shack lands, commons, and waste grounds, within the parishes of *East Laxham* and *Great Dunham*, in the county of *Norfolk*.

24. An act for dividing and inclosing the open and common fields, meadows, lands, commons, and commonable places, within the parish of *Great Catworth*, in the counties of *Huntingdon* and *Northampton*.

25. An

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25. An act for dividing and inclosing the open and common fields, meadows, lands, commons, and commonable places, of *Wurditch*, in the parish of *Kimbolton*, in the county of *Huntingdon*.

26. An act for vesting part of the settled estates of *Richard Palmer* esquire, in *Sonning*, in the county of *Berks*, in him, in fee simple, discharged of the uses in the will of his late father *Robert Palmer* esquire, and for settling other lands and hereditaments in *Sonning* aforesaid, and *Hurst*, in the said county of greater value, in lieu thereof, to the same uses.

27. An act for effectuating an exchange between the rector of the parish of *Saint Leonard*, in the county of *Devon*, and *John Baring* esq; and also between the vicar of the parish of *Heavitree*, in the same county, and the said *John Baring*.

28. An act for vesting the mansion house called *Soddylt Hall*, and divers lands, tenements, and hereditaments, situate in the county of *Salop*, devised by the will of *Roger Jennings* the younger esq; deceased, with the appurtenances, in trustees, in fee simple in possession, discharged of the uses and trusts of the said will, and for sale thereof, and for applying the money to arise from such sale.

29. An act for discharging the barton of *Penwerris*, and lands at or near *Penryn*, in the county of *Cornwall*, part of the settled estates of sir *Francis Bassett*, of *Tebidy Park*, in the county of *Cornwall*, baronet, from the several uses, estates, and trusts, to which the same now stand limited, and for settling a manor and other lands and hereditaments, of greater value, in lieu thereof, to the like uses.

30. An act to enable the honourable and right reverend *James* lord bishop of *Ely*, and his successors, to grant certain estates in the isle of *Ely*, now holden under three leases in several smaller parcels by separate leases.

31. An act to enable *William Bamford* esq; and other persons, after his death, to grant building leases of certain parts of his settled estates in the counties of *Lancaster* and *Chester*, reserving rents.

32. An act for vesting the freehold estates late of sir *Thomas Kyffin* knight, deceased, in trustees, for raising money to pay and discharge his mortgage and specialty debts, and for other purposes.

33. An act for dividing and inclosing the open and common fields, meadows, and pastures, of and in the parish of *Steeple Claydon*, in the county of *Bucks*.

34. An act for dividing, allotting, and inclosing, the open common fields, common meadows, common pastures, commons, and waste grounds, in the parish of *Newton Regis* otherwise *Newton in the Thistles*, in the counties of *Warwick* and *Stafford*, or one of them, and also a certain common or parcel of waste ground called *Clifton Heath*, in the parishes of *Newton Regis* otherwise *Newton in the Thistles*, aforesaid, and *Clifton Campville*, in the county of *Stafford*, or one of them.

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35. An act for dividing and inclosing the open and common fields, wastes, and other commonable laads, within the parish of *Ailou Abbots*, in the county of *Buckingham*.

36. An act for dividing and inclosing the open fields, pastures, and commons, within the township of *Holme upon the Wolds*, in the parish of *Holme upon the Wolds*, in the east riding of the county of *York*, and for making a compensation in lieu of the tythes thereof, and of the ancient inclosed lands in the same township.

37. An act for dividing and inclosing the open and common fields, commons, wastes, and other commonable lands and grounds, within the manor and parish of *Padbury*, in the county of *Buckingham*.

38. An act for dividing and inclosing the open and common fields, common meadows, common pastures, and other commonable lands, within the parish of *Trinley*, otherwise *Tirley*, in the county of *Gloucester*.

39. An act for dividing, allotting, and inclosing, the open and commonable lands, within the parish of *Cbeddar*, in the county of *Somerset*.

40. An act for dividing, allotting, and inclosing, certain open and common fields, common meadows, common pastures, and other commonable and waste lands, in that part of the parish of *Wroughton*, in the county of *Wills*, which is situate, lying, and being, in the hundred of *Elstob* and *Everley*.

41. An act for dividing and inclosing the open fields, meadows, pastures, commons, and waste grounds, within the parish of *Upton*, in the county of *Nottingham*.

42. An act for dividing, allotting, and inclosing, the open fields, meadow, pasture, and other commonable and waste lands and grounds, in the townships or hamlets of *Caunton*, *Beesthorpe*, *Earlshaw*, and *Knapthorpe*, and for exonerating the said townships or hamlets, and also the hamlet of *Dean Hall*, all in the parish of *Caunton*, in the county of *Nottingham*, from the payment of tythes.

43. An act for dividing and inclosing the open and common fields, meadows, pastures, waste lands, and other commonable lands and grounds, in the parish of *Henlow*, in the county of *Bedford*.

44. An act to enable sir *Henry Vane* bart. to take the surname and arms of *Tempest*, pursuant to the will of *John Tempest* esq; deceased.

45. An act for naturalizing *Jacqueline Charlotte comtesse de Hompesch* and *James Charles Philip Bouwens*.

46. An act for dividing and inclosing the open fields and stinted pastures, within the township of *Cleckheaton*, in the parish of *Birfal*, in the west riding of the county of *York*.

47. An act for dividing and inclosing the open and common fields, commonable lands, and waste grounds, in the parish of *Ratley*, in the county of *Warwick*.

48. An act for dividing and inclosing a certain piece of pasture land

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land in the parish of *Wintringham*, in the county of *Lincoln*, called *The Cow Pasture*, compriting or including certain lands or grounds in the said parish of *Wintringham*, called *The Marsh*, *Rotten Sykes*, *Low Groves*, and *Western Greens*, and other land or ground lying between the same pasture and the river *Humber*; and for dividing, inclosing, and apportioning, certain other pieces of meadow and pasture ground, in the same parish, called *The Composition Clases* and *Hall Clases*, and for other purposes.

49. An act to enable *John* duke of *Argyll*, to exchange certain lands, part of his entailed estate in the shire of *Argyll*, for certain other lands in the same shire, belonging to himself in fee simple and to *Archibald Munro*.

50. An act for vesting the settled estate of *Henry Gally* esq; situate in the county of *Huntingdon*, in him and his heirs, in exchange for another estate, of greater value, in the county of *York*, to be settled in lieu of the said estate in the county of *Huntingdon*.

51. An act for vesting part of the settled estates of *Robert Rubbrooke* esq; in the county of *Suffolk*, in the most noble *Charles* marquis *Cornwallis*, and his heirs, in fee simple, and for settling an estate of equal value, in the same county, in lieu thereof, and in exchange for the same.

52. An act for vesting the settled estates, late of *John Dolphin* esq; deceased, in the county of *Stafford*, in trustees, to be sold for payment of the portions of the younger children of the said *John Dolphin*, and for the other purposes therein mentioned.

53. An act to enable the trustees of certain lands in *Manchester*, *Crumphall*, and *Tetlow*, in the county of *Lancaster*, called *Clarke's Charity Lands*, to make leases for years upon rack rents, and also to grant building leases, and make conveyances in fee, of and upon all or any part of the said lands under reserved yearly rents.

54. An act for vesting part of the estates devised by the will of *John Smith*, formerly of *London*, merchant, for charitable purposes, in trustees, to be sold to *John Pardoe* esq; and for laying out the purchase money in other estates to be settled in lieu thereof, and for regulating the charity established by the said will.

55. An act for effectuating a partition of certain estates of *sir Edward Knatchbull* bart. *sir Joseph Banks* bart. and dame *Dorothea* his wife, and *sir Henry Thomas Gott* knt. situate in the counties of *Kent* and *Suffex*.

56. An act for dividing and leasing, or letting, certain commons or waste grounds within the borough and township of *Coagleton*, in the county of *Chester*, and for applying the profits of part of the same in aid of the poors rate, or other taxes or publick expences, within the said township.

57. An act for dividing and inclosing the open fields, meadows, and pastures, in the townships of *Marcle*, *Wolton*, and *Kingston*, in the parish of *Much Marsle*, in the county of *Hereford*.

58. An

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58. An act for dividing and inclosing the common and open fields, meadows, commonable lands, and waste grounds, in *Brigstock* and *Stanion*, in the county of *Northampton*, and such part of the parish of *Sudborough*, in the same county, as is called *Sudborough Green*, and also for setting out and allotting lands, in lieu of, and compensation for, the common rights upon *Geddington Chase*, in the said county of *Northampton*, and upon that part of the forest of *Rockingham*, in the same county, which is called *The Haye*, or *Walk*, of *Farming Woods*, and for extinguishing such common rights.

59. An act for naturalizing *Felix Vincent Raper*.

60. An act for vesting part of the settled estates of *Samuel Egerton Brydges* esq; and *Elizabeth* his wife, in the county of *Kent*, and city of *Canterbury*, in trustees, to sell or exchange the same, and for laying out the money to arise by such sale or exchange in the purchase of other freehold estates to be settled to the same uses.

61. An act for investing certain estates of *William Tovey* the elder, and *William Tovey* the younger, situate in the county of *Warwick*, in *Dennis Dolan* and *Henry Maddock*, and their heirs, in trust, to sell, for the purposes therein mentioned, such estates having been heretofore conveyed to the said *Dennis Dolan* and *John Finch*, and their heirs, as trustees, for the like purposes, and the said *John Finch* having become bankrupt and absconded from this kingdom before sale thereof.

62. An act for amending an act, passed in the tenth year of the reign of his present Majesty, intituled, *An act to enable the trustees of the estates devised by William Hulme esq; to grant building leases thereof, and to encrease the number of exhibitors to Brazen Nose College, in Oxford, founded by the said testator, and for other purposes therein mentioned*; and to enable the trustees to convey in fee, or grant leases for lives, or for long terms of years, with or without covenants for renewal, or for perpetual renewal, under reserved yearly rents, the said trust estates; and to enable the trustees to apply the trust monies in making such allowance to the exhibitors as may be thought proper, and for other purposes therein mentioned.

63. An act for vesting detached parts of the devised estates of *John Maddison* esq; deceased, in trustees, to be sold, and for laying out the produce, under the direction of the court of *Chancery*, in the purchase of other estates, to be settled in lieu thereof to the same uses.

64. An act for dividing, allotting, and laying in severalty, the open fields, lot ground, common meadows, commonable lands, and waste ground, in *Wootton* and *Boresbill*, in the parish of *Cumner*, in the county of *Berks*.

65. An act for dividing and inclosing the open common fields, meadows, pastures, and waste lands, in the parish of *Osbourne*, in the county of *Lincoln*, and a plot of half year meadow land, called *Mickling Meadow*, in the parishes of *Newton* and *Scot Willoughby*, or one of them, in the said county.

66. An

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66. An act for dividing and inclosing the open common fields, meadows, pastures, and other commonable lands and waste grounds, in the lordship of *Scarbo*, in the county of *Lincoln*.

67. An act for dividing, allotting, and inclosing, the whole year lands, brecks, common fields, half year or thack lands, commons, and waste grounds, within the parish of *Sedgesford*, in the county of *Norfolk*.

68. An act for dividing and inclosing the open common fields, pastures, meadows, wastes, and all other open and commonable lands and grounds, in the parish of *Hagworthingham*, in the county of *Lincoln*.

69. An act for dividing and inclosing the open fields and meadows, common stinted pasture, and waste lands, within the manor and lordship of *Swarby*, in the county of *Lincoln*.

70. An act for dividing and inclosing the open and common fields, meadows, wastes, and other commonable lands and grounds, in the parish of *Eaton Socon*, in the county of *Bedford*.

71. An act for dividing and inclosing certain common fields, in the parishes of *Hillingdon* and *Cowley*, in the county of *Middlesex*.

72. An act for dividing and inclosing the common and open fields, commons, and waste grounds, within the parish of *Abbots Bromley*, otherwise *Pagots Bromley*, in the county of *Stafford*.

73. An act for dividing and inclosing the open and common fields within the hamlets of *Upper Easington* and *Fulready*, in the parish of *Lower Easington*, in the county of *Warwick*, and for taking down and rebuilding the church of the said parish.

74. An act for dividing and inclosing the several open fields, commons, and waste grounds, within the manor of *Barlborough*, in the county of *Derby*.

75. An act for dividing and inclosing the open common fields, meadows, pastures, and other commonable lands and waste grounds, within the manor of *Bisbrooke*, in the county of *Rutland*; and for dividing a certain common called *Liddington Common*, adjoining or lying near to the said manor, between the several manors or liberties to which the same belongs; and for extinguishing certain rights of common upon the open fields and other commonable lands within the manor of *Seaton*, in the said county.

76. An act for dividing and inclosing the open fields, meadows, pastures, commons, and waste grounds, within the parishes of *North Leverton* and *Hablesthorpe* otherwise *Apesthorpe*, in the county of *Nottingham*.

77. An act for dividing and inclosing the open fields, meadows, pastures, commons, and waste grounds, within the parish of *South Leverton*, in the county of *Nottingham*.

78. An act for dividing and inclosing the common and open fields, common meadows, common moors, commons, and waste lands, within the parish of *Crawley* otherwise *Husborn Crawley*, in the county of *Bedford*.

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79. An act for dividing and inclosing the commons and waste lands, within the manor and parish of *Kirby* in *Ashfield*, in the county of *Nottingham*

80. An act for dividing, allotting, and inclosing, the whole year lands, common fields, half year or shack lands, fens, commons, commonable lands, and waste grounds, within the parish of *Great Hockham*, in the county of *Norfolk*.

81. An act for dividing and inclosing certain moors, commons, or waste lands, within the manor of *Barnard Castle*, in the parish of *Gainford*, and county of *Durham*, called *Barnard Castle Moor*, *The Little Moor*, *Glenting Green*, and *The Baisting Steads*.

82. An act for effectuating an agreement entered into between *Charles Chaplin* esq; and the master of the hospital of *Saint Michael* the archangel, at *Well*, in the county of *York*, and the vicar of the parish of *Well* aforesaid, for making certain lands, tenements, and hereditaments, in the said parish, and in the hamlet of *Snape*, within the same, subject to certain trusts, rights, or interests, in favour of the said hospital, and to an annual portion or payment to the vicar of *Well* in lieu of other lands and tythes at *Well* and *Snape* aforesaid, and *Mosbam*, in the said county.

83. An act for enabling the lord bishop of *London* to grant a lease, with powers of renewal, of lands, in the parish of *Paddington*, in the county of *Middlesex*, for the purpose of building upon.

84. An act for vesting a certain part of the settled estates of the rev. *William Goddard*, in the county of *Wilts*, in trustees for sale, and for applying the money arising from the sale thereof, in or towards the discharge of the incumbrances affecting the same, and the remaining part of the said settled estates, and for vesting the surplus of the money arising from the sale thereof (if any) in the purchase of other lands, to be settled to the uses to which the said settled estates now stand limited.

85. An act for dividing, allotting, and inclosing, the open and common fields, common meadows, common pastures, downs, and other commonable and waste lands, in the parish of *Poulton*, in the county of *Wilts*.

86. An act for dividing and inclosing the open and common fields, common meadows, common pastures, and other commonable lands, within the parish of *Hasfield*, in the county of *Gloucester*.

87. An act for dividing, allotting, and inclosing, the open and common fields, meadows, closes, commonable lands, pastures, commons, and waste grounds, within the several parishes of *Saint Paul*, *Saint Peter*, and *Saint Cuthbert*, in the town of *Bedford*, in the county of *Bedford*.

88. An act to enable *Patrick Murray Threipland*, and the heirs of entail in the lands and estate of *Barnhill*, to exchange the said lands and estate of *Barnhill*, lying in the county of *Perth*, for certain parts of the lands and estate of *Fingask*, lying within the

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the said county of *Perth*, belonging to *Stuart Threipland*, of *Fingask*, physician in *Edinburgh*, in life rent, and the said *Patrick Murray Threipland* in fee.

89. An act for sale of an estate in the parish of *Bentworth*, in the county of *Southampton*, which has been purchased with a legacy given by the will of *Richard Aldworth* esq; deceased, for certain charitable purposes, and for applying the money to arise by such sale for the like purposes.

90. An act for confirming and rendering effectual a partition and division between the right honourable *Thomas Conolly*, *Henry Vernon* esq; *Leveson Vernon* esq; and *Richard William Howard Vyse* an infant, of divers manors, lands, and hereditaments, (heretofore the estate of the right honourable *William* earl of *Strafford*, deceased), in the several counties of *Bedford*, *Northampton*, *Suffolk*, *Kent*, *Surrey*, *Middlesex*, and the city of *London*.

91. An act for dividing and inclosing several open fields, ings, commons, and waste grounds, within the manor, township, and parish of *Swillington*, in the west riding of the county of *York*.

92. An act for dividing, allotting, and inclosing the open and common fields, commonable lands, and waste grounds, within the parish of *Woodborough*, in the county of *Nottingham*.

93. An act for dividing and inclosing the open and common fields, common meadows, common pastures, and other commonable lands, within the parish or chapelry of *Chattisley* otherwise *Chaceby*, in the county of *Worcester*.

94. An act for dividing and inclosing the open common fields, meadows, pastures, heaths, wastes, and all other open and commonable lands and grounds, in the parish of *Ropsley*, and in the liberties or townships of *Great Humby* and *Little Humby*, in the county of *Lincoln*.

95. An act for dividing and allotting the common and open fields, meadows, commonable lands, and waste grounds, within the parish of *Kelball*, in the county of *Hertford*.

96. An act for naturalizing *John Lewis Moilliet*.

97. An act for dividing, allotting, and inclosing, the open fields, pasture, waste, and other uninclosed lands and grounds, within the parish or lordship of *Londonthorpe*, in the county of *Lincoln*.

98. An act for dividing and inclosing certain commons and waste grounds, within the barony of *Greystoke*, in the county of *Cumberland*.

99. An act for dividing, allotting, and inclosing, the open fields, heaths, pastures, commonable lands and waste grounds, within the lordship or liberties of *Spittlegate*, *Houghton*, and *Waltam*, in the parish of *Grantham*, in the county of *Lincoln*.

100. An act for dividing and inclosing the commons and waste lands, common fields, and meane inclosures, within the manor and parish of *Eckington*, in the county of *Derby*.

101. An act for dividing and inclosing the open arable fields, meadows, pastures, commons, and waste grounds, within the parishes

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parishes of *East Stoke* and *Elston*, in the county of *Nottingham* and for ascertaining the boundaries between the said parishes.

102. An act for dividing, allotting, and inclosing, the open pastures, commons, and waste lands, within the parish of *Haxlaxton*, in the county of *Lincoln*.

103. An act for dividing and inclosing the open and common fields, common meadows, commonable lands, common warren, and waste grounds, within the parish of *Millbrooke*, in the county of *Bedford*.

104. An act for dividing and inclosing the open common fields, and such other commonable lands and waste grounds as are within, and solely belonging to, the lordship of *Owmbly*, in the parish of *Searby*, in the county of *Lincoln*.

105. An act for dividing, allotting, and inclosing the open and common fields, common meadows, common pastures, and other commonable and waste lands and grounds in the parish of *Stratton Saint Margaret*, in the county of *Wilts*.

106. An act for dividing and inclosing certain commonable fields, commons, and waste lands, within the parish of *Great Parndon*, in the county of *Essex*.

107. An act for dividing, allotting, and inclosing, a certain tract of common or waste ground called *Edgeworth Moor*, in the township of *Edgeworth*, in the parish of *Bolton in the Moors*, in the county palatine of *Lancaster*.

108. An act for dividing, inclosing, and draining, the open common fields, common pastures, commonable and waste land and fen lands, within the manor and parish of *Warboys*, in the county of *Huntingdon*.

109. An act for dividing and inclosing the commons and waste lands within the lordship or liberty of *Aldridge*, otherwise *Aldrich*, in the county of *Stafford*.

110. An act for dividing and inclosing the open and commonable fields, common meadows, common pastures, and other commonable lands and grounds, within the parish of *Ravensthorpe*, in the county of *Northampton*.

111. An act for naturalizing *Peter Boileau*.

112. An act for enlarging the time, and reviving certain powers, granted by an act of parliament, made in the twentieth year of the reign of his present Majesty, intituled, *An act for reviving certain powers granted by an act, made in the tenth year of the reign of his present Majesty, intituled, 'An act for dividing and inclosing such of the open part of the district called The Forest of Knareborough, in the county of York, as lie within the eleven constaberies thereof, and for other purposes therein mentioned;'* and by an act of the fourteenth year of his Majesty's reign, for amending the said former act, and for making the said two acts more effectual.

THE END OF THE TABLES.

THE
STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britanniaë, Franciæ, & Hiberniæ, tricesimo quinto.

AT the parliament begun and holden at Westminster, the twenty-fifth day of November, Anno Domini 1790, in the thirty-first year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued, by several prorogations, to the thirtieth day of December 1794; being the fifth session of the seventeenth parliament of Great Britain.

C A P. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and ninety-five. [January 21, 1795.] 1 Geo. 3. c. 3. continued to June 24, 1796.

C A P. II.

An act for granting an aid to his Majesty by a land tax, to be raised in Great-Britain, for the service of the year one thousand seven hundred and ninety-five. [January 21, 1795.] Four shillings in the pound.—In England to raise 1,989,673l. 7s. 10d. 1q.—In Scotland 47,954l. 1s. 2d. Total, 2,037,627l. 9s. 0d. 1q.

C A P. III.

An act to continue, for a limited time, an act, made in the last session of parliament, intituled, An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government. [February 5, 1795.] Continued to July 1, 1795.

C A P. IV.

An act for enabling his Majesty to prohibit the exportation, and permit the importation, of corn, and for allowing the importation of other articles of provision, for a limited time, without payment of duty.—[February 13, 1795.]

Preamble.

31 Geo. 3. c. 30, and

33 Geo. 3. c. 65, recited.

WHEREAS it appears from the general average prices of certain sorts of corn in that part of Great Britain called Scotland, that his Majesty is not now authorised to prohibit the exportation of such sorts of British corn from Scotland, nor to permit the importation of such sorts of foreign corn into Scotland, pursuant to the powers in him vested by two acts, one passed in the thirty-first year of his present Majesty's reign, intituled, An act for regulating the importation and exportation of corn, and the payment of the duty on foreign corn imported, and of the bounty on British corn exported; the other, passed in the thirty-third year of his present Majesty's reign, intituled, An act to amend an act, made in the thirty-first year of the reign of his present Majesty, intituled, 'An act for regulating the importation and exportation of corn, and the payment of the duty on foreign corn imported, and of the bounty on British corn exported: and whereas it is expedient, under the present circumstances, that his Majesty, his heirs and successors, should be authorised, by and with the advice of his or their privy council, for a limited time, to prohibit generally the exportation of any sort of corn, and of other articles mentioned in the said acts, from any part of this kingdom, and to permit generally the importation of the same into any part of this kingdom, whatever may be the general average price of any such sort of corn or of oatmeal, and further to permit the same to be imported in British ships, or in ships belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, and to permit the same to be taken out of warehouse, without payment of any duty whatever: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, and until the expiration of six weeks from the commencement of the next session of parliament, it shall and may be lawful for his Majesty, his heirs and successors, and he and they is and are hereby authorised, with the advice of his or their privy council, whatever may be the general average price of any of the said sorts of corn or of oatmeal in *England* or *Scotland* respectively, from time to time, when and as often as the same shall be judged expedient, to prohibit generally for a limited time the exportation, from *England* and *Scotland* respectively, of any *British* or foreign wheat, rye, barley, beer, or bigg, pease, beans, oats, or any meal or flour, or bread, biscuit, or malt, made thereof, or any *Indian* corn or maize, or meal or flour made thereof, and to permit generally the importation, into *England* or *Scotland* respectively,

His Majesty in council may prohibit the exportation from Great Britain, of any wheat, &c. and permit the importation of any foreign corn, &c. duty free, as also the taking out foreign corn from warehouses for home consumption, &c.

spectively, of any foreign corn or other articles as aforesaid, in any *British* ship or vessel, or in any other ship or vessel belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, without payment of any duty whatsoever; and also the taking out of warehouse for home consumption, of any such foreign corn or other articles as aforesaid, without payment of any duty whatsoever; and also the entering of any such foreign corn or other articles as aforesaid, which shall have been imported into this kingdom on or before the first day of *December* one thousand seven hundred and ninety-four, and shall remain on shipboard unentered, without payment of any duty whatsoever; and in like manner to recal such prohibition or permission, either in part or in the whole, if circumstances shall appear so to require, any thing in the said before-mentioned acts, or in any other act, or part of any act, to the contrary notwithstanding; and if any person shall export, or shall load or lay on board any ship or other vessel with intent to export, or if any person shall import, any corn or other articles as aforesaid, contrary to such prohibition or permission of his Majesty, by and with the advice of his privy council; the person so exporting, or loading or laying on board with intent to export, or the person so importing the same, shall be liable and subject to the like forfeitures and penalties, and the said corn or other articles, and the ship or vessel in which the same shall be exported; or loaded or laid on board, or in which the same shall be imported, shall be subject and liable to the like forfeitures, and in like manner to be sued for, prosecuted, recovered, and disposed, as if the said corn or other articles were exported, or loaded or laid on board, or imported, contrary to the provisions of either of the said two acts, passed in the thirty-first and in the thirty-third years of his present Majesty's reign: provided always, That the power hereby granted to his Majesty, his heirs and successors, with the advice of his or their privy council, to prohibit the exportation from this kingdom, of any sort of corn or other articles as aforesaid; shall not extend, or be construed to extend, to any foreign corn, meal, or flour, that shall have been imported and warehoused, in the manner and on the conditions mentioned in the before-mentioned act of the thirty-first year of his present Majesty's reign, and shall not have been taken out of such warehouse for home consumption.

II. Provided also, and be it further enacted, That in every such case it shall and may lawful for his Majesty, his heirs and successors, with the advice of his or their privy council, to permit the carrying coastwise, or carrying out, or the exportation, of the several sorts of corn, or other articles as aforesaid, for all or any of the purposes mentioned in the said two acts passed in the thirty-first and thirty-third years of his present Majesty's reign, or either of them, in like manner, and in the same proportions and quantities, and from and to the same ports and places as is allowed by the said two acts, or either of them, at such times as any of the several sorts of corn, or other articles as aforesaid,

Penalty for exporting or importing contrary hereto.

Power to prohibit exportation not to extend to foreign corn, &c. imported and warehoused agreeable to first recited act, not taken out for home consumption.

His Majesty in council may permit the carrying coastwise, &c. corn, &c. for the purposes mentioned in the recited acts, &c.

are prohibited to be exported, subject to the like securities, conditions, regulations, and restrictions, forfeitures and penalties, as are by the said two acts, or by either of them, in any such case required and imposed.

Certain articles may be imported into Great Britain from any place, in British vessels, or vessels belonging to places in amity with his Majesty, duty free.

III. *And whereas it is likewise expedient, under the present circumstances, to permit, for a limited time, the importation of certain other provisions into Great Britain, in British ships, or in ships belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, without payment of any duty whatever;* be it therefore further enacted by the authority aforesaid, That, from and after the passing of this act, and until the expiration of six weeks from the commencement of the next session of parliament, it shall and may be lawful to and for any person or persons whatever to import into *Great Britain*, from any port or place whatever, in any *British* ship or vessel, or in any other ship or vessel belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, any beans called *Kidney* or *French Beans*, tares, lentiles, callivancies, and all other sorts of pulse; and also bulls, cows, oxen, calves, sheep, lambs, and swine; beef, pork, mutton, veal, and lamb, whether salted or otherwise; bacon, hams, tongues, butter, cheese, potatoes, rice, sago, sago-powder, tapioca, vermicelli, millet seed, poultry, fowls, eggs, game, and four-crou, without the payment of any duty whatever, at all times before the said expiration of six weeks from the commencement of the said next session of parliament; any thing in any act or acts of parliament to the contrary thereof in any wise notwithstanding.

Entry of such articles to be made with the officer of the customs, on penalty of forfeiture.

IV. Provided always, and be it further enacted by the authority aforesaid, That a due entry shall be made of all such beans called *Kidney* or *French Beans*, tares, lentiles, callivancies, and all other sorts of pulse; and of such bulls, cows, oxen, calves, sheep, lambs, and swine; beef and pork, veal, mutton, and lamb; bacon, hams, tongues, butter, cheese, potatoes, rice, sago, sago-powder, tapioca, vermicelli, millet seed, poultry, fowls, eggs, game, and four-crou, that shall be imported by virtue of this act, or any order in council made under the authority thereof, with the proper officers of the customs at the port into which the same shall be imported; and in default thereof, the same shall be forfeited, and shall and may be seized by any officer or officers of his Majesty's customs.

How penalties may be sued for and disposed of.

V. And be it further enacted by the authority aforesaid, That all penalties and forfeitures created and incurred by this act, (and not herein otherwise specially directed to be prosecuted and recovered), shall and may be sued for, prosecuted, recovered, and disposed of, in such manner, and by such ways, means, and methods, as any penalties incurred, or any goods, ships, or vessels, forfeited for any offence against the laws of customs, may now be legally sued for, prosecuted, recovered, and disposed of; and the officer or officers concerned in seizures or prosecutions under this act shall be entitled to, and receive such share of the produce

duce arising from the seizures as they are now by law entitled to upon prosecutions of seizures for unlawful importation, and to such share of the produce arising from any pecuniary fine or penalty, or composition paid for any offence against this act, as they are now by any law or regulation entitled to upon prosecutions for pecuniary penalties.

VI. And be it further enacted by the authority aforesaid, That in case any such beans called *Kidney* or *French Beans*, tares, lentils, callivancies, or other sorts of pulse; or bulls, cows, oxen, calves, sheep, lambs, swine, beef, pork, veal, mutton, lamb, bacon, hams, tongues, butter, cheese, potatoes, rice, sago, sago-powder, tapioca, vermicelli, millet seed, poultry, fowls, eggs, game, or four-croust, herein-before permitted to be imported without payment of duty, shall have been imported into this kingdom on or before the said first day of *December* last, and shall remain on shipboard unentered, or shall be lodged and secured in any warehouse or warehouses in this kingdom under his Majesty's locks, the duties due by law not having been paid on such goods, it shall and may be lawful for the proper officers of his Majesty's customs in *England* and *Scotland* respectively, during the continuance of this act, to deliver any such goods to the importers or proprietors thereof for home consumption, without payment of any duty whatever, on a regular entry being first made for the same, with the proper officers of the customs; any law, custom, or usage, to the contrary notwithstanding.

If any such articles have been imported by Dec. 1, 1794, and remain on board unentered, or secured in warehouses, they may be delivered for home consumption, duty free.

VII. Provided nevertheless, and be it further enacted by the authority aforesaid, That notwithstanding any thing contained in this, or in any other act, it shall and may be lawful to and for his Majesty, his heirs and successors, during the continuance of this act, by and with the advice of his or their privy council, from time to time to prohibit, or from time to time to permit, the importation of any beans called *Kidney* or *French Beans*, tares, lentiles, callivancies, and all other sorts of pulse; and of bulls, cows, oxen, calves, sheep, lambs, swine, beef, pork, veal, mutton, lamb, bacon, hams, tongues, butter, cheese, potatoes, rice, sago, sago-powder, tapioca, vermicelli, millet seed, poultry, fowls, eggs, game, and four-croust, for such time or times, and in such manner, and under such restrictions and regulations, as may be thought expedient and proper.

His Majesty in council may prohibit or permit the importation of such articles, as may be thought expedient.

VIII. And be it further enacted, That copies of such orders as shall be made by his Majesty in council, for any of the purposes mentioned in this act, if made when parliament is sitting, shall be laid before both houses of parliament within three days after the same shall have been issued; and if made when parliament is not sitting, then within fourteen days after the meeting of the next session of parliament.

Copies of orders made in council to be laid before parliament.

IX. Provided always, and be it enacted, That it shall be lawful to alter or repeal this present act, and every or any thing therein contained, in this present session of parliament.

Act may be altered or repealed this session.

C A P. V.

An act for raising a certain number of men, in the several counties in England, for the service of his Majesty's navy.—[March 5, 1795.]

Preamble.

Men to serve in the navy shall be levied in England, in the proportions following, viz.

WHEREAS it is expedient for the publick service, at the present conjuncture, that the most effectual measures should be adopted, for providing a speedy supply of men to serve in his Majesty's navy: may it therefore please your Majesty that it 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 levied, within that part of *Great Britain* called *England*, the dominion of *Wales*, and the town of *Berwick-upon-Tweed*, in the several counties, ridings, and divisions, herein-after mentioned, such able-bodied men to serve his Majesty in the navy of *Great Britain*, at such times, and in such manner, as is herein directed; and that the number of men to be levied by virtue of this act shall be as follows; (that is to say),

For the county of *Bedford*, sixty-seven.

For the county of *Berks*, one hundred and eight.

For the county of *Bucks*, one hundred and seventeen.

For the county of *Cambridge*, one hundred and twenty-six.

For the county of *Chester*, with the city and county of the city of *Chester*, two hundred and forty-six.

For the county of *Cornwall*, one hundred and ninety-four.

For the county of *Cumberland*, one hundred and eighty-four.

For the county of *Derby*, one hundred and ninety-four.

For the county of *Devon*, with the city and county of the city of *Exeter*, three hundred and ninety-three.

For the county of *Dorset*, with the town and county of the town of *Poole*, one hundred and forty-two.

For the county of *Durham*, one hundred and seventy-three.

For the county of *Essex*, two hundred and forty-four.

For the county of *Gloucester*, with the city and county of the city of *Gloucester*, and the city and county of the city of *Bristol*, two hundred and one.

For the county of *Hereford*, one hundred and two.

For the county of *Hertford*, one hundred and fourteen.

For the county of *Huntingdon*, forty-five.

For the county of *Kent*, with the city and county of the city of *Canterbury*, and such of the cinque ports as are situate within the said county of *Kent*, four hundred and forty.

For the county of *Lancaster*, five hundred and eighty-nine.

For the county of *Leicester*, one hundred and eighty-three.

For the division of *Lindsey*, in the county of *Lincoln*, with the city and county of the city of *Lincoln*, one hundred and ninety-one; for the division of *Kesteven*, in the said county of *Lincoln*, ninety-three; and for the division of *Holland*, in the said county of *Lincoln*, fifty-eight.

For the city and county of the city of *London*, one hundred and ninety-eight.

For the county of *Middlesex*, inclusive of the division commonly called *The Tower Hamlets*, and the liberty of the *Tower*, four hundred and fifty-one.

For the county of *Monmouth*, fifty-eight.

For the county of *Norfolk*, with the city and county of the city of *Norwich*, two hundred and sixty.

For the county of *Northampton*, one hundred and thirty-seven.

For the county of *Northumberland*, with the town and county of the town of *Newcastle-upon-Tyne*, and the town of *Berwick-upon-Tweed*, one hundred and seventy-six.

For the county of *Nottingham*, with the town and county of the town of *Nottingham*, one hundred and sixty-one.

For the county of *Oxford*, one hundred and twenty-seven.

For the county of *Rutland*, twenty-three.

For the county of *Salop*, one hundred and seventy-six.

For the county of *Somerset*, three hundred and fifty-one.

For the county of *Southampton*, with the town and county of the town of *Southampton*, two hundred and thirty-six.

For the county of *Stafford*, with the city and county of the city of *Litchfield*, two hundred and forty-five.

For the county of *Suffolk*, two hundred and sixty-three.

For the county of *Surrey*, three hundred and twenty-three.

For the county of *Sussex*, with such of the cinque ports as are situate within the said county, one hundred and seventy-two.

For the county of *Warwick*, with the city and county of the city of *Coventry*, one hundred and ninety-three.

For the county of *Westmoreland*, sixty-nine.

For the county of *Worcester*, with the city and county of the city of *Worcester*, one hundred and twenty.

For the county of *Wilts*, one hundred and sixty.

For the east riding of the county of *York*, with the town and county of the town of *Kingston upon Hull*, one hundred and seventy-five; for the west riding of the said county, six hundred and nine; and for the north riding of the said county, with the city and county of the city of *York*, two hundred and ninety-seven.

For the county of *Anglesea*, thirty-four.

For the county of *Brecknock*, forty-one.

For the county of *Cardigan*, thirty-six.

For the county of *Carmarthen*, with the county borough of *Carmarthen*, sixty-seven.

For the county of *Carnarvon*, thirty-six.

For the county of *Denbigh*, seventy-three.

For the county of *Flint*, thirty-eight.

For the county of *Glamorgan*, seventy-six.

For the county of *Merioneth*, forty-three.

For the county of *Montgomery*, sixty-nine.

For the county of *Pembroke*, with the town and county of the town of *Haverfordwest*, forty-six.

For the county of *Radnor*, twenty-six.

Admiralty to
appoint offi-
cers to regu-
late the ad-
mission of
men, &c.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners for executing the office of lord high admiral of *Great Britain* for the time being, and they are hereby required, to constitute and appoint, in such of the counties, ridings, or divisions, in such part of *Great Britain* as aforesaid, (except in the city and county of the city of *London*), so many officers to regulate the admission of men to be levied under the authority of this act for his Majesty's service, as the said commissioners shall deem necessary; who, being so respectively appointed, shall establish a convenient place or places of rendezvous, in each such county, riding, or division, (except the city and county of the city of *London* as aforesaid), for the reception of such men; and every such man so to be levied shall, before his enrolment, be examined by one such regulating officer at the least, as to his ability to serve his Majesty; and every such officer shall have full power of approving or of rejecting any man tendered to serve his Majesty, subject nevertheless to such controul and superintendance as by this act is particularly directed.

Justices, with-
in 21 days
after passing
this act, to
hold a general
sessions for
carrying it in-
to execution,
&c.

III. And be it further enacted by the authority aforesaid, That the justices of the peace acting in and for the several counties, ridings, and divisions aforesaid, shall, within a time not exceeding twenty-one days after the passing of this act, assemble together at some convenient place in each county, riding, or division, where the general quarter sessions of the peace have heretofore or usually been held, and there hold a court of general sessions, for the purpose of carrying effectually into execution the powers given to them by this act; and that in every case where any city, town or borough, cinque port or liberty, is hereby united with any county at large, riding, or division, in estimating the number of men to be raised by virtue of this act, the justices of such city, town or borough, cinque port or liberty, shall assemble themselves together with the justices of such county at large, riding, or division, and the justices so assembled shall respectively have and be entitled to exercise the powers and jurisdictions of justices of the peace, in all things touching the execution of this act, as well for such city, town, borough, cinque port or liberty, as also for such county at large, riding, or division, and shall be deemed and taken to be such justices respectively, without any other or further qualification; and that the said justices so assembled may, from time to time, as often as they shall find it necessary, adjourn such court of general sessions, so that such adjournment shall not be for any longer time than from day to day (*Sundays* excepted) until they shall have fully and effectually carried this act into execution, in respect of the powers vested in such court of general sessions by this act, except as to such adjournment as shall be made to the quarter sessions as herein-after is mentioned.

Clerk of the
peace, with
the assent of
two justices,
to appoint the
time of hold-

IV. And be it further enacted by the authority aforesaid, That the clerk of the peace of every county, riding, or division, where a court of general sessions is hereby directed to be held, shall, with the assent of any two justices of the peace of any such county, riding, or division, appoint a time and place of holding the first court

court of general sessions, to be held by virtue of this act, of which notice shall be given in any newspaper usually circulated in such county, riding, or division, five days at the least before the day appointed for holding such court; and in case, at such time of appointing such court, or at any subsequent time of appointing such court by adjournment, there shall not be justices of the peace attending sufficient to hold such general sessions, any one justice of the peace who shall there attend shall and may adjourn the same to the next day, and so from day to day (*Sundays* excepted) until such court shall be held; and in case no such justice shall attend at the time and place appointed for holding such court, then the clerk of the peace shall adjourn the time of holding such court from day to day (*Sundays* excepted) until such court shall be duly held.

V. And be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury for the time being shall cause to be prepared true lists of the number of all the inhabited houses within the limits of the jurisdiction of each court of general sessions, which are assessed and pay to the duties on inhabited houses, or to the duties on houses, windows, or lights, in such part of *Great Britain* as aforesaid, by virtue of any act or acts of parliament now in force, distinguishing therein each hundred, rape, lath, wapentake, or district, and also each parish, tything, or place, within such hundred, rape, lath, wapentake, or district, and shall cause the same to be laid before the justices then assembled at their respective courts of general sessions, by the respective surveyors of the said duties, and to be by them verified on oath, if required (which oath the said justices then assembled are hereby authorized to administer); and such justices shall proceed to appoint what number of men shall serve for each such hundred, city, or town, rape, lath, wapentake, or district, and also for each parish, tything, or place, separately supporting its own poor, within such hundred, city, or town, rape, lath, wapentake, or district respectively, and in proportion, as nearly as may be, to the number of houses therein respectively assessed and paying to the said duties, and so as the whole number of men appointed by this act to be raised for such county, riding, or division, may be included, and shall issue an order, signed by the clerk of the peace of such county, riding, or division, to the chief constables or other officers of the respective hundreds, laths, wapentakes, or other districts, within such counties, ridings, or divisions as aforesaid, requiring them to give notice to the churchwardens or overseers of the poor of every parish, tithing, or place, separately supporting its own poor, within their respective hundreds, rapes, laths, wapentakes, or other districts, of the number of men so appointed to be levied for such parishes, tythings, or places respectively, and of the time allowed for raising the same, and of making a return to such orders; all which particulars shall be specified in such orders and notices respectively: and the said justices, at such court of general sessions, shall also appoint petty sessions to be held within the different districts of each county, riding, or division, wherein petty sessions have been usually held, and also

ing the first
general ses-
sions.

If sufficient
justices do not
attend, the
sessions may
be adjourned.

Treasury to
cause lists to
be prepared
of the number
of inhabited
houses within
the limits of
each court of
sessions liable
to pay the du-
ties on houses,
&c. and laid
before the jus-
tices by the
surveyor of the
duties.

Justices to ap-
point what
number of
men shall serve
for each hun-
dred, &c.;

and to order
the constables
to give notice
of the number,
and the time
for raising
them, to the
parish officers.

Justices at ge-
neral sessions
to appoint
petty sessions
for receiving
returns, and

attesting and
inrolling men.

within each city, borough, town, cinque port, or liberty, having magistrates of itself, for the purpose of receiving the returns of the officers of the several parishes, tythings, or places, within those districts respectively, and of attesting and causing to be inrolled the number of men to be raised by virtue of this act, after such persons shall be approved of by the regulating officer or officers to be appointed for that purpose; and the said justices shall also appoint a time for holding the first petty sessions to be holden in each district under this act, at which first petty sessions returns shall be made by the chief constables and other officers, and also by the churchwardens or overseers, of all matters and things done by them in pursuance of this act, according to the directions therein contained, and which petty sessions shall be appointed at a day not later than twenty-one days after issuing the orders before-mentioned; and such justices, having completed such orders, shall and may then adjourn their court of general sessions to the next quarter sessions of the peace to be holden for such county, riding, or division.

At first petty
sessions, con-
stables and
parish officers
to make re-
turns, &c.

Mayor, &c. of
London, at
the general
sessions, to ap-
point the num-
ber of men to
serve for each
ward, &c. in
proportion to
the amount of
the duties on
houses, &c.

VI. Provided always, and be it further enacted by the authority aforesaid, That the mayor, recorder, and aldermen of the city of London, assembled at the general sessions of the peace to be held in and for the said city, by virtue of this act, shall appoint the number of men to serve for each ward or parish, precinct, liberty, and place, separately supporting its own poor, within the city, and county of the city of London aforesaid, as nearly as may be to the amount of the assessment to the duties on inhabited houses, and the duties on houses, windows, or lights, in such ward or parish, precinct, liberty, and place respectively, instead of the number of houses therein respectively assessed and paying to the said duties, as herein-before directed; any thing herein contained to the contrary thereof notwithstanding.

Clerks to the
commissioners
for the duties
on houses, &c.
in London, to
prepare lists of
the numbers
of houses as-
sessed; and the
amount of the
assessments in
each ward,
&c. to be laid
before the
mayor, &c.

VII. And, for enabling the mayor, recorder, and aldermen of the city of London aforesaid to appoint or apportion the number of men herein-before directed, be it further enacted by the authority aforesaid, That the clerk or clerks to the respective commissioners for carrying into execution the several acts of parliament respecting the duties on inhabited houses, and the duties on houses, windows, or lights, in the city and county of the city of London aforesaid, shall prepare, or cause to be prepared, true lists of the number of all inhabited houses which are assessed, and pay to the duties on inhabited houses, or to the duties on houses, windows, or lights, in the city and county of the city of London aforesaid, by virtue of any act or acts of parliament now in force, and also the amount of the assessments of the said duties respectively, distinguishing therein each ward or parish, precinct, liberty, or place, separately supporting its own poor, within the city and county of the city of London aforesaid; and the said lists shall respectively be verified on oath by the said clerk or clerks, if required, (which oath the said mayor, recorder, or aldermen respectively, are hereby authorized to administer), and laid before the mayor, recorder, and aldermen, assembled at their respective general or quarter sessions aforesaid.

VIII. And be it further enacted by the authority aforesaid, That, within every county, riding, or division, (not being a city, town, or borough, and a county of itself, nor a city, borough, town corporate, cinque port, or liberty, having respectively their own magistrates or justices), the justices of the peace usually acting in and for the district wherein such petty sessions shall be directed by the court of general sessions to be held, or such other justices as shall be specially appointed by the court of general sessions to act in such district, which they are hereby authorized to appoint in every district where they shall see occasion, shall be the justices for holding such petty sessions, and no other; and that within any city, borough, town corporate, cinque port, or liberty, or any city, borough, or town, being a county of itself, the justices or magistrates of such city, borough, town corporate, cinque port, or liberty, and no other, shall hold such petty sessions within such city, borough, town corporate, cinque port, or liberty; and such justices respectively shall meet and hold their respective petty sessions at the time and place appointed by the general sessions, and shall receive the returns of the churchwardens and overseers of the poor of all such parishes, tythings, and places respectively, touching the execution of the orders given to them under this act; and shall, at their first petty sessions to be held by virtue of this act, fix a time or times for hearing the appeals of parishes, tythings, or places, charged to raise men under this act, against the proceedings of regulating officers to be appointed under this act, as herein-after is directed; and shall give notice at what time or times, place or places, any such appeal may be heard and determined, and which shall not be later than twenty days after the respective times appointed for making returns by the churchwardens or overseers respectively; and such justices shall then and there meet to hear and determine such appeals, and in all respects shall do and execute, with diligence and dispatch, all matters and things intrusted to them by this act; and any one or more of such justices there attending, or in default of such attendance the high constable or other principal officer of the peace of the hundred, rape, lath, wapentake, city, borough, town, liberty, or place, wherein such petty sessions shall be held, shall have authority from time to time to adjourn the petty sessions, giving publick notice of the time and place of holding the next adjourned sessions, and so from time to time, as there shall be occasion, by causing such notice in writing to be affixed on the door of the church or chapel of the place where such sessions shall be held, two days at least before the time of holding such sessions, where such time shall intervene, otherwise at such convenient time as shall be most expedient.

What justices shall hold the petty sessions.

Justices to hold the petty sessions when appointed by the general sessions, and receive the returns of the parish officers. First petty sessions to fix a time for hearing appeals, &c.

Petty sessions may be adjourned.

IX. And be it further enacted by the authority aforesaid, That it shall be lawful for the said justices at their general sessions to add together, whenever they shall think it necessary, two or more parishes, tythings, or places, for the raising any man or number of men, by virtue of this act, so as to make the charge

General sessions may add together two or more places for raising men, &c.

charge within every parish, tything, or place, as equal and impartial as possible; and that where the parishes, tythings, or places, so added together, shall lie in different hundreds, rapes, laths, wapentakes, or districts, within the same county, riding, or division, to direct in what hundred, rape, lath, wapentake, or district, the same shall be considered, for the purposes of this act; and the said justices, and also the justices at their petty sessions, and all churchwardens and overseers of the poor of the said parishes, tythings, and places respectively, so added together, shall proceed to raise the proportion of men, in like manner as if they had been originally charged upon one parish, tything, or place; and the churchwardens and overseers of the several parishes, tythings, and places, so added together, shall act together in the execution of this act as if they were respectively officers

and also extra-parochial or other places where no poors rates shall have been made for three years, to places adjoining thereto.

Parish officers acting so together, to hold their meetings in the place named first in the order of general sessions.

Justices at petty sessions to determine differences between inhabitants or parish officers.

Fines for default of raising men or bounties to be proportioned between places added together, accord-

of one and the same parish, tything, or place; and that where there shall be any extra-parochial place, or other place wherein no rate for the relief of the poor shall have been made within the space of three years next before the passing of this act, it shall be lawful for such justices at such general sessions to add such extra-parochial or other place where no rates have been made as aforesaid, for raising the quota of men by virtue of this act, to any parish, tything, or place adjoining thereto, and where churchwardens or overseers shall be appointed and shall act; and such churchwardens or overseers of such other parish, tything, or place, shall, for the purposes of this act, by virtue of such addition, be appointed to act, and shall act, as churchwardens or overseers of such extra-parochial or other place where there are no rates as aforesaid; and in all such cases the churchwardens and overseers acting together for such parishes, tythings, or places (whether parochial or extra-parochial), by virtue of this act, shall hold their meetings under this act in the parish, tything, or place, which shall be named first in such order of general sessions; and if any difference or disagreement shall arise between the inhabitants or officers of any parish, tything, or place, or between the officers of different parishes, tythings, or places, touching the execution of this act, the justices of the peace or magistrates, acting in and for the district where such difference or disagreement shall happen, shall at any petty sessions, and they are hereby authorised, at the request or upon the complaint of any inhabitant of any such parish, tything, or place, to hear and determine the same, and make such order therein as to them shall seem meet, and such orders shall be final and conclusive to all parties.

X. Provided always, and be it further enacted by the authority aforesaid, That where any such parishes, tythings, or places shall be added together as aforesaid, and any fine or fines shall be adjudged to be levied for default of raising the proper proportion of men, or any sum or sums of money agreed to be given as a bounty or bounties to any man or men raised in pursuance of this act, shall be directed to be levied, such fine or fines, and bounty or bounties respectively, shall be divided and apportioned,

tioned, as near as may be, between such parishes, tythings, and places respectively, in such proportions as the number of inhabited houses assessed to and paying the said duties in each parish, tything, or place, shall bear to each other; and the respective justices are hereby authorized and required to divide and apportion the same accordingly.

XI. And be it further enacted by the authority aforesaid, That where any parish shall lie in two or more counties, ridings, or divisions, the charge imposed upon such parish, for raising men for his Majesty's service by this act, shall be in the county, riding, or division, where the church belonging to such parish is situated, and that such parish shall, for the purposes of this act, be deemed part of the county, riding, or division; and the bounty or bounties to be levied (or in case any fine or fines shall be levied of such parish for default in not raising men for the purposes of this act, then also such fine and fines respectively) shall be paid to the treasurer of such county, riding, or division.

XII. And be it further enacted by the authority aforesaid, That for the several purposes of this act, the constabulary of *Craike*, which is a parcel of the county of *Durham*, surrounded by part of the north riding of the county of *York*, shall be deemed to be situate within, and part of, the said north riding; and that part of the parish of *Maker*, which lies in the county of *Cornwall*, shall be deemed to be situate within, and part of, the county of *Cornwall*; and that the town and parish of *Wokingham* shall be deemed to be situate within, and part of, the county of *Berks*; and that the township of *Filey* shall be deemed to be situate within, and part of, the east riding of the county of *York*; and that *Threapwood* shall be deemed to be situate within, and part of, the parish of *Worthenbury* in the county of *Flint*; and that the parish of *Saint Martin*, called *Stamford Baron*, in the suburbs of the borough and town of *Stamford* on the south side of the waters called *Welland*, shall be deemed to be situate within part of the county of *Lincoln*; and that the several towns and places herein-before mentioned, and deemed to be situate within, and part of, the several counties, ridings, and places aforesaid, for the purposes of this act, shall be subject to the jurisdiction and authority of the justices of the peace and other officers of the respective counties, ridings, and places, within which such towns and places are hereby deemed to be situate; any law, usage, or custom, to the contrary notwithstanding.

XIII. And be it further enacted by the authority aforesaid, That the churchwardens or overseers of the poor of every parish, tything, or place, to whom notice of such orders as aforesaid shall be given, shall, immediately after the receiving such notice, call together the principal inhabitants of such parish, tything, or place, to a vestry or other meeting, to take into consideration the most speedy and effectual means of raising the number of men appointed to be raised by them in pursuance of this act, of which meeting two days publick notice shall be given in writing, by affixing the same on the church or chapel door of every such parish,

ing to the number of inhabited houses assessed in each.

The charge for raising men in any parish lying in two counties shall be made in that where-in the church stands, &c.

Craike shall be deemed part of the north riding of Yorkshire; that part of *Maker* as lies in Cornwall, part of that county; *Wokingham*, part of the county of *Berks*; *Filey*, part of the east riding of Yorkshire; *Threapwood*, part of the parish of *Worthenbury*; and *Stamford Baron*, part of Lincolnshire.

Parish officers to call the principal inhabitants together, to consider of the most effectual means of raising men;

and, with their consent, to agree with volunteers to serve in the navy;

and to make rates for the bounties, &c.

Parish officers may reimburse themselves money paid to volunteers.

Power for collecting poor rates to extend to this act.

Justices may direct a third of bounties to be advanced, at the request of volunteers, on their being brought for examination; and the residue to remain in the hands of the treasurer till they are mustered on board.

parish, tything, or place, or where there is no church or chapel, then on the church or chapel door nearest thereto, specifying the cause of calling such vestry or meeting; and it shall be lawful for the said churchwardens and overseers respectively, with the consent of the inhabitants of such vestry or meeting so assembled, to agree with any person or persons, subject to such approbation or rejection as herein is mentioned, to enter as a volunteer or volunteers to serve his Majesty in the navy of *Great Britain*; and if any such churchwardens or overseers shall, pursuant to such consent, agree to give to such volunteer or volunteers any sum or sums of money, as a bounty or bounties for his or their engaging in such service, it shall be lawful for such churchwardens or overseers to make a rate upon the inhabitants of every such parish, tything, or place, according to the rate then made for the relief of the poor; and where two or more parishes, tythings, or places, shall be added together by virtue of this act, such rate shall be made generally for all such parishes, tythings, or places, so added together, and shall be divided and apportioned between them in such proportions as the number of inhabited houses assessed to and paying the said duties in each such parish, tything, or place, shall bear to each other respectively; which rates being published and approved of as rates for the relief of the poor are by law directed to be published and approved of, it shall be lawful for such churchwardens or overseers to collect, and reimburse themselves all such sum or sums of money as they shall have paid for such volunteer or volunteers as aforesaid, and the overplus (if any) shall be applied, in like proportions as aforesaid, as part of the poor's rate; and all the like remedies, powers, rules, and methods, used, given, and applied, for ascertaining, levying, and collecting the rates for the relief of the poor, (except where other provisions are made by this act), shall be used, applied, and put in force, for ascertaining, levying, and collecting the rates to be made by virtue of this act, in all and every the parishes, tythings, and places, whether parochial or extra-parochial, charged with raising men for such service as aforesaid, in as full and ample a manner as if the same remedies, powers, rules, and methods, had been extended as well to such extra-parochial as parochial places, and were particularly set forth in this act.

XIV. Provided always, and be it further enacted by the authority aforesaid, That it shall be lawful for the justices of the peace, before whom any person shall be brought to be examined touching his consent to enter into the said service, to direct any sum not exceeding one third part of the bounty agreed to be paid to him on his engaging to serve, to be advanced to such person, or to such of his family, and in such proportions, as he shall request at the time of his enrolment; and that the residue of such bounty shall be paid into the hands of the said treasurer, there to remain until the same shall become payable to such person, on his being mustered on board any of his Majesty's ships of war as herein is directed.

XV. And be it further enacted by the authority aforesaid, That every person who shall agree to enter himself as a volunteer in such service as aforesaid shall be produced before the officer or officers appointed to regulate such service at the nearest place of rendezvous to any parish, tything, or place, for which such volunteer shall agree to serve; and in case such officer or officers shall, on examination, approve of such volunteer or volunteers to serve his Majesty, then such volunteer or volunteers may forthwith be brought before two or more justices of the peace acting in and for the district where any such parish, tything, or place, shall be situate; and in case it shall appear to such justices of the peace that such person or persons hath or have voluntarily entered himself or themselves in such service, then such justices shall, and they are required, forthwith to certify under their hands that such person or persons hath or have voluntarily entered himself or themselves in the service of his Majesty's navy, setting forth therein the place or places of the birth or lawful settlement, age or ages, and calling or callings, of him or them respectively, if the same shall be known; and shall also, at the foot of every such certificate, enter the amount of the sums to be paid as a bounty or bounties to such volunteer or volunteers, on his or their entering into such service, and the sums (if any) which shall be directed to be advanced to him or them at the time of his or their enrolment; and which certificates shall be delivered to such regulating officer or officers, and the regulating officer or officers shall thereupon cause such person or persons respectively to be inrolled in his Majesty's naval service.

Volunteers to be brought before the nearest regulating officer, and if approved, before two justices, who shall certify their entering, and certain particulars.

Certificates to be delivered to the regulating officer, who shall cause the volunteers to be inrolled.

XVI. And be it further enacted by the authority aforesaid, That in case the regulating officer or officers at the nearest place of rendezvous aforesaid shall reject any person or persons produced before him or them as such volunteer or volunteers as aforesaid, as unfit to serve his Majesty, and the churchwardens or overseers of any parish, tything, or place, for which such person or persons shall have been tendered to serve, shall think themselves aggrieved by such determination of such officer or officers, it shall and may be lawful for such churchwardens or overseers, on giving immediate notice to such regulating officer or officers of their intention, to appeal to the justices of the district wherein such parish, tything, or place, shall be situate, assembled at the next petty sessions to be holden by virtue of this act; and such regulating officer or officers, on receiving such notice, shall, and he and they is and are hereby required, before the time of hearing such appeal, to set down his reasons in writing for such rejection, which reasons, being produced before such justices at such petty sessions, it shall be lawful for such justices, on due consideration thereof, and on due examination of the person or persons so rejected, to give order therein, as in their discretion shall seem expedient, which orders shall be final and conclusive to all parties; and in case such justices shall see cause to rescind the determination of such regulating officer or officers, and shall cause to be delivered to

If regulating officer reject a volunteer, the parish officers may appeal to the petty sessions.

Regulating officer, before hearing appeal, to write his reasons for such rejection.

Justices order to be final.

If they rescind the determination of

the officer, and cause to be delivered to him a certificate, he shall cause the volunteer to be inrolled.

Officer to enter the names, &c. of persons inrolled in a book, and to transmit duplicates to the secretary to the admiralty.

Places for which volunteers are inrolled, to be discharged in respect of them, unless they appear to be disqualified before being entered.

Parish officers to make returns of volunteers inrolled to the petty sessions.

Justices to cause returns to be delivered to the clerk of the peace, to be inrolled at the sessions.

If returns of the whole number to be raised by any place be not made to the petty sessions in a limited time, the justices may

such regulating officer or officers such certificate as is hereinbefore directed, then such regulating officer or officers shall forthwith cause such person or persons, so raised and approved of, to be inrolled in his Majesty's service as a volunteer or volunteers; and the said officer or officers shall cause an entry to be made, in some book to be kept by him or them, of the names of volunteers or persons inrolled by virtue of this act, and of the parishes or places of their last abode or lawful settlement, if they can be known, and of their ages and descriptions, and sums paid on their account, and to whom the same shall be paid, and shall cause true copies or duplicates of such entries to be transmitted to the secretary of the admiralty for the time being, and which shall be made in the form herein-after mentioned; and the parish, tything, or place, parishes, tythings, or places, for which such volunteer or volunteers shall be so inrolled to serve, shall be discharged in respect to such volunteer or volunteers so inrolled, unless such volunteer or volunteers shall afterwards, and before he or they shall be entered in any of his Majesty's ships or vessels of war as seamen, respectively appear to be within any of the disqualifications in this act expressly mentioned, and shall be, by reason of such disqualification, discharged from such service, or otherwise taken out of the same, then and in every such case the parish, tything, or place, parishes, tythings, or places, shall be liable to provide other fit and able men in lieu of those who shall so appear to be disqualified, to be raised in the manner directed by this act.

XVII. And be it further enacted by the authority aforesaid, That as soon as any person or persons shall be inrolled as such volunteer or volunteers as aforesaid, for any place or places, the churchwardens or overseers of or acting for such place or places shall make a return thereof to the justices of the district, at their petty sessions to be holden next after such inrolment, specifying the name, the place of the birth or lawful settlement, the age, and the calling of every such person, if the same can be known, together with the amount of the sum or sums of money agreed to be paid by way of bounty to every such volunteer, which shall be verified on oath, (if required), and which oath such justices are hereby authorized to administer; and every such return so made, the said justices shall cause to be delivered to the clerk of the peace of the county, riding, or division, to be inrolled at the sessions there, at the next general or quarter sessions to be holden for such county, riding, or division: and in case returns of the whole number of men appointed to be raised by and for any place or places shall not be made to the justices of the district at such petty sessions, within the space of three weeks next after the service of notice of the order of general sessions for raising such number of men, it shall and may be lawful for the justices of such petty sessions to summon before them the churchwardens or overseers of or acting for such place or places making such default; and in case it shall not be made to appear by such churchwardens or overseers, to the satisfaction of such justices,

that such default hath not happened by reason of any wilful neglect of, or disobedience to, the said order of sessions, and that the same hath been unavoidable, it shall be lawful for such justices, and they are hereby required, to fine the said churchwardens or overseers in a sum which shall be ten pounds over and above the amount of such sum as shall appear (as far as the same can be ascertained) to have been given on an average as a bounty to men inrolled by virtue of this act within the said district, or in case no men shall be raised within the said district, then in the nearest district for which men shall then have been raised, for each man appointed to be raised by or for such place or places, and whereof such default shall have been made as aforesaid; and in case the same shall not be forthwith paid, it shall be lawful for the said justices to levy the same by warrant under their hands and seals, by distress and sale of the goods and chattels of such churchwardens or overseers, returning the overplus (if any) to the owner or owners thereof, in case such justices shall adjudge the default to have been wilfully made by the said churchwardens or overseers; or to cause the same to be raised by a like rate as aforesaid upon any inhabitant or inhabitants of such place or places in case such inhabitant or inhabitants shall be adjudged to have wilfully made such default, such inhabitant or inhabitants being previously summoned by such justices to shew cause why such rate should not be made; but in case such justices shall in their judgement deem such default unavoidable, and such churchwardens or overseers shall require further time for raising the number of men appointed to be raised by them for his Majesty's service, it shall be lawful for such justices, by their order under their hands, to allow such further time as they shall think reasonable, not exceeding the space of fourteen days from the date of such order; and every such order shall be preemptorily complied with, under pain of forfeiting such sum of money as is before mentioned for each man of whom default shall be made, to be levied, as herein-before is directed, on such churchwardens or overseers, in case the justices shall adjudge the default to have been wilfully made by such churchwardens or overseers, or otherwise to be levied on the inhabitants of such place.

XVIII. Provided always, and be it further enacted, That in every case where justices shall allow further time for raising the number of men appointed to be raised for his Majesty's service, such justices shall proceed as herein-before directed, in hearing and determining the appeals of such parishes, tythings, or places, to which such further time shall be allowed.

XIX. And be it further enacted by the authority aforesaid, That all and every sum and sums of money agreed to be given as a bounty or bounties, or be paid thereout to any man or men raised in pursuance of this act, (except such sums as shall have been directed by the justices of the peace to be advanced to any man at the time of his inrolment, in his Majesty's service, by virtue of this act), and also all fines levied upon the churchwardens or overseers by distress and sale as aforesaid, or upon

summon the parish officers, and may fine them for neglect.

If fines be not forthwith paid, they may be levied on the parish officers goods, or raised by a rate on the inhabitants.

If justices deem the default unavoidable, they may allow further time;

and in such case shall proceed as before directed in hearing appeals.

Bounty money and fines to be paid to the county treasurer.

Treasurer to place monies to certain accounts.

In case of default as aforesaid, persons authorised by his Majesty may produce substitutes, or volunteers may offer themselves as such to two justices, who shall settle the bounties to be paid; and certify the consent of substitutes.

Justices to transmit copies of certificates to the clerk of the peace, to be inrolled at the sessions.

Regulating officer to cause the substitutes to be inrolled, which shall discharge the respective places, &c.

Justices to order treasurer to transfer bounties to the use of substitutes; and may order rewards to persons providing them.

Residue of fines to be applied by the

such inhabitants by a rate, for their default in not raising the number of men appointed to be raised by virtue of this act, shall be forthwith paid into the hands of the treasurer of the county, riding, or division, for the uses and purposes of this act; and such respective treasurers shall place the amount of the fines to the account of the respective parishes, tythings, or places, paying the same, and the amount of the sums paid of the bounties to the account of the volunteer or volunteers for whose use the same was collected; and that in all cases where such default as aforesaid shall be made, it shall be lawful for any person or persons, having authority under his Majesty to provide men for the service of the navy, to produce any persons as substitutes, or for any such persons voluntarily to come before any two or more justices of the peace of the district where the parishes, tythings, or places making such default shall be situate, and be examined before such justices as to their consent to serve in his Majesty's navy, as substitutes for such parishes, tythings, or places respectively, and who shall, and they are hereby authorised and required to settle the bounty or bounties to be paid for such substitutes respectively; and such justices shall, in case any such persons shall be approved of by the regulating officer or officers as aforesaid, certify such consent and approbation, together with the names, places of birth, or lawful settlement, ages, and callings of such persons respectively, and the bounties agreed to be paid, in the manner herein-before directed with respect to volunteers; and such justices who are hereby respectively required to grant certificates on the inrolment of any person or persons as a volunteer or volunteers, or substitute or substitutes, by virtue of this act, shall transmit a copy of every such certificate under their hands to the clerk of the peace for the county, riding, or division, to be inrolled at the sessions there, at the next general or quarter sessions to be held for such county, riding, or division; and thereupon such regulating officer shall cause such persons to be respectively inrolled as such substitutes as aforesaid, and such parishes, tythings, or places respectively, for which such substitutes shall be raised, shall be discharged in like manner as aforesaid, unless such substitutes shall appear to be disqualified, and by reason thereof be taken out of his Majesty's service in the manner before mentioned; and the said justices shall thereupon make an order upon such treasurer as aforesaid, to transfer in his account, unto the use of such persons respectively so inrolled as substitutes, such sums of money, not exceeding the amount of the fines levied for such default as aforesaid, as shall have been agreed to be paid as bounties to such persons respectively; and the said justices shall and may, at any time after such substitutes shall be respectively entered on board any such ship of war, also order such further sum of money out of the residue of such fines (if any) to be paid to any person or persons duly authorised to provide men for the navy, who shall appear to such justice to have used diligence in providing any such substitutes, as a reward for the labour, or in payment of lawful charges to be incurred by bringing such substitute to be inrolled; and the residue (if any) that

that shall remain of such fines in the hands of such treasurer, after payment of such sums as aforesaid, or for want of sufficient substitutes being provided, shall be in the disposal of the justices at the general or quarter sessions of the peace, and shall be by them applied in providing men for the augmentation of his Majesty's navy, in such manner as in their discretion shall seem expedient; and the said justices shall, in case any part thereof shall remain in the hands of such treasurer at the *Midsummer* sessions in the present year, cause to be transmitted an account thereof to the commissioners of his Majesty's treasury.

XX. And be it further enacted by the authority aforesaid, That every such certificate so granted, or a full and true copy thereof, signed by such regulating officer or officers, shall in all cases where any such person inrolled by virtue of this act, shall be placed under the command of any other officer or officers, either on shore, or on board any ship or vessel, be transmitted along with such person so inrolled, and delivered to the commanding officer of the ship or vessel on board which such person shall be entered to serve; and such commanding officer shall, within four days from the time of such person being mustered and rated on board such ship, and before such ship or vessel of war shall proceed to sea, make out a ticket or tickets for the payment of the bounty money agreed to be paid to such person on his engaging to serve, and then remaining due, and which shall be expressed in the certificate granted on that behalf, or in such copy thereof as aforesaid, in such manner as if such bounty money had become due to such person on account of arrears of wages as a seaman on board such ship or vessel; and such bounty money shall and may be paid to such person, or to such person's family, and in such proportions, as such person shall request, in the manner directed by an act, made in the thirty-first year of his late majesty King *George* the Second, intituled, *An act for the encouragement of seamen employed in the royal navy; and for establishing a regular method for the punctual, frequent, and certain payment of their wages; and for enabling them more easily and readily to remit the same for the support of their wives and families; and for preventing frauds and abuses attending such payments*, or by any other act relating to the payment of such wages: provided always, That where such person shall desire any portion of the said bounty money then remaining due to be paid to his family, the list required to be made out in such case by the captain or commander of such ship or vessel, shall be made out in the manner required by the said act of the thirty-first year of his late Majesty aforesaid, except that in such list the treasurer of the county, riding, or division, who shall have received such bounty money for the use of such person so entered in the service of his Majesty, shall be specified, instead of the receiver general of the land tax, the collector of the customs or excise, or clerk of the cheque, or other officer, directed by the said act to pay any part of the arrears of wages due to seamen in the navy; and that the bills to be made out thereupon shall be made out by such captain and commander, and directed to such treasurer, and not to such

quarter sessions to provide men for the navy; and if any remain in the treasurer's hands at the *Midsummer* sessions 1795, an account to be transmitted to the treasury.

Certificates, or copies, to be transmitted with the persons inrolled, and delivered to the commanding officers of the vessels in which they shall be entered, who shall make out tickets for payment of bounty money due, as for arrears of wages, which may be paid agreeably to 11 Geo. 2. c. 30, &c.

How lists and bills shall be made out by captains, where persons desire to have part of their bounty paid to their families.

Rules for payment of wages to be used for payment of bounty.

receiver general, collector, clerk, or other officer; and that all the rules, forms, directions, and methods, used for the payment of wages due to seamen, or payable to their families, in pursuance of the said act of the thirty-first year aforesaid, or by any such other act of parliament, (except as aforesaid), shall be used in like manner for the payment of such bounty money to all and every the men who shall be entered into his Majesty's service in pursuance of this act, or to their respective families, and in as full and ample a manner, as if the said acts, and every clause therein contained, had been extended and applied particularly by this act to such cases.

Justices may require the attendance of constables and parish officers:

XXI. And be it further enacted by the authority aforesaid, That it shall be lawful for the justices of the peace, assembled either at the general or quarter sessions, or for the justices at their petty sessions within their respective jurisdictions, or any two or more of them respectively, from time to time to issue their order or warrant, under their hands and seals, requiring the attendance of the high constable, constable, tything man, headborough, churchwardens, or overseers of the poor, of or acting for any parish, tything, or place, parishes, tythings, or places, at such time and place as in such order or warrant shall be expressed; and if any such officer shall refuse or neglect to appear according to such order or warrant, or shall refuse or neglect to make such return of all such matters and things directed to be done by them respectively in pursuance of this act, as shall be required of them by the said justices respectively, or to comply with such orders and directions as he or they respectively shall from time to time receive from the said justices, or any two or more of them respectively, in pursuance of this act, or shall, in making such return, be guilty of any fraud or wilful partiality, or gross neglect in his or their duty, the said justices, or any two or more of them respectively, are hereby empowered and required at their discretion to fine such person or persons in any sum not exceeding twenty pounds, nor less than five pounds; or in case of any fraud, wilful partiality, or gross neglect as aforesaid, to commit the person so offending to the common gaol, there to be kept, without bail or mainprize, for the space of one calendar month.

penalty on them for neglect of duty.

Clerk of the peace, within 14 days after the Midsummer sessions 1795, to transmit to the admiralty copy of returns, &c.

XXII. And be it further enacted by the authority aforesaid, That the clerk of the peace of every county, riding, or division, shall, and he is hereby required, within fourteen days next after the general quarter sessions of the peace to be held next after the day of *Midsummer* in the present year, to transmit to the commissioners of the admiralty a copy, signed by such clerk of the peace, of every return and certificate of men raised to serve in the navy by virtue of this act; and where such return or certificate shall be omitted to be made, such clerk of the peace shall certify such omission in like manner, and also what proceedings shall have been had at any quarter sessions in relation to the raising substitutes, where the due proportion of men shall not have been raised by the respective parishes, tythings, and places, charged therewith; and if any such clerk of the peace shall refuse or wilfully

On penalty of sool.

fully neglect to receive, deliver, make, record, or transmit, any such returns or extracts as aforesaid, according to the directions and true meaning of this act, every such clerk of the peace so offending shall, for every such offence, forfeit and pay the sum of five hundred pounds.

XXIII. Provided always, and be it further enacted by the authority aforesaid, That no person shall be received or inrolled in his Majesty's service, by virtue of this act, who is not, in the opinion of the regulating officer or officers, such an able-bodied man as is fit to serve his Majesty, and is free from ruptures, and every other distemper, or bodily weakness or infirmity, which may render him unfit to perform his duty in the navy; or who, in the opinion of such officer or officers, shall appear to be under the age of sixteen years, or above the age of forty-five years; nor any person being an articulated clerk or apprentice, nor persons serving under articles in the coal trade, until the expiration of the said articles, (unless with the consent of the master of such clerk or apprentice, or of the master of such other persons as aforesaid); nor any person enlisted in any of his Majesty's forces, whether military or marine, or who has deserted therefrom, or who is already entered in his Majesty's navy; nor any poor man (not being a sea-faring man) who has more than two children born in wedlock: provided, That no person inrolled by virtue of this act shall, by reason of any such disqualification as aforesaid, be liable to be discharged from his Majesty's service, or taken out of the same, unless notice in writing of such disqualification shall be given to the officer or officers under whose command such person shall be, before the time of his entering on board any of his Majesty's ships of war as a sailor, and before the bounty, hereby authorised to be paid to men raised by virtue of this act, shall have been paid or satisfied to him; any thing before contained to the contrary notwithstanding.

Disqualified persons not to be inrolled;

but no such person if inrolled shall be discharged, unless notice of his disqualification be given to the officer before his entering on board, or receiving his bounty.

XXIV. And be it further enacted by the authority aforesaid, That every person inrolled by virtue of this act, shall be liable to serve in the navy of *Great Britain* during the continuance of the present war, and for the space of three calendar months after the end of the war, if the ship on board which such persons shall serve shall be in any of the ports of *Great Britain*, or otherwise for the space of three calendar months next after the arrival of such ship in any such port.

Term for which persons inrolled shall be liable to serve.

XXV. And be it further enacted by the authority aforesaid, That if any person, being inrolled in his Majesty's naval service, by virtue of this act, shall desert such service, or, being actually entered in such service, shall list himself in any company, troop, or regiment in his Majesty's military or marine forces, without first having a discharge in writing from the said commissioners of the admiralty, or such officer or officers as shall be duly authorised by them for that purpose, or shall strike or use any violence against any officer or officers under whose command he shall be put, (such officer or officers being in the execution of his or their duty), or shall disobey any lawful command of such officer or officers, all and every person or persons so offending on

Penalty for desertion, listing in the military or marine forces, striking or disobeying an officer, &c.

shore in any such part of *Great Britain* aforesaid, shall suffer death, or such other punishment as by a court martial shall be inflicted; and such person or persons, being apprehended or in custody for such offence, shall and may be conveyed on board any of his Majesty's ships of war in commission, at any of the ports of this kingdom, and there detained and tried for such offence, in such manner and by such court, as if such offence had been committed on board, or from on board such ship of war.

Constables, &c. may cause suspected deserters to be apprehended, and if magistrates find them to have been inrolled they shall commit them, and transmit an account to the admiralty.

XXVI. And it is hereby further enacted, That it shall and may be lawful to and for the constable, headborough, or tything man of the town or place where any person inrolled by virtue of this act, who may be reasonably suspected to be such a deserter, shall be found, to apprehend or cause him to be apprehended, and to cause such person to be brought before any justice of the peace living in or near such town or place, who is hereby empowered and required to examine such person; and if by his confession, or the testimony of one or more witness or witnesses upon oath, or by the knowledge of such justice of the peace, it shall appear or be found that such person is a person duly inrolled in his Majesty's service by virtue of this act, such justice of the peace shall forthwith cause him to be conveyed to the gaol of the county or place where he shall be found, or to the house of correction, or other publick prison, in such town or place where such deserter shall be apprehended, or to *The Savoy*, in case such deserter shall be apprehended within the cities of *London* or *Westminster*, or places adjacent, and transmit an account thereof to the secretary of the admiralty for the time being, to the end such person may be proceeded against according to law; and the keeper of such gaol, house of correction, or prison, shall receive the full subsistence of such deserter during the time he shall continue in his custody, for the maintenance of such deserter, but shall not be entitled to any fee or reward on account of the imprisonment of any such deserter; any law, usage, or custom, to the contrary notwithstanding.

Gaolers to receive subsistence of deserters, but no fee.

XXVII. And, for the better encouragement of any person or persons to secure and apprehend such deserter, be it further enacted by the authority aforesaid, That such justice of the peace shall also issue his warrant in writing to the collector or collectors of the land tax money of the parish or township where such deserter shall be apprehended, for paying, out of the land tax money arisen or to arise in the year one thousand seven hundred and ninety-five, into the hands of such person or persons who shall apprehend or cause to be apprehended any such deserter from his Majesty's service, the sum of twenty shillings for every such deserter that shall be so apprehended and committed; which sum of twenty shillings shall be satisfied by such collector or collectors to whom such warrant shall be directed, and allowed upon his or their account.

Justices to order 20s. out of the land tax money to the apprehender of a deserter.

Penalty for concealing deserters.

XXVIII. And be it further enacted, That if any person shall harbour, conceal, or assist, any deserter from his Majesty's said naval service, knowing him to be such, every such person so offending shall forfeit for every such offence the sum of five pounds; and

and upon conviction by the oath of one or more credible witnesses or witnesses before any one or more of his Majesty's justices of the peace, the said penalties shall be levied, by warrant under the hands of the said justice or justices of the peace, by distress and sale of the goods and chattels of the offender, one moiety of the said penalty to be paid to the informer by whose means such deserter shall be apprehended, and the residue of the said respective penalties to be paid to the officer to whom any such deserter did or doth belong, to be credited by him in his accounts; and in case any such offender, who shall be convicted as aforesaid of harbouring or assisting any such deserter or deserters, contrary to the intent of this act, shall not have sufficient goods and chattels whereon distress may be made to the value of the penalties recovered against him for such offence, or shall not pay such penalties within four days after such conviction, then and in such case such justice or justices shall and may, by warrant under his or their hand and seal, or hands and seals, commit such offender to the common gaol, there to remain without bail or mainprize for the space of three months.

Application of the penalty.

Offenders not having sufficient distress, or not paying penalty, may be committed for three months.

XXIX. *And whereas there may be occasion for the quartering of the men inrolled by virtue of this act, in several parts of this kingdom;* be it further enacted by the authority aforesaid, That it shall and may be lawful to quarter and billet the men inrolled in his Majesty's service, by virtue of this act, while on shore, (except in the city and county of the city of London aforesaid), in such manner, and at such times and places respectively, and under such and the like powers, rules, regulations, restrictions, and provisions, as his Majesty's marine forces may be quartered and billeted, by an act passed in the last session of parliament, intituled, *An act for the regulation of his Majesty's marine forces while on shore*, or by any other act then in force for the regulation of his Majesty's said marine forces.

Men inrolled may be billeted as the marines.

XXX. And be it further enacted by the authority aforesaid, That if any person or persons shall falsely make oath to any of the matters herein-before required to be verified, such person or persons shall suffer the like pains and penalties as are incurred by persons committing wilful and corrupt perjury; and that if any person or persons shall counterfeit, erase, alter, or falsify any certificate or return required or directed to be given or made by this act, or shall knowingly or wilfully make use of any certificate or return so counterfeited, erased, altered, or falsified, such person or persons shall for every such offence forfeit the sum of five hundred pounds.

Penalty for making false oath, or counterfeiting certificates of returns, &c.

XXXI. Provided always, and be it further enacted by the authority aforesaid, That if any person inrolled in his Majesty's service by virtue of this act shall be accused of any capital crime, or of any violence or offence against the person, estate, or property, of any of his Majesty's subjects, which is punishable by the known laws of the land, the officer or officers having the command of such party is and are hereby required to use his and their utmost endeavours to deliver over such accused person to the civil

Persons accused of offences punishable by law, shall be delivered over to the civil magistrate.

Penalty on officers not delivering over such offenders, &c.

magistrate, and shall also be aiding and assisting to the officers of justice in seizing and apprehending such offender, in order to bring him to trial; and if any such officer shall wilfully neglect or refuse, upon application made to him for that purpose, to deliver over such accused person to the civil magistrate, or to be aiding and assisting to the officers of justice in the apprehending such offender, every such officer so offending, and being thereof convicted before any two or more justices of the peace for the county, riding, or division, where the fact is committed, by the oath of two credible witnesses, shall be utterly disabled to have or hold any civil or military office or employment within this kingdom, or in his Majesty's service, provided the said conviction be affirmed at the next general quarter sessions of the peace for the said county, and a certificate thereof be transmitted to the commissioners of the admiralty for the time being.

No person inrolled shall be taken out of the service but for a criminal matter.

XXXII. And be it further enacted by the authority aforesaid, That no person who shall be inrolled in his Majesty's service by virtue of this act shall be liable to be taken out of his Majesty's service by any process whatever, other than by some criminal process, for some criminal matter punishable by the known laws of the land.

Inrolments, returns, &c. shall be made in the following form.

XXXIII. And be it further enacted by the authority aforesaid, That the several forms of inrolment and of the returns which the justices of the peace, and other officers before-mentioned, are required to cause to be made and returned of the number of men levied for his Majesty's service, together with the other particulars herein-before directed, shall be made as follows; *videlicet*,

Names of men inrolled	Volunteers.	Substitutes.	Parishes for which they serve.	Parishes they belong to.	Ages.	Descriptions of their persons.	Sums paid.	To whom paid.	Days on which they were inrolled, and at what places.

Justices may settle disputes between masters and hired servants inrolled, respecting wages, &c.

XXXIV. And be it further enacted, That if any servant whatever, hired by the year or otherwise, shall be inrolled, and any dispute shall arise between his master or mistress, employer or employers, and such servant, touching any sum or sums of money due to such servant for or on account of his service performed

performed before the time of such inrolment, or to such time as he shall be obliged to quit the service of his said master or mistress, employer or employers, it shall and may be lawful, on complaint made thereof to any justice of the peace for the county, riding, city, liberty, town corporate, or place where such master or mistress, employer or employers, shall inhabit, for such justice to bear and determine every such complaint, and to examine upon oath every such servant or any other witness or witnesses, touching the same, and to make such order for the payment of so much wages to such servant, in proportion to the service he has performed, as to such justice shall seem just and reasonable; and in case of refusal or nonpayment of any sums so ordered, by the space of seven days next after such determination, such justice shall and may issue forth his and their warrant to levy the same by distress and sale of the goods and chattels of such master or mistress, employer or employers, rendering the overplus to the owner or owners, after payment of the charges of such distress and sale.

XXXV. Provided also, and be it further enacted by the authority aforesaid, That this act, or any thing herein contained, shall not be deemed or construed to be a precedent on any future occasion to diminish or be prejudicial to the rights, liberties, customs, privileges, immunities, and exemptions, to which the mayor and commonalty, and citizens, of the city of *London*, or the freemen, citizens, or inhabitants of the said city, are entitled to enjoy by prescription, act of parliament, charter, usage, or otherwise howsoever.

This act not to be a precedent for diminishing the rights of the city of London.

XXXVI. And be it further enacted, That all fines, penalties, and forfeitures by this act imposed, which shall exceed the sum of twenty pounds, (except the fines to be levied for not raising the proportion of men as herein-before is directed), shall be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or the courts of great session in the principality of *Wales*, or the courts of the counties palatine of *Chester*, *Lancaster*, and *Durham*, (as the case shall require), wherein no essoin, privilege, protection, wager of law, or more than one imparlance, shall be allowed; and that all fines, penalties, and forfeitures, by this act imposed, which shall not exceed the sum of twenty pounds, shall, upon proof upon oath of the offence before any two or more justices of the peace of the county, riding, or place, where the offence shall be committed, be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of such justices, rendering the overplus (if any) on demand, after deducting the charges of such distress and sale, to the person whose goods and chattels shall have been so distrained and sold; and for want of sufficient distress such justices are hereby required, in all cases where no particular time of commitment is herein-before directed, to commit such offender to the common goal of the county, riding, or place, where the offence shall have been committed, for any time not exceeding three months; and the money arising by all such fines, penalties, and forfeitures, the application whereof is not otherwise

How fines may be recovered, and how applied.

wife particularly directed by this act, shall be paid, one moiety thereof to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to him or them that will inform or sue for the same.

No order to be removed by Certiorari, nor any writ to supercede execution.

XXXVII. And be it further enacted, That no order or conviction made by any justice or justices of the peace by virtue of this act shall be removed by *Certiorari* into any court whatsoever; and that no writ of *Certiorari* shall supercede execution, or other proceedings upon any such order or conviction so made 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.

Clerks of the peace, treasurers, clerks of petty sessions, constables, &c. to receive such rewards as the justices shall judge proper, who shall direct payment.

XXXVIII. And be it further enacted by the authority aforesaid, That the respective clerks of the peace, treasurers, clerks of justices at petty sessions, constables and other officers, who are hereby respectively required to execute this act in any of the particulars herein mentioned, and who shall respectively execute the same to the satisfaction of the justices of the peace at their respective quarter sessions assembled within the said counties, ridings, divisions, cities, towns, cinque ports, liberties, and places herein mentioned, shall have and receive such rewards, and no other, (except such rewards as shall be directed to be paid to any person for his pains or charges in raising substitutes as herein before directed), for their care and trouble in and about the executing of this act, and for their respective expences and charges in the same, as the said justices shall judge the said officers to have deserved, and the said justices shall, after allowance thereof, direct the same to be paid by the treasurer or other officer of such county, riding, or division, out of any money in his hands of the county rates; and if such treasurer or officer shall not have sufficient money in his hands of the county rates to pay the same, then such justices shall, and are hereby authorized and required to make a rate for the payment of the same, in such manner and form as they are authorized by law to make rates for the repair of gaols or county bridges, or any other purposes for which the rate commonly called *The county rate* is or may by law be applicable.

If treasurer shall not have sufficient of the county rates to pay such reward, the justices may make a rate.

If a place united with any county is not liable to pay county rates, the justices shall ascertain the proportion which it ought to pay.

XXXIX. Provided always, and be it further enacted, That if any district, town, liberty, or place, which is hereby united with any county for the purposes of this act, is not liable to such county rate, then the said justices hereby appointed for the carrying into execution the purposes of this act, shall, and they are hereby authorized and required jointly to ascertain the proportions of such rate which ought to be defrayed by such district, town, liberty, or place, according to the number of inhabited houses paying taxes within the same, and the amount so ascertained shall be levied within such district, town, liberty, or place, by the justices thereof, by a rate in the same manner as any justices might in a county levy money for county purposes.

Limitation of actions.

XL. And be it further enacted, That if any action shall be brought against any person or persons, for any thing done in pursuance of this act, such action or suit shall be commenced within

fix months next after the fact committed, and not afterwards, and shall be laid in the county or place where the cause of complaint did arise, and not elsewhere; and the defendant or defendants in every such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and if the jury shall find for the defendant or defendants in any such action or suit, or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his or their action or suit, after the defendant or defendants shall have appeared, or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have the like remedy for the same as any defendant hath in other cases to recover costs by law.

General issue.

Treble costs.

This act may be altered or repealed this session.

Forms in annexed schedule may be used.

No objection to be made for want of form.

XLI. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

XLII. And be it further enacted by the authority aforesaid, That the forms of the proceedings relative to the several matters contained in this act, which are set forth and expressed in the schedule hereunto annexed, may be used on all occasions, with such additions and variations only, as may be necessary to adapt them to the particular exigencies of the case; and that no objection shall be made, or advantage taken, for want of form in any such proceedings by any person or persons whatever.

T H E S C H E D U L E

To which this act refers.

No. 1.

FORM of appointment of general sessions.

To the justices of the peace for the county (riding, or division) of

WHEREAS it is enacted, by an act, intituled, [*here set forth the title of the act*], and passed on the _____ day of _____ that the justices of the peace acting in and for the county of _____ (*or riding, or division, as the case may be*), shall, within a time not exceeding twenty-one days after the passing of that act, assemble together at some convenient place in the said county of _____ (*or riding, or division*), where the general quarter sessions of the peace have heretofore or usually been held, and there hold a court of general sessions for the purpose of carrying effectually into execution the powers given to

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them by the said act, in pursuance of notice to be given by the clerk of the peace, with the consent of two justices of the peace in any newspaper usually circulated in the said county of five days at the least before the day appointed for holding such court: notice is hereby given that I clerk of the peace for the county (riding, or division) of by virtue of the powers and in pursuance of the direction contained in that act, have appointed, and do hereby appoint, with the assent of A. B. and C. D. two of the justices of the peace of the said county, (riding, or division), a general sessions, to be holden the day of next ensuing at the of in the said county, (riding or division), at the hall there situate, at the hour of in the forenoon of the same day, for the purpose of carrying the said act into execution, and that I have in pursuance thereof directed this notice to be published in the newspapers called *The* usually circulated in this county, (riding, or division), on the day of next ensuing, being days before the said time of meeting.

A. B. } Clerk of the peace for the county
of

No. 2.

FORM of appointment of number of men to be raised in the several districts.

To be annexed to the order to high constable.

AT the general sessions of the peace, held by virtue of an act, intituled, [*Here set forth the title of the act*], on the day of at we, the justices of the peace, in and for the county of assembled at the above sessions of the peace, do hereby appoint the number of men to serve for the hundred of (or city, town, rape, lath, wapentake, or district), and also for each parish, tything, or place, separately supporting its own poor, or extra-parochial place within the said hundred, (or city, town, rape, lath, wapentake, or district), within the county of as follows; *videlicet*,

Name of hundred, (or city, town, rape, lath, wapentake, or district.)	Names of Parishes, (or tythings or places.)	Number of men for each parish, (tything or place.)
Hundred of (or city, town, rape, lath, wapentake, or district, as the case may be.)	Parish of (tything or place) Parish of Parish of A. } being added Parish of B. } together by Tything of B. } virtue of the — — — C. } said act.	o o o o o o

gether the principal inhabitants of the said at a vestry to be held within the said (if more parishes, &c. than one, here insert the parish, &c. first named in the order of appointment), to take into consideration the most speedy and effectual means of raising the said man (or men) appointed to be raised for the said in pursuance of the said act, of which meeting you are to give two days publick notice in writing, by affixing the same on the church or chapel door of your parish or place (or, if more than one) church or chapel doors of your respective parishes or places, or if there is no church or chapel in your parish, (or place), then on the nearest church or chapel door, according to the form annexed: and you are hereby required to take notice, that such man (or men) is (or are) to be raised on or before the day of next ensuing, being twenty-one days after the date of the said order; and that as soon as you have agreed with any person to serve, you are to produce every such person before the officer appointed to regulate the admission of men into the naval service for your parish, and if he shall approve of him, you are then to cause him to be brought before two or more justices of the peace of your district, to be examined; and in case the regulating officer shall reject any person raised by you, and you shall think yourself aggrieved thereby, you are to give to him immediate notice of your intention to appeal to the justices at the next petty sessions to be held in your district; and you are to make a return of all matters and things done by you and the inhabitants aforesaid, or any of you or them, in pursuance of the said act, and according to the directions herein contained, to the justices of the peace acting in and for the district of at a petty sessions to be holden at on the day of next ensuing. Dated this day of in the year of our Lord

A. B. chief constable of

No. 5.

FORM of notice to the principal inhabitants of any parish or place, or parishes or places united together.

To the principal inhabitants of

NOTICE is hereby given, that you are required to meet on next ensuing, at a vestry (or meeting) at to take into consideration the most speedy and effectual means of raising one man (or men) appointed at a general sessions of the peace holden on the to be raised by you for the service of the navy, in pursuance of an act, intituled, [*Here set forth the title of the act*], and so that such man (or men) be raised, approved of, and inrolled in his Majesty's service,

service, on or before the _____ day of _____ now
 next ensuing, being the time appointed for raising such man (or
 men).

A. B. } Churchwarden,
 C. D. } Overseer.

No. 6.

FORM of order for fixing the time of appeals.

To the churchwardens and overseers of the several
 parishes, tythings, and places, within the
 of _____ in the county (riding, or division)
 of _____ and to each and every of them.

M— } AT the first petty sessions held by virtue of an act,
 } intituled, [*Here set forth the title of the act*], for the
 purpose of receiving the returns of the churchwardens and over-
 seers of the poor of the parishes, tythings, and places respectively,
 within this hundred, (or rape, lath, or wapentake, as the case may
 be), touching the execution of the orders given them under the
 above act, it is ordered by the justices of the peace, acting in and
 for the said district, attending the said petty sessions, that all
 appeals of parishes, tythings, or places, within the said district,
 charged to raise men, under the above act, against the proceed-
 ings of regulating officers appointed under that act, who shall reject
 any man or men raised by the said respective parishes, tythings,
 or places, whereby such churchwardens or overseers shall be
 aggrieved, shall and may be heard and determined on the
 day of _____ next ensuing, and on _____ following,
 until such appeals shall be determined at _____ before such
 justices as shall then and there meet to hear and determine such
 appeals. Given under our hands and seals, the
 day of _____ in the year of our Lord

No. 7.

*FORM of order of justices upon a difference or disagreement between
 two parishes or places.*

M— } WHEREAS complaint hath been made to us A. B.
 District of } C. D. justices of peace, in and for the said county
 of M. acting in and for this district, and assembled at a petty
 sessions this _____ day of _____ in the year of our Lord
 _____ that (*here set out the com-
 plaint*), we do hereby order that (*here set out the order*), and
 that this order shall be final and conclusive upon all parties.
 Given under our hands and seals, this _____ day of
 _____ in the year of our Lord

No. 8.

FORM of the justices certificate.

M— } WE *A. B.* and *C. D.* esquires, two of the justices of
 } the peace in and for this county, and acting in and
 for the district of in which the parish of
 is situated, do hereby certify, that *E. F.* hath voluntarily entered
 himself in the service of his Majesty's navy, and that his descrip-
 tion is as under-written :

Number of Certificates.	Name.	Place of birth or lawful Settlement.	Age.	Calling.
	<i>E. F.</i>	Parish of	o o	

And we do further certify, that the sum of £. hath
 been agreed to be paid as a bounty to the said *E. F.* on his en-
 tering into such service; (and if any sum is to be paid to him on in-
 rolment, add as follows), and we do hereby direct, that the sum of
 £. part thereof, shall be paid to the said *E. F.* (or to
 the wife, child, or father, or mother of the said *E. F.*
 at his request), at the time of his inrolment. Given under our
 hands and seals, this day of in the year
 of our Lord

No. 9.

FORM of notice by churchwardens or overseers to the regulating
officers of appeals.

To *A. B.* regulating officer (or, to *A. B. C. D.* and *E. F.*
 regulating officers) at under an act, in-
 titled, [here set forth the title of the act.]

WHEREAS you, as such regulating officer, have rejected
A. B. produced before you as a volunteer to serve in his Majesty's
 navy, as unfit to serve his Majesty, and we *J. W.* and *T. B.*
 churchwardens, or overseers, of the parish of (or name
 of place), for which parish (or place) the said *A. B.* was tendered
 to serve, think ourselves aggrieved by such determination; no-
 tice is therefore hereby given to you, that it is our intention to
 appeal against such determination to the justices of the peace,
 acting in and for this district, to be assembled at the next petty
 sessions to be holden by virtue of this act. Given under our
 hands this day of

No. 10.

FORM of return of churchwardens and overseers to the justices of their district, at their petty sessions, of persons inrolled.

Return of persons inrolled as volunteers to serve in his Majesty's navy for the parish of _____ under an act, intituled, [here set forth the title of the act.]

Names.	Parishes or Places for which they serve.	Parishes or Places of Birth or Settlement.	Calling.	Age.	Sums agreed to be paid as Bounty.
A. B.	Parish of _____	Parish of _____	Yeoman	17	£. - -
C. D.	Town _____	- - - - -	- - - - -		

A. B. } Churchwardens.

C. D. } Overseers.

No. 11.

FORM of summons of churchwardens or overseers acting for places that have made default.

M— } To A. B. and C. D. churchwardens or
District of } overseers of the parish of _____

WHEREAS the returns of the whole number of men appointed to be raised by the parish of _____ (or if more than one, the parishes of _____ or name of place or places), has not been made within the time limited to you for so doing; this is therefore to require you to appear before the justices of the peace in and for the said county, and acting in and for this district, to be assembled at a petty sessions to be holden on the _____ day of _____ at _____ to answer for your default therein, and to be dealt with according to law. Hereof fail not. Given under our hands and seals, this _____ day of _____

No. 12.

FORM of summons of inhabitants, &c.

To A. B. and C. D. inhabitants of _____

WHEREAS we A. and B. justices of the peace acting for the district of _____ in the county of _____ have summoned before us T. W. and Z. X. the churchwardens and
D. _____ overseers

Anno regni tricesimo quinto GEORGI II. c. 5. [1795,
 overseers of the parish of _____ to answer for the default
 in not having raised the proportion of men to be raised by the
 said parish of _____ in obedience to the order of general
 sessions, and in pursuance of an act, intituled, [*here set forth the
 title of the act*], and on due examination of the premises it not
 having appeared to us that such default hath not happened by
 reason of any wilful neglect of, or disobedience to, the said order,
 and that the same hath been unavoidable, but that the same hath
 arisen through the wilful neglect of _____ inhabitants
 of the said parish of _____ These are therefore
 to require you to be and appear before the justices of the peace
 acting in and for the said district, on _____ at
 to shew cause why the fine directed to be imposed on the inha-
 bitants of the said parish in such case should not be adjudged to
 be levied by a rate, according to the directions of the said act.
 Dated this _____ day of _____

No. 13.

FORM of the order of fines.

M— } WHEREAS *T. W.* and *Z. X.* the churchwardens
 to wit. } (and overseers) of the parish of _____ (or parishes
 of _____ or places) have not made returns of the whole num-
 ber of men appointed to be raised by virtue of an order of general
 sessions, made in pursuance of an act, intituled, [*here set forth the
 title of the act*], for the said parish of _____ (or parishes, &c.)
 within the time limited to them for doing the same: and whereas
 the said churchwardens and overseers have been summoned to
 appear before the said justices of the peace, acting in and for the
 district of _____ and have refused so to do, (or appearing
 before them at the petty sessions held on _____ at
 and being examined by them as to the cause of such default), and
 it having not been made to appear by such churchwardens and
 overseers to the satisfaction of the justices aforesaid, that such de-
 fault hath not happened by reason of any wilful neglect of, or dis-
 obedience to, the order, and that the same hath been unavoidable,
 we do hereby, on due consideration of the premises, adjudge the
 said *T. W.* and *Z. X.* the said churchwardens and overseers, to
 be guilty of having wilfully made such default, and do fine the
 said *T. W.* and *Z. X.* in the sum of ten pounds, over and above
 the sum of £. _____ which we the said justices have ascer-
 tained, as nearly as may be, to be the amount which hath been
 given on an average as a bounty to men inrolled by virtue of this
 act, within the district of _____ and by virtue of the powers
 vested in us by that act, do order that the same be forthwith paid
 by them into the hands of the treasurer of the said county of
M _____ for the uses and purposes of that act. Given under
 our hands and seals this _____ day of _____ in the
 year of our Lord _____

No. 14.

FORM of warrant of distress for fine.

M— }
is wit. } To the Constable of

WHEREAS *T. W.* and *Z. X.* the churchwardens and overseers of the parish of _____ (or parishes of _____ or places), have not made returns of the whole number of men appointed to be raised by virtue of an order of general sessions, made in pursuance of an act, intituled, [*here set forth the title of the act*], for the said parish of _____ (or parishes, &c.) within the time limited to them for doing the same: and whereas the said churchwardens and overseers have been summoned to appear before the said justices of the peace acting in and for the district of _____ and have refused so to do, (or appearing before them at the petty sessions held on _____ at _____ and being examined by them as to the cause of such default), and it having not been made to appear by such churchwardens and overseers, to the satisfaction of the justices aforesaid, that such default hath not happened by reason of any wilful neglect of, or disobedience to, the order, and that the same hath been unavoidable: and whereas, by virtue of the powers vested in us by the said act, we did adjudge the said *T. W.* and *Z. X.* to be guilty of having wilfully made such default, and accordingly did fine the said *T. W.* and *Z. X.* as such churchwardens of the said parish, in the sum of £. _____ for such their default, which sum hath not forthwith been paid; these are therefore to command you to levy the said sum of £. _____ by distress of the goods and chattels of the said *T. W.* and *Z. X.*; and if within the space of _____ days next after such distress by you taken, the said sum of £. _____ together with the reasonable charges of taking and keeping the said distress, shall not be paid, that then you do sell the said goods and chattels so by you distrained, and out of the money arising by such sale, that you do pay the said sum of £. _____ into the hands of the treasurer of the said county of _____ for the uses and purposes of that act, rendering the overplus (if any) on demand, unto them the said *T. W.* and *Z. X.* the reasonable charges of keeping and selling the said distress being first deducted; and if sufficient distress cannot be found of the goods and chattels of the said *T. W.* and *Z. X.* whereon to levy the said sum of _____ that then you certify the same to us, together with the return of this precept. Herein fail not. Given under our hands and seals, the _____ day of _____ in the year of our Lord

No. 15.

FORM of order of levying rate on inhabitant or inhabitants.

To the churchwardens and overseers of the parish of

M— } WHEREAS *T. W.* and *Z. X.* the churchwardens
 } and overseers of the parish of (or parishes
 of. or places), have not made returns of the whole
 number of men appointed to be raised by virtue of an order of
 general sessions, made in pursuance of an act, intituled, [*here set
 forth the title of the act*], for the said parish of (or
 parishes, &c.), within the time limited to them for doing the
 same: and whereas the said churchwardens and overseers have
 been summoned to appear before the said justices of the peace
 acting in and for the district of ; and that on their
 appearing before them at the petty sessions held at
 and being examined by them as to the cause of such default;
 and it having not been made to appear by such churchwardens
 and overseers, to the satisfaction of the justices aforesaid, that
 such default hath not happened by reason of any wilful neglect
 of, or disobedience to, the order, and that the same hath been un-
 avoidable: and whereas it hath been made appear to our satisfac-
 tion, that the same hath arisen through the wilful default of *I. M.*
 an inhabitant of the said parish of (or if more than
one, I. M. O. P. &c. inhabitants, &c.): we do therefore adjudge
 and order, and hereby require, by virtue of the powers vested in
 us by that act, that you do cause a rate to be made upon the
 said *I. M.* (or *I. M. O. P. &c.*) for his (or their) default in
 this behalf; and that you do raise the same in such manner as
 rates for the relief of the poor are usually made and raised; and
 that you pay the same so raised forthwith into the hands of the
 treasurer of the said county of for the uses and purposes
 of the said act. Given under our hands and seals, this
 day of in the year of our Lord.

No. 16.

*FORM of order of justices to the treasurer of the county.*To the treasurer of the county of *M*

M— } WE, *A. B.* and *C. D.* two of his Majesty's justices
 } of the peace acting in and for the district of
 in this county, do hereby order you to transfer in your
 account to the use of *E. F.* (inrolled as a substitute to serve for
 the parish of (or parishes, &c. of) in his
 Majesty's navy, the sum of £. out of the money in
 your hands arising from the fine imposed upon the churchwardens
 and

and overseers of the poor of the said parish of _____ (or inhabitants, as the case may be), or for their default in not raising a volunteer for the said parish of _____ under an act, intituled, [here set forth the title of the act]. Given under our hands and seals, this _____ day of _____

No. 17.

FORM of order or warrant to constables, &c. to attend.

M— { To the constables of _____ or church-wardens, &c. of _____

WE, A. B. C. D. and E. F. his Majesty's justices of the peace in and for the county of _____ assembled at the (general, or quarter, or petty sessions, as it may be), do hereby require and order you to attend the justices of the peace assembled at a _____ sessions of the peace, on _____ the _____ day of _____ at _____ to shew cause to the said justices why (here set out the default complained of), or to make a return (or as the case may be). Given under our hands and seals, this _____ day of _____

No. 18.

FORM of conviction for neglect of duty.

M— { BE it remembered, That on this _____ day of _____
to wit. } in the _____ year of his present Majesty's reign, A. B. of _____ is duly convicted before us _____ justices of the peace, assembled at a _____ sessions of the peace held at _____ in pursuance of an act of the thirty-fifth year of his present Majesty's reign, intituled, [here set forth the title of the act], for that he the said A. B. on _____ at _____ did _____ wherefore we the said justices (or _____ of the said justices) do adjudge that he the said A. B. do pay the sum of _____ as a fine for his offence, in pursuance of the powers vested in us by the said act. Given under our hands and seals, this _____ day of _____ in the year of our Lord _____

No. 19.

FORM of commitment for fraud or wilful partiality.

To

M— { RECEIVE into your custody the body of A. B. here-
to wit. } with sent you, having been adjudged guilty of [here state the offence], in pursuance of an act passed in the thirty-fifth year of his present Majesty's reign, intituled, [here set forth the title of the

Anno regni tricesimo quinto GEORGI III. c. 6—9. [1795. *the act*], and him safely keep in your custody for the space of next ensuing; and for so doing this shall be your sufficient warrant. Given under our hands and seals, this day of _____ in the year of our Lord

C A P. VI.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.—[March 5, 1795.]—Number of forces 119,380, including 3,822 invalids.

C A P. VII.

An act for the regulation of his Majesty's marine forces while on shore.—[March 5, 1795.]

C A P. VIII.

An act for authorising the company of proprietors of the grand junction canal, to vary the course of a certain part of the said canal, in the county of Hertford, so as to render the navigation thereof more safe and convenient; and for making some other amendments and alterations in an act, made in the thirty-third year of the reign of his present Majesty, for making the said canal.—[March 5, 1795.]

Act 33 Geo. 3. c. 80. recited. The line of the canal may be varied through the parishes of Abbot's Langley, King's Langley, Watford, and Rickmanworth, in Hertfordshire. Company not to deviate from the new line, unless by consent of the land owners. Canal may be made through the parks of the earls of Clarendon and Essex. Rates of tonnage payable on the old line to be taken upon the new line. Towing path in the earl of Clarendon's grounds to be carried on the east side of the canal, but not to exceed six feet in breadth. No buildings to be erected there, and the water to be kept to a certain height, and no materials to be got therein without his consent. Compensation to be made to the earl of Clarendon for damages, &c. Earl of Clarendon's right of fishery preserved, and boats not to stop in his grounds. Company to pay the expence of making up any deficiency of water occasioned to Langley Bury engine, &c. Recompence to be made for injury to the fisheries of sir John Filmer, and Mr. Marriott. No damage to be done to mills in King's Langley, and Abbott's Langley; and no more of sir John Filmer's and Thomas Tovey's meadows in King's Langley to be cut than lies in the line of the canal. Company to make watering places for cattle, and supply fish ponds with water. Boats not to stop in the grounds, nor buildings to be erected on the lands of the earl of Essex, sir John Filmer, and Mr. Tovey. The earl of Essex may alter the line of the canal within his lands. Articles of certain tonnage not to pass locks in dry seasons. An additional rate of two-pence per ton for all goods. Merchandize, &c. carried upon any part of the line of the deviation of the canal. Seven members to make a general committee. Company may make wharfs and erect warehouses in White Fryars, London. No coals to be carried by the canal nearer to London than the north west end of Grove Park.

C A P. IX.

An act for procuring a supply of men from the several ports of this kingdom, for the service of his Majesty's navy.—[March 16, 1795.]

Preamble.

WHEREAS it is expedient for the public service, at the present conjuncture, that the most effectual measures should be adopted for providing a speedy supply of men to serve in his Majesty's navy: and whereas, in order to carry the same into effect, his Majesty has been

been pleased, by an order of council, bearing date the eighteenth day of February one thousand seven hundred and ninety-five, to direct that an embargo should be laid on all British ships or vessels within the several ports of this kingdom; which is now in force: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be levied within the kingdom of Great Britain, in the several ports herein-after mentioned, such able-bodied men to serve his Majesty in the navy of Great Britain, at such times, and in such manner, as is herein directed; and that the said embargo on all British ships and vessels, from time to time, being within the limits of such ports respectively, (except to such ships or vessels as shall be, from time to time, exempted from such embargo by any order or orders of the lords of his Majesty's most honourable privy council), shall continue and be in force at each such port, according to the intent and effect of this act, until the whole number of men by this act required to be levied at all the said ports respectively shall be levied, approved of, and inrolled in his Majesty's said service, in the manner herein directed, and according to the true intent and meaning of this act, or until such embargo shall be declared to be generally taken off by his Majesty in council: and that the number of men to be levied by virtue of this act shall be as follows; (that is to say),

Order of council of Feb. 18, 1795, laying an embargo on British vessels, recited.

Embargo to continue at each port till its quota of men be raised.

- For the port of *Aberystwith*, sixty-nine men,
- For the port of *Aldborough*, nineteen men.
- For the port of *Arundel*, thirty-three men.
- For the port of *Barnstaple*, seventy-four men.
- For the port of *Beaumaris*, one hundred and ninety-six men,
- For the port of *Berwick*, forty-three men.
- For the port of *Bideford*, forty-eight men.
- For the port of *Blakeney*, twenty-six men.
- For the port of *Boston*, sixty men.
- For the port of *Bridgewater*, twenty-six men.
- For the port of *Bridlington*, fifty men.
- For the port of *Bristol*, six hundred and sixty-six men.
- For the port of *Cardigan*, one hundred and thirty-nine men,
- For the port of *Cardiff*, fourteen men.
- For the port of *Carlisle*, ten men.
- For the port of *Chepstow*, thirty-eight men.
- For the port of *Chester*, twenty-five men.
- For the port of *Chichester*, fifty-six men.
- For the port of *Colchester*, eighty-four men.
- For the port of *Cowes*, fifty-nine men.
- For the port of *Dartmouth*, three hundred and ninety-four men.
- For the port of *Deal*, ten men.
- For the port of *Dover*, two hundred and forty-one men.
- For the port of *Exeter*, one hundred and eighty-six men.

Number of men to be raised, viz.

For the port of *Falmouth*, twenty-one men.

For the port of *Faversham*, one hundred and forty-seven men.

For the port of *Fowey*, seventy men.

For the port of *Gloucester*, twenty-eight men.

For the port of *Gweek*, seven men.

For the port of *Harwich*, one hundred and forty-four men.

For the port of *Hull*, seven hundred and thirty-one men.

For the port of *Ilfracombe*, forty-nine men.

For the port of *Ipswich*, fifty-eight men.

For the port of *Lancaster*, one hundred and sixty-three men.

For the port of *Llanelly*, thirty-two men.

For the port of *London*, five thousand seven hundred and four men.

For the port of *Loos*, sixteen men.

For the port of *Liverpool*, one thousand seven hundred and eleven men.

For the port of *Lyme*, twenty-three men.

For the port of *Lynn*, one hundred and ninety-three men.

For the port of *Malden*, ninety-four men.

For the port of *Milford*, seventy men.

For the port of *Minehead*, eighteen men.

For the port of *Newcastle*, one thousand two hundred and forty men.

For the port of *Newhaven*, seventeen men.

For the port of *Padstow*, nineteen men.

For the port of *Penryn*, eleven men.

For the port of *Penzance*, thirty-five men.

For the port of *Plsmouth*, ninety-six men.

For the port of *Poole*, two hundred and seventy-nine men.

For the port of *Portsmouth*, seventy-five men.

For the ports of *Paulton* and *Preston*, seventeen men.

For the port of *Rochester*, one hundred and thirty-four men.

For the port of *Rye*, ninety men.

For the port of *Saint Ives*, thirty-one men.

For the port of *Sandwich*, seventy-four men.

For the port of *Scarborough*, two hundred and seventy-five men.

For the port of *Scilly*, three men.

For the port of *Shoreham*, twenty-eight men.

For the port of *Southampton*, one hundred and thirty-three men.

For the port of *Stockton*, seventy-three men.

For the port of *Sunderland*, six hundred and sixty-nine men.

For the port of *Southwold*, twenty-one men.

For the port of *Swansea*, eighty-five men.

For the port of *Truro*, eleven men.

For the port of *Wells*, fifty men.

For the port of *Weymouth*, one hundred and thirty-nine men.

For the port of *Whitehaven*, seven hundred men.

For the port of *Whitby*, five hundred and seventy-three men.

For the port of *Wisbeach*, nineteen men.

For the port of *Woodbridge*, eighteen men.

For the port of *Yarmouth*, five hundred and six men.

For the port of *Aberdeen*, two hundred and nineteen men.
 For the port of *Ayr*, thirty-three men.
 For the port of *Alloa*, ninety-five men.
 For the port of *Anstruther*, fifty-three men.
 For the port of *Borroscness*, one hundred and fifty-five men.
 For the port of *Cambletown*, one hundred and twenty-five men.
 For the port of *Dumfries*, seventeen men.
 For the port of *Dunbar*, thirty-eight men.
 For the port of *Dundee*, one hundred and thirty-nine men.
 For the port of *Fort William*, eleven men.
 For the several ports of *Clyde*, comprehending *Glasgow*, *Greenock*,
 and *Port Glasgow*, six hundred and eighty-three men.
 For the port of *Inverness*, forty men.
 For the port of *Irvine*, one hundred and thirty-one men.
 For the port of *Isle Martin*, six men.
 For the port of *Kircaldy*, one hundred and thirty-six men.
 For the port of *Kircudbright*, nineteen men.
 For the port of *Kirkwall*, thirty-one men.
 For the port of *Leith*, two hundred and six men.
 For the port of *Lerwick*, six men.
 For the port of *Montrose*, one hundred and seven men.
 For the port of *Oban*, twenty men.
 For the port of *Perth*, thirty-two men.
 For the port of *Port Patrick*, nine men.
 For the port of *Preston Pans*, three men.
 For the port of *Rothsay*, one hundred and sixty-eight men.
 For the port of *Stornaway*, fifty-two men.
 For the port of *Stranraer*, twenty-five men.
 For the port of *Thurso*, twelve men.
 For the port of *Tobermoray*, five men: and
 For the port of *Wigton*, twenty-five men.

II. Provided always, and be it further enacted by the authority
 aforesaid, That whenever any able-bodied seaman shall be ac-
 cepted by the commissioners acting for any such port, and approved
 of by the regulating officer or officers appointed for such service,
 every such able-bodied seaman shall be taken and estimated to be
 equal to and in lieu of two able-bodied men, and shall and may
 be computed as such in the instrument of discharge, herein di-
 rected to be made by the said commissioners, of the number of
 men required by this act to be raised for such port.

III. And be it further enacted by the authority aforesaid, That
 it shall and may be lawful for the commissioners for executing the
 office of lord high admiral of *Great Britain* for the time being,
 or any three or more of them, and they are hereby required to
 constitute and appoint so many officers to regulate the admission
 of men to be levied under the authority of this act, for his Ma-
 jesty's service, for the said ports herein enumerated, as they shall
 deem necessary, who, being so respectively appointed, shall establish
 a convenient place or places of rendezvous in or near to such
 ports for the reception of such men; and every such man so to

Every able-
bodied sea-
man approv-
ed, to be
estimated
equal to two
able-bodied
men.

Admiralty to
appoint regu-
lating officers,
who are to
establish places
of rendez-
vous.

Before enrol-
ment, men to

be examined by regulating officers.

be levied shall, before his enrolment, be examined by one such regulating officer at the least, as to his ability to serve his Majesty; and every such officer shall have full power of approving or of rejecting any man tendered to serve his Majesty, subject nevertheless to such controul and superintendance as by this act is particularly directed.

No rendezvous to be in London,

IV. Provided always, and be it enacted, That no such place of rendezvous shall be established within the city or county of the city of *London*.

Owners or masters of vessels, except those at the port of *London*, may elect from amongst themselves and the merchants trading to the port, commissioners for raising men.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the respective owners of such ships or vessels as aforesaid, being in any port herein-before enumerated, except the port of *London*, or, in the absence of any such owners, for the masters or other persons having or taking the charge or command of such ships or vessels respectively, (being assembled together pursuant to notice given in the names of any two or more of such owners or masters, and published in any newspaper usually circulated in or near such port, three days before the time appointed for such meeting, containing the cause of calling such meeting, and the time and place of meeting), to elect, from amongst themselves and the merchants usually trading to or from such port, such and so many persons resident at or near such port (not exceeding twenty-one in any such port, nor less than five) as the major part of the said owners and masters there assembled shall approve; and such persons so elected, and assenting thereunto, may be commissioners for raising men for his Majesty's service in the navy during the continuance of the embargo at such port for which they shall be elected, and for putting in execution the powers vested in such commissioners by this act within such limits; and that the justices of the peace legally qualified to act for every county, riding, division, shire, or stewartry, and the mayors, bailiffs, and other chief magistrates of every city, town, cinque port, or liberty, wherein any such port herein-before enumerated, or any member thereof, shall be situate, (except the port of *London* as aforesaid), and also the collectors or other principal officers of the customs at such ports respectively, shall and may also, without further qualification, be commissioners for the like purposes within the limits of their respective jurisdictions; and the persons so to be elected, or hereby appointed commissioners, shall have power to meet and sit, from time to time, in such place or places as they shall find most convenient; and that three of the said commissioners in any of the said ports (except the port of *London* as aforesaid) shall be and are hereby empowered to do and execute any act hereby authorized to be done by such commissioners, unless the same shall be otherwise specially provided by this act; and the said commissioners are hereby respectively required to execute the powers and authorities given to them by this act, without any fee, gratuity, emolument, or reward whatsoever.

Justices, mayors, &c. (except in *London*), and principal officers of the customs at the port, to be commissioners without further qualification.

Three commissioners may act.

Commissioners to act without fee.

If commissioners be not elected, (ex-

VI. Provided always, That in case no such commissioners shall be elected to act for any such port herein-before enumerated (except as aforesaid) within fourteen days after the passing of this act,

act, that then the justices of the peace legally qualified to act for the respective counties, ridings, shires, stewardries, or divisions, wherein such port shall be situate, and also the mayor, bailiffs, and other magistrates, and the collector, or other principal officer of the customs at such port, shall be the commissioners for such port, and shall act by themselves, and they are hereby required by themselves to put this act in execution, until commissioners shall be elected to act for such port jointly with such justices or magistrates, and collector or principal officer of the customs, at the port, in the manner herein directed.

cept in London) within 14 days after passing this act, the justices of the division, mayors, &c. and principal officers of the customs of the port, to act till commissioners are appointed to act with them. Two commissioners of the port, (except London) to take before a justice the following

VII. And be it further enacted by the authority aforesaid, That any two of the persons elected or appointed to be commissioners by virtue of this act, for any port herein enumerated, (except the port of London as aforesaid), before they shall enter upon the execution of the same, shall take an oath before any justice or justices of the peace of the county, riding, division, shire, or stewardry, or before the mayor or chief magistrate of the place wherein the port for which such commissioners shall be elected to act shall be situate (which he or they is and are hereby authorized and required to administer), the tenor whereof shall be as followeth; (that is to say),

‘ I A. B. do swear, That, in the execution of the several powers oath. vested in me by virtue of an act, intituled, “ An act [here insert the title of the act], I will act faithfully and impartially to the best of my judgement, according to the true intent and meaning of the said act.’

And every other of the said commissioners at every such port (except as aforesaid) shall likewise take the same oath before the said two commissioners, who are hereby authorized and required to administer the same, after they shall themselves have taken the said oath as aforesaid.

who shall administer it to the other commissioners.

VIII. And be it further enacted by the authority aforesaid, That the said commissioners acting for any such port shall and may respectively appoint and employ a clerk, or such other assistants as they shall be authorized to do by the said lords commissioners of the admiralty, or any three or more of them; and such clerk shall, for his pains and trouble in the same, be allowed, by the collector or other principal officer at such port, such sum for each man raised for his Majesty's service at such port, as shall be fixed by the said commissioners, with the approbation of the lords commissioners of the admiralty, or any three or more of them.

Commissioners to appoint assistants by authority of the admiralty, &c.

IX. Provided always, and be it further enacted by the authority aforesaid, That John William Anderson, James Anwen, Samuel Bosanquet, John Brickwood, Thomas Boddington, William Boyd, Thomas Bettesworth, H. M. Bird, Abel Chapmen, Norrijoon Coverdale, Robert Curling, Henry Cox, Anthony Calvert, William Curtis, Alexander Champion, John Duffel, Francis Easterby, Edward Forster, Thomas Gillespy, John Hill, George Hibbert, John Inglis, Thomas King, George Kendall, William Lushington, William Leighton, Samuel Long, Beeston Long, John Lyall, William Ludlam, Wil-

Commissioners for London.

Anno regni tricesimo quinto **GEORGIUM III. c. 9.** [1795:
liam Money, William Manning, Richard Miles, Richard Neave,
Abraham Puffmore, Thomas Raikes, Giffred Lewson Reid, James
Reed, Samuel Thornton, William Ward, John Whitmore, and Robert
Wigram, esquires, shall be, and are hereby constituted com-
 missioners for raising the number of men required by this act
 for the port of *London*, and for putting in execution the powers
 vested in commissioners by this act, within such limits, in like
 manner, and under such rules and restrictions, (except where
 other rules or restrictions are hereby expressly provided), as
 commissioners elected by virtue of this act are empowered to
 execute the same.

X. Provided also, and be it further enacted by the authority
 aforesaid, That any two of the said commissioners in this act
 named for the said port of *London*, before they enter upon the exe-
 cution of this act, shall take the said oath herein-before set forth,
 before the chancellor of the exchequer, or the master of the rolls
 for the time being; which they, or either of them, are and is
 hereby authorized and required to administer; and every other
 of the said commissioners in this act named for the said port of
London, shall likewise take the same oath before the said two com-
 missioners, in the manner herein-before directed with respect to
 the commissioners elected by virtue of this act.

XI. And be it further enacted by the authority aforesaid, That
 any five of the said commissioners herein named for the said port
 of *London*, shall be and they are hereby empowered to do and
 execute any act hereby authorized to be done by commissioners
 acting in the execution of this act (unless the same shall be other-
 wise specially provided by this act); and that the said commisi-
 oners for the said port of *London* shall, for the greater convenience
 and expedition of raising the number of men appointed to be
 raised for such port, have power to meet and sit at one and the
 same time, at such two several places within the limits of their ju-
 risdiction, as they shall find most convenient, and to constitute two
 several boards, with full powers at each such board to execute
 the powers vested in commissioners by this act, and at each such
 board to appoint and employ a clerk, with such allowance as
 aforesaid, and such other assistants as shall be necessary for car-
 rying into execution the purposes of this act, and as they shall
 be authorized to do by the said lords commissioners of the ad-
 miralty, or any three or more of them.

XII. And be it further enacted by the authority aforesaid, That
 the said commissioners shall, as soon as conveniently may be
 after they are elected, and afterwards from time to time as they
 shall judge expedient, take into consideration the amount of the
 bounties it may be necessary to give for raising men, and shall
 report the same to the lords commissioners of the admiralty; and
 that they shall, in no case, be at liberty to give a bounty which
 shall exceed the amount of the bounty of which the lords com-
 missioners of the admiralty, or any three or more of them, shall
 have signified their approbation.

XIII. And be it further enacted by the authority aforesaid,
 That every person who shall agree to enter himself as aforesaid
 shall

Two com-
missioners for
London to
take the oath,
and administer
it to the other
commission-
ers.

Five commis-
sioners may
act for Lon-
don, and may
meet at the
same time at
two places,
&c.

Commis-
sion-
ers to consider
of the amount
of bounties,
and report the
same to the
admiralty, &c.

Persons enter-
ing to be pro-

shall be produced before the regulating officer at the place of rendezvous at or nearest to the port where such person shall enter, or such other place as the said officer, with the consent of the commissioners acting for such port, shall appoint; and in case the said officer shall, on examination, approve of such person to serve his Majesty, then such person may forthwith be brought before the said commissioners acting in and for such port, to be examined, and that upon its appearing to the said commissioners, on examination, that such person hath voluntarily entered himself in such service, then the said respective commissioners shall, and they are hereby authorised and required, to settle with such person the amount of the sums to be paid as a bounty to such person, which in no case shall exceed the amount of the bounty of which the lords commissioners of the admiralty shall have previously signified their approbation to the said commissioners; and the said respective commissioners acting for any such port, or any three or more of them, shall forthwith certify under their hands, that such person hath voluntarily entered himself in the service of his Majesty's navy, setting forth therein the place or places of the birth or lawful settlement, age or ages, and calling or callings, of him or them respectively, if the same shall be known; and the said commissioners shall also, at the foot of every such certificate, enter the amount of the sums to be paid as a bounty to such person on his entering into such service, and shall progressively number the certificates as they shall severally be granted; and which certificates shall be directed to the regulating officer, (the said commissioners taking the receipt of such regulating officer for the same, and which receipts such regulating officer is hereby required to give), and the regulating officer shall thereupon cause such person or persons respectively to be inrolled in his Majesty's naval service; and every person so inrolled shall forthwith be placed under the command of such officer or officers; and upon the removal of any persons so inrolled, in order to be placed under the command of any other officer or officers, either on shore or on board any of his Majesty's ships or vessels of war, every certificate of such commissioners, or full and true copies thereof respectively, shall be transmitted along with such persons so inrolled, and delivered to the respective commanding officers of the ships or vessels of war on board which such persons shall be entered to serve.

duced to the regulating officer, and if approved, to be brought before the commissioners, who shall settle the bounty.

Commissioners to certify that men have voluntarily entered, and certain particulars, to the regulating officer, who shall cause them to be inrolled, and forthwith they shall be placed under his command;

and on their removal, the certificates, or copies, to be transmitted with them, and delivered to the commanding officers of the vessels in which they shall be entered.

XIV. Provided always, and be it further enacted by the authority aforesaid, That it shall be lawful for the said respective commissioners, before whom any person shall be brought to be examined touching his consent to enter into the said service, by any draft, bill, or order, under the hands of any three or more of them, to direct the collector or other principal officer of the customs at such port, to pay to such person any sum not exceeding one-third part of the bounty agreed to be paid to him on his engaging to serve, to be advanced to such person, or to such of his family, and in such proportions, as he shall request at the time of his enrolment; and such drafts, bills, or orders respectively, shall ascertain the names and descriptions of

Commissioners may give orders on the principal officers of the customs for a third of bounties.

the persons to whom the same shall be made payable; and such collector or other principal officer aforesaid, shall, and they are hereby respectively required to pay the same out of any duties of customs then in their hands, or otherwise out of the first monies that shall come to their hands of the said duties.

Certificates, or copies signed by regulating officers, to be transmitted with the persons inrolled, and delivered to the commanding officers of the vessels in which they shall be entered, who shall make out tickets for payment of bounty money due, as for arrears of wages, which may be paid, agreeably to 31 Geo. 2. c. 10, &c.

XV. And be it further enacted by the authority aforesaid, That every such certificate so granted, or a full and true copy thereof, signed by such regulating officer or officers, shall in all cases where any such person inrolled by virtue of this act shall be placed under the command of any other officer or officers, either on shore or on board any ship or vessel, be transmitted along with such person so inrolled, and delivered to the commanding officer of the ship or vessel on board which such person shall be entered to serve; and such commanding officer shall, within four days from the time of such person being mustered and rated on board such ship, and before such ship or vessel of war shall proceed to sea, make out a ticket or tickets for the payment of the bounty money agreed to be paid to such person on his engaging to serve and then remaining due, and which shall be expressed in the certificate granted on that behalf, or in such copy thereof as aforesaid, in such manner as if such bounty money had become due to such person on account of arrears of wages as a seaman on board such ship or vessel; and such bounty money shall and may be paid to such person, or to such person's family, and in such proportions, as such person shall request, in the manner directed by an act, made in the thirty-first year of his late majesty King George the Second, intituled, *An act for the encouragement of seaman employed in the royal navy, and for establishing a regular method for the punctual, frequent, and certain payment of their wages, and for enabling them more easily and readily to remit the same for the support of their wives and families, and for preventing frauds and abuses attending such payments*, or by any other act relating to the payment of such wages: provided always, That where such person shall desire any portion of the said bounty money then remaining due to be paid to his family, the list required to be made out in such case by the captain or commander of such ship or vessel shall be made out in the manner required by the said act of the thirty-first year of his late Majesty aforesaid, except that in such list the collector or other principal officer of the customs at the port where such man was raised, shall be specified instead of the respective officers directed by the said act to pay any part of the arrears of wages due to seamen in the navy; and that the bills to be made out thereupon shall be made out by such captain and commander, and directed to such collector or other principal officer aforesaid, and to no other; and that all the rules, forms, directions, and methods, used for the payment of wages due to seamen, or payable to their families, in pursuance of the said act of the thirty-first year aforesaid, or by any such other act of parliament, (except as aforesaid), shall be used in like manner for the payment of such bounty money to all and every the men who shall be entered into his Majesty's service in pursuance of this act, or to their respective families, and in as full and ample a manner

How lists and bills shall be made out where persons desire to have part of their bounty paid to their families.

Rules for payment of wages to be used for payment of bounty.

manner as if the said acts, and every clause therein contained, had been extended and applied particularly by this act to such cases, and the said collector, or other principal officer aforesaid, shall pay the residue of the said bounty, according to the directions herein-before given for payment of such portion thereof as aforesaid.

XVI. Provided always, and be it further enacted by the authority aforesaid, That no person shall be received or inrolled in his Majesty's service by virtue of this act, who is not, in the opinion of the regulating officer or officers, such an able-bodied man as is fit to serve his Majesty, and is free from ruptures, and every other distemper, or bodily weakness or infirmity, which may render him unfit to perform his duty in the navy, or who, in the opinion of such officer or officers, shall appear to be under the age of sixteen years, or above the age of forty-five years if a landman, or of fifty years if a seaman.

Persons disqualified for enrolment.

XVII. And be it further enacted by the authority aforesaid, That the said commissioners for executing the office of lord high admiral of *Great Britain* for the time being, or any three or more of them, shall, and they are hereby authorised and required, to appoint certain officers, of the rank of post captains, or commanders in his Majesty's navy, to superintend within such districts, near the coasts of this kingdom, as shall be allotted to them respectively, the admission and entry of men into the service of the navy in pursuance of this act, under such regulations and rules as the said commissioners of the admiralty shall, from time to time, constitute; and if any person or persons who shall have been tendered to serve his Majesty in pursuance of this act shall have been rejected by the ordinary regulating officer, and the commissioners acting for the port where such man shall be tendered shall think themselves aggrieved thereby, such commissioners may appeal to the superintending officer or officers, of the rank above-mentioned, within the district where such port shall be situate, who shall forthwith proceed to examine such rejected person, and to hear and determine the matter of complaint, and to make such order therein as to him or them shall seem reasonable, which determination and order shall be final and conclusive to all parties; and in case such superintending officer shall order such rejected person to be inrolled in his Majesty's navy, then such ordinary regulating officer, shall, without delay, on receipt of such person, cause him to be inrolled in manner herein-before directed.

Admiralty to appoint officers to superintend the admission and entry of men,

who shall determine appeals of commissioners against rejection of men by the ordinary regulating officers, &c.

XVIII. And be it further enacted by the authority aforesaid, That whenever any such commissioners shall have caused such number of men to be inrolled in such service at any such port, as to complete the number of men required by this act in respect of such port, it shall and may be lawful for such commissioners, and they are hereby required, by an instrument in writing under their hands and seals, to certify the same to the superintending officer or officers appointed for the district where such port shall be situate; and every such instrument shall specify the port where such men

When the complete number of men has been inrolled for any port, the commissioners shall certify the same to the superin-

tending officer, who shall transmit the certificate to the admiralty.

men were so raised, and the names, ages, places of birth or lawful settlement, and callings of them respectively, in such manner as they shall respectively be described in the certificates of the commissioners aforesaid, granted at the time of inrolling such men; and such officer or officers shall, on receipt thereof, forthwith cause the same to be transmitted to the said commissioners of the admiralty, to be laid before his Majesty in council.

Commissioners to enter certificates in a book, and to give a copy when required by the principal officer of the customs, who shall transmit it to the commissioners of the customs, on penalty of 100l.

XIX. And be it further enacted by the authority aforesaid, That the commissioners at every port where men shall be raised in pursuance of this act, shall cause to be entered an exact copy of every certificate granted by them respectively on the inrolment of such men as shall have been raised, with the respective numbers thereof, as by this act directed, in a book to be kept for that purpose; and shall, when thereunto required by the collector or other principal officer of the customs at such port, cause to be made out and delivered a true and exact copy thereof, stating the number of every such certificate; and such collector or other principal officer shall forthwith, or within one month at the farthest, transmit the same to the commissioners of his Majesty's customs in *London* and *Edinburgh*, under whom they respectively act, or a true and exact copy thereof, stating the number of every certificate so granted; and that if any such officer or officers shall neglect or refuse so to do, he or they so offending shall forfeit the sum of one hundred pounds.

Persons after being mustered on board, to be entitled to wages from day of inrolment, and to all emoluments, as other volunteers.

XX. And be it further enacted by the authority aforesaid, That every person who shall be brought on board any of his Majesty's ships of war in pursuance of this act, shall be rated therein after passing a muster on board the same; and that, after being so rated, every such person shall be and is hereby declared to be entitled to wages from the day of his inrolment in his Majesty's service, as herein-before is directed; and shall also, over and above the bounty money agreed upon at the time of his inrolment, be entitled to such other bounty, emoluments, and advantages, as any other person voluntarily entering himself to serve on board any of his Majesty's ships of war is by law entitled unto.

Act not to extend to vessels of his Majesty or the royal family, or used solely in rivers or inland navigation.

XXI. 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 any ship or vessel of war or other vessel, of whatever built the same may be, or under whatever description the same may fall, being the property of his Majesty or the royal family, or any of them, or any lighters, barges, boats, or vessels, of any built or description whatever, used solely in rivers or inland navigation.

No fee to be paid on removal of embargo.

XXII. And be it further enacted by the authority aforesaid, That no charge or fee whatever shall be demanded, paid, or received, by any person or persons, by reason of or on the removal of the embargo laid on any ship or vessel during the continuance of this act; any usage or custom to the contrary notwithstanding.

Treasury to issue money to the commissioners out

XXIII. And be it further enacted by the authority aforesaid, That the lords commissioners of the treasury for the time being, are hereby authorized to issue and cause to be advanced all such

sums of money to such respective commissioners, in such manner, and in such proportions, as the said respective commissioners, or any five or more of them, if in *London*, or three or more of them if in any other port, shall by writing under their hands from time to time desire, out of any part of the duties of customs then in the hands of the collector or other principal officer of the customs, or otherwise out of the first monies which shall afterwards come to the hands of such collector or other principal officer of the said duties; which sums so to be advanced shall be employed for the payment of such allowances, and in defraying such necessary charges and expences in or about the execution of this act, as the said lords commissioners of his Majesty's treasury shall direct or allow, and which money so to be advanced shall not be subject to any tax, duty, rate, or assessment whatsoever, imposed by authority of parliament, but that an account of the said charges and expences shall be laid before both houses of parliament within two months after the expiration of the commission, if parliament shall be then sitting, and if parliament shall not be sitting, then within fourteen days after the commencement of the then next session of parliament.

of the duties of customs for payment of charges, an account of which shall be laid before parliament within two months if sitting, and if not, within 14 days after commencement of the next session.

XXIV. And be it further enacted, That if any of the said commissioners named in this act, or elected commissioners by virtue thereof, shall decline to act in the execution of the powers hereof, or having begun to act shall decline to act any further therein, or shall depart this life during the continuance of this act, it shall and may be lawful for the remaining commissioners, or the major part of them, acting as aforesaid at or for any such port, or constituting a board of commissioners at such port, by and with the consent and approbation of the lords commissioners of his Majesty's treasury, or any three or more of them, for the time being, to constitute and appoint such person or persons to be a commissioner or commissioners at such port for the purposes aforesaid, in the place of the commissioner or commissioners so refusing to act, or declining further to act, or dying as aforesaid, as the said acting commissioners, or the major part of them, with such consent and approbation as aforesaid, shall think fit, and so often as such case shall happen; and the person or persons so constituted and appointed by the said commissioners, with such consent and approbation as aforesaid, having first qualified to act by taking and subscribing the oath herein-before provided and directed, shall be invested with the same powers and authorities as are given or delegated by this act unto the said commissioners named or constituted by this act respectively.

Majority of commissioners, with the approbation of the treasury, to elect successors to commissioners declining to act, or dying.

XXV. Provided always, and be it further enacted by the authority aforesaid, That this act, or any thing herein contained, shall not be deemed or construed to be a precedent, on any future occasion, to diminish or be prejudicial to the rights, liberties, customs, privileges, immunities, and exemptions, to which the mayor and commonalty and citizens of the city of *London*, or the freemen, citizens, or inhabitants of the said city, are entitled to

This act not to be a precedent for diminishing the rights of the city of *London*.

enjoy by prescription, act of parliament, charter, usage, or other wise howsoever.

Penalties to be recovered and applied as those for offences against the laws of customs.

XXVI. And be it further enacted by the authority aforesaid, That all the penalties and forfeitures inflicted and incurred by this act shall and may be sued for, prosecuted, and recovered, in such courts, and be disposed of in such manner, and by such ways, means, and methods, as any penalties or forfeitures inflicted, or which may be incurred for any offence committed against the laws of customs may now legally be sued for, prosecuted, recovered, and disposed of; and that the officer or officers concerned in prosecutions under this act shall be entitled to and receive such share of the produce arising from any pecuniary fine or penalty for any offence against this act, as any officer or officers is or are now, by any laws or regulations relative to the customs, intitled to upon prosecutions for pecuniary penalties.

Limitation of actions.

XXVII. And be it further enacted by the authority aforesaid, That no action or suit shall be commenced against any person or persons acting as a commissioner or commissioners, for any thing done by virtue of or in pursuance of this act, until fourteen days notice thereof in writing shall have been given to such person or persons, nor after a sufficient satisfaction, or a tender thereof, hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and every such action shall be brought in one of the courts of record at *Westminster*, or in the court of exchequer in *Scotland*, as the case may require, and shall be laid in the county where the cause of action shall arise, and not elsewhere; and the defendant or defendants in such

General issue.

action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if the same shall appear so to be done, or if such action or suit shall be brought after the time herein-before limited for bringing the same, or shall be brought without fourteen days notice thereof, or shall be brought in any other county or place, or after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuited or suffer a discontinuance of his, her, or their action or actions, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any defendant or defendants hath or have for costs of suit in any other cases by law.

Treble costs.

Act may be altered or repealed this session.

XXVIII. And be it further enacted, That this act, or any of the provisions thereof, may be altered, varied, or repealed, by any act or acts to be passed in this present session of parliament.

Commissioners to give a written account of their proceedings to the admiralty.

XXIX. And be it further enacted by the authority aforesaid, That the respective commissioners acting under the authority of this act shall from time to time, at their discretion, or as often as they shall be thereunto required by the lords commissioners of the admiralty, or any three or more of them, during their carrying on

on any proceedings under this act, and as soon as possible after the determination of such proceedings, without any further requisition, give an account of their proceedings, in writing, to the said commissioners of the admiralty.

XXX. Provided always, and be it further enacted by the authority aforesaid, That if any person inrolled in his Majesty's service by virtue of this act shall be accused of any capital crime, or of any violence or offence against the person, estate, or property, of any of his Majesty's subjects, which is punishable by the known laws of the land, the officer or officers having the command of such party is and are hereby required to use his and their utmost endeavours to deliver over such accused persons to the civil magistrate, and shall also be aiding and assisting to the officers of justice in the seizing and apprehending such offender, in order to bring him to trial; and if any such officer shall wilfully neglect or refuse, upon application made to him for that purpose, to deliver over such accused person to the civil magistrate, or to be aiding and assisting to the officers of justice in the apprehending such offender, every such officer so offending, and being thereof convicted before any two or more justices of the peace of the county, riding, shire, stewartry, or division, where the fact is committed, by the oath of two credible witnesses, shall be utterly disabled to have or hold any civil or military office or employment within this kingdom, or in his Majesty's service; provided the said conviction be affirmed at the next quarter sessions of the peace for the said county, and a certificate thereof be transmitted to the commissioners of the admiralty for the time being.

Persons accused of offences punishable by law to be delivered over to the civil magistrate.

Penalty on officers for not delivering over such offenders, &c.

XXXI. And be it further enacted by the authority aforesaid, That no person who shall be inrolled in his Majesty's service by virtue of this act, shall be liable to be taken out of his Majesty's service by any process whatever, other than by some criminal process, for some criminal matter punishable by the known laws of the land.

No person inrolled to be taken out of the service but for a criminal matter.

XXXII. And be it further enacted by the authority aforesaid, That the instrument hereby directed to be made out by such commissioners for the discharge of ships or vessels from the requisitions of this act, and the certificates to be given on the inrolment of any man in his Majesty's service, in pursuance of this act respectively, may be in the form following; (*videlicet*),

Instruments for the discharge of vessels from the requisitions of this act, and certificates on the inrolment of men, may be in the following form.

' To the superintending officer acting for the district of the port of _____ we the underwritten, being _____ of the commissioners acting for the port of _____ under the authority of an act of parliament, passed in the thirty-fifth year of the reign of his present Majesty, intituled, [*Here set forth the title of the act*], having, in pursuance of the said act, raised for his Majesty's service the men hereinafter described, being the full proportion of men required by the said act to be raised

' to serve in his Majesty's navy at the said port of
 ' do, by this our instrument, certify the same to be
 ' in discharge of the several ships or vessels belonging to the
 ' said port of

Numbers of the certificates.	Names of men.	Ages.	Callings.	Places of birth, or lawful settlement.	Capacities, whether seamen or landmen.	Bounty settled by Commissioners.		
						Sum paid on enrolment.	Sum due.	Total.

' For the port of

' (No.)

' In pursuance of an act, passed in the thirty-fifth year of his
 ' present Majesty's reign, intituled, [*Here set forth the title*
 ' *of the act*], we the underwritten, being of
 ' the commissioners acting under the authority of the said
 ' act, do certify, that the person herein after described hath
 ' voluntarily agreed to enter into his Majesty's navy.

Name of the man enrolled.	Age.	Calling.	Place of birth or lawful settlement.	Capacity, whether seaman or landman.

' And do further certify, That the amount of the bounty
 ' settled by us to be given to the person before described is
 ' of lawful money of *Great Britain*; [*and if any sum*
 ' *is to be paid to him on enrolment, add as follows*] and we do
 ' hereby direct, that the sum of part
 ' thereof, shall be paid to the said [or, to
 ' the wife, child, father, or mother, at his request] at the
 ' time

after Feb. 23,
1795, 30l. per
tun;

third day of *February* one thousand seven hundred and ninety-five, in the stock, custody, or possession, of any dealer or dealers in, or seller or sellers of foreign wine, to be paid by such dealer or dealers, or seller or sellers, a duty of thirty pounds :

and for wine
of all other
sorts so found,
20l.

For every tun of *Portugal* and *Madeira* wine, and wine of the produce of *Spain*, or of any of the dominions of the king of *Spain*, and wine of all other sorts, and so in proportion for any greater or less quantity, which shall have been found on the first actual survey by the proper officer of excise, after the said twenty-third day of *February* one thousand seven hundred and ninety-five, in the stock, custody, or possession of any dealer or dealers in, or seller or sellers of foreign wine, to be paid by such dealer or dealers, or seller or sellers, a duty of twenty pounds :

For every bar-
rel of sweets
made in Great
Britain for sale,
11s. 7d. 1q.

For every barrel of liquor which shall be made in *Great Britain* for sale, by infusion, fermentation, or otherwise, from fruit or sugar, or from fruit or sugar mixed with any other ingredients or materials whatsoever, commonly called *Sweets*, or called or distinguished by the name of *Made Wines*, and so in proportion for any greater or less quantity, to be paid by the maker thereof, a duty of eleven shillings and sevenpence farthing.

Duties to be
under the ma-
nagement of
the commis-
sioners of ex-
cise.

II. And be it further enacted by the authority aforesaid, That such of the duties by this act imposed, as shall arise in that part of *Great Britain* called *England*, shall be under the management of the commissioners of excise in *England* for the time being; and such thereof as shall arise in that part of *Great Britain* called *Scotland*, shall be under the management of the commissioners of excise in *Scotland* for the time being.

How wine
found in stock
shall be esti-
mated, and
how the duties
thereon shall
be paid.

III. And be it further enacted by the authority aforesaid, That in estimating the said additional duties hereby imposed on foreign wine, as being found upon such actual survey as aforesaid, in the stock, custody, or possession, of any dealer or dealers in, or seller or sellers of foreign wine, after the said twenty-third day of *February* one thousand seven hundred and ninety-five, which shall be in bottles, five reputed quart bottles shall be reckoned to the gallon, and two hundred and fifty-two of such gallons to the tun; and the said additional duties payable on foreign wine, as being in the stock, custody, or possession of such dealer or dealers in, or seller or sellers of foreign wine as aforesaid, shall be paid in manner following; that is to say, one fourth part thereof on the third day of *April* one thousand seven hundred and ninety-five; one other fourth part thereof on the third day of *July* one thousand seven hundred and ninety-five; one other fourth part hereof on the seventh day of *October* one thousand seven hundred and ninety-five; and the remaining fourth part thereof on the second day of *January* one thousand seven hundred and ninety-six.

Act not to ex-
tend to stock
for which the
additional du-
ty shall have
been paid on

IV. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to charge with any duty by virtue of this act, any foreign wine in the stock, custody, or possession, of any dealer or dealers in, or seller or sellers of, foreign wine, for which the additional duty by

this act imposed shall have been paid on importation thereof; nor any foreign wine in the stock, custody, or possession, of any dealer or dealers in, seller or sellers of, foreign wine, unless such dealer or dealers, or seller or sellers, shall have in his, her, or their stock, custody, or possession, on such actual survey as aforesaid, after the said twenty-third day of February one thousand seven hundred and ninety-five, a quantity or quantities of such foreign wine exceeding two hundred and fifty two gallons, reckoning five reputed quart bottles to a gallon for all such wine as shall be in bottles.

V. And whereas by the herein-before recited act of the thirty-third year of the reign of his present Majesty, a drawback of the whole amount of the duties of customs and excise paid on the importation of wines into Great Britain is allowed on any sort of wine intended for the use of admirals, captains, or other commissioned officers employed in his Majesty's service, for their actual consumption on board such of his Majesty's ships as they shall serve in, yearly and every year, in the proportions therein mentioned, and under the rules, regulations, restrictions, penalties, and forfeitures, contained in the said recited act; and it is among other things provided that the said drawback shall not be allowed upon any wines but such as shall be delivered into the charge of the collectors and comptrollers of his Majesty's customs at certain ports therein enumerated: and whereas it is expedient that the drawback should be allowed, pursuant to the said recited act, upon any wines which may be delivered into the charge of the collector and comptroller of his Majesty's customs at the port of Dartmouth also, in the same manner as at any of the ports particularly mentioned in the said act: be it therefore enacted by the authority aforesaid, That every clause, matter, and thing, in the said recited act relating to the allowance of the drawback on wines in any of the ports therein enumerated, shall be, and the same is hereby extended to the port of Dartmouth; and all the rules, regulations, restrictions, penalties, and forfeitures, of the said recited act shall, and the same are hereby declared to apply accordingly, the same as if all the clauses, powers, directions, and authorities were particularly repeated and re-enacted in the body of this present act.

VI. Provided always, and be it further enacted by the authority aforesaid, That a drawback of the whole duties on foreign wine imposed by this act shall be allowed on any sort of such foreign wine intended for the use of admirals, captains, or other commissioned officers, employed in his Majesty's service, for their actual consumption on board such of his Majesty's ships as they shall respectively serve in, in like manner, and under the like provisions, conditions, and restrictions, as a drawback of the former duties paid on the importation of wines into Great Britain are directed to be allowed by an act, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act to allow the drawback of the duties of customs and excise upon wines consumed by admirals, captains, and other commissioned officers; on board ships of war*

33 Geo. 3. c. 48. allowing a drawback of duties on wines used on board the navy, to extend to the port of Dartmouth.

Drawback of the whole duties to be allowed on foreign wine, for the consumption of officers on board the navy, agreeable to 33 Geo. 3. c. 48.

war in actual service; and to allow such ships to be supplied with tobacco duty-free.

For wine contracted to be sold, the additional duty may be added to the price.

VII. And whereas contracts may have been made for the sale of wine before the first actual survey taken by the officer of excise after the twenty-third day of February one thousand seven hundred and ninety-five, or wines may have been sold subsequent to such survey; be it therefore enacted by the authority aforesaid, That in all cases where any wine whereon the respective duties by this act imposed shall be charged, shall have been or shall be delivered in pursuance of such contracts or sales, it shall be lawful for the dealer or dealers in such foreign wine, delivering the same, to charge so much money as shall be equivalent to the duties by this act imposed in respect thereof, in addition to the price of such wine; and such dealer or dealers shall be entitled by virtue of this act to demand and be paid the same accordingly.

For prize wine taken out of warehouse for home consumption, the additional duty to be paid.

VIII. And be it further enacted by the authority aforesaid, That all wine taken and condemned as prize, and sold by the captors or their agents, and taken out of any warehouse wherein the same shall have been secured, to be consumed in this kingdom, in pursuance of an act, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act for the relief of the captors of prizes with respect to the bringing and landing certain prize goods in this kingdom*, shall be subject and liable to the additional duty by this act imposed for or in respect of wine imported; and such additional duty shall be paid and payable by such persons, and in such manner as the former duties by the said act of the thirty-third year aforesaid imposed, are payable by law.

Duties to be carried to the consolidated fund.

IX. And be it further enacted by the authority aforesaid, That all the monies from time to time arising by the several new and additional rates and duties by this act imposed as aforesaid, (the necessary charges of raising and accounting for the same respectively excepted), shall from time to time be paid into the receipt of his Majesty's exchequer at *Westminster*, and the said money so paid in as aforesaid shall be carried to and made part of the consolidated fund.

Duties to be applied in defraying any increased charge occasioned by any loan of this session, and for 10 years to be kept separate from other monies.

X. Provided always, and be it further enacted, That the monies to arise from the said duties, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan to be made, or stock to be created, by virtue of any act or acts to be passed in this session of parliament, and that the said monies, during the space of ten years next ensuing, shall continue to be paid into the said receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties paid into the said receipt by virtue of this act, shall, together with the monies arising from any other duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered, separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

XI. And be it further enacted by the authority aforesaid, That Drawback to be allowed on exportation of foreign wines agreeable to 26 Geo. 3. c. 59. &c. the duties by this act imposed shall have been duly paid, there shall be paid or allowed to the exporter or exporters a drawback of the said duties of excise, upon the same terms and conditions, and under, subject, and according to the rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, contained, provided, settled, or established, in and by an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, *An act for repealing certain duties now payable on wines imported, and for granting new duties in lieu thereof, to be collected under the management of the commissioners of excise*; and the said rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, shall be, and the same respectively are hereby directed to be used, applied, practised, and put in execution, on the exportation of wine, for the purpose of obtaining a drawback of the duties by this act granted, as fully and effectually, to all intents and purposes, as if the said rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, had been expressly repeated and re-enacted in this act.

XII. And be it further enacted by the authority aforesaid, That Powers of 12 Car. 2. c. 24. &c. to extend to this act. 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 his Majesty's revenue of excise, 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 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 excise duties by this act imposed, and for preventing, detecting, and punishing frauds relating thereto, as fully and effectually, to all intents and purposes, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this present act.

C A P. XI.

An act for granting to his Majesty additional duties of excise on worts, wash, and other liquors, made in England, for extracting spirits for home consumption; and for preventing distillers from making use of wheat or wheat flour in making wash for extracting spirits.—
[March 16, 1795.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Preamble. commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the

publick revenue as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament, have freely and voluntarily resolved to give and grant unto your Majesty the several additional rates and duties herein-after respectively mentioned; and do therefore 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 there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things herein-after mentioned, over and above all duties already imposed for or in respect thereof, by any act or acts of parliament, the further duties of excise herein-after mentioned; that is to say,

The following additional duties to be paid, viz.

For every gallon of wash made in England from grain for home consumption, not made into spirits by Feb. 23, 1795, 1d.

For every gallon of fermented wort or wash which shall be brewed or made in that part of *Great Britain* called *England*, for extracting spirits for home consumption from any malt, corn, grain, or tilts, or any mixture with the same, and which shall not be actually distilled into spirits on or before the twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the makers or distillers thereof, one penny:

For every gallon from other British materials, 1d.

For every gallon of cyder or perry, or any other wash or liquor which shall be brewed or made in that part of *Great Britain* called *England*, from any sort or kind of *British* materials, (except such as are before mentioned), or from any mixture therewith for extracting spirits for home consumption, and which shall not be actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the makers or distillers thereof, one penny:

For every gallon from melasses or sugar, 1d. 2q.

For every gallon of fermented wort or wash which shall be brewed or made in that part of *Great Britain* called *England*, from melasses or sugar, or any mixture therewith, for extracting spirits for home consumption, and which shall not be actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the makers or distillers thereof, one penny halfpenny:

For every gallon from foreign materials, except melasses and sugar, 2d.

For every gallon of wash which shall be brewed or made in that part of *Great Britain* called *England*, from foreign refused wine, or foreign cyder, or wash prepared from foreign materials, (except melasses and sugar), or any mixture therewith, for extracting spirits for home consumption, and which shall not be actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the makers or distillers thereof, two-pence:

For every 96 gallons made by Messrs. Bishop from

For every ninety-six gallons of wash which *William Bishop*, *Argles Bishop*, and *George Bishop*, or the survivors or survivor of them, shall produce from a weight of malt or other corn, including the bran thereof, and not exceeding one hundred and twelve pounds,

pounds, and which shall not be actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, two shillings and eight-pence three farthings; and so on in proportion for any greater or lesser quantity of such wash.

112 lb. of
corn, 28. 8d,
3d.

II. And be it further enacted by the authority aforesaid, That the duties by this act imposed shall be under the management of the commissioners of excise in *England* for the time being.

Duties to be
under the ma-
nagement of
the excise.

III. Provided also, and be it further enacted by the authority aforesaid, That no wash which shall be brewed or made in that part of *Great Britain* called *England*, under and according to the rules, regulations, and provisions of an act, made in the twenty-eighth year of the reign of his present Majesty, for extracting low wines or spirits for exportation from thence to that part of *Great Britain* called *Scotland*, shall be charged or chargeable with any duty or duties of excise granted by this act.

Wash made in
England, ac-
cording to 28
Geo. 3. c. 46.
for exportation to Scot-
land not liable
to additional
duty.

IV. And whereas standing contracts may have been made before the said twenty-third day of *February* one thousand seven hundred and ninety-five, by distillers and makers of spirits, for British spirits to be delivered after the said twenty-third day of *February* one thousand seven hundred and ninety-five; be it therefore enacted by the authority aforesaid, That such distillers and makers of spirits, delivering such *British* spirits after the said twenty-third day of *February* one thousand seven hundred and ninety-five, in pursuance of such contracts, shall be allowed to add so much money as will be equivalent to the duties by this act imposed, for or in respect of the wort or wash from whence such spirits were extracted or made, to the price thereof, and shall be entitled, by virtue of this act, to be paid for the same accordingly.

Distillers deli-
vering British
spirits after
Feb. 23, 1795,
on contracts
made previous
to that day,
may add to
the price a
sum equiva-
lent to the
duties.

V. And be it further enacted by the authority aforesaid, That all the monies from time to time arising by the several new and additional rates and duties by this act imposed as aforesaid, (the necessary charges of raising and accounting for the same respectively excepted), shall, from and after the passing of this act, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*; and the said money so paid into the exchequer as aforesaid, shall be carried to and made part of the consolidated fund.

Duties to be
carried to the
consolidated
fund.

VI. Provided always, and be it further enacted, That the monies to arise from the said duties, or so much thereof, as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan to be made, or stock to be created, by virtue of any act or acts to be passed in this session of parliament; and that the said monies, during the space of ten years next ensuing, shall continue to be paid into the said receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties paid into the said receipt by virtue of this act shall, together with the monies

Duties to be
applied in de-
fraying any
increased
charge occa-
sioned by any
loan of this
session, and
for 10 years to
be kept sepa-
rate from
other monies.

monies arising from any other duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

The powers of 12 Car. 2. c. 24, &c. to extend to this act.

VII. And be it further enacted, 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 his Majesty's revenue of excise, 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 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 excise duties by this act imposed, and for preventing, detecting, and punishing frauds relating thereto, as fully and effectually, to all intents and purposes, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this present act.

Till the expiration of six weeks after the commencement of next session, no distiller shall use any wheat or wheat flour in making wort for extracting spirits, on penalty of 500l. and persons aiding distillers in such use shall forfeit 20l. &c.

VIII. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, and from thenceforth until the expiration of six weeks next after the commencement of the next session of parliament, no distiller or distillers, or maker or makers of low wines or spirits, shall apply, spend, consume, or make use of, or cause, procure, permit, or suffer, to be applied, spent, consumed, or made use of, any wheat or wheat flour in the brewing, making, or preparing, any wort or wash for making or extracting low wines or spirits; and if any distiller or distillers, or maker or makers of low wines or spirits, shall apply, spend, consume, or make use of, or cause, procure, permit, or suffer, to be applied, spent, consumed, or made use of, any wheat or wheat flour, in the brewing, making, or preparing any wort or wash for making or extracting low wines or spirits contrary to the true intent and meaning of this act, the person or persons so offending shall, for each and every such offence, forfeit and lose the sum of five hundred pounds; and every servant of such distiller or distillers, maker or makers of low wines or spirits, and every other person who shall be aiding and assisting in the applying, spending, consuming, or making use of any wheat or wheat flour in the brewing, making, or preparing any wort or wash for making or extracting low wines or spirits, or in carrying or conveying the same into the house, stillhouse, or other place used by such distiller or distillers, maker or makers of low wines or spirits, in the brewing, making, or preparing such wort or wash, shall also forfeit and lose, for every such offence, the sum of twenty pounds; and in default of payment thereof, immediately upon conviction, shall

shall be liable to suffer three months imprisonment in the house of correction, and to be kept to hard labour during such imprisonment.

C A P. XII.

An act for granting to his Majesty additional duties of excise on foreign spirits. [March 16, 1795.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament, have freely and voluntarily resolved to give and grant unto your Majesty the several additional rates and duties herein-after respectively mentioned; and do therefore 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 there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things herein-after mentioned, over and above all duties already imposed for or in respect thereof by any act or acts of parliament, the further duties of excise herein-after mentioned; that is to say,

Preamble.

The following additional duties to be paid on imported spirits:

For every gallon of single brandy, imported into *Great Britain*, and for which all the duties payable thereon shall not be paid on or before the twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the importer thereof, a duty of ten-pence:

For single brandy, for which all duties shall not have been paid by Feb, 23, 1795, 10d. per gallon; and for brandy above proof, 1s. 8d. per gallon:

For every gallon of brandy above proof, imported into *Great Britain*, and for which all the duties payable thereon shall not be paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the importer thereof, a duty of one shilling and eight-pence:

For every gallon of rum, spirits, or *aqua vitæ*, of the produce of the *British* colonies or plantations, imported into *Great Britain*, and for which all the duties payable thereon shall not be paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the importer thereof, a duty of eight-pence:

For spirits of the *British* colonies, 8d. per gallon:

For every gallon of rum, spirits, or *aqua vitæ*, above proof, of the produce of the *British* colonies or plantations, imported into *Great Britain*, and for which all the duties payable thereon shall not be paid on or before the said twenty-third day of *February*

For such spirits above proof, 1s. 4d. per gallon:

one thousand seven hundred and ninety-five, to be paid by the importer thereof, a duty of one shilling and four-pence:

For such spirits warehoused, and delivered out after Feb. 23, 1795, 8d. per gallon:

For every gallon of rum or spirits of the produce of the *British* plantations, which, on the said twenty-third day of *February* one thousand seven hundred and ninety-five, shall be in any warehouse in which the same shall have been put, subject and according to the rules, regulations, restrictions, and provisions contained and provided in an act, made in the fifteenth year of the reign of his late majesty King *George* the Second, concerning the landing of rum or spirits of the *British* sugar plantations, before payment of the duties of excise, and lodging the same in warehouses, and which shall, from and after the said twenty-third day of *February* one thousand seven hundred and ninety-five, be delivered out of any such warehouse or warehouses respectively for home consumption, (except such rum or spirits for which all the duties payable thereon shall have been paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five), to be paid by the importer upon demand, a duty of eight-pence:

For such spirits above proof so warehoused and delivered, 1s. 4d. per gallon:

For every gallon of rum or spirits over proof, of the produce of the *British* plantations, which, on the said twenty-third day of *February* one thousand seven hundred and ninety-five, shall be in any such warehouse, and which shall, from and after the said twenty-third day of *February* one thousand seven hundred and ninety-five, be delivered out of any such warehouse for home consumption, (except such rum or spirits for which all the duties payable thereon shall have been paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five), to be paid by the importer upon demand, a duty of one shilling and four-pence:

For single spirits imported, other than as aforesaid, 1s. per gallon;

For every gallon of single spirits, or *aqua vitæ*, (other than such brandy, rum, or spirits, as aforesaid), imported into *Great Britain*, and for which all the duties payable thereon shall not be paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the importer thereof, a duty of ten-pence:

and if above proof, 1s. 8d. per gallon.

For every gallon of spirits, or *aqua vitæ*, (other than such brandy, rum, or spirits, as aforesaid), above proof, imported into *Great Britain*, and for which all the duties payable thereon shall not be paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, to be paid by the importer thereof, a duty of one shilling and eight-pence.

Additional duty on spirits imported from the *British* colonies, may be bonded, &c. as present duties.

II. Provided always, and be it enacted by the authority aforesaid, That the additional rate or duty hereby imposed for or in respect of rum, spirits, or *aqua vitæ*, of the produce of the *British* colonies or plantations, imported into this kingdom, may be bonded and secured, and shall be paid and payable in such manner only, and under such regulations and restrictions, as the rates and duties of excise heretofore charged for or in respect of such rum, spirits, or *aqua vitæ*, may be now bonded and secured, and are by law paid and payable.

III. And be it further enacted by the authority aforesaid, That all foreign brandy, rum, and spirits, taken and condemned as prize, and sold by the captors or their agents, and taken out of any warehouse wherein the same shall have been secured, to be consumed in this kingdom, in pursuance of an act, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act for the relief of the captors of prizes, with respect to the bringing and landing certain prize goods in this kingdom*, shall be subject and liable to the additional duty by this act imposed, for or in respect of brandy, rum, and spirits, respectively imported; and such additional duty shall be paid and payable by such persons, and in such manner, as the former duties, by the said act of the thirty-third year aforesaid imposed, are payable by law.

Prize spirits taken out of warehouses, liable to additional duty.

IV. And be it further enacted by the authority aforesaid, That such of the duties by this act imposed, as shall arise in that part of *Great Britain* called *England*, shall be under the management of the commissioners of excise in *England* for the time being; and such thereof as shall arise in that part of *Great Britain* called *Scotland*, shall be under the management of the commissioners of excise in *Scotland* for the time being.

Duties to be under the management of the excise.

V. And be it further enacted by the authority aforesaid, That the duties by this act imposed, for or in respect of rum, spirits, or *aqua vita*, of the produce of the *British* colonies or plantations, shall be allowed on the shipping thereof as stores to be spent and consumed on board in any voyage to parts beyond the seas, in the same manner as the former duties imposed thereon now are, or hereafter may be directed to be allowed by law.

Duties on spirits of the British colonies to be allowed on ship's stores.

VI. And whereas standing contracts may have been made before the said twenty-third day of February one thousand seven hundred and ninety-five, by importers or dealers in foreign spirits, for such foreign spirits to be delivered after the said twenty-third day of February one thousand seven hundred and ninety-five; be it therefore enacted by the authority aforesaid, That such importers and dealers delivering such foreign spirits after the said twenty-third day of February one thousand seven hundred and ninety-five, in pursuance of such contracts, shall be allowed to add so much money as will be equivalent to the duties by this act imposed for or in respect of such foreign spirits to the price thereof, and shall be entitled, by virtue of this act, to be paid for the same accordingly.

Persons delivering foreign spirits after Feb. 23, 1795, on contracts made previous thereto, may add to the price a sum equivalent to duty.

VII. And be it further enacted by the authority aforesaid, That all the monies, from time to time arising by the several additional rates and duties by this act imposed as aforesaid, (the necessary charges of raising and accounting for the same respectively excepted), shall, from and after the passing of this act, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*; and the said money so paid into the exchequer as aforesaid, shall be carried to and made part of the consolidated fund.

Duties to be carried to the consolidated fund.

VIII. Provided always, and be it further enacted, That the monies to arise from the said duties, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any

Duties to be applied in defraying any increased charge occasioned

loan

fioned by any loan of this session, and for 10 years to be kept separate from other monies.

loan to be made or stock to be created by virtue of any act or acts to be passed in this session of parliament, and that the said monies, during the space of ten years next ensuing, shall continue to be paid into the said receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties paid into the said receipt by virtue of this act, shall, together with the monies arising from any other duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

Powers of 12 Car. 2. c. 24, &c. to extend to this act.

IX. And be it further enacted, 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 his Majesty's revenue of excise, 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 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 excise duties by this act imposed, and for preventing, detecting, and punishing frauds relating thereto, as fully and effectually, to all intents and purposes, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this present act.

C A P. XIII.

An act for granting to his Majesty additional duties of excise on tea, coffee, and cocoa nuts. [March 16, 1795.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue, as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament, have freely and voluntarily resolved to give and grant unto your Majesty the several additional rates and duties herein-after respectively mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted

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 unto and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things herein-after mentioned, over and above all duties already imposed for or in respect thereof, by any act or acts of parliament, the further duties of excise herein-after mentioned ; that is to say,

The following additional duties to be paid in Great Britain.

For and upon all tea which, from and after the passing of this act, shall be sold in *Great Britain* by the united company of merchants of *England* trading to the *East Indies*, a duty of seven pounds ten shillings *per centum*, to be computed upon the gross prices at which such tea shall be sold, to be paid by the purchaser or purchasers of such tea to the said united company, and to be paid by the said united company to the commissioners of excise for the time being :

For tea sold by the East India company, 7l. 10s. per cent. upon the price.

For every pound weight avoirdupoise of cocoa nuts of the growth or produce of any *British* colony or plantation in *America*, imported into *Great Britain*, and which shall be delivered out of the warehouse in which the same shall have been lodged under the care and custody of the proper officers for securing the duties payable thereon, for home consumption, and so in proportion for any greater or less quantity, and for which all the duties payable thereon shall not have been paid on or before the twenty-third day of *February* one thousand seven hundred and ninety-five, a duty of sixpence halfpenny :

For cocoa nuts of the growth of British colonies in *America*, delivered out of warehouses for home consumption, for which all the duties shall not have been paid by Feb. 23, 1795, 6d. 2q. per lb. ; and of the growth of any other place, 1s. 8d. per lb.

For every pound weight avoirdupoise of cocoa nuts of the growth or produce of any other place, imported into *Great Britain*, and which shall be delivered out of the warehouse in which the same shall have been lodged under the care and custody of the proper officers for securing the duties payable thereon, for home consumption, and so in proportion for any greater or less quantity, and for which all the duties payable thereon, shall not have been paid on or before the twenty-third day of *February* one thousand seven hundred and ninety-five, a duty of one shilling and eight-pence :

For every pound weight avoirdupoise of coffee imported into *Great Britain*, and which shall be delivered out of the warehouse in which the same shall have been lodged under the care and custody of the proper officers for securing the duties payable thereon, for home consumption, and so in proportion for any greater or less quantity, and for which all the duties payable thereon shall not have been paid on or before the twenty-third day of *February* one thousand seven hundred and ninety-five, a duty of sixpence halfpenny.

For coffee so delivered, 6d. 2q. per lb.

II. And be it further enacted by the authority aforesaid, That the said duty by this act imposed for or in respect of tea shall be deemed and taken to be an inland duty, and be under the management of the commissioners of excise for the time being, and

Duty on tea to be deemed an inland duty, and drawn back on

exportation; and the duties on tea, cocoa nuts, and coffee, to be levied, &c. agreeable to act relating to excise.

shall be again drawn back and repaid upon the exportation of such tea to any place where a drawback of the duty on tea is now allowed by law, upon the same terms and conditions, and under, subject, and according to the same rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, as are respectively contained, provided, settled, or established, by any act or acts of parliament in force at the time of passing this act; and relating to the exportation of tea; and the said rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, shall be, and the same respectively are hereby directed to be duly observed, practised, applied, and put in execution, upon such exportation of any such tea; and that the said respective duties by this act imposed for or in respect of tea, cocoa nuts, and coffee, respectively, shall be raised, levied, collected, and paid, by such persons, and under such management, and under, subject, and according to the rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, as are respectively contained, provided, settled, or established, by any act or acts of parliament in force at the time of passing this act, and relating to the excise duties payable for or in respect of tea, cocoa nuts, and coffee, respectively; and the said rules, regulations, restrictions, provisions, fines, penalties, and forfeitures respectively, shall be, and the same respectively are hereby directed to be duly observed, practised, and put in execution, for the raising, levying, collecting, and paying, the said respective duties by this act imposed, for or in respect of tea, cocoa nuts, and coffee, respectively, as fully, to all intents and purposes, as if the same rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, relating thereto, were particularly repeated, and again enacted in this act.

Prize tea sold, and prize coffee and cocoa nuts taken out of warehouses to be consumed, liable to the additional duty.

III. And be it further enacted by the authority aforesaid, That all tea taken and condemned as prize, and sold by the captors or their agents, pursuant to the rules, regulations, and restrictions, prescribed by an act, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act for the relief of the captors of prizes, with respect to the bringing and landing certain prize goods in this kingdom*, shall be subject and liable to the additional duty by this act imposed on tea; and that all coffee and cocoa nuts taken and condemned as prize, and sold by the captors or their agents, and taken out of any warehouse in which the same shall have been secured, in pursuance of the said act, to be consumed in this kingdom, shall also be subject and liable to the additional duties by this act imposed for or in respect of coffee and cocoa nuts respectively imported.

The following drawbacks to be allowed on the exportation of chocolate made in Great Britain:

IV. And be it further enacted by the authority aforesaid, That upon the exportation of chocolate there shall be paid and allowed the following additional drawbacks; that is to say,

Of cocoa nuts of the produce of

For every pound weight avoirdupoise of chocolate which shall be made in *Great Britain* of cocoa nuts of the growth or produce of any *British* colony or plantation in *America*, imported into *Great Britain*, (for which the duties hereby imposed in respect thereof

thereof shall have been paid), and exported as merchandize to foreign parts, a drawback of five-pence:

any British colony in America, 5d. per lb.

For every pound weight avoirdupoise of chocolate which shall be made in *Great Britain* of cocoa nuts of the growth or produce of any other place, imported into *Great Britain*, (for which the duties hereby imposed in respect thereof shall have been paid), and exported as merchandize to foreign parts, a drawback of one shilling and four-pence.

If of the produce of any other place, 1s. 4d.

Which said drawbacks shall be paid and allowed upon the same terms and conditions, and under, subject, and according to the same rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, as are respectively contained, provided, settled, or established, by any act or acts of parliament in force at the time of passing this act, and relating to the exportation of chocolate; and the said rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, shall be, and the same respectively are hereby directed to be duly observed, practised, applied, and put in execution, upon such exportation of any such chocolate.

Drawbacks to be paid agreeable to acts in force, &c.

V. And be it further enacted by the authority aforesaid, That all the monies from time to time arising by the several new and additional rates and duties by this act imposed as aforesaid, (the necessary charges of raising and accounting for the same respectively excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*; and the said money so paid in as aforesaid shall be carried to and made part of the consolidated fund.

Duties to be carried to the consolidated fund.

VI. Provided always, and be it further enacted, That the monies to arise from the said duties, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan to be made or stock to be created by virtue of any act or acts to be passed in this session of parliament; and that the said monies, during the space of ten years next ensuing, shall continue to be paid into the said receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties paid into the said receipt by virtue of this act, shall, together with the monies arising from any other duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

Duties to be applied in defraying any increased charge occasioned by any loan of this session, and for 10 years to be kept separate from other monies.

C A P. XIV.

An act for raising the sum of eighteen millions by way of annuities
[March 16, 1795.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, have resolved that the sum of eighteen millions be raised by annuities, in manner herein-after mentioned; and do therefore 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 every contributor towards raising the said sum of eighteen millions shall for every one hundred pounds contributed and paid, be entitled to the principal sum of one hundred pounds in annuities, after the rate of three pounds *per centum per annum*, and to a further principal sum of thirty-three pounds six shillings and eight-pence in annuities, after the rate of four pounds *per centum per annum*, so deemed by parliament; the said annuity after the rate of three pounds *per centum per annum* to commence from the fifth day of *January* one thousand seven hundred and ninety-five, and the said annuity after the rate of four pounds *per centum per annum* to commence from the tenth day of *October* one thousand seven hundred and ninety-four; and shall also be entitled, in respect of every such one hundred pounds so contributed, to a further annuity of eight shillings and sixpence, to continue for a certain term of sixty-five years and three months, from the tenth day of *October* one thousand seven hundred and ninety-four, and then to cease, and also to such further annuity as shall be fixed by any act in this session of parliament, in case provision shall not be made by any act in the said session, for guaranteeing the payment of the dividends on a loan of six millions sterling to be advanced by the said contributors for the service of the emperor of *Germany*; and that the said annuities after the rate of three pounds and of four pounds *per centum*, and of eight shillings and sixpence, in respect of each one hundred pounds so to be contributed as aforesaid, shall be charged and chargeable upon, and are hereby charged upon, and made payable out of, the consolidated fund, and shall be payable and transferrable at the bank of *England*; and the said annuity after the rate of three pounds *per centum* shall be paid half-yearly, on the fifth day of *July* and the fifth day of *January* in every year; and the said annuity after the rate of four pounds *per centum* shall be paid half-yearly, on the fifth day of *April* and the tenth day of *October* in every year; and the said annuity of eight shillings and sixpence to continue for a certain term of sixty-five years and three months from the said tenth day of *October*

Every contributor of 100l. to be entitled to an annuity of 3l. from Jan. 5, 1795; a principal of 33l. 6s. 8d. of 4l. per cents. from Oct. 10, 1794; and an annuity of 8s. 6d. for 65 years and three months from the said Oct. 10; and in a certain case, to such further annuity as shall be fixed.

Annunities to be payable out of the consolidated fund half-yearly.

ber one thousand seven hundred and ninety-four, and then to cease, shall be paid half-yearly, on the fifth day of *April* and the tenth day of *October* in every year.

II. And whereas, pursuant to, and upon the terms and conditions expressed in the said resolution, several persons have, in books opened at the bank of England for that purpose, subscribed together the whole of the said sum of eighteen millions to be raised by annuities, and made deposits of ten pounds per centum on the respective sums by them so subscribed to the said sum of eighteen millions to be raised by annuities, with the cashiers of the governor and company of the bank of England; be it therefore enacted, That it shall and may be lawful to and for such contributors who have made such deposits with the cashier or cashiers of the governor and company of the bank of England, (which cashier or cashiers is and are hereby appointed the receiver and receivers of such contributions, without any other warrant to be had in that behalf), to advance and pay unto the said cashier or cashiers of the governor and company of the bank of England, the several remainders of the sums by them respectively subscribed towards the said sum of eighteen millions, at or before the respective days and times, and in the proportions herein-after limited and appointed in that behalf; (that is to say), the further sum of ten pounds *per centum* on or before the seventeenth day of *April* one thousand seven hundred and ninety-five; the further sum of ten pounds *per centum* on or before the twelfth day of *June* then next following; the further sum of ten pounds *per centum* on or before the seventeenth day of *July* then next following; the further sum of fifteen pounds *per centum* on or before the twenty-eighth day of *August* then next following; the further sum of fifteen pounds *per centum* on or before the twenty-third day of *October* then next following; the further sum of fifteen pounds *per centum* on or before the twenty-seventh day of *November* then next following; and the remaining sum of fifteen pounds *per centum* on or before the fifteenth day of *January* one thousand seven hundred and ninety-six.

Contributors who have made deposits at the bank may pay the remainder of their subscriptions by instalments.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any guardian or trustee having the disposition of the money of any infant, to contribute and pay for or towards advancing the said sum of eighteen millions to be raised by annuities in manner aforesaid, and such infant, upon the payment of such sum or sums subscribed by such guardian or trustee, shall become a contributor within the meaning of this act, and be entitled to have and receive the annuities, advantages, and payments in respect thereof, in such and the like manner as any other contributor; and the said guardian and trustee, as to the said sum or sums so advanced, is hereby discharged, so as the name of such infant be expressed in the receipt or receipts for such money.

Guardians may subscribe for infants.

IV. And be it further enacted, That every contributor paying in the whole of the sums by them respectively subscribed in respect of the said sum of eighteen millions, to be contributed as aforesaid, at any time on or before the twentieth day of *March*

Contributors to be allowed discount for subscriptions paid in advance.

one thousand seven hundred and ninety-five, shall be entitled to an allowance of so much money as the interest of each sum so paid in advance, for completing his, her, or their contributions respectively, shall amount unto, after the rate of three pounds *per centum per annum*, from the twenty-third day of *January* one thousand seven hundred and ninety-five, to the fifteenth day of *January* one thousand seven hundred and ninety-six; and the every contributor paying in the whole of the sums by them subscribed as aforesaid, at any time subsequent to the twentieth day of *March* one thousand seven hundred and ninety-five, and previous to the twenty-seventh day of *November* one thousand seven hundred and ninety-five, shall be entitled to an allowance of so much money as the interest of each sum so paid in advance, for completing his, her, or their contribution respectively, shall amount unto, after the rate of three pounds *per centum per annum* from the day of completing the same, to the fifteenth day of *January* one thousand seven hundred and ninety-six; which allowances are to be paid by the said cashier or cashiers, out of the money to be contributed in pursuance of this act, as soon as such respective contributors, their executors, administrators, successors and assigns, shall have completed such respective payments.

Annuities to be paid half-yearly, but not till subscriptions are completed.

V. And be it further enacted by the authority aforesaid, That the several subscribers or contributors, their executors, administrators, successors, and assigns, in respect of the said sum of eighteen millions, shall be entitled to an annuity after the rate of three pounds *per centum*, for every one hundred pounds, by him, her, or them respectively advanced and paid, to commence from the fifth day of *January* one thousand seven hundred and ninety-five, until redemption, by parliament, in manner herein-after mentioned; and shall also be entitled in respect of every such one hundred pounds so advanced and paid to a further annuity, after the rate of four pounds *per centum* in respect of the additional principal sum of thirty-three pounds six shillings and eight-pence from the tenth day of *October* one thousand seven hundred and ninety-four, until redemption, by parliament, in manner herein-after mentioned; and shall also be entitled, in respect of every such one hundred pounds so advanced and paid, to a further annuity of eight shillings and sixpence, to continue for the term of sixty-five years and three months, from the tenth day of *October* one thousand seven hundred and ninety-four, and then to cease; which said respective annuities, after the rate of three pounds *per centum*, and of four pounds *per centum*, and of eight shillings and sixpence, shall be payable and paid half-yearly, by even and equal portions; (that is to say), the said annuities, after the rate of three pounds *per centum*, on the fifth day of *July* and the fifth day of *January* in every year; and the said annuities, after the rate of four pounds *per centum*, on the fifth day of *April* and the tenth day of *October* in every year; and the said annuity of eight shillings and sixpence on the said fifth day of *April* and the said tenth day of *October* in every year; the first payment upon the said annuities, after the rate of three pounds *per centum*,

to be due on the fifth day of *July* one thousand seven hundred and ninety-five; and on the said annuity, after the rate of four pounds *per centum*, on the fifth day of *April* one thousand seven hundred and ninety-five; on the said annuity of eight shillings and sixpence on the said fifth day of *April* one thousand seven hundred and ninety-five, but shall not be payable until the respective subscribers or contributors, their executors, administrators, successors, or assigns, shall have completed the whole of the sums by them subscribed for the purchase of the said annuities.

VI. Provided always, and be it further enacted by the authority aforesaid, That all and every such contributor or contributors, his, her, or their executors, administrators, and assigns, who shall have paid into the hands of the said cashier or cashiers the whole of his, her, or their contribution money, on or before the second day of *April* one thousand seven hundred and ninety-five, shall be entitled to have and receive on the fifth day of *April* one thousand seven hundred and ninety-five, at the bank of *England*, the half year's annuity, after the rate of four pounds *per centum*, and the half year's annuity, after the rate of eight shillings and sixpence, that shall become due on the said fifth day of *April* one thousand seven hundred and ninety-five; and that all and every person or persons who shall have completed the whole of his, her, or their said payment or payments on or before the second day of *July* one thousand seven hundred and ninety-five, on or before the seventh day of *October* one thousand seven hundred and ninety-five, or on or before the second day of *January* one thousand seven hundred and ninety-six, respectively, shall be entitled on the day next ensuing on which any dividend shall become due by virtue of this act to receive the half year's annuity, after the rate of three pounds *per centum*, four pounds *per centum*, or eight shillings and sixpence, or any of them, which by virtue of this act shall become due on such day respectively, or shall have become due at any day preceding, and shall not have been paid by virtue of this act; and that all and every person or persons who shall not have completed the whole of their said payments on or before the said second day of *January* one thousand seven hundred and ninety-six, shall, on completing the same within the time in this act prescribed, be then entitled to receive the whole of one year's annuity on each of the said several annuities by this act granted, or to be granted, from the tenth day of *October* one thousand seven hundred and ninety-four, and the fifth day of *January* one thousand seven hundred and ninety-five, respectively, according to the true intent and meaning of this act.

Contributors paying the whole of their subscriptions by the times herein specified, to be entitled to the annuities at certain periods.

VII. And be it further enacted, That all the annuities aforesaid shall be payable, and paid, and be transferrable at the bank of *England*; and, as to the said annuities of three pounds *per centum*, and of four pounds *per centum*, shall be subject to such redemption as is herein-after mentioned.

Annuities payable at the bank.

VIII. And for the more easy and sure payment of all the several annuities established by this act, be it further enacted by the autho-

The bank to appoint a cashier and accountant general, and the treasury to order money to be paid to the cashier.

rity aforesaid, That the said governor and company of the bank of *England*, and their successors, shall, from time to time, until all the said annuities shall be redeemed or determined, appoint and employ one or more sufficient person or persons within their office in the city of *London* to be their chief or first cashier or cashiers, and one other sufficient person within the same office to be their accountant general; and that so much of the monies by this act appropriated for the purpose as shall be sufficient from time to time to answer the said several and respective annuities and other payments herein directed to be made out of the said monies, shall, by order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further warrant to be sued for, had, or obtained in that behalf, from time to time, at the respective days of payment in this act appointed for payment thereof, be issued and paid at the receipt of the exchequer to the said first or chief cashier or cashiers of the said governor and company of the bank of *England*, and their successors for the time being, by way of imprest, and upon account for the payment of the said several and respective annuities payable by virtue of this act; and that such cashier or cashiers to whom the said money shall from time to time be issued, shall, from time to time, without delay, pay the same accordingly, and render his or their accounts thereof according to the due course of the exchequer; and that the said accountant general for the time being shall from time to time inspect and examine all receipts and payments of the said cashier or cashiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay.

Cashier to pay annuities without delay, and the accountant general to inspect his accounts.

Cashier to give receipts for subscriptions, which may be assigned before
Dec. 10, 1795.

IX. And be it further enacted, That the cashier or cashiers of the governor and company of the bank of *England*, who shall have received, or shall receive any part of the said contributions towards the said sum of eighteen millions, shall give a receipt or receipts in writing, to every such contributor, for all such sums, and that the receipts to be given shall be assignable, by indorsement thereupon made, at any time before the tenth day of *December* one thousand seven hundred and ninety-five, and no longer: provided always, That such cashier or cashiers shall give security to the good liking of any three or more of the commissioners of the treasury, or the high treasurer for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, all the monies which they have already received, and shall hereafter receive, from time to time, of and for the said sum of eighteen millions, and for accounting duly for the same, and for performance of the trust hereby in them reposed, and shall, from time to time, pay all such monies as soon as he or they shall receive the same, or any part thereof, or within five days afterwards, at the farthest, into, and shall account for the same in the exchequer, according to the due course thereof, deducting thereout such sums as shall have been paid by him or them in pursuance of this act, for which sums so paid allowance shall be made in his or their accounts.

Cashier to give security, and to pay money within five days after received, into the exchequer.

X. And be it enacted by the authority aforesaid, That in the office of the accountant general of the governor and company of the bank of *England* for the time being, a book or books shall be provided and kept in which the names of the contributors shall be fairly entered; which book or books the said respective contributors, their respective executors, administrators, successors, and assigns, shall and may, from time to time, and at all seasonable times, resort to, and inspect, without any fee or charge; and that the said accountant general shall, on or before the fifth day of *July* one thousand seven hundred and ninety-six, transmit an attested duplicate, fairly written on paper, of the said book or books, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

A book to be kept in the accountant general's office for entering contributors names, a duplicate of which shall be transmitted to the auditor of the exchequer.

XI. And be it further enacted by the authority aforesaid, That such contributors duly paying the whole sum so subscribed, at or before the respective times in this act limited in that behalf, and 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 said several annuities by this act granted, in respect of the sum so subscribed out of the monies granted and appropriated in this session of parliament for payment thereof, and shall have good and sure interests and estates therein, according to the several provisions in this act contained, as well in respect of the said transferrable annuities, after the rate of three pounds *per centum per annum*, and of four pounds *per centum per annum*, as of eight shillings and sixpence *per annum*, payable and transferrable at the bank of *England*: and that the said several annuities shall be free from all taxes, charges, and impositions whatsoever.

Contributors duly paying their subscriptions to be entitled to their annuities free from taxes.

XII. Provided always, That in case any such contributors who have already deposited with, or shall hereafter pay to the said cashier or cashiers, any sum or sums of money, at the time, and in the manner herein-before mentioned, in part of the sum or sums so by them respectively subscribed, or their respective executors, administrators, successors, or assigns, shall not advance and pay to the said cashier or cashiers the residue of the sum or sums so subscribed at the times and in the manner before mentioned; then, and in every such case, so much of the respective sum or sums so subscribed, as shall have been actually paid in part thereof, to the said cashier or cashiers, shall be forfeited for the benefit of the publick, and all right and title to the said annuities, after the rate of three pounds and of four pounds *per centum per annum*, and of eight shillings and sixpence *per annum*, in respect thereof, shall be extinguished; any thing in this act contained to the contrary thereof in anywise notwithstanding.

Subscriptions paid in part, and not completed, to be forfeited.

XIII. And be it further enacted by the authority aforesaid, That as soon as any contributors, their executors, administrators, successors, or assigns, shall have completed their payments of the whole sum payable by them respectively, towards the said sum of eighteen millions, the principal sum or sums so by them subscribed and paid respectively shall forthwith be, in the books of the bank

As soon as subscriptions are completed, they may be transferred at the bank.

of *England*, placed to the credit of such respective contributors their executors, administrators, successors, and assigns, completing such payments respectively; and the persons to whose credit such principal sums shall be so placed, their respective executors, administrators, successors, and assigns, shall and may have power to assign and transfer the same, or any part, share or proportion thereof, to any other person or persons, body or bodies politick or corporate whatsoever, in the books of the bank of *England*; and such sums shall carry the several annuities, after the rate of three pounds and of four pounds *per centum per annum* respectively, redeemable by parliament, and the annuity of eight shillings and sixpence *per annum* for sixty-five years and three months, and then to cease; and shall be taken and deemed to be stock transferrable, according to the true intent and meaning of this act, until redemption of the said annuities, after the rate of three pounds and of four pounds *per centum per annum*, in such manner as is herein-after mentioned, and until the determination of the said annuity of eight shillings and sixpence *per annum* at the expiration of the said period of sixty-five years and three months.

XIV. And be it further enacted by the authority aforesaid, That all persons who shall be entitled to any of the annuities hereby granted in respect of the said eighteen millions, and all persons lawfully claiming under them, shall be possessed thereof as of a personal estate which shall not be descendible to heirs, nor liable to any foreign attachment by the custom of *London*, or otherwise; any law, statute, or custom, to the contrary notwithstanding.

Annuities to be deemed personalestate.

XV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for three or more of the commissioners of the treasury, or the high treasurer for the time being, to issue and apply, from time to time, all such sums of money as shall be so paid into the receipt of his Majesty's exchequer by the said cashier or cashiers, to such services as shall then have been voted by the commons of *Great Britain* in this present session of parliament.

Treasury may apply the money paid into the exchequer.

XVI. And be it further enacted by the authority aforesaid, That books shall be constantly kept by the said accountant general for the time being, wherein all assignments or transfers of all sums advanced or contributed towards the said sum of eighteen millions, shall be entered and registered; which entry shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or, if such parties be absent, by their respective attorney or attornies thereunto lawfully authorised, in writing, under his or their hand and seal, or hands and seals, to be attested by two or more credible witnesses; and that the several persons to whom such transfers shall be made, shall respectively underwrite their acceptance thereof, and that no other method of assigning and transferring the said annuities, or any part thereof, or any interest therein, shall be good or available in law: provided always, That all persons possessed of any share or interest in either of the said stocks of annuities, or any estate or interest therein, may devise the same by will, in writing, attested by two or more credible witnesses; but that

Accountant general to keep books for registering transfers.

Stock may be devised by will, which must be en-

that no payment shall be made upon any such devise until so much of the said will as relates to such share, estate, or interest, in the said stocks of annuities, be entered in the said office; and that in default of such transfer or devise, such share, estate, or interest, in the said stocks of annuities shall go to the executors, administrators, successors and assigns; and that no stamp duties whatsoever shall be charged on any of the said transfers; any law or statute to the contrary notwithstanding.

tered with the accountant general.

Transfers not to be liable to stamp duty.

XVII. Provided always, and be it further enacted by the authority aforesaid, That out of the monies arising from the contributions towards raising the said sum of eighteen millions by annuities, any three or more of the commissioners of the treasury, or the high treasurer for the time being, shall have power to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable, and also to settle and appoint such allowances as shall be thought proper for the service, pains, and labour of the said cashier or cashiers, for receiving, paying, and accounting for the said contributions, and also shall have power to make out of the consolidated fund such further allowances as shall be judged reasonable for the service, pains, and labour, of the said cashier or cashiers, for receiving, paying, and accounting for the said annuities payable by virtue of this act, and also for the service, pains, and labour, of the said accountant general, for performing the trust reposed in him by this act; all which allowances, to be made as aforesaid, in respect of the service, pains, and labour, of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only.

Treasury to defray incidental expenses out of contributions, and to allow salaries to the cashier and accountant general.

XVIII. And be it further enacted by the authority aforesaid, That all the monies to which any person or persons shall become entitled by virtue of this act, in respect of any sum advanced or contributed towards the said sum of eighteen millions, on which the said respective annuities, after the rate of three pounds *per centum per annum* shall be attending, shall be added to the joint stock of annuities transferrable at the bank of *England*, into which the several sums carrying an interest after the rate of three pounds *per centum per annum* were, by several acts made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-second, and thirty-third years of the reign of his late majesty King *George* the Second, and by several subsequent acts, consolidated, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament, in such manner and upon such notice as in the said act made in the twenty-fifth year of his said late Majesty's reign is directed in respect of the several and respective annuities redeemable by virtue of the said act; and that all and every person and persons, and corporations whatsoever, in proportion to the money to which he, she, or they, shall become entitled as aforesaid by virtue of this act, shall have, and be deemed to have, a proportional interest and share in the said joint stock of annuities at the rates aforesaid.

The 3 per cents. under this act to be added to the joint stock of the 3 per cents. ;

and the 4 per cents. to the joint stock of 4 per cents.

XIX. And be it further enacted by the authority aforesaid, That all the monies to which any person or persons shall become entitled by virtue of this act, in respect of any sum advanced or contributed towards the said sum of eighteen millions, on which the said annuity after the rate of four pounds *per centum per annum* shall be attending, shall be added to the joint stock of annuities, transferrable at the bank of *England*, into which the several sums carrying an interest after the rate of four pounds *per centum per annum*, were, by two acts made in the twentieth and twenty-first years of the reign of his present Majesty, and by several subsequent acts, converted, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament in such manner, and upon such notice as in the said acts are directed in respect of the annuities redeemable by virtue of the said acts; and that all and every person and persons, and corporations whatsoever, in proportion to the money to which he, she, or they shall become entitled as aforesaid by virtue of this act shall have, and be deemed to have, a proportional interest and share in the said joint stock of annuities, at the rate aforesaid.

Annuities of 8s. 6d. to be added to the annuities for 99 and 98 years.

XX. And be it further enacted by the authority aforesaid, That all the said annuities, after the rate of eight shillings and sixpence *per annum*, to continue for a certain term of sixty-five years and three months, from the tenth day of *October* one thousand seven hundred and ninety-four, and then to cease, to which any person or persons, bodies politick and corporate shall be entitled by virtue of this act, in respect of any sum or sums of money advanced or contributed towards raising the said sum of eighteen millions as aforesaid, shall be added to and made one joint stock with certain annuities which, by two acts made in the first and second years of the reign of his present Majesty, were granted and made payable at the bank of *England*, for the respective terms of ninety-nine years, and ninety-eight years, from the fifth days of *January* one thousand seven hundred and sixty-one, and one thousand seven hundred and sixty-two respectively, and then to cease; and which said respective annuities were consolidated and made one joint stock of annuities by divers acts, made in the reign of his present Majesty, and shall be paid, payable, and transferrable at the same time and times, and in like manner with the said annuities granted by the said acts; and so much money shall, from time to time, continue to be set apart, and issued at the receipt of the exchequer to the said cashier or cashiers of the bank of *England*, as shall be sufficient to satisfy and pay so much of the said annuities, after the respective rates of three pounds *per centum per annum*, of four pounds *per centum per annum*, and the annuities hereby granted to continue for a certain term of sixty-five years and three months, from the said tenth day of *October* one thousand seven hundred and ninety four, and then to cease, together with the charges attending the same, out of the consolidated fund; any thing herein contained to the contrary notwithstanding.

Annuities granted by this act to be paid out of the consolidated fund.

Persons counterfeiting re-

XXI. And be it further enacted by the authority aforesaid, That if any person or persons shall forge or counterfeit, or cause

or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any receipt or receipts for the whole of, or any part or parts of, the said contributions towards the said sum of eighteen millions, either with or without the name or names of any person or persons being inserted therein as the contributor or contributors thereto, or payer or payers thereof, or of any part or parts thereof; or shall alter any number, figure, or word therein; or utter or publish as true any such false, forged, counterfeited, or altered receipt or receipts, with intent to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whatsoever; every such person or persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being thereof convicted in due form of law, shall be adjudged guilty of felony, and shall suffer death as a felon without benefit of clergy.

XXII. Provided always, and be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, notwithstanding the redemption of all or any of their own funds, in pursuance of the acts for establishing the same, or any of them, shall continue a corporation for the purposes of this act, until all the annuities by this act granted shall be redeemed by parliament, or shall cease as aforesaid; and that the said governor and company of the bank of *England*, or any member thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

XXIII. And be it further enacted, That no fee, reward, or gratuity whatsoever, shall be demanded or taken of any of his Majesty's subjects, for receiving or paying the said subscription or contribution monies, or any of them, or for any receipt concerning the same, or for paying the said annuities, or any of them, or for any transfer of any sum, great or small, to be made in pursuance of this act; upon pain that any officer or person offending, by taking, or demanding any such fee, reward, or gratuity, shall, for every such offence, forfeit the sum of twenty pounds to the party aggrieved, with full costs of suit, 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, injunction, or order of restraint, or any more than one imparlance, shall be granted or allowed.

XXIV. And be it further enacted by the authority aforesaid, 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 or persons shall and may plead the general issue, and give this act and the special matter in evidence, in his, her, or their defence or defences; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his, her, or their action or prosecution, or be nonsuited, or judgment

receipts for contributions, &c. guilty of felony.

The bank to continue a corporation till the annuities hereby granted cease.

No fee shall be taken for receiving contributions, or paying or transferring annuities, on penalty of 20l.

General issue.

Treble costs.

ment shall be given against him, her, or them, upon demurrer, or otherwise, then such defendant or defendants shall have treble costs awarded to him, her, or them, against any such plaintiff or plaintiffs.

C A P. XV.

An act for rendering effectual his Majesty's orders in council of the sixteenth and twenty-first days of January one thousand seven hundred and ninety-five, respecting the admission of the effects mentioned in the said orders into the ports of this country, to be warehoused, and for indemnifying all persons who have acted in consequence of such orders. [March 16, 1795.]

Preamble, reciting orders in council of Jan. 16,

and of Jan. 21, 1795.

WHEREAS his Majesty, by his order in council bearing date the sixteenth day of January one thousand seven hundred and ninety-five, was pleased to direct that all goods, wares, merchandizes, and effects whatsoever, coming directly from any of the ports of the United Provinces to any of the ports of this kingdom in the vessels of any country, and navigated in any manner, be permitted, until further order, to be landed and secured in warehouses under the joint locks of his Majesty and of the proprietors, at the risk and expence of the said proprietors, there to remain in safe custody for the benefit of the proprietors thereof, until due provisions shall be made by law to enable such proprietors to re-export, or otherwise dispose of the same: and whereas his Majesty, by his further order in council bearing date the twenty-first day of January one thousand seven hundred and ninety-five, was pleased to direct that all goods, wares, merchandizes, and effects whatsoever, belonging to any of the subjects or inhabitants of the United Provinces, or belonging to any subjects of his Majesty, or to any subjects of any country in amity with his Majesty, coming from any part of Europe, Asia, Africa, or America, in amity with his Majesty, in vessels belonging to any subjects or inhabitants of the United Provinces, or to any subjects of his Majesty, or of any country in amity with his Majesty, and bound to any port of the United Provinces, may, until further order, be permitted to be landed in any port of this kingdom, and may be secured in warehouses for the benefit of the proprietors thereof, in the same manner as was directed by the above-mentioned order of his Majesty in council, bearing date the sixteenth day of January one thousand seven hundred and ninety-five: and whereas goods, wares, merchandizes, and effects, which may be brought into the ports of this kingdom, or brought within four leagues of the coasts thereof, in confidence of the said orders, or either of them, may be subject to seizure under the provisions of some acts or act of parliament now in force, and the ships, vessels, or boats, in or on board which such goods, wares, merchandizes, and effects, may be so brought into the ports of this kingdom, or within four leagues of the coasts thereof, may also, under like provisions, be subject to seizure as forfeited, and the persons acting therein may be liable to prosecutions and actions in respect thereof; but as such orders were so necessary for the public good, and for the safety and preservation of the property and effects of his Majesty's subjects, and of his allies, that all such goods, wares, merchandize,

merchandize, and effects, ships, vessels, and boats, as aforesaid, ought to be exempted from all forfeitures; and all persons who have acted, or shall act, in bringing in the same, or who have acted, or shall act, in pursuance of, or according to such orders, ought to be indemnified: 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 if any such goods, wares, merchandize, or effects, as aforesaid; or any ships, vessels, or boats, horses, cattle, or carriages, employed in importing, conveying, or removing the same, shall be seized as forfeited by virtue of any law relating to the customs or excise, the commissioners of his Majesty's customs, on evidence given to their satisfaction that such goods, wares, merchandize, or effects, were brought, or intended to be brought, into this kingdom, upon the faith, or according to the terms of such orders respectively, without any intention of fraud in the owner or owners thereof, such commissioners shall cause the same to be released from such seizure, and to be secured for the benefit of the owner or owners thereof, according to the true intent and meaning of the said orders respectively, and upon such terms as the said commissioners shall think fit for the due execution of the said orders respectively, and shall direct; and if such owner or owners shall comply with such terms, the officer or officers who shall have seized the same shall not proceed for the condemnation thereof; but if such owner or owners shall not comply with such terms, such officer or officers shall be at liberty to proceed to the condemnation of such goods, wares, merchandize, or effects; nevertheless such owner or owners shall not be entitled to any damages on account of such seizure.

If goods, vessels, &c. be seized, the commissioners of the customs may release them, on proof of their being brought into the kingdom agreeable to recited orders in council, &c.

II. And be it further enacted by the authority aforesaid, That all personal actions and suits, and all indictments, informations, prosecutions, and proceedings whatsoever, which have been or shall be prosecuted or commenced against any person or persons, ships, vessels, goods, wares, merchandizes, or effects, for or by reason of any act, matter, or thing done, or forborne to be done, in execution of or in consequence of the said orders, or either of them, be, are, and shall be discharged and made void by virtue of this act; and that if any action or suit shall be prosecuted and commenced against any person or persons for or by reason of any such act, matter, or thing, so done, or forborne to be done, he, she, or they, may plead the general issue, and give this act, and the special matter, in evidence; and if the plaintiff or plaintiffs in any action or suit so to be prosecuted or commenced after the sixteenth day of January last, in that part of Great Britain called England, shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict pass against such plaintiff or plaintiffs, the defendant or defendants shall recover his, her, or their double costs, for which he, she, or they, shall have the like remedy as in cases where the costs by law are given to defendants; and if any such action or suit as aforesaid shall be com-

Suits for acts done under the recited orders discharged.

If plaintiffs in actions prosecuted or commenced after Jan. 16, 1795, become nonsuit, &c. the defendants to recover double costs.

menced or prosecuted after the said sixteenth day of *January*, in that part of *Great Britain* called *Scotland*, the court before which such action or suit shall be commenced or prosecuted, shall allow to the defender the benefit of the discharge and indemnity hereby provided, and shall further allow him his double costs of suit in all such cases as aforesaid.

Defendants in actions already commenced, may apply to the court to stop proceedings, &c.

III. And be it also enacted by the authority aforesaid, That if any action or suit, prosecution or other proceeding, hath been already commenced against any person or persons, or against any goods, wares, merchandizes, or effects, ships, vessels, boats, horses, cattle, or carriages, which the said commissioners shall order to be released, as aforesaid, for or by reason of any act, matter, or thing, done, or forborne to be done, in execution of or in consequence of the said orders, or either of them, it shall and may be lawful for the defendants or defenders, in any such actions or suits, prosecutions or proceedings respectively, in whatever courts in *Great Britain* such actions or suits, prosecutions or proceedings, shall have been commenced, to apply to such courts respectively to stay all proceedings therein respectively, by motion in a summary way; and such courts or court are hereby required to make order for that purpose accordingly; and the court or courts making such order shall, if they shall think fit, award and allow to the defendants or defenders respectively, such costs of suit as such court or courts shall think proper, for which such defendants or defenders shall respectively have the like remedy as in cases where the costs are by law given to defendants or defenders.

Goods belonging to subjects of the United Provinces, coming from thence, &c. may be landed and warehoused, &c.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any persons or person to import or bring into any of the ports of this kingdom, any goods, wares, merchandizes, and effects whatsoever, belonging to any of the subjects of the *United Provinces*, or to any persons who, before the nineteenth day of *January* last, were inhabitants of the said *United Provinces*, or belonging to any subject of his Majesty, or to any subject of any country in amity with his Majesty, coming from any part of the *United Provinces*; and also any like goods, wares, merchandizes, and effects, from any part of *Europe*, *Asia*, *Africa*, or *America*, in amity with his Majesty, in vessels belonging to any subject of the *United Provinces*, or to any persons who, before the nineteenth day of *January* last, were inhabitants of the said *United Provinces*, or to any subject of his Majesty, or of any country in amity with his Majesty, and bound to any port of the *United Provinces*; and the same shall and may be landed in the presence of the proper officers of the customs, and secured in warehouses under the joint locks of his Majesty and of the proprietors thereof, at the risk and expence of the said proprietors; such warehouses to be approved of by the commissioners of his Majesty's customs, or any four or more of them, in that part of *Great Britain* called *England*, and the commissioners of his Majesty's customs in that part of *Great Britain* called *Scotland*, or any three or more of them respectively, or by the principal officers of the

the port where such goods shall be imported; and the said commissioners respectively shall and are hereby authorized and required to make such regulations, and to give such directions as they may deem necessary for securing the said goods, wares, merchandizes, and effects, for the benefit of the proprietors thereof, and for the security of the revenue, until further provisions shall be made by parliament respecting the same.

V. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, by and with the advice of his privy council, to suspend the operation of this act, or any part thereof, and to renew the same in the whole or in part, for such time, and in such manner, as shall be thought expedient and proper.

His Majesty in council may suspend the operation of this act.

VI. Provided always, and be it enacted, That it shall be lawful to alter or repeal this present act, and every or any thing therein contained in this present session of parliament.

Act may be altered or repealed this session.

C A P. XVI.

An act for applying certain sums of money, raised in the county of Derby, by virtue of several acts of parliament made respecting the militia of this kingdom.—[March 16, 1795.]

Eight thousand pounds raised in the county of Derby under the militia acts, to be paid to the treasurers of the subscriptions for raising men for the defence of the kingdom, and in default of payment it may be recovered at law. Persons for paying money, and all concerned in raising it, indemnified. The treasurers in the first place to pay the expences of this act, and apply the remainder of the money in their hands towards raising, &c. troops for the internal defence of the kingdom.

C A P. XVII.

An act for appointing commissioners to put in execution an act of this session of parliament, intituled, An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and ninety-five, together with those named in two former acts, for appointing commissioners of the land tax.—[March 16, 1795.]

C A P. XVIII.

An act to repeal an act made in the last session of parliament, intituled, An act to enable his Majesty to establish a court of criminal judicature in Norfolk Island: and for the better enabling his Majesty to establish such court in the said island.—[March 16, 1795.]

WHEREAS by an act made and passed in the twenty-seventh year of the reign of his present Majesty, intituled, An act to enable his Majesty to establish a court of criminal judicature on the eastern coast of New South Wales, and the parts adjacent; it is enacted, That his Majesty may, by his commission under the great seal, authorise the person to be appointed governor, or the lieutenant governor in the absence of the governor, of the eastern coast of New South

Preamble.

27 Geo. 3. c. 2, and

South Wales, and the Islands adjacent thereto, to convene, from time to time, as occasion may require, a court of judicature, for the trial and punishment of all such outrages and misbehaviours, as if committed within this realm would be deemed and taken, according to the laws of this realm, to be treason, or misprision thereof, felony, or misdemeanor, which said court shall proceed to try such offenders after the manner therein mentioned: and whereas from the increased number of persons in Norfolk Island, being one of the said islands adjacent to the said eastern coast of New South Wales, and from the delay and difficulty attending the conveyance of prisoners from the said Norfolk Island to his Majesty's settlement on the said eastern coast of New South Wales, the due execution of the said act hath been greatly retarded and impeded: and whereas for remedy thereof, and to the end that the benefit of the said act might be more effectually extended to his Majesty's settlement on Norfolk Island, an act was made and passed in the last session of parliament, intituled, An act to enable his Majesty to establish a court of criminal judicature in Norfolk Island: and whereas the provisions of the said last mentioned act are insufficient for the purposes thereby intended, and it is therefore expedient to repeal the same, and to make such provisions for the said purposes as are intended to be hereby made; 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 the said act, passed in the last session of parliament, and every clause, matter, and thing, therein contained, shall be, and the same is, and are hereby repealed.

34 Geo. 3.
c. 45, recited.

34 Geo. 3. c.
45, repealed.

II. And be further enacted by the authority aforesaid, That his

His Majesty
may authorise
the lieutenant
governor of
Norfolk
Island, to con-
vene a court
of judicature
for trial of
offenders :

Majesty may, by his commission under the great seal, authorise the lieutenant governor, or person for the time being administering the government of his Majesty's settlement in *Norfolk Island*, to convene, from time to time, as occasion may require, a court of judicature for the trial and punishment of all such outrages and misbehaviours, as if committed within this realm would be deemed and taken, according to the laws of this realm, to be treason, or misprision thereof, felony, or misdemeanor; which court shall consist of the judge advocate, to be appointed in and for his Majesty's settlement in *Norfolk Island*, together with four officers of his Majesty's forces by sea or land, and shall proceed to try all persons who shall offend in any of the premises, by calling such offenders respectively before them, by causing the charge against him, her, or them respectively, to be read over, which charge shall also be reduced into writing, and shall be exhibited to the said court by the judge advocate, and by examining witnesses upon oath, to be administered by such court, as well for as against such offenders respectively, and afterwards adjudging by the opinion of the major part of the persons composing such court, that the party accused is or is not (as the case shall appear to them) guilty of the charge, and by pronouncing judgement therein (as upon a conviction by verdict) of death, if the offence be capital, or of such corporal punishment, not extending to capital punishment, as to the said court shall seem meet; and in cases not capital, by

who are to
be members
of it, and how
they are to
proceed.

pronouncing

pronouncing judgement of such corporal punishment not extending to life or limb, as to the said court shall seem meet.

III. And be it further enacted by the authority aforesaid, That the provost marshall or other officer to be for that purpose appointed by such lieutenant governor, or person for the time being administering the government of his Majesty's settlement in *Norfolk Island* as aforesaid, shall cause due execution of such judgement to be had and made, under and according to the warrant of such lieutenant governor, or person for the time being administering the government of his Majesty's settlement in *Norfolk Island* as aforesaid, under his hand and seal, and not otherwise: provided always, That execution shall not be had or done on any capital convict or convicts, unless four persons present in such court shall concur in adjudging him, her, or them, so accused and tried as aforesaid, to be respectively guilty, until the proceedings shall have been transmitted to his Majesty, and by him approved.

Provost marshall shall to execute the judgement of the court.

Unless four members concur in adjudging capital offenders, the proceedings to be transmitted to his Majesty.

IV. And be it further enacted by the authority aforesaid, That the said court shall be a court of record; and shall have all such powers as, by the laws of *England*, are incident and belonging to a court of record.

Court to be a court of record.

V. And be it further enacted by the authority aforesaid, That neither this act, nor any commission or commissions which shall be granted by virtue thereof, nor any proceedings which may be had under the same, shall in any manner revoke, alter, prejudice, or affect, any commission or commissions heretofore granted by virtue of the said act of the twenty-seventh year of his present Majesty's reign, or of the said act hereby repealed, or any proceedings under the same respectively, further or otherwise than in such commission or commissions, which shall be so granted by virtue of this present act, shall be provided, expressed, and declared.

This act not to affect any proceedings under the recited acts, unless specified in commissions granted under it.

C A P. XIX.

An act for rendering more effectual an act of the present session of parliament, intituled, An act for raising a certain number of men, in the several counties in *England*, for the service of his Majesty's navy.—[March 27, 1795.]

WHEREAS by an act made and passed in this session of parliament, intituled, An act for raising a certain number of men, in the several counties in *England*, for the service of his Majesty's navy; the justices of the peace of the several counties at large, ridings, or divisions, in *England* and *Wales*, are directed to assemble themselves together at a court of general sessions, to be holden for carrying the said act into execution: and whereas the justices of certain cities, towns, or boroughs, named in the said act, being respectively counties of themselves, and also the justices of the cinque ports, and of the liberty of the tower, are directed to assemble themselves, together with the justices of certain counties at large, ridings, or divisions, and to form a part of the said respective courts of general sessions, to be holden as aforesaid: may it therefore please your Majesty that it

Preamble.
35 Geo. 3.
c. 5, recited.

Such justices of the cities, &c. named in recited act, being counties of themselves, as shall have qualified, and acted before passing that act, may assemble at the general sessions with justices of the county at large, to put recited act in execution.

Justices of the divisions of Lincolnshire may put act in execution in their jurisdiction.

Petty sessions may order parish officers to continue in office till they completely execute the act.

may be enacted: and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for such of the justices of the peace of the several cities, towns, and boroughs, named in the said act, being counties of themselves, and of the said cinque ports and liberty aforesaid, who shall have duly qualified themselves to act, and shall have acted before the passing of the said act, as such justices respectively within the proper limits of their respective jurisdictions, and no other, to assemble themselves at such court of general sessions, for the purpose of carrying into execution the purposes of the said act, together with such of the justices of the county at large, riding, or division, who shall also be qualified, and shall have acted in like manner, and that the justices so duly qualified and acting as aforesaid, being so assembled at such court of general sessions, or at any adjournment thereof, shall not have, or be deemed or adjudged to have, any authority, power, or jurisdiction, whatsoever, in or over any matter or thing whatever (other than in and for the execution of the powers expressly given them by the said act).

II. And be it further enacted by the authority aforesaid, That the justices within the several divisions of the county of Lincolnshire shall have power to put the said act in execution in all things within their jurisdiction, as fully and amply as the justices of any county or riding are thereby empowered to execute the same.

III. *And whereas the churchwardens and overseers of the poor are or appointed for any parish, tything, or place, who shall respectively be in office at the commencement of the said act, are directed to raise the number of men appointed to be raised for their respective districts, and to levy the money agreed to be paid for bounties, or imposed as fines in certain cases: and whereas the powers of the said act may not be fully executed before the usual time in the year of their going out of office, and appointing others in their stead; be it further enacted, That it shall be lawful for the justices of the peace, acting in and for the respective districts or divisions at their respective petty sessions, (whenever they shall see occasion, by reason of any of the powers of the said act remaining unexecuted, in part or in the whole, at any time previous to, or on the appointment of other churchwardens or overseers for the same place or places), by any order under the hands and seals of any two or more of them, to order and direct the churchwardens and overseers, who shall have been in offices at the commencement of the said act, to continue in their respective offices, for the purposes of effectually and completely carrying into execution the powers and trusts given or vested by the said act; and such churchwardens or overseers shall by virtue of the said order, (notwithstanding other churchwardens or overseers shall have been or may be appointed for the same place or places respectively for general purposes) continue to have and exercise all the powers and jurisdictions incident or belonging to their respective offices, or given or vested in them by the said act.*

or this act, so far as the same are necessary to carry into execution the powers of the said act, or this act, and shall continue to do and perform all the like duties and offices required to be done or performed by them respectively by the said act, or this act, as fully and effectually, and under the like pains, penalties, and forfeitures, as they respectively could, might, or ought to have, do, or perform the same, or any of them, at any time after the commencement of the said act, and before such appointment of other churchwardens or overseers for the same place or places for general purposes as aforesaid; any law, usage, or custom, to the contrary notwithstanding.

IV. Provided always, and be it further enacted, That if any churchwarden or overseer shall die or remove from the place for which he was appointed, or become insolvent before the expiration of his office or duty under the said act, or this act; on oath thereof made, it shall be lawful for such justices of the peace as aforesaid to appoint another churchwarden or overseer in his stead, for the purpose of completely carrying the said act, and this act, into execution, who shall continue in office accordingly; and in case of removal, such churchwarden or overseer shall give an account on oath to the said justices of all matters and things done by him in the execution of the said act, and shall comply with such orders and directions as he shall receive from the said justices touching the execution of the said act, under the like penalties as are inflicted on churchwardens and overseers in office for any neglect of duty; and in case of the death or insolvency of such churchwarden or overseer, his executors, administrators or assigns, shall, within forty days after his decease or insolvency, in pursuance of any order, in writing, signed by any two such justices as aforesaid, attend such justices, and give an account to the best of their knowledge and belief of all things done by such person deceased or insolvent, touching the execution of the said act, and shall in like manner, and under the like penalties, comply with such orders as they shall respectively receive from the said justices in relation to the said act, or this act.

V. And be it further enacted by the authority aforesaid, That the churchwardens and overseers who are respectively required or empowered by the said act, or this act, to levy any money by a rate, or to pay the amount of any bounty, or any part thereof, to the men inrolled in his Majesty's service, or to the treasurer of the county, riding, or division, for the purposes of the said act, shall and may pay the same out of any money in their or any of their hands of the rates for the relief of the poor; and if they, or any of them, shall not have sufficient of such money for that purpose, then such churchwardens and overseers shall, and they are hereby required to make a rate for the relief of the poor sufficient to satisfy all probable claims arising or to arise thereon, by virtue of the said act, or this act, in respect of the said bounties, or in respect of the poor as soon after the passing of this act as conveniently may be, and so as the money for such bounties may be ready to be paid or advanced at the time of enrolment; and it shall be lawful for the said churchwardens or overseers to levy and

Justices may appoint parish officers in place of such as may die, remove, or become insolvent.

Such as remove to give an account on oath to the justices, and the executors or assignees of such as die or become insolvent to obey their order.

Parish officers authorized to pay bounties out of poor rates, &c.

collect the same in such manner as rates made for the relief of the poor may be levied and collected, (except as herein-after is otherwise provided), and that such rates being published and allowed as rates for the relief of the poor are by law directed to be published and allowed, the said churchwardens and overseers shall and may proceed to collect the same notwithstanding any appeal from such rate may be pending; and no such rate, after any application thereof, or any part thereof, for the payment of such bounties, shall be totally quashed or set aside for any cause whatever, but the same shall and may be amended in such manner as shall be necessary for giving relief; and if any action or suit shall be brought against any person or persons for any thing done in the levying or collecting the said rate in pursuance of this act, the same shall not be brought until fourteen days notice thereof in writing shall have been given to such person or persons, nor after a sufficient satisfaction, or a tender thereof hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed, and every such action shall be brought in one of the courts of record at *Westminster*, or of the great session in *Wales*, as the case may require, and shall be laid in the county where the cause of action shall arise, and not elsewhere; and the defendant or defendants in such action or suit shall and may plead the

Limitation of actions.

General issue.

general issue, and give the said act, and this act, and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of the said act and this act, and if the same shall appear so to be done, or if such action or suit shall be brought after the time herein-before limited for the bringing the same, or without fourteen days notice thereof, or in any other county or place, or after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her, or their action or actions, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any defendant or defendants hath or have for costs of suit in any other cases by law.

Treble costs.

Fines to be levied on the offenders only.

VI. Provided always, and be it further enacted, That all fines which by the said act may be levied of any inhabitant or inhabitants of any parish or place by a rate, shall be levied against such inhabitant or inhabitants only who shall be adjudged to be guilty of any neglect or default, by a rate made on such inhabitant or inhabitants respectively, under the like powers and methods, as rates for the relief of the poor are authorized by law to be made: provided always, That in case any person or persons shall find him, her, or themselves aggrieved by any rate or assessment made for the relief of the poor, whereof any part shall be necessarily applicable, or shall have been applied for the payment of any bounty or bounties in pursuance of the said act, or this act, every such person or persons shall, and he and they is and are hereby required to make his or their appeal to the justices of the district or division

Method of appealing.

tion where such place or places are situate, at the next petty sessions of the peace holden for the same district or division, and not to the next general or quarter sessions of the peace for the county, riding, corporation, or franchise; and the justices of the peace assembled at such petty sessions are hereby authorized and required, on proof of reasonable notice to the churchwardens or overseers making such rate, to receive such appeal, and to hear and finally determine the same: provided always, That this act shall not extend to any appeal to any rate, where the same is not applicable or has not been applied in part or wholly to the purposes of the said act, or this act.

VII. Provided always, and be it further enacted by the authority aforesaid, That if it shall appear to such justices at such petty sessions that such rate cannot be conveniently collected within due time for payment of the said bounty or bounties, and sufficient monies shall not be in the hands of the said churchwardens or overseers to satisfy the same, it shall and may be lawful for such justices to make order therein, and grant a certificate thereof, and of the amount of the bounty or bounties, and sum or sums wanting to defray the same, directed to the receiver general of the land tax for the county, or to the collector thereof for the district, or any of the collectors of customs or excise of the division where such justices shall act, as to such justices shall seem most expedient, upon producing of which certificate to the officer to whom the same shall be directed, he shall be obliged to advance the sum mentioned in such certificate to be wanting as aforesaid, to be paid to the person or persons enrolled, or to the treasurer of the county, or to either of them, in such proportions as shall be directed by such certificate, out of any publick monies in his hands, and such officer so advancing the same, shall be reimbursed by an order of the justices at the petty sessions for the same district or division, with all charges necessarily incurred, out of the first monies which shall come into the hands of the respective churchwardens and overseers of the poor, of the rates for the relief of the poor, within and for the respective parishes or places for which the men, to whom or to whose use such monies were respectively advanced, were raised in pursuance of the said act.

VIII. *And whereas there may be occasion for quartering the officers appointed by the commissioners of the admiralty in pursuance of the said act, and their assistants, before any men are enrolled, and of opening houses of rendezvous for the purpose of receiving such men;* be it further enacted, That it shall and may be lawful to quarter and billet the officers appointed by the commissioners of the admiralty to act in the execution of the said act, and their respective assistants, in such manner, and under such and the like powers, rules, regulations, restrictions and provisions, as the men to be inrolled in his Majesty's service by virtue of the said act may be quartered and billeted; and that each and every the house or houses and place or places where such officers shall be quartered or billeted, or such of them as shall be thought necessary, it shall be lawful for the several and respective justices of the peace, having autho-

Act not to extend to appeals against rates not applicable to the purposes of this act.

Where rates cannot be collected in due time, petty sessions may grant certificates of bounties to the receiver of the land tax, &c. who shall advance the money, &c.

Officers appointed by the admiralty, and their assistants, may be quartered, and places of rendezvous appointed.

Anno regni tricesimo quinto GEORGII III. c. 20. [1795.
rity to act in the execution of the said act, or any two or more of
them, by their order in writing, under their hands and seals, to
appoint and constitute a place or places of rendezvous for the
reception of men inrolled by virtue of the said act.

C A P. XX.

*An act for granting certain duties of customs on the importation of
fruit, sallad oil, waste silk, and timber, and on the exportation of
British rock salt and coal.*—[March 27, 1795.]

Most gracious Sovereign,

Preamble.

From April 5,
1795, the du-
ties in schedule
A. to be paid
on importa-
tion, and in
schedule B. on
exportation of
certain goods,
and the draw-
backs in A.
allowed.

WE, your Majesty's most dutiful and loyal subjects, the com-
mons of *Great Britain* in parliament assembled, towards
raising by the most easy means the necessary supplies to defray
your Majesty's publick expences, have freely and voluntarily
resolved to give and grant unto your Majesty the several duties
of customs herein-after mentioned; and do most humbly be-
seech 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 fifth day of *April* one thousand seven hundred
and ninety-five, there shall be raised, levied, collected, and paid,
unto his Majesty, his heirs and successors, in ready money, without
any discount whatever, upon the importation into the kingdom
of *Great Britain* from parts beyond the seas, of the several and
respective goods, wares, or merchandize, enumerated and de-
scribed in the schedule and table hereunto annexed, marked A.
and also upon the exportation from the kingdom of *Great Britain*,
of the several and respective goods, wares, or merchandize, enu-
merated and described in the schedule and table hereunto annexed,
marked B. the several duties of customs as the same are respec-
tively inserted and set forth in figures, in the said schedule and
tables hereunto annexed respectively marked A. B. and so in that
proportion for any greater or lesser quantity; all which duties
shall be, over and above all other duties which are now due and
payable by any law on any of the said goods, wares, or merchan-
dize respectively, (other than the duties on waste silk, and on
masts of twelve inches or upwards diameter, herein-after repealed);
and that there shall be paid and allowed the several drawbacks of
the said duties of customs so imposed by this act, as the same are
also respectively inserted, described, and set forth, in figures,
in the said schedule and table marked A. and in the like propor-
tion as aforesaid.

Duties to be
under the
management
of the customs.

II. And be it further enacted by the authority aforesaid, That
such of the duties of customs by this act imposed as shall arise in
that part of *Great Britain* called *England*, shall be under the ma-
nagement of the commissioners of the customs in *England* for the
time being; and such thereof as shall arise in that part of *Great
Britain*

Britain called Scotland, shall be under the management of the commissioners of the customs in Scotland for the time being.

III. And be it further enacted by the authority aforesaid, That the said several sums of money so respectively inserted, described, and set forth in the said schedule and tables marked A. and B. as the duties of customs, and the drawbacks of the duties of customs, upon, for, or in respect of the several goods, wares, or merchandize, inserted therein, shall and may be respectively managed, ascertained, raised, levied, collected, answered, paid, recovered, and allowed, in such and the like manner, and in or by any or either of the means, ways or methods, by which the duties of customs and the drawbacks thereof imposed and allowed on the like goods, by an act, passed in the twenty-seventh year of the reign of his present Majesty, intituled, *An act for repealing the several duties of customs and excise, and granting other duties in lieu thereof; and for applying the said duties, together with the other duties composing the publick revenue; for permitting the importation of certain goods, wares, and merchandize, the produce or manufacture of the European dominions of the French king, into this kingdom; and for applying certain unclaimed monies, remaining in the exchequer for the payment of annuities on lives, to the reduction of the national debt,* were or might be managed, ascertained, raised, levied, collected, answered, paid, recovered and allowed; and the said goods, wares, or merchandize, so by this act respectively made liable to the payment of or chargeable with duties of customs, or so entitled to drawbacks of duties of customs as respectively inserted, described, and set forth, in the said schedule and tables hereunto annexed, marked A. and B. upon importation thereof into or exportation thereof from *Great Britain*, or on any other account whatever, shall be, and the same are hereby made subject and liable to all and every the conditions, regulations, rules, restrictions, and forfeitures, to which the like goods, wares, or merchandize, were subject and liable, by any act or acts of parliament in force on and immediately before the passing of this act; and all and every pain, penalty, fine, or forfeiture, for any offence whatever committed against, or in breach of any act or acts of parliament in force on and immediately before the passing of this act, made for securing the revenue of customs, or for the regulation or improvement thereof, and the several clauses, powers, and directions therein contained, shall, and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution, for and in respect of the several duties of customs, and drawbacks of duties of customs, hereby respectively charged and allowed, (as far as the same are applicable thereto), in as full and ample a manner, to all intents and purposes whatever, as if all and every the said acts, clauses, provisions, powers, directions, fines, pains, penalties, and forfeitures, were particularly repeated and re-enacted in the body of this act.

Duties and drawbacks to be levied and allowed agreeably to 27 Geo. 3. c. 13, &c.

IV. Provided always, That nothing in this act contained shall extend, or be construed to extend, to charge, with the additional duty by this act imposed on coals exported, the several quantities of coals allowed to be exported annually from the ports of *Newcastle* and

Coals allowed to be exported from Newcastle and Swansea, to

Jersey, &c. by 6 Geo. 3. c. 40. not liable to additional duty.

Swansea respectively, to the islands of *Jersey*, *Guernsey*, and *Alderney*, by an act, passed in the sixth year of the reign of his present Majesty, (amongst other things), for allowing the exportation of certain quantities of coals, free from the payment of the duty granted by an act, made in the then last session of parliament, to the islands of *Jersey*, *Guernsey*, and *Alderney*, so as the same be exported under the conditions, regulations, restrictions, and limitations, in the said act of the sixth year of his present Majesty's reign contained.

Duties imposed by 27 Geo. 3. c. 13. on importation of masts of a certain diameter, and the ad valorem duties on waste silk, not enumerated, and drawback allowed to cease.

V. And be it further enacted, That the several duties of customs imposed by the said recited act, passed in the twenty-seventh year of the reign of his present Majesty, upon the importation, into the kingdom of *Great Britain* from parts beyond the seas, of masts twelve inches or upwards in diameter, and also the *ad valorem* duties payable on waste silk, not therein enumerated or described, and the drawbacks allowed thereon, shall cease and determine, and be no longer paid or payable, save and except, in all cases relating to the recovering, allowing, or paying any arrears thereof respectively, which may, on and immediately before the passing of this act, remain unpaid, or to any fine, penalty, or forfeiture, fines, penalties, or forfeitures, relating thereto respectively, which shall have been incurred at any time before the passing of this act.

Duties to be carried to the consolidated fund.

VI. And be it further enacted by the authority aforesaid, That all the monies from time to time arising by the several duties by this act imposed as aforesaid, (the necessary charges of raising and accounting for the same respectively excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*; and the said money so paid into the exchequer as aforesaid, shall be carried to and made part of the consolidated fund.

Duties to be applied in defraying any increased charge occasioned by any loan of this session, and for 10 years to be kept separate from other monies.

VII. Provided always, and be it further enacted, That the monies to arise from the said duties, or so much thereof, as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan to be made, or stock to be created, by virtue of any act or acts to be passed in this session of parliament; and that the said monies, during the space of ten years next ensuing, shall continue to be paid into the said receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties paid into the said receipt by virtue of this act shall, together with the monies arising from any other duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

SCHEDULE

To which this act refers.

TABLE A.

Goods imported into this kingdom.	Duty.	Drawback.
	£. s. d.	£. s. d.
Raisins of the sun, the hundred weight	0 1 4	0 1 4
<i>Smyrna</i> raisins, the hundred weight	0 0 7	0 0 7
<i>Lexia</i> raisins, the hundred weight	0 1 4	0 1 4
<i>Faro</i> raisins, the hundred weight	0 1 4	0 1 4
<i>Lipra</i> or <i>Belvidere</i> raisins, the hundred weight	0 1 1	0 1 1
<i>Denia</i> raisins, and all other raisins not otherwise enumerated, the hundred weight	0 1 3	0 1 3
Lemons, the thousand	0 2 3	0 2 3
Oranges, the thousand	0 2 3	0 2 3
Sallad oil, the gallon	0 0 11	0 0 11
Silk knubs, or husks of silk, the pound containing sixteen ounces	0 1 2	0 1 2
Waste silk, not otherwise enumerated or described, the pound containing sixteen ounces	0 1 6	0 1 4
Waste silk, not otherwise enumerated or described, imported by the <i>East India</i> company, the pound containing sixteen ounces	0 1 6	0 1 4
Mahogany, the foot square superficial measure	0 0 1½	0 0 1½
Balks, imported from any part of <i>Europe</i> , five inches square and under eight inches square, or if twenty-four feet in length or upwards, the one hundred and twenty	1 6 6	1 6 6
Balks, imported from any part of <i>Europe</i> , under five inches square, and under twenty-four feet in length, the one hundred and twenty	0 10 8	0 10 8
Battens, imported from any part of <i>Europe</i> , eight feet in length and not exceeding twenty feet in length, not above seven inches in width, and not exceeding two inches three quarters in thickness, the one hundred and twenty	0 13 3	0 13 3

Goods imported into this kingdom.	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Battens, imported from any part of <i>Europe</i> , exceeding twenty feet in length, not above seven inches in width, or if exceeding two inches three quarters in thickness, the one hundred and twenty	1	6	6	1	6	6
Batten ends, imported from any part of <i>Europe</i> , under eight feet in length, not above seven inches in width, and not exceeding two inches three quarters in thickness, the one hundred and twenty	0	4	5	0	4	5
Batten ends, imported from any part of <i>Europe</i> , under eight feet in length, not above seven inches in width, and exceeding two inches three quarters in thickness, the one hundred and twenty	0	8	10	0	8	10
Beech quarters, imported from any part of <i>Europe</i> , five inches square and under eight inches square, or if twenty-four feet in length or upwards, the one hundred and twenty	1	6	6	1	6	6
Beech quarters, imported from any part of <i>Europe</i> , under five inches square and under twenty-four feet in length, the one hundred and twenty	0	10	8	0	10	8
Deals, imported from any part of <i>Europe</i> , above seven inches in width, exceeding twenty feet in length, and not exceeding four inches in thickness, the one hundred and twenty	2	19	6	2	19	6
Deals, imported from any part of <i>Europe</i> , above seven inches in width, exceeding twenty feet in length, and exceeding four inches in thickness, the one hundred and twenty	5	19	0	5	19	0
Deals, imported from any part of <i>Europe</i> , above seven inches in width, being eight feet in length and not above twenty feet in length, and not exceeding three inches one quarter in thickness, (except deals not above ten feet in length and not exceeding one inch and a half in thickness), the one hundred and twenty	1	6	6	1	6	6

Goods imported into this kingdom.	Duty.	Drawback.
	£. s. d.	£. s. d.
Deals, imported from any part of <i>Europe</i> , above seven inches in width, being eight feet in length and not above twenty feet in length, and exceeding three inches one quarter in thickness, the one hundred and twenty	2 13 0	2 13 0
Deal ends, imported from any part of <i>Europe</i> , above seven inches in width, being under eight feet in length, and not exceeding three inches one quarter in thickness, the one hundred and twenty	0 8 10	0 8 10
Deal ends, imported from any part of <i>Europe</i> , above seven inches in width, being under eight feet in length, and exceeding three inches one quarter in thickness, the one hundred and twenty.	0 17 8	0 17 8
Fir quarters, imported from any part of <i>Europe</i> , five inches square and under eight inches square, or if twenty-four feet in length or upwards, the one hundred and twenty	1 6 6	1 6 6
Fir quarters, imported from any part of <i>Europe</i> , under five inches square, and under twenty-four feet in length, the one hundred and twenty.	0 10 8	0 10 8
Fir timber, and timber of all sorts, being eight inches square or upwards, imported from any part of <i>Europe</i> , (except oak timber, and timber of <i>Ireland</i> , and fir timber, not exceeding ten inches square, of the growth of <i>Norway</i> , and imported directly from thence), the load containing fifty cubic feet	0 3 4	0 3 4
Masts twelve inches in diameter or upwards, imported in a <i>British</i> -built ship, the load containing fifty cubic feet	0 10 0	0 9 8
— imported in a foreign ship, the load containing fifty cubic feet	0 10 6	0 9 8
Users, imported from any part of <i>Europe</i> , five inches square and under eight inches square, or if twenty-four feet in length or upwards, the one hundred and twenty	1 6 6	1 6 6

Goods imported into this kingdom.	Duty.	Drawback.
	£. s. d.	£. s. d.
Ufers, imported from any part of Europe under five inches square, and under twenty-four feet in length, the one hundred and twenty	0 10 8	0 10 8

TABLE B.

Goods exported from this kingdom.	Duty.
	£. s. d.
British rock salt, the bushel containing sixty-five pounds	0 0 1
Coals usually sold by measure, exported to any place (except to Ireland, the Isle of Man, any British colony or plantation in America, or to the united states of America), the chalders, Newcastle measure	0 4 7
Coals usually sold by weight, exported to any place (except to Ireland, the Isle of Man, any British colony or plantation in America, or to the united states of America), the ton containing twenty hundred weight	0 1 10

C A P. XXI.

An act for raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and ninety-five. [March 27, 1795.]

Commissioners of the treasury may raise 2,000,000l. by loans and exchequer bills before January 5, 1796, in like manner as is prescribed by the malt act of this session concerning loans, &c. The clauses, &c. in the said act relating to loans or exchequer bills, (exception) extended to this act. Exchequer bills so issued not to be received again in payment of any taxes, nor exchanged before April 6, 1796. Action not to lie for such refusal. Principal and interest with charges to be repaid out of the next supplies; and if sufficient supplies be not granted before July 5, 1796, to be charged on the consolidated fund. Monies so issued to be replaced out of the first supplies. Bank of England authorized to advance the said sum on the credit of this act; an act 5 and 6 Gul. & Mariz notwithstanding.

C A P. XXII.

An act for raising a further sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and ninety-five. [March 27, 1795.]

Commissioners of the treasury may raise 1,500,000l. by loans and exchequer bills before Jan. 5, 1796, in manner as by the malt act of this session is prescribed, &c. The clauses in the said act relating to loans or exchequer bills, (exception) extended to this act. Exchequer bills so issued not to be received again in payment of any taxes, nor exchanged before April 6, 1796. Action not to lie for such refusal. Money so raised to be

be repaid out of the next parliamentary aid; and if sufficient supplies be not granted before July 5, 1796, to be charged on the consolidated fund. Monies so issued to be replaced out of the first supplies. Bank of England authorised to advance the said sum on the credit of this act; an act 5 and 6 Gul. & Mariae notwithstanding.

C A P. XXIII.

An act for granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the governor and company of the bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt.—[March 27, 1795.]

Rates to be applied in discharge of the money borrowed. Appeal. Limitation of actions. General issue. Treble costs. Publick act.

C A P. XXIV.

An act further to continue an act made in the thirty-third year of his Majesty's reign, intituled, An act for establishing regulations respecting aliens arriving in this kingdom, or resident therein, in certain cases. [April 28, 1795.]—Continued to Jan. 1, 1796.

C A P. XXV.

An act for further continuing an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act for establishing courts of judicature in the island of Newfoundland, and the islands adjacent. [April 28, 1795.]—Continued to June 10, 1796.

C A P. XXVI.

An act to continue the laws now in force for regulating the trade between the subjects of his Majesty's dominions and the inhabitants of the territories belonging to the united states of America, so far as the same relate to the trade and commerce carried on between this kingdom and the inhabitants of the countries belonging to the said united states. [April 28, 1795.]—Continued to April 5, 1796.

C A P. XXVII.

An act for altering, amending, and rendering more effectual, an act, made in the last session of parliament, intituled, An act for amending so much of an act, passed in the thirteenth and fourteenth years of the reign of his late majesty King Charles the Second, intituled, 'An act for ordering the forces in the several counties of this kingdom,' as relates to the militia of the city of London; and for the better ordering the same.—[April 28, 1795.]

WHEREAS an act was passed in the last session of parliament, **Preamble.**
 intituled, An act for amending so much of an act, passed in the thirteenth and fourteenth years of the reign of his late majesty King Charles the Second, intituled, 'An act for ordering the forces in the several counties of this kingdom,' as relates to the militia of the city of London, and for the better ordering the same; and whereas several of the provisions and regulations in the said act have been found defective; and it is expedient that the said several provisions and regulations should be repealed, and further powers granted for carrying the purposes of the said act into execution: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lord's spiritual and temporal,

34 Geo. 3.
c. 81, recited.

Certain
clauses of re-
cited act
repealed.

poral, and commons, in this present parliament assembled, and by the authority of the same, That the clause in the said recited act which directs, 'that the private men to be raised by virtue thereof should be chosen by ballot;' and also, the seven next following clauses, containing provisions and regulations relating thereto; and also, the clause which enacts, 'that if the alderman, or deputy, and common council, of any ward, should provide any volunteer or volunteers who should be inrolled, and should give to such volunteer or volunteers not exceeding eight pounds each man, to serve for such ward, such alderman or deputy, and the major part of the common council, might make a rate upon the persons liable to serve or find substitutes for the said ward, to reimburse themselves such sums of money as they should have paid to such volunteers;' and also, the clause which enacts, 'that the commissioned and non-commissioned officers of the said militia should receive the same pay as those of the other militia forces of this kingdom, and that the private men might be put under stoppages;' and also, the clause which enacts, 'that the non-commissioned officers, drummers, fifers, and private men of the said militia, should have an allowance in lieu of quarters;' and also the clause which enacts, 'that every militia man, substitute, or volunteer, inrolled, and every serjeant, corporal, drummer, and fiser, raised by virtue of the said act, should be subject to every clause, provision, matter, and thing, contained in an act of the twenty-sixth year of the reign of his present Majesty, intituled, *An act for amending, and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England, as far as relates to the penalties and punishments of militia men, serjeants, corporals, and drummers, for the offences therein enumerated, and extends to the said militia men, substitutes, and volunteers, the bounty and privileges therein set forth;*' and also, the clause which enacts, 'that the said militia, having been in actual service and disembodied, should be subject to the same orders, directions, and engagements only, as they were before such actual service;' and also, the clause which provides for defraying the necessary charges of pay, clothing, trophies, and other incidental expences of the said militia; and also, the clause which extends the provisions of the several acts, made in the thirty-third and thirty-fourth years of the reign of his present Majesty, to the families of the non-commissioned officers and private men of the said militia; and also, the clause which enacts, 'that when the said militia should not be embodied, his Majesty's commissioners of lieutenantancy for the city of *London*, when requisite and necessary, might order the serjeants and corporals of the said two regiments to have possession of their clothes, arms, and accoutrements, and with officers to be kept in constant readiness to be put under the orders of the mayor or other magistrates of the said city, for the suppression of riots, or any other requisite duty;' and also, the clause which directs the modes of recovery, and the application of fines, penalties, and forfeitures by the said act imposed, shall be, and the same are hereby repealed.

II. And be it further enacted, That the private men of the two regiments of militia, to be raised by virtue of the said act, passed in the last session of parliament, and of this act, and which shall be distinguished by the names of the *East* and *West Regiments*, shall be provided by the several wards of the city, and liberties and precincts within the same, in the proportions following; that is to say,

For the *East Regiment*, by the wards of

Aldgate, sixty men;
Bassishaw, twelve men;
Billinggate, forty-one men;
Bishopgate Within, forty-four men;
Bishopgate Without, fifty men;
Bridge, twenty-six men;
Broad Street, fifty men;
Candlewick, twenty men;
Coleman Street, thirty-six men;
Cornhill, thirty-six men;
Dowgate, twenty-seven men;
Langbourn, sixty-seven men;
Lime Street, twenty men;
Portoken, forty-five men; and
Tower, sixty-six men.

And for the *West Regiment*, by the wards of

Aldersgate Within, and *Saint Martins le Grand*, eighteen men;
Aldersgate Without, twenty-one men;
Bread Street, twenty-four men;
Castle Baynard, forty-four men;
Cheap, forty-four men;
Cordwainer, twenty-two men;
Cripplegate Within, forty-four men;
Cripplegate Without, thirty-six men;
Farringdon Within, eighty-four men;
Farringdon Without, one hundred and ninety-two men;
Queenhithe, twenty-one men;
Vintry, twenty-three men; and
Walbrook, twenty-seven men.

III. And be it further enacted, That his Majesty's commissioners of lieutenancy that now are or hereafter shall be constituted and appointed for the city of *London*, at their annual court in *January*, shall, and are hereby required to issue precepts to the said aldermen, deputies, and common council men of the said wards of the said city and liberties thereof, requiring them to cause the number of men, herein-before appointed to be raised in their respective wards, to be provided; and the aldermen, or deputy, and common council men, of the several wards aforesaid, or the major part of them, shall provide the number of men directed to be raised in their respective wards, who shall be fit

Commissioners of lieutenancy to issue precepts to the aldermen, &c. to cause the respective number of men to be raised, to whom they may give 10*l.* bounty.

Commissioners to appoint a court to receive returns of men provided.

Aldermen, &c. to direct the constables to give notice to the persons provided to appear at the court, &c.

and able men, and be approved by the adjutant or other officer appointed by the said commissioners for that purpose, and who shall have not more than one child born in wedlock, and who shall reside in the said city or within three miles thereof; and the alderman, or deputy, and common council men of the several wards aforesaid, or the major part of them, shall, and are hereby authorized and empowered, to give unto such men so to be provided, any sum or sums of money, not exceeding ten pounds to each man, to serve in the militia for each ward; and the said commissioners shall appoint a court or courts to be holden, not less than twenty days, or more than forty days, after issuing such precepts, to receive a return of such persons as shall be so provided; and the alderman, or deputy, and common council men of the several wards aforesaid, or the major part of them, shall direct the constables, beades, or other ward officers, to give notice in writing to every person so provided to appear at the said court, which notice shall be given at his or their usual place of abode, at least six days before such court; and such constable, beadle, or other officer, shall attend the said court, and make return on oath of the days when such notices were served; and every person so provided shall upon such notice appear at such court, and if approved as aforesaid there take an oath in the words or to the effect following; that is to say,

Oath to be taken by persons approved,

‘ I A. B. do sincerely promise and swear, That I will be faithful and bear true allegiance to his majesty King George; and I do swear that I am a protestant, and that I will faithfully serve in the militia of London, within the kingdom of Great Britian, for the defence of the same, during the term of five years, for which I am enrolled, unless I shall be sooner discharged.’

who shall be enrolled to serve five years.

And every such person shall be enrolled (in a roll to be then and there prepared for that purpose) to serve in the militia of the city of London as a private man for the space of five years; and it shall be lawful for any one of the said commissioners to administer the said oath.

Commissioners may issue precepts to the aldermen, &c. to fill up deficiencies.

IV. And be it further enacted, That if any of the men provided by or for the several wards in the said city and liberties shall not appear, or shall not be approved by the adjutant, or other officer appointed by the said commissioners to examine them, or if through neglect, mistake, or any other cause, the full number of men appointed to be raised in any of the said wards shall not be duly enrolled at the court or courts appointed for that purpose or if any militia man shall, before the expiration of the term for which he was to serve, die, or be appointed a serjeant, corporal or drummer, in the said militia, or be discharged in pursuance of the sentence of a court martial, or be otherwise regularly discharged, then and in either of the said cases the said commissioners may, and are hereby required, immediately to issue precepts to the said aldermen, deputies, and common council men, of the said wards wherein such deficiency or vacancy shall happen.

requiring them, or the major part of them, within ten days next following, to make good such deficiency or vacancy, or to provide other men, and so as often as may be necessary and expedient for carrying the purposes of the said act passed in the last session of parliament, and of this act, into execution; and that if the alderman, or deputy, and common council men, of any of the wards aforesaid, or the major part of them, shall omit or refuse to provide the quota or number of men herein appointed to be raised by or for their said respective wards, or, having provided the said quota or number of men, any of them shall not be approved, or shall refuse or neglect to appear and take the oath, and be enrolled as herein-before mentioned, or shall die, or be promoted or discharged, and others shall not be provided in their stead as aforesaid, the said ward shall in lieu thereof be charged with, and become liable to pay the sum of ten pounds for every man not so provided, sworn in, and enrolled, which sum or sums of money shall be applied by the said commissioners in providing men for the wards which shall have paid such sum or sums of money, who shall be sworn in and enrolled to serve for the same time, and on the same conditions, as if they had been provided by the alderman, or deputy, and common council men of such wards respectively as herein-before is directed; and if any surplus of such monies shall remain, the same shall be paid to the colonel, or such officer as he shall appoint, of the regiment for which such person shall serve, and be applied as part of the regimental stock purse.

Wards not raising their quota, or not filling up vacancies, to pay 10l. per man.

Surplus money to be part of the regimental stock purse.

V. And be it further enacted, That the alderman, or deputy, and common council men, of the several wards of the said city and liberties, or the major part of them, shall, and they are hereby authorized and empowered to make an equal rate upon all and every person and persons, bodies politick and corporate, guilds, mysteries, fraternities, and brotherhoods, whether corporate, or not corporate, and the owners or occupiers of publick offices and buildings, who do or shall inhabit, hold, occupy, possess, or enjoy, any land, house, shop, warehouse, vault, cellar, or other tenement or hereditament, within their said several and respective wards, and the liberties and precincts within the same, (regard being had, in making the said rate, to the abilities of, and likewise to the rent paid by, the said several person and persons, bodies politick and corporate, guilds, mysteries, fraternities, and brotherhoods, whether corporate or not corporate, and the owners and occupiers of publick offices and buildings), to defray the expences of raising their quota or number of men to serve in the said militia herein-before directed to be provided by or for the several and respective wards aforesaid, and all other incidental charges relating thereto.

Aldermen, &c. to make a rate to defray the expences of raising men.

VI. And be it further enacted, That in case any person or persons shall think him, her, or themselves aggrieved by any rate or assessment to be made as aforesaid, it shall and may be lawful for them respectively to appeal to the court of mayor and aldermen of the said city, whose decision shall be final and conclusive: pro-

Persons aggrieved may appeal to the court of mayor, &c.

vided always, that notice of such appeal shall be left in writing at the office of the town clerk of the said city, within ten days after the sum so rated and assessed shall be demanded, and such appeal shall be made to the next court of mayor and aldermen of the said city after such notice shall be so left as aforesaid.

Rates may be levied by distress.

VII. And be it further enacted, That if any person or persons, bodies politick and corporate, guilds, mysteries, fraternities, and brotherhoods, whether corporate or not corporate, or the owners or occupiers of publick offices and buildings, who shall be rated and assessed by virtue or in pursuance of the said act passed in the last session of parliament, or of this act, shall refuse or neglect, by the space of fourteen days next after his, her, or their respective rate or rates, assessment or assessments, shall be due and demanded by the collector or collectors authorized and appointed to collect and receive the same, (such demand being left in writing at the land, house, shop, warehouse, vault, cellar, or other tenement, hereditament, premises, or other property, possessed, rated, or occupied by him, her, or them), to pay such rate or rates, assessment or assessments, so demanded as aforesaid, and no notice of appeal shall be left as aforesaid, or such notice being so left, if such appeal shall not be made to the next court of mayor and aldermen of the said city after such notice shall be so left as aforesaid, then, and in every such case, it shall and may be lawful to and for such collector or collectors, every or any of them, having a warrant or warrants under the hand and seal of the mayor or any other magistrate of the said city, (which warrant or warrants the said collector and collectors is and are hereby required to apply for, and the mayor, or any other magistrate of the said city, are hereby authorized and required to grant), and, with the assistance of a constable, or any peace officer of the ward, county, city, or liberty, where the person or persons, party or parties, so refusing or neglecting shall reside, there to seize and distrain any of the goods and chattels of the person or persons so neglecting or refusing to pay, and if the same shall not be releved, or such rate or assessment paid, within five days next after such distress made, together with the costs and charges thereof, then to appraise and sell so much and such part of the said goods and chattels as shall be sufficient to pay the said rate or assessment, with the costs and charges attending such distress and sale, returning the overplus (if any) to the owner or owners of such goods and chattels, the said costs and charges to be settled and allowed by the said mayor, or other magistrate of the said city, who shall have granted such warrant or warrants respectively: provided also, That no such distress shall, by virtue of the said act, passed in the last session of parliament, or of this act, be made out of the limits of the said city, and liberties thereof, unless such warrant or warrants respectively shall be first backed or countersigned by some magistrate of the county, city, or liberty, where such distress is proposed to be made, which warrant or warrants any magistrate who shall be applied to for that purpose shall forthwith back or countersign without fee or reward.

No distress to be made out of the limits of the city, unless the warrant be backed by a magistrate of the place.

VIII. And be it further enacted, That if any such collector or collectors shall refuse or neglect to apply for such warrant or warrants as aforesaid, or to make such distress and sale, pursuant to the directions of this act, except in cases where such distress shall be dispensed with by the alderman, or his deputy, and the common council men, of each respective ward, or the major part of them, by writing under their hands, in respect of the poverty of the party or parties assessed, such collector or collectors shall, for every such refusal or neglect, forfeit and pay the sum of five pounds; and if any justice of the peace, upon such application to him made to back or countersign such warrant or warrants as aforesaid, shall refuse or neglect so to do, such justice shall, for every such refusal or neglect, forfeit and pay the sum of five pounds; and if any constable be called upon by any collector or collectors, having such warrant or warrants, shall refuse or neglect to aid and assist him or them in making such distress and sale, he shall, for every such offence, forfeit and pay the sum of forty shillings.

IX. Provided always, and be further enacted, That if any inhabitant householder of any ward shall offer himself, and voluntarily serve in his own right as a private in the said militia, (being approved of, sworn in, and enrolled as aforesaid), for the term of five years, he shall be exempt from paying the said rate for any house or premises he shall then or in future inhabit within the said city and liberties; any thing in this act contained to the contrary notwithstanding.

X. And be it further enacted, That the alderman, or his deputy, and the common council men, for the time being, in each ward within the said city or liberties, or the major part of them, shall be the assessors in their respective wards to charge all and every person and persons, bodies politick and corporate, guilds, mysteries, fraternities, and brotherhoods, whether corporate or not corporate, and the owners or occupiers of publick offices and buildings, liable to be rated in their respective wards as herein-before directed, and shall likewise be the assessors of the trophy tax herein-after directed to be continued to be raised and paid, and shall appoint proper persons to collect the said rates and tax, and pay or allow unto such collectors any sum or sums of money, not exceeding three-pence in the pound, upon the money so collected.

XI. And be it further enacted, That if the alderman, or deputy, and the common council men of any ward, or the major part of them, shall refuse or neglect to provide the men to be raised by such ward as herein-before directed, according to the precepts issued to them for that purpose, or shall neglect or refuse to pay the sum of ten pounds for every man not so provided as aforesaid: and if the said alderman, or deputy, and common council men, of any ward, or the major part of them, shall neglect or refuse to levy and raise the said rate, or to assess the proportion of the trophy tax of such ward, the said commissioners shall and are hereby further authorised to assess, levy, and raise, the said rate, and also

Penalty on collectors not making distress, justice not backing warrants, and constables neglecting to aid in making distress.

Householders serving in their own right exempted from the rate.

Aldermen, &c. to be the assessors, and to appoint collectors, &c.

If aldermen, &c. neglect to provide men, or pay for them, levy rates, &c. the commissioners may levy and apply them.

Anno regni tricesimo quinto GEORGI III. c. 27. [1795.

the proportion of the trophy tax of such ward, the alderman, or deputy, and common council men of which shall make such default, in like manner as the said alderman, or deputy, and common council men, are hereby empowered to raise and levy the same; and the said commissioners shall apply the said rates, when received and recovered, in providing the quota of men, or so many of them as shall be wanting for the ward so neglecting or refusing.

Pay of the militia.

Men may be put under stoppages.

XII. And be it further enacted, That the commissioned and non-commissioned officers of the said militia shall receive the same pay as those of the other militia forces of this kingdom, and when assembled for the purpose of being trained and exercised, the private men shall receive one shilling *per* day each man, during which time it shall be lawful for the captain or commanding officer of every company to put the militia men of his company under stoppages, not exceeding sixpence *per* day, for the purpose of providing them with linen, and also with stockings and other necessaries, and for defraying the expence of repairing any arms which shall have been broken or damaged by any such militia man's neglect: provided always, That every such captain or commanding officer shall account with each militia man for such stoppage, and after having deducted what shall have been laid out and paid for the purposes aforesaid, shall pay the sum remaining (if there shall be any) into the hands of the militia man to whom the same belongs, before such militia man shall be dismissed from such training and exercise.

Non-commissioned officers, &c. to have an allowance in lieu of quarters.

XIII. And, in order to prevent the privileges of the said city from being infringed by the billeting or quartering of soldiers within the said city, be it further enacted, That the non-commissioned officers, drummers, fifers; and private men, serving in the said militia, shall, when embodied for annual exercise or otherwise, be in actual service within the city of London, be allowed, in lieu of quarters, at the rate of one shilling and nine-pence *per* week each man, to provide lodging, in addition to their pay.

Commissioners to take security from treasurers and clerks.

XIV. Provided always, and be it further enacted, That the said commissioners shall, and they are hereby required to take such security from the treasurer or treasurers, clerk or clerks, to be appointed by virtue of the said act, for the due execution of their respective offices, as shall be satisfactory to the said commissioners.

Militia men, &c. subject to 26 Geo. 3. as far as relates to penalties for not attending annual exercise, &c. and entitled to the bounty granted thereby when on service beyond the limits of the

XV. And be it further enacted, That every militia man, being sworn in and inrolled, and every serjeant, corporal, drummer, and fifer, raised by virtue of this act, shall be subject to every clause, provision, matter, and thing, contained in the said act of the twenty-sixth year of the reign of his present Majesty, intituled, *An act for amending, and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England*, as far as relates to the penalties and punishments of militia men, serjeants, corporals, and drummers, for not attending the annual exercise, for deserting during it, for not appearing when ordered to be embodied, for inlisting into the army or offering so to inlist, or inlisting into any other militia, or for selling or pawning their

their arms, accoutrements, or cloaths, or neglecting or refusing to return them in good order, and shall be proceeded against in manner directed by the said act; and the said militia men shall be entitled to the same bounty, when ordered out into actual service beyond the limits of the said city, or liberties thereof, as is granted by the said act; and every person having served in the said militia, when drawn out into actual service, being a married man, may set up and exercise any trade in any town or place in *Great Britain*, as directed by the said act.

city; and being married may set up in any place.

XVI. And be it further enacted, That when the said militia, or part thereof, having been so drawn out into actual service as aforesaid, shall be again duly disembodied, and the officers and private men thereof dismissed to return to their several places of abode, the officers, non-commissioned officers, drummers, and private men, shall be subject to the same orders, directions, and engagements only as they are made subject to under the provisions of the said act passed in the last session of parliament, and of this act, before they were so drawn out into actual service as aforesaid.

Militia when disembodied, liable only to the orders they were before drawn out.

XVII. And be it further enacted, That, for defraying the necessary charges of pay, cloathing, trophies, and other incidental expences of the said militia, it shall be lawful for the said commissioners to continue to raise and levy in every year, in manner herein-before directed, the proportion of one month's tax, amounting to four thousand six hundred and sixty-six pounds thirteen shillings and four-pence, which the said city hath been used to pay by virtue of the said act passed in the thirteenth and fourteenth years of the reign of his late majesty King Charles the Second, intituled, *An act for ordering the forces in the several counties of the kingdom*, and shall be accountable for the same; and in addition thereto, the receiver general of the land tax for the said city, shall, and he is hereby required to issue and pay annually, to the treasurer appointed by the said commissioners, so much money as shall be necessary, in aid of the trophy tax, towards the said expence of training, exercising, paying, and keeping in readiness, and other incidental expences of the said militia; and the receipt of the said treasurer so appointed shall be a sufficient discharge to the said receiver general for the money so to be issued and paid by him.

How the pay, &c. of the militia is to be defrayed.

XVIII. And be it further enacted, That when the said militia shall not be embodied, according to the provisions of the said act passed in the last session of parliament, and of this act, it shall and may be lawful for the said commissioners, when and so often as it shall seem to them requisite and necessary, to order the serjeants, corporals, and privates, of the said two regiments, or so many as to them may seem fit, to be put in possession of their cloaths, arms, and accoutrements, and with their proper officers, or such officers as they shall appoint, to be kept in constant readiness to be put under the orders of the mayor or other magistrates of the said city, who shall have power and authority to call out the whole of the said serjeants, corporals, and privates, or any part of them,

The commissioners when the militia is not embodied, may order the non-commissioned officers, &c. with officers, to be put under the orders of the magistrates of the city, &c.

them, for the suppression of riots, or any other requisite duty for which they may be wanted, the said officers and men, when so called out, to be subject to the same penalties as are herein-before directed when the said militia shall be actually embodied; and the said commissioners may order the said serjeants, corporals, and privates, to be inspected and exercised so often as they shall think proper and necessary.

33 Geo. 3.
c. 8.

XXIX. And be it further enacted, That every clause, provision, matter, and thing, contained in an act of parliament, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act to provide for the families of persons chosen by lot to serve in the militia of this kingdom, and of substitutes serving therein; and to explain and amend an act of parliament, passed in the twenty-sixth year of his present Majesty's reign, intituled, 'An act for amending, and reducing into one act of parliament, the laws relating to the militia of that part of Great Britain called England;'* and also in an act, passed in the thirty-fourth year of the reign of his present Majesty, intituled, *An act to amend an act, passed in the last session of parliament, intituled, 'An act to provide for the families of persons chosen by lot to serve in the militia of this kingdom, and of substitutes serving therein; and to explain and amend an act of parliament, passed in the twenty-sixth year of his present Majesty, intituled, 'An act for amending, and reducing into one act of parliament, the laws relating to the militia of that part of Great Britain called England;'* and also an act, made in the last session of parliament, intituled, *An act for augmenting the militia, shall be deemed to extend to the families of the said serjeants, corporals, drummers, fifers, and private men, of the said militia.*

34 Geo. 3.
c. 47. and

34 Geo. 3.
c. 16. to extend to the families of city militia.

The aldermen, &c. to divide the quota of men amongst the parishes, and specify for which each serves, that the parish officers may be resorted to for defraying the expences of their families, &c.

XX. And, in order that the families of persons serving in the said militia may have the relief directed in and by the said acts of parliament, passed in the thirty-third and thirty-fourth years of the reign of his present Majesty; be it further enacted, That the alderman, or deputy, and common council men, of each of the said wards, or the major part of them, shall divide the quota of men to be raised in each ward amongst the parishes within such ward, and specify for which parish each man serves, in order that the churchwardens or overseers of the poor of such parish may be resorted to for defraying the expences of providing for the families of such persons serving in the militia as may become entitled to relief, in manner as by the said acts are directed; and every person serving in the said militia shall be considered, with respect to such relief, as a substitute serving in the militia of any of the counties of this kingdom; and in case the alderman, or deputy, and common council men, of either of the said wards, or the major part of them, shall omit or neglect to divide the quota of men among the parishes in such respective wards, the said commissioners shall, and are hereby authorized and empowered, to make such division for such ward or wards, and to order the parish for which such persons shall be allotted to serve to be entered upon the roll herein-before directed to be provided, as well as the name of every person to be inrolled as herein-before is mentioned.

XXI. Provided always, and be it further enacted, That the treasurer for the time being to be appointed by the said commissioners shall defray the monies directed to be paid by the order of any justice of the peace, for the relief of the families of the said militia men, instead of the chamberlain of the said city; and that the said treasurer shall have the same remedy over against the churchwardens or overseers of the poor for the parish for which the militia man whose family is relieved shall be allotted, for repayment of the money, as the chamberlain of the said city would have under or by virtue of the said acts of parliament, or either of them; any thing therein contained to the contrary notwithstanding.

Treasurer to pay monies for relief of families of militia men, &c.

XXII. And be it further enacted, That the adjutants appointed, or to be appointed, to the said militia, who shall by age or infirmity be rendered unfit for further services, shall be entitled to the same provision as is allowed to other adjutants of militia by an act, passed in the thirty-third year of his present Majesty, intituled, *An act for defraying the charge of pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning with the twenty-fifth day of March one thousand seven hundred and ninety-three; and for making provision for adjutants who have served a certain time in the militia; and that any person being a serjeant on the establishment of Chelsea, at an allowance of twelve-pence a day, and being appointed to serve in the said militia, shall and may receive the said allowance of twelve-pence a day, together with his pay from the said militia, in like manner as in other militia forces; and any person who shall have served as a serjeant, corporal, or drummer, in the said militia, who shall be discharged for age or infirmity, shall, on a recommendation from the commanding officer of the regiment to which he belongs, and the said commissioners, be equally entitled to the benefit of Chelsea Hospital with the serjeants, corporals, and drummers, of the other militia forces of this kingdom.*

Adjutants to have the same allowance as those of the other militia;

and serjeants, &c. entitled to the benefit of Chelsea Hospital.

XXIII. And be it further enacted, That the provisions of an act, passed in the twenty-fourth year of the reign of his late majesty King George the Second, intituled, *An act for the rendering justices of the peace more safe in the execution of their office; and for indemnifying constables and others acting in obedience to their warrants*, shall extend to the said mayor and aldermen, and also to his Majesty's said commissioners, and the assessors acting in the execution of this act, or any other which relates to the said militia, in like manner, and as fully and effectually, as the same extend to justices of the peace acting in the execution of their office.

24 Geo. 2. c. 44. to extend to the mayor, aldermen, &c.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said commissioners, immediately after the passing of this act, to hold such general courts, and to issue such precepts, for the purpose of carrying this act into execution, in like manner as is herein-before directed to be done at the annual general courts.

Commissioners, after passing this act, may hold general courts, &c.

XXV. Provided always, and be it further enacted, That this act, or any thing herein contained, shall not diminish or be prejudicial

Act not to prejudice the rights of the city.

judicial to the rights, privileges, immunities, and exemptions, to which the mayor and commonalty, and citizens of the city of *London*, or the freemen, citizens, or inhabitants of the said city, or of the suburbs and liberties of the same, or of all privileged places within the limits and precincts thereof, as well within the liberties as without, are entitled to enjoy by prescription, act of parliament, charter, or usage; but the said mayor and commonalty, and citizens, and the freemen, citizens, and inhabitants of the said city, shall and may continue to enjoy all and singular the said rights, liberties, usages, customs, privileges, immunities, and exemptions, in as full, ample, and beneficial a manner as if this act had not been made.

Recovery and application of penalties.

XXVI. And be it further enacted, That all fines, penalties, and forfeitures by the said act, passed in the last session of parliament, and by this act imposed, which shall exceed the sum of twenty pounds, shall be recoverable by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no privilege, protection, wager of law, or more than one imparlance, shall be allowed; and that all fines, penalties, and forfeitures, by the said act and this act imposed, which shall not exceed the sum of twenty pounds, shall on proof upon oath of the offence before the mayor or any other magistrate of the said city, or any justice of the peace for the county, liberty, or place where the offence shall be committed, be levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of the said mayor, magistrate, or other justice, rendering the overplus (if any) on demand, after deducting the charges of such distress and sale, to the person whose goods and chattels shall be so distrained and sold; and for want of sufficient distress, the said mayor, magistrate, or other justice, is hereby required in all cases, when no particular time of commitment is herein-before directed, to commit such offender to prison where the offence shall have been committed, for any time not exceeding three calendar months; and the money arising by all such fines, penalties, and forfeitures, the application whereof is not otherwise particularly directed by the said act or this act, shall be paid to the regimental clerk of that regiment where such offences shall have been committed, and shall be made part of the publick stock of that regiment.

Distress not unlawful for want of form, &c.

XXVII. And be it further enacted, That where any distress shall be made for any sum or sums of money to be levied by virtue of the said act, passed in the last session of parliament, or of this act, the distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a trespasser or trespassers, on account of any default or want of form in any proceedings relating thereto, nor shall the party or parties be deemed a trespasser or trespassers *ab initio*, on account of any irregularity which shall be afterwards done by the party or parties distraining; but the person or persons aggrieved by such irregularity may recover full satisfaction for the special damage by an action on the case,

XXVIII. Provided always, and be it further enacted, That no rate or assessment, nor any order to be made, or proceeding to be made, or any other matter or thing to be done or transacted in or relating to the execution of the said act, passed in the last session of parliament, or of this act, by the said court of mayor and alderman, or by his Majesty's commissioners of licutenancy for the time being, shall not be vacated or quashed for want of form only, or be removed or removeable by *certiorari*, or by any other writ or process whatsoever, into any of his Majesty's courts of record at *Westminster*, any law, statute, or usage to the contrary notwithstanding: provided always, That no plaintiff or plaintiffs shall recover in any action for such irregularity, trespass, or other proceedings, if tender of sufficient amends shall be made by or on the behalf of the party or parties who shall have committed, or caused to be committed, any such irregularity, trespass, or wrongful proceedings, before such action brought; and in case no such tender shall have been made, it shall and may be lawful for the defendant or defendants in any such action, by leave of the court where any such action shall depend, at any time before issue joined, to pay into the court such sum of money as he or they shall think fit, whereupon such proceedings, or orders and judgements, shall be had, made, and given, in and by such court, as in other actions where the defendant is allowed to pay money into court.

XXIX. And be it further enacted, That if any action shall be brought against any person for any thing done in pursuance of this act, such action or suit shall be commenced within six calendar months next after the fact committed, and not afterwards, and shall be laid in the county or place where the cause of complaint did arise, and not elsewhere; and the defendant or defendants in every such action or suit may plead the general issue, and give in this act and the special matter in evidence at any trial to be had thereupon; and if the jury shall find for the defendant or defendants in any such action or suit, or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his or their action or suit after the defendant or defendants shall have appeared, or if on default judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have the like remedy for the same as any defendant hath in other cases to recover costs by law.

XXX. And be it further enacted, That this act shall be deemed and taken to be a publick act, and shall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially pleading the same.

No rate or proceeding to be quashed for want of form, or removeable by *certiorari*, &c.

Limitation of actions, &c.

General issue.

Treble costs.

Publick act.

Preamble.

C A P. XXVIII.

An act to enable petty officers in the navy, and seamen, non-commissioned officers of marines, and marines, serving in his Majesty's navy, to allot part of their pay for the maintenance of their wives and families.—[April 28, 1795.]

Petty officers, &c. may allot a certain portion of their pay for the maintenance of their families.

WHEREAS *the enabling petty officers, and seamen, or landmen, non-commissioned officers of marines, and marines, employed in the royal navy, to allot a certain part of their wages or pay for the support and maintenance of their wives and children, or mothers, and establishing a regular method for the punctual, frequent, and certain, payment thereof, is of much consequence to the publick service; and 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 May one thousand seven hundred and ninety-five, it shall and may be lawful for every petty officer, and seaman, or landman, non-commissioned officer of marines, and marine, serving, or entering to serve on board of any ship or vessel of his Majesty, his heirs and successors, to allot a certain part of his monthly wages or pay for the maintenance of his wife and child, or children, or mother, *viz.* That every petty officer and non-commissioned officer of marines may allot, for the purpose aforesaid, one half of his wages or pay; and every able-bodied seaman may allot, for the purpose aforesaid, the sum of five-pence *per* day; and every ordinary seaman or landman, serving, or entering to serve in his Majesty's navy, may allot, for the purpose aforesaid, the sum of four-pence *per* day; and that every marine may allot, for the purpose aforesaid, the sum of three-pence *per* day, while he shall actually serve on board any of the ships or vessels of his Majesty, his heirs and successors, or be borne for wages upon the books of any such ships; which said several sums shall be paid every twenty-eight days to the wives or mothers, or for the use of the children of such petty officers, seamen, and landmen, non-commissioned officers of marines, and marines respectively, under the several rules and regulations, and in the manner by this act directed and prescribed.*

Volunteers, at the time of entering, declaring to the regulating officer certain particulars, may allot a part of their pay, which shall be paid by the persons herein specified.

II. And be it further enacted by the authority aforesaid, That from and after the first day of *May* one thousand seven hundred and ninety-five, if any seaman or landman shall freely and voluntarily enter himself with any regulating officer or officers employed or to be employed in raising men for his Majesty's naval service, in or on board of any of the ships or vessels of his Majesty, his heirs and successors, and shall, at the time of his so entering, declare to such officer or officers his name and place of abode, and that he is married, and shall likewise declare the name of his wife, and at what place she then resides, and if he has a child, or how many children, distinguishing how many of such children are boys, or shall declare that he has a mother then alive, and the place of her residence

and that he is willing to allot a part and proportion of
 or pay for the support and maintenance of his said wife
 or children, or of his mother, then and in that case, if
 or mother of such seaman or landman shall reside in
 within the bills of mortality thereof, the sum allotted
 of her husband's or son's wages or pay shall be paid by
 of the navy; and if the wife or mother of such sea-
 man shall reside at *Portsmouth*, *Plymouth*, or *Chatham*,
 five miles of any of those places respectively, then the
 to her out of her husband's or son's wages or pay
 paid by the clerk of the cheque at any of those places
 within five miles of which she shall reside; but if the
 of the wife or mother of such seaman or landman shall
London, or within the bills of mortality thereof, or at
Plymouth, or *Chatham*, or within five miles thereof
 y, then and in every such case the sum allotted to the
 other of every such seaman or landman, out of her hus-
 son's wages or pay, shall be paid to her by the receiver
 of the land tax of any county, riding, or city, or by the
 of the customs for any port, or by the collector of ex-
 any collection in *Great Britain*, nearest to the place of
 of the wife or mother of such seaman or landman; and
 lating officer or officers for entering seamen or landmen
 id, shall immediately make out or cause to be made out
 larations of allotment, and three orders of payment,
 ll be triplicates of each other, and joined together with
 nes, flourishes, or devices, and the said declarations and
 all be in the following form, or in words to the like

Regulating
 officer to
 make out
 three declara-
 tions of allot-
 ment of pay,
 and orders of
 payment, in
 the following
 form.

Declarations and orders of payment to be signed by the volunteer, and certified by the officer, who shall dispose of them as herein directed;

and in his returns to the admiralty, &c. shall specify certain particulars.

If any petty officer, &c. at any muster of the ship's company, shall desire a part of his pay may be so allotted, it shall be paid by the persons herein mentioned.

And which declarations and orders of payment, being numbered and dated, and the blanks otherwise filled up, the said seaman or landman shall sign his name, or make his mark at each of the said triplicates thereof, and the said regulating officer shall sign such declarations and orders of payment, by signing his name as witness thereto; and if the wife or mother of such seaman or landman shall then attend in person, such regulating officer shall immediately cut off one of the said triplicates of the said declarations and orders of payment, through the said oblique lines, flourishes or devices, and shall deliver the same to the wife or mother of such seaman or landman, and shall immediately thereafter, send the other two triplicates of such declaration and order of payment to the commissioners of the navy at their board in *London*; in case the wife or mother of such seaman or landman shall not attend at the time her husband or son shall so enter himself in service as aforesaid, the said regulating officer shall send the said triplicates of such declaration and order of payment to the commissioners of the navy as aforesaid; and such regulating officer shall, in the returns he shall make to the admiralty or navy board, specify and mention, opposite to the name of every man so entered, whether he has allotted part of his pay for the maintenance of his wife and child or children, or of his mother, and the amount of such allotment, together with the date of the order of payment thereof.

III. And be it enacted by the authority aforesaid, That, after the first day of *May* one thousand seven hundred and ninety-five, when and so often as the captain or commander of any ship or vessel in the pay of his Majesty shall, pursuant to the powers and directions by former acts of parliament given, read over, or cause to be read over, at any muster of his ship's company, in a distinct and audible manner, the names of all the petty officers, seamen, and landmen, and the names of all the non-commissioned officers of marines, and marines, belonging to such ship or vessel; and if any petty officer, seaman, landman, non-commissioned officer of marines, or marine, shall thereupon declare by word of mouth, or deliver in writing, the name and place of abode of his wife, and if he has a child, or how many children, distinguishing how many of such children are boys, or that he has a mother alive, and the place of her residence, and desire that a part of his wages or pay should be allotted and paid to his said wife for the support and maintenance of her and his child or children, or to his mother, then and in that case, if the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marine, or marine, shall reside in *London*, or within the bills of mortality thereof, the sum allotted to her out of her husband's wages or pay shall be paid to her by the treasurer of the navy; and if the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall reside at *Portsmouth*, *Plymouth*, or *Chatham*, or within five miles of any of those places respectively, then the sum allotted to her out of the wages or pay of her husband or son shall be paid by the clerk of the cheque at

of those places, where or within five miles of which she shall reside; but if the residence of the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall not be in *London*, or within the bills of mortality thereof, or at *Portsmouth*, *Plymouth*, or *Chatham*, or within five miles of any of those places respectively, then and in every such case the sum allotted to the wife or mother of every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall be paid to her by the receiver general of the land tax for any county, riding, or city, in *Great Britian*, or by the collector of the customs for any port, or by the collector of the excise for any collection in *Great Britian*, nearest to the place of residence of the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine; and the captain or commander of such ship or vessel is hereby strictly required and enjoined to cause a list to be made out, which shall contain the name of every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, who shall be desirous to allot a part of his wages or pay for the support of his wife or mother, in which list the name and place of abode of the wife or mother, child or children, as the case may be, of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, and whether he has a child, or how many children, distinguishing how many of such children are boys, shall be specified and described in distinct columns opposite to the name of such petty officer, seaman, and landman, non-commissioned officer of marines, and marine; and every petty officer, seaman, or landman, non-commissioned officer of marines, or marine, who shall so desire that a part of his wages or pay may be allotted and paid to his wife or mother, shall write his name, or make his mark, in a separate and distinct column in the said list, which list shall be forthwith completed and signed by the captain or commander, and any other of the signing officers of such ship or vessel; and every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall at the same time also sign his name, or make his mark, at each of the three declarations and orders of payment as before mentioned, to empower his wife or mother to receive that part of her husband's or son's wages or pay so allowed to her; and which declarations and orders shall be in the same form of words as are herein-before described, or to the same and the like effect; and the said declarations and orders shall be forthwith completed; and such captain or commander shall transmit the list, and the three declarations and orders aforesaid, by the first safe opportunity, without any neglect or delay whatsoever, to the commissioners of the navy at their board in *London*.

Captains of ships to cause lists to be made of petty officers, &c. desirous of so allotting part of their pay;

and to transmit lists, and the declarations and orders, to the navy board.

IV. And be it enacted by the authority aforesaid, That as soon as the said declarations and orders shall be received by the commissioners of the navy, they shall examine, or cause the same to be examined, with the list or lists transmitted by such regulating officer or officers employed for entering men for his Majesty's

Declarations and orders to be examined with lists by the navy board, and

navy,

disposed of as
herein direct-
ed.

navy, if the same shall have been transmitted by any regulating officer or officers, or by the captain or commander on board any of his Majesty's ships or vessels, if the same shall have been transmitted by any such captain or commander, and if found right, the same shall be filled up agreeable to the particulars specified in the several columns of such lists, and shall be then allowed and signed by any three of the commissioners of the navy, specifying the date on which they shall so sign the same; and in all cases, where the triplicates of the aforesaid declarations and orders shall have been transmitted to the commissioners of the navy, they shall, without delay, cause them to be cut asunder through the said oblique lines, flourishes, or devices, and shall cause one of the said declarations and orders to be transmitted forthwith to the person named in such order as the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine; and another of the said declarations and orders they shall cause to be transmitted forthwith to the said receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom such order shall be so directed; and the third of the said declarations and orders they shall cause to be transmitted or delivered to the treasurer of his Majesty's navy for the time being; and where only two of such declarations and orders shall have been transmitted to the commissioners of his Majesty's navy, they shall in like manner, without delay, cause the same to be cut asunder through the said oblique lines, flourishes, or devices, and shall cause one of the said declarations and orders to be transmitted forthwith to the receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom such order shall be so directed, and the other of the said declarations and orders to be transmitted or delivered to the treasurer of his Majesty's navy for the time being; but in cases where the allotment of such wages as aforesaid shall be directed to be paid by the treasurer of the navy in London, or within the bills of mortality thereof, then two of the triplicates of such declarations and orders shall be transmitted or delivered to the treasurer of the navy.

After 28 days from the date, persons to whom declarations and orders shall be addressed, to examine into the truth thereof, and of certificates of ministers and churchwardens mentioned therein, and if authentic, to pay the sums allotted gratis, &c.

V. And be it enacted by the authority aforesaid, That when at the end of twenty-eight days or more after the date of such declaration and order, the same, together with such certificate as is mentioned therein by the minister and churchwardens, or churchwarden, elders or elder, as the case may be, of the parish where the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, resides, shall be presented to the treasurer of the navy, or to any such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque respectively, as the case may be, to whom the same is addressed, he shall examine and compare such declaration and order so presented to him by the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, with the triplicate of such declaration and order which shall have been transmitted to him

by the commissioners of the navy, and enquire into the truth thereof, and of such certificate as aforesaid; and, if it shall appear to him necessary, by the oath of the wife or mother producing the same, which oath he is hereby authorized and empowered to administer, and upon being duly satisfied of the authenticity of such declaration and order, and of such certificate, and the truth of the facts therein set forth, he shall immediately pay to the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, without fee or reward, and without deduction or abatement, under the pretence of any expense having been incurred, or on any pretence whatever, the sum allotted to her out of the wages or pay of her husband or son, making her receipt for the same, to which she shall sign her name, or make her mark, in the presence of the person paying her the money, and which person shall also sign his name as witness thereon, and he shall also mark her receipt and certificate with the same number as that of her husband's declaration and order, and shall also mark on the said declaration and order, which shall be produced to him by the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, the date of such payment, the amount of the sum paid, and the time from whence, and up to what time, the same so became due, after which he shall deliver back to the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, the declaration and order so produced by her; and the person making such payment shall in like manner mark upon the triplicate of such declaration and order, which shall have been transmitted to him by the commissioners of the navy as aforesaid, or otherwise be in his possession, the date of such payment, the amount of the sum paid, and the time from whence, and up to what time, the same so became due, and at the end of every four weeks, or twenty-eight days thereafter, upon similar application made, and upon producing such order and certificate in manner before directed, the same payment shall be made in the same manner and form to the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, as aforesaid, during her life, or so long as her husband or son shall live, and continue as a petty officer, seaman, or landman, non-commissioned officer of marines, or marine, in the service of his Majesty, his heirs and successors, except as hereinafter excepted, where no demand shall be made upon such order within six months from the date of marking thereof by the commissioners of the navy, or from the date of the last payment made thereon.

Allotments of pay to be paid every four weeks.

VI. And be it enacted by the authority aforesaid, That when the wife of any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, in the service of his Majesty, his heirs and successors, who may have allotted part of his wages for the maintenance of his said wife and children, shall happen to die, and such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall have a child or children under

If a wife to whom part of her husband's pay be allotted shall die, and leave children under 14 years old, the minister and

churchwardens may certify to the navy board the same, and their intention to appoint a person to receive and apply the money for the use of the children, &c.

If the commissioners are satisfied of the truth of such certificate they shall cause three certificates and orders to be made out in the following form.

the age of fourteen years, it shall and may be lawful for the minister and churchwardens or churchwarden, elders or elder, in case may be, of the parish where such wife so dying did die, at the time of her death, to certify to the commissioners of the navy at their board in *London*, the death of such wife, and the number thereof, and that the husband of such wife has a child, or many children, then alive, under the age of fourteen years, or the age of such child, or the respective ages of each of such children, as nearly as they can, and shall distinguish how many of such children are boys; and such minister and churchwardens, elders, shall also certify their intention of appointing a proper person, resident within the said parish, to receive the wages or pay for his services in the navy which he had been allotted by him for the maintenance of his children in the event of the death of his wife, and along with such certificate the minister and churchwardens, or elders, shall transmit to the commissioners of the navy the triplicate declaration and order before mentioned, made by the husband of such wife who shall have so died as aforesaid, and which shall be in her possession at the time of her death; whereupon the commissioners of the navy shall examine into the truth of such certificate in such manner as they shall think proper, and if they are satisfied of the truth thereof, and that the father of such child or children is still alive, and in the service of his Majesty, they shall cause to be made out, or cause to be made out, three certificates and orders, which shall be triplicates of each other, and joined together with lines, flourishes, or devices, and which shall be in the following form, or in words to the like effect;

No
and
Parish
hereby
Wife

N^o I. WE,

the Minister

and
Parish of

{ Churchwardens or Churchwarden } of the
{ Elders or Elder } do
in the County of

hereby certify and declare, That

Wife of

a { Petty Officer,
Scaman,
Landman,
Non-commissioned } }

... of the Excise, or Clerk of the
que, appointed to pay the same, as the case may be; and the
of the said triplicates to be delivered to the treasurer of the navy.

II. And be it enacted by the authority aforesaid, That at After a certain
end or expiration of twenty-eight days, or more, from the date period the per-
the last payment made to the wife of such petty officer, seaman, son appointed
landman, non-commissioned officer of marines, or marine, who to receive al-
lotments of

The triplicates of which certificate, being so made out as aforesaid, the commissioners of the navy shall forthwith send, or cause the same to be sent, to the minister, or to the churchwardens, or churchwarden, elders or elder, of the parish where the wife of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, so died as aforesaid; and such minister, churchwardens or churchwarden, elders or elder, shall cause the blanks thereof to be filled up, and the minister, along with the churchwardens or churchwarden, or the elders or elder, of the said parish, shall sign the same, and having procured two of the justices of the peace of the county wherein such parish lies to attest the same, the said minister, or churchwardens or churchwarden, or elders or elder, shall forthwith return the said three triplicates to the commissioners of the navy in London; and the commissioners of the navy shall immediately on receipt thereof examine the same, and if found right, they shall mark each of the triplicates of the said certificate with the same number with which the original declaration and order of payment, executed by the said petty officer, seaman, or landman, non-commissioned officer of marines, or marine, whose wife may have died as aforesaid, was numbered; and the said commissioners, or any three or more of them, shall date and sign their allowance thereof, and shall address each of the triplicates to the same publick officer to whom the original order granted by the aforesaid petty officer, seaman, or landman, non-commissioned officer of marines, or marine, whose wife may have so died as aforesaid, was addressed for payment, and the same, being so completed, they shall cause them to be cut under indentwise through the said oblique lines, flourishes, or devices, and shall forthwith cause one of them to be transmitted to the person who shall be named and appointed by the said minister and churchwardens, or elders, and approved of by the justices, in the aforesaid certificate and attestation, to receive the allotment of wages or pay therein mentioned, and shall therewith also transmit to him the original declaration and order granted by such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, whose wife may have so died as aforesaid, which original declaration and order was in her possession at the time of her death, and which had been sent to the commissioners of the navy by the minister, or churchwardens or churchwarden, elders or elder, along with their certificate of the death of such wife, as before-mentioned; and another of the aforesaid triplicates, so approved of and allowed by the commissioners of the navy, or any three of them, as aforesaid, shall be forthwith transmitted to the treasurer of the navy, collector of the land tax, collector of the customs, collector of the excise, or clerk of the exchequer, appointed to pay the same, as the case may be; and the third of the said triplicates to be delivered to the treasurer of the navy.

VII. And be it enacted by the authority aforesaid, That at the end or expiration of twenty-eight days, or more, from the date of the last payment made to the wife of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, who

Triplicates of certificates to be sent to the minister or churchwardens, which, after being filled up and attested by two magistrates, shall be returned to the navy board;

the commissioners of which shall examine, and dispose of them as herein directed.

After a certain period the person appointed to receive allotments of

pay for children, may apply for the same, producing certain papers.

may have so died as aforesaid, or from and after the date of the original declaration and order granted by her husband, in case she shall have received no payment thereon, the person named and appointed in such certificate, attestation, and allowance as aforesaid, for receiving the allotment of such wages for the maintenance and support of the child or children of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, may apply to the treasurer of the navy, receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom the same may be respectively addressed, for payment of what may be due thereon, and shall then produce the original declaration and order of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, in favour of his wife, the certificate of the minister and churchwardens or churchwarden, or elders or elder, of his appointment, the attestation thereof by two justices of the peace, and allowance thereof by any three commissioners of the navy, as is before-mentioned, and shall also produce and deliver to such treasurer of the navy, receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque respectively, as the case may be, a certificate from the minister and churchwardens or churchwarden, elders or elder, specifying that there is a child, or the number of children, under the age of fourteen years, of such petty officer, seaman, landman, non-commissioned officer of marines, or marine, whose wife may have died as aforesaid, then living in their parish, and distinguishing if such child, or how many of such children are boys, and the age of such child, or the respective ages of such children, as nearly as they can, and such treasurer of the navy, receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, shall examine these several papers so produced to him with the triplicates thereof, which shall have been transmitted to him by the commissioners of the navy as aforesaid, and shall enquire into the truth thereof, and of such certificates so presented to him; and if it shall appear to him necessary, by the oath of the party producing the same, (which oath he is hereby authorized and empowered to administer), and being duly satisfied of the authenticity thereof, and of the truth of the facts therein set forth, he shall immediately pay to the person so appointed, in the manner and form before directed, to receive such allotment of wages or pay, the sum due thereon, without fee or reward, and without deduction or abatement, under the pretence of any expence having been incurred, or on any pretence whatever, so that the same shall not be for a less or shorter period than twenty-eight days, except as herein-after is mentioned, and shall take the receipt of such person for the same, who shall sign the said receipt in the presence of the person paying the money; and the said person so paying the money shall sign his name as witness to the said receipt, and shall also mark the said receipt with the same number as that of the original declaration, and order of payment, and certificate of appointment, and shall also mark upon the original

If the papers produced be found authentic, the money allotted to be paid gratis.

declaration, and order of payment, and upon the certificate of appointment, which shall be so produced by the person therein appointed to receive the same, and to whom the money is to be paid, and also upon the original declaration, and order of payment, and upon the certificate of appointment in his hands, and which shall, have been transmitted to him by the commissioners of the navy as aforesaid, or otherwise be in his possession, the date of such payment, the amount of the sum paid, and the time from whence, and up to what time, the same so became due; and at the end of every twenty-eight days thereafter, upon similar application made, and upon producing such original declaration and order of payment granted by such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, and such certificate of appointment attested and allowed as before-mentioned, and upon the delivery of such certificate respecting the existence and age of such children as aforesaid, by the minister, churchwardens, or elders of the parish where such children shall reside, with a receipt for the money, in manner as before directed, the same payment shall be made to the person so appointed to receive such part of the wages allotted by every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, for the maintenance and support of his children upon the death of his wife as aforesaid, and that for so long and while all or any one of his said children shall remain under the age of fourteen, or so long as their father shall live or continue as a petty officer, seaman, or landman, non-commissioned officer of marines, or marine, except as herein-after excepted, where no demand shall be made for payment, within six months from the date of the commissioners of the navy allowing of such certificate of appointment, or from the date of the last payment made thereon.

Such allotments of pay to be paid every four weeks.

VIII. And be it enacted by the authority aforesaid, That if any seaman, landman, or marine, who may have allotted a part of his wages or pay for the support and maintenance of his wife and child or children, or mother, shall, at any future period, be promoted in the service; *videlicet*, if a landman or ordinary seaman shall be promoted to be an able seaman, or if an able seaman shall be promoted to be a petty officer, or if any petty officer shall be promoted from an inferior to a superior rank in the list of petty officers, or if any marine shall be promoted to be a non-commissioned officer, or receive any other similar promotion, and by which the wages or pay of such person shall be increased, it shall and may be lawful to and for such ordinary seaman, landman, petty officer, or marine, promoted as aforesaid, at the first, or any subsequent muster of the company of the ship or vessel to which he shall belong after such his promotion, to declare, in manner aforesaid, that he is desirous to make the allowance out of his wages or pay, to and for the support and maintenance of his wife and child or children, or mother, to the full amount allowed to those in the same rank to which he has been promoted; and the captain or commander of such ship or vessel is hereby required, in the monthly or other muster books returned by him to the com-

On promotion any seaman, &c. may increase the allotment out of his pay to the amount allowed to his rank, &c.

commissioners of the navy, to specify the same opposite to the name of such seaman, landman, petty officer, or marine, so promoted as aforesaid, who shall also sign his name, or make his mark, opposite thereto: and such seaman, landman, petty officer, or marine, so promoted as aforesaid, shall also sign three declarations and orders of payment (agreeably to the forms before prescribed) to his wife and child or children, or mother, of that part of his wages or pay allotted to them according to his then situation, as before is mentioned, which declaration and order of payment shall be executed, witnessed, and transmitted to the commissioners of the navy, in the same manner as before is mentioned; and such commissioners shall likewise proceed in the same manner as before is directed in examining and transmitting such declaration and order for payment to the wife, or mother, or other person appointed as aforesaid to receive the same, for the use of the child or children, and to the treasurer of the navy, receiver general of the land tax, collector of the customs, collector of excise, or clerk of the cheque, to whom the same shall be addressed for payment; and the wife, or mother, or person appointed as aforesaid to receive for the use of the child or children shall, at the time of receiving the first payment under the authority of such new order for payment, receive also the difference between the sum contained in the first order and that contained in the second or new order for payment, from the day of the date of such new order up to the time of her or him receiving under such new order, in case any intermediate payment shall have been made on the first order after the date of the second, but before the presenting of such second order for payment, and he or she so receiving the money as aforesaid shall deliver up to the person making such payment the triplicate of the former declaration or order for payment that was in her or his possession, which shall forthwith, by such person so paying the money, be transmitted to the commissioners of the navy, together with the triplicate of such first declaration or order of payment, that was in the possession of such person himself; and in all other matters and things relative to such new declaration and order for payment, made by persons so promoted as aforesaid, the same rules, orders, and regulations, shall be observed as by this present act are directed and prescribed with respect to payments to be made under the first declaration and order of payment that may have been granted and executed by any seaman, landman, petty officer, or marine, before he received such promotion as aforesaid.

Payments to be made for 28 days at a time, except in case of death, &c.

IX. And be it enacted by the authority aforesaid, That all payments made to the wife or mother of any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, under the authority of such order granted by him in manner aforesaid, or to the person that may be appointed to receive the same, in the manner and form before mentioned, in the event of the death of such wife, shall be by even monthly payments of twenty-eight days, and not for any part of a month, except in the case of the death of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, in the service of his Majesty, his heirs

and

and successors, or in the case of such petty officer, or seaman, or landman, non-commissioned officer of marines, or marine, being regularly discharged, or quitting, or absenting himself from his Majesty's service, in which events the wife, or in case of her death, the person that may be appointed to receive the same, in manner before-mentioned, or the mother, as the case may be, shall be entitled to and receive the sum allotted to such wife, or children, or mother, up and home to the day of the death or discharge of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, or his quitting or absenting himself from his Majesty's service; and all payments so made shall be deducted from the pay or wages of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, respectively.

X. And be it enacted by the authority aforesaid, That all and every such order so to be granted by any such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, as aforesaid, shall be irrevocable, and continue and remain in force during the whole time that he shall be entitled to receive wages or pay on account of his services in his Majesty's navy, in case his wife or mother named in such order shall so long live, or while and during his children, or any one of them, shall remain under the age of fourteen, or until he shall be discharged, quit, or absent himself from his Majesty's service, unless the same shall be revoked in the way and manner herein-after mentioned, or become void and forfeited by non-claim thereon, as after mentioned; and the wife or mother of every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, or the person that may be appointed to receive the same in manner before mentioned, in the event of the death of such wife, during all the time aforesaid, shall be entitled to receive, in the manner and form above prescribed, the sum so allotted by such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, to be paid out of his wages or pay, for the maintenance and support of his wife and children, or mother.

XI. And be it enacted by the authority aforesaid, That the wife or mother of every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, or the person that may be appointed in manner aforesaid to receive such allotment of wages or pay, in the event of the death of the wife, shall appear in person before the treasurer of the navy, receiver general of the land tax, or collector of the customs, or collector of the excise, or clerk of the cheque, to receive that part of the wages or pay which shall be allotted by such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, for the maintenance and support of his wife and children, or mother, unless the said wife, or mother, or person so appointed in the event of the death of the wife, shall be prevented and disabled from so appearing by bodily infirmity; and such disability being certified by the minister and churchwardens or churchwarden, elders or elder, of the parish where she or he resides, or by the physician, surgeon, or apothecary, attending her or him, then and in that case the money so

Orders to be irrevocable while the grantor is entitled to pay, or the wife or mother shall live, &c.

Wives, &c. to appear personally to receive allotments of pay, unless disabled by bodily infirmity.

allotted such wife, or mother, or person so appointed as aforesaid, in the event of the death of the wife, shall be paid to her or his order in writing, upon producing the original order for payment by such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, together with the other proper receipt and certificate as aforesaid.

If wives die, orders to be void if payment be not demanded within six months after signed by the navy board.

XII. And be it further enacted, That if no demand for payment upon or by virtue of any such original order of payment, or order of appointment as aforesaid, shall be made upon the treasurer of the navy, receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom the same shall be respectively directed, for the space of six calendar months from and after the date when the same shall respectively be signed by the commissioners of the navy, or any three of them, then the said order for payment, and appointment as aforesaid, in the event of the death of the wife, shall become void, null, and of no effect, and no payment whatever shall be made thereon, or in virtue thereof, or in virtue of both or either of them; and the wages or pay of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall, from and after the date of the last payment made on such order, be paid to him, or to his executors or administrators, as if he had never granted any such order.

Regulating officers and captains of ships neglecting to transmit lists, &c. liable to 50l. penalty.

XIII. And be it enacted by the authority aforesaid, That if any regulating officer or officers appointed for entering men for his Majesty's service, or any captain or commander of any ship or vessel in the pay of his Majesty, his heirs and successors, shall unnecessarily neglect or delay to transmit to the commissioners of the navy, at their board, the lists of such petty officers, seamen, or landmen, non-commissioned officers of marines, or marines, who have allotted part of their wages or pay for the maintenance and support of their wives and children, or mothers, such lists to be made out in manner before mentioned, or to transmit the declarations and orders made by such petty officers, seamen, or landmen, non-commissioned officers of marines, or marines, respectively, authorising such payments to be made to their wives or mothers, or for the use of their children, every such officer or officers, captain or commander, so neglecting or delaying, shall forfeit the sum of fifty pounds; and such fine or penalty shall be levied and recovered in such and the same manner, to all intents and purposes, as any conviction may be made, and any penalty and fine may be recovered or levied for any offence against any law by which any duty of customs or excise is imposed or laid; and the said fine and penalty, when recovered, shall be paid to the person or persons suing or prosecuting for the same.

If persons to whom orders are addressed shall not have money in hand when

XIV. And be it enacted by the authority aforesaid, That if any receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, or person employed under the treasurer of the navy, to whom such order shall be addressed and presented by the wife or mother of any petty officer,

officer, seaman, or landman, non-commissioned officer of marines, or marine, or by the person that may be appointed in manner before-mentioned to receive the same, in the event of the death of such wife, for payment of the sum allotted to such wife, child, or children, or mother, shall not then have in his hands publick money sufficient to answer the same, and shall for that reason refuse or delay the immediate payment thereof, such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, shall immediately deliver to the wife, or mother, or person appointed in the manner and in the event aforesaid, and demanding such payment, a note of the cause of his refusal or delay to pay the same, which shall bear the date when such demand was made and refused, and shall appoint thereon, for the payment of such demand, some future day, within the space of fourteen days from the day of the first demand being made upon him; and if upon complaint being made to the respective commissioners appointed by his Majesty, his heirs and successors, to manage the said several duties of the land tax, customs, or excise, or to the commissioners of the navy, if the person complained of be a clerk of the cheque, or person employed under the treasurer of the navy, it shall appear that such receiver general of the land tax, collector of the customs, collector of the excise, clerk of the cheque, or person employed under the treasurer of the navy, hath unnecessarily and wilfully refused or delayed the payment of such allowance allotted as aforesaid, or that such receiver general of the land tax, collector of the customs, collector of the excise, clerk of the cheque, or any person employed by or under any of them, or any person employed by or under the treasurer of the navy, hath directly or indirectly received or taken any fee or reward, gratuity, discount, or deduction whatsoever, or any sum under pretence of reimbursement of any expence incurred on account of the payment of the said allowance, it shall and may be lawful to and for any three or more of the said commissioners to convict and fine any such offender, under their respective directions, for every such offence, in a sum not exceeding fifty pounds, according to the nature and degree of the offence; and such fine shall be levied and recovered in such and the same manner, to all intents and purposes, as any conviction may be made, and any penalty and fine may be recovered or levied for any offence against any law by which any duty of customs or excise is imposed or laid, and the said fine, when recovered, shall be paid to the person suing or prosecuting for the same.

XV. And be it enacted by the authority aforesaid, That if any captain or commander in his Majesty's navy, or any agent of hospitals for sick or wounded seamen, shall neglect or delay to make their returns within a reasonable time, and according to the time by any act or acts of parliament limited for that purpose respectively, whereby or by means whereof any over-payment shall be made to the wife, or mother, or to the use of the child or children of any petty officer, seaman, or landman, non-com-

presented, they shall appoint a day, within a fortnight, for payment, &c

and for delaying payment, or taking fees liable to penalty.

Over payments occasioned by delays in making returns, to be made good by the defaulters.

missioned officer of marines, or marine, then and in every such case the commissioners of the navy, or commissioners of sick and wounded seamen, (as the case may be), shall and are hereby directed and enjoined to deduct from the salary, wages, or pay, of the captain or commander, or agent of hospitals for sick and wounded seamen, a sum equal to that which has been overpaid by or through his neglect or delay, upon such commissioners as aforesaid receiving a certificate, under the hand of the treasurer, or under the hand of the paymaster of his Majesty's navy, certifying that such over-payment has been made by or through the neglect or delay of such captain or commander in the navy, or agent of any hospital for sick and wounded seamen, and which sums so deducted shall be applied in replacing the sum so overpaid as aforesaid.

Orders for payment to wives may be revoked on certificates from ministers and churchwardens, &c.

XVI. And be it enacted by the authority aforesaid, That if any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, who shall have made an allotment of part of his wages or pay, and executed an order for payment of the same to his wife, shall at any time thereafter be desirous to revoke and recal the same, it shall be lawful for him so to do, upon his declaring such his intention, and actually revoking the same, by a writing under his hand addressed to the commissioners of his Majesty's navy, and accompanying such his declaration and revocation with a certificate from the minister and churchwardens or churchwarden, elders or elder, of the parish where his wife had her residence at the date of his declaration and order of payment of part of his wages to her, declaring that, in their opinion, such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, has just and reasonable cause for such his revocation; and if the commissioners of his Majesty's navy, upon receiving such revocation and certificate, and examining and considering the same, shall be satisfied of the reasonableness thereof, they, or any three of them, shall immediately give notice thereof to the treasurer of his Majesty's navy, or to the receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom the order of payment of the wife of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, was addressed, directing him to stop all future payment thereon, and the treasurer of the navy, or such collector of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, shall indorse upon the notice of such countermand of payment the date when he receives the same, and shall, within two days after, acknowledge the receipt thereof to the commissioners of the navy, and shall not, after receipt of such notice, make any further or future payment to the wife of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, and the husband of such wife shall thereafter be entitled to his wages or pay, in the same way and manner as if he never had made such declaration or order of payment to his wife, or until such petty officer, seaman, or landman, non-commissioned officer of marines,

or marine, shall make, in manner aforesaid, another declaration or order for payment, which he is hereby enabled to do notwithstanding of his having revoked the former.

XVII. And be it enacted by the authority aforesaid, That if at any time hereafter the wife of any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, to whom her husband shall in manner aforesaid have made any allotment of part of his wages or pay for the maintenance and support of her and of his child or children, shall desert or otherwise neglect and leave unsupported and maintained such child or children, whereby they or any of them, being under the age of fourteen, shall for the space of one month or more become chargeable upon any parish, it shall and may be lawful to the minister and churchwardens or churchwarden, elders or elder, of such parish, to certify the fact to the commissioners of the navy, and also their intention to appoint a proper person to receive and apply, to the use of such child or children so deserted or neglected, that part of the wages or pay which the father of such child or children had allotted for the support and maintenance of his wife and children; and if the commissioners of his Majesty's navy, or any three of them, shall be satisfied with the truth and reasonableness thereof, they shall proceed in the same way and manner towards the appointment of a proper person to receive that allotment of wages or pay which such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, had allotted to be paid to his wife, in the same way and manner as if she had died, to be received and applied by such person as may be so appointed, to and for the use and behoof of such child or children as aforesaid; and the same rules, orders, directions, and regulations, shall be followed and observed with respect to the person so to be appointed, when the wife shall desert or neglect the child or children of such petty officer, seaman, landman, non-commissioned officer of marines, or marine, as if such wife had died, and such appointment had taken place in consequence thereof; and from and after the date of such appointment, the wife shall not be entitled to or receive any part of her husband's wages or pay which had been allotted to her in manner aforesaid.

XVIII. And be it enacted by the authority aforesaid, That as soon as it shall appear to the commissioners of the navy, by the return and inspection of the books of any ship or vessel in the pay of his Majesty, his heirs or successors, or in any other manner or way, that any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, who has allotted a part of his pay to his wife and child or children, or mother, has either died, been dismissed, or in any other manner or way quitted or absented himself, from the service of his Majesty, his heirs and successors, the said commissioners of the navy, or any three of them, shall immediately communicate such intelligence to the treasurer of the navy, or to the receiver general of the land tax, or to the collector of the customs, or to the collector of the excise, or to the clerk of the cheque, by whom the proportion of

If wives to whom allotments are made desert their children, the minister and churchwardens may certify the same to the navy board, and their intention to appoint a person to receive and apply the money for the use of the children, &c.

Navy board to communicate death; &c. of petty officers, &c. who have allotted part of their pay, to the persons directed to pay it, who are to acknowledge the receipt in two days on penalty of sol. &c.

Anno regni tricesimo quinto GEORGII III. c. 28. [1795.]
 wages allotted to the wife, mother, child, or children, of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall have been directed to be paid, directing him to stop all future payments to such wife or mother, or on account of such child or children, from and after the day of the death of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, being dismissed, quitting, or absenting himself, from the service of his Majesty, his heirs and successors, and the treasurer of the navy, and such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, shall, within two days after the receipt of such notification, acknowledge the receipt of the same by letter addressed to the commissioners of the navy, at their board in *London*, under the penalty of twenty pounds, to be recovered and levied as aforesaid, and shall not, on any account or pretence whatever, pay or cause to be paid to the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, or to the person that may be appointed to receive the same for the use of such child or children, in manner before-mentioned, in the event of the death of such wife, the whole or any part of the allowance allotted for the maintenance and support of his wife or mother, or of his child or children, out of his pay, from and after the day on which it shall have been so notified that such petty officer, seaman, landman, non-commissioned officer of marines, or marine, had died, been dismissed, quitted, or absented himself, from the service of his Majesty, his heirs or successors, as aforesaid.

Ministers and churchwardens to give notice of the death of wives or mothers receiving allotments of pay to the navy board, or the persons paying the money, who are to discontinue the allowance till they receive further directions.

XIX. And be it enacted by the authority aforesaid, That as soon as it shall come to the knowledge of the minister, or any of the churchwardens, or any of the elders of any parish, that the wife or mother of any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, entitled to receive any benefit or allowance under the authority of this act, is dead, such minister, churchwarden, or elder, or any one of them, shall immediately give notice thereof, by letter, to the commissioners of the navy, or to the receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, from whom the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall have received the allowance allotted to her; and such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, shall immediately indorse on such letter of notification the day when he receives the same, and shall forthwith transmit it to the commissioners of the navy, and shall not thereafter make any payment on account or by virtue of the order under which such wife or mother, dying as aforesaid, was in use to receive her allowance out of her husband's or son's wages or pay as aforesaid, until he shall receive the further directions of the commissioners of the navy thereon, by their transmitting to him a triplicate of the order of appointment before mentioned of the person therein named being appointed for receiving

ceiving that part of the wages allotted by such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, for the maintenance and support of his child or children; but in case of no such appointment being made, the wages of every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall, from and after the death of his wife or mother, or the date of the last payment made thereon, belong and be paid to such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, his executors, administrators, or assigns.

XX. And be it enacted by the authority aforesaid, That the receipts taken from the wife or mother of every such petty officer, seaman, landman, non-commissioned officer of marines, or marine, together with the certificates of the minister and churchwarden or churchwardens, or minister and elder or elders, as the case may be, or the receipts taken from the person that may be appointed to receive such allotment for the use of the child or children, in manner before-mentioned, in case of the death of such wife, together with the certificate of the minister and churchwardens or churchwarden, elders or elder, as the case may be, by every such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, being produced and delivered at the navy office, shall be immediately assigned for payment by three or more commissioners of the navy, and shall be immediately repaid by the treasurer of the navy to such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque respectively, or to their respective order, who shall have paid the same to the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, or to the person that may be appointed to receive the same for the use of the child or children, in the event of the death of such wife, in manner as aforesaid.

Receipts for allotments of pay to be assigned for payment, on production of them and certificates at the navy office.

XXI. And be it enacted, That all and every such receipts and certificates taken from the wife or mother of every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, or from the person that may be appointed in manner aforesaid to receive such allotment for the use of the child or children, in case of the death of the wife, together with the certificates of the minister and churchwardens or churchwarden, elders or elder, as the case may be, by the treasurer of the navy, for payments made by him to such wife or mother, or to such person to be appointed in manner aforesaid, in case of the death of the wife, and all the payments made by him to any receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, or to their respective orders, in virtue of such assignments made by the commissioners of the navy, or any three or more of them, as before-mentioned, shall be deemed and taken as good and sufficient vouchers to the treasurer of the navy for so much money as shall have been paid by himself to the wife or mother of every such petty officer, sea-

Receipts for payments made by the treasurer of the navy, &c. to be sufficient vouchers.

man, or landman, non-commissioned officer of marines, or marine, or to the person that may be appointed in manner aforesaid, in the event of the death of such wife, or as shall have been directed to be paid by him to such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, or to their respective orders, by such assignments as aforesaid, and as shall have been paid by him thereon, and shall be allowed as such to the treasurer of the navy, in passing his accounts.

Regulations
for payment
of allotments
of pay in Ire-
land.

XXII. And be it enacted by the authority aforesaid, That as soon as an act shall be passed by the legislator of the kingdom of *Ireland*, making provision for payment in that country to the wife or mother, or for or on account of the child or children of any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, in his Majesty's navy, of the sum allotted out of his wages or pay for the maintenance and support of his wife and child or children, or mother, it shall and may be lawful to, and in the power of any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, to desire that such part of his wages or pay, which he shall allot for the maintenance of his wife and child or children, or mother, may be paid by any collector of the revenue, or revenue officer, in *Ireland*, and in such case the regulating officer for entering men for the navy, or the captain or commander of such ship or vessel as aforesaid, as the case may be, is hereby required, in the list he is hereinbefore directed to make out, to mark, in a separate column, that such payment is requested to be made in *Ireland*, the name of the wife or mother of every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, and that he has a child, or how many children, distinguishing how many of such children are boys, and the district or address of the collector or revenue officer by whom such payment is desired to be made in *Ireland*; and such regulating officer, or captain or commander, shall, upon the triplicates of such declaration and order for payment as are above mentioned, address the same to the collector or revenue officer in *Ireland*, by whom such payment is desired to be made; and the commissioners of the navy, upon receiving such lists, declarations, and orders as aforesaid, shall and are hereby directed to examine, number, date, and sign the same, in manner as before directed, and shall in like manner cut the said triplicates asunder through the oblique lines, flourishes, and devices, and shall cause one of the said declarations and orders to be transmitted forthwith to the person named therein, as the wife or mother of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, and another of the said triplicates to be transmitted forthwith to the commissioners of the revenue in *Ireland*, and the third of the said triplicates to be delivered forthwith to the treasurer of the navy.

On death of
wives receiv-
ing allotments

XXIII. And be it enacted by the authority aforesaid, That, in the event of the death of the wife of any petty officer, or seaman, or landman,

landman, non-commissioned officer of marines, or marine, whose wife resided in *Ireland*, and was entitled to an allotment out of the wages of her husband, to be paid in *Ireland*, the same rules, orders, and regulations, shall be observed with respect to the appointing of a proper person in *Ireland* to receive the same allotment out of the wages of such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, for the maintenance of such child or children, which he may have, under fourteen years of age, as are herein-before directed respecting the child or children of such petty officers, seamen, or landmen, non-commissioned officers of marines, or marines, whose wives shall die in *Great Britain*, save that the triplicate of the appointment of such person who may be appointed to receive the said allotment in *Ireland*, in the form and manner before-mentioned, and which is herein-before directed to the receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque in *Great Britain*, shall be transmitted to the commissioners of the revenue in *Ireland*.

of pay in *Ireland*, the regulations in such event in *Great Britain* to be observed, except as to the transmission of triplicates of appointment.

XXIV. And be it enacted by the authority aforesaid, That when any sum allotted by any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, to be paid to his wife, or mother, or for the maintenance of his child or children, out of his wages or pay, shall have been actually paid by the direction of the commissioners of the revenue in *Ireland*, such sum or sums shall be repaid by the treasurer of the navy, who is hereby directed and required to pay the same to the commissioners of the revenue in *Ireland*, or to their order, upon their producing and delivering the receipt or receipts of such wife or mother, or person to be appointed as herein-before mentioned, and the certificate or certificates of the minister and churchwardens or churchwarden, or elders or elder before-mentioned, to the commissioners of the navy, they, or any three of them, having previously assigned the same upon the treasurer of the navy for payment.

Allotments paid by the commissioners of the revenue in *Ireland*, to be repaid by the treasurer of the navy.

XXV. And be it enacted by the authority aforesaid, That all and every sum or sums of money to be paid to the wife or mother, or to the person appointed to receive the same for the use of the child or children of any petty officer, or seaman, or landman, non-commissioned officer of marines, or marine, under the authority of this act, shall be fully and completely paid to her or him without any deduction or abatement, or under the pretence of reimbursement of any expence whatsoever, although part thereof may be in fractions of the smallest denomination: and every person detaining or withholding any part thereof, under pretence of former privilege or usage of office, or upon or under any pretence whatsoever, shall, for every such offence, forfeit and pay the sum of twenty pounds, to be recovered in the same way and manner as any penalty or forfeiture in the collection of the duties of excise and customs is directed to be levied and recovered, and shall be paid to the person suing and prosecuting for the same.

Allotments to be paid without deduction on penalty of 20l.

XXVI. And

Letter a from
and to the
cashier of the
treasurer of
the navy to be
free of post-
age.

XXVI. And be it enacted by the authority aforesaid, That all letters or packets sent by the cashier of the treasurer of the navy for paying seamen's tickets, in the execution of this act, in manner and form herein-after directed, shall, from and after the first day of *May* one thousand seven hundred and ninety-five, be sent free from the duty of postage; and all letters and packets relating to the execution of this act, that shall be forwarded by the cashier of the treasurer of the navy for paying seamen's tickets, shall be under covers, with the words, 'Pursuant to act of parliament thirty-fifth *George* the Third,' printed upon the same, and the said cashier shall write his name under the same, and he is hereby strictly prohibited and discharged from inclosing or sending under such covers any writing, paper, or parcel whatever, excepting such as shall relate to the execution of this act.

Penalty on
cashier for
sending under
cover any
paper not re-
lating to this
act.

XXVII. And be it further enacted, That if any cashier appointed or to be appointed by the treasurer of the navy to pay seamen's tickets, shall presume to send or convey, under the covers aforesaid, any writing, paper, or parcel, other than those relating to the execution of this act, he shall, for every such offence, forfeit and pay the sum of one hundred pounds, and such fine shall be levied and recovered in such and the same manner, to all intents and purposes, as any conviction may be made, and any penalty or fine may be levied or recovered for any offence against any law by which any duty of customs or excise is imposed or laid; and the said fine when recovered, shall be paid to the informer or informers against such offender or offenders.

Treasurer or
paymaster of
the navy, &c.
may inspect
muster books,
&c.

XXVIII. And be it enacted by the authority aforesaid, That the treasurer or paymaster of his Majesty's navy, and the clerks employed or to be employed by the treasurer of the navy to carry this act into execution, shall, at all reasonable times have access to, and be entitled to inspect and peruse, the muster book or muster books of any ship or vessel whatsoever in the pay of his Majesty, his heirs and successors, and all returns from hospitals, hospital ships, or sick quarters, and also to take such extracts or copies therefrom as they may think proper.

Petty officers,
&c. making
allotments of
pay to be
borne on the
ships books
for the bal-
ance only,

XXIX. And be it enacted, That, from and after the first day of *May* one thousand seven hundred and ninety-five, where any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall make an allotment of part of his wages or pay for the support and maintenance of his wife and children, or of his mother, every such petty officer, seaman, or landman, non-commissioned officer of marines, or marine, shall, from and after the date of such allotment and order for payment, signed by him as aforesaid, only be rated and borne on the ship's books for the balance of his wages or pay that shall remain after deducting the sum so allotted for the maintenance of his wife and children, or mother.

Persons forg-
ing orders for
payment, &c.
to suffer
death.

XXX. And be it enacted, That if any person or persons, from and after the first day of *May* one thousand seven hundred and ninety-five, shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly

act

act and assist in the false making, forging, or counterfeiting, any such declaration or order for payment, or any certificate or receipt herein-before described or mentioned, or shall utter or publish as true any such false and forged declaration, order, certificate, or receipt, to enable any person or persons to obtain payment of any wages or pay, or any part thereof, allotted as before-mentioned by any petty officer, seaman, landman, non-commissioned officer of marines, or marine, to be paid to or for his wife and children, or mother, in manner herein-before mentioned, then every such person or persons, being thereof convicted, shall be adjudged guilty of felony, and shall suffer death as a felon, without benefit of clergy.

XXXI. And be it further enacted by the authority aforesaid, That the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain*, shall direct the commissioners of the navy to deliver sufficient quantities of blank declarations and orders for payment in the forms prescribed by this act, to all regulating officers employed in raising men for his Majesty's navy, and to all captains and commanding officers in his Majesty's navy; and the said lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain*, shall direct the treasurer of the navy to cause to be printed an abstract of the provisions and regulations contained in this act, and to send and deliver a competent number of copies thereof to the principal officers and commissioners of his Majesty's navy, to the commissioners of the customs and commissioners of excise in *England* and *Scotland*, and to the clerks of the cheque in his Majesty's dock yards, who are hereby strictly ordered and enjoined to hang up and affix the same in some conspicuous part of their several offices, and to publish and promulgate the same as much as may be in their respective departments; and the said lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain*, are further directed to cause a competent number of the copies of the said abstract to be delivered to the captain or commander of every ship or vessel in his Majesty's service, for the use of every such ship or vessel, and such captain or commander is hereby directed and required to publish, promulgate, and read over the said abstract, at the same time, in the same manner, and under the same penalties and forfeitures as are directed (with respect to the articles of war and former acts relating to his Majesty's navy) by the act of the thirty-second year of King *George* the Third, intituled, *An act for extending certain acts therein mentioned to petty officers and seamen, non-commissioned officers of marines, and marines, serving, or who may have served on board any of his Majesty's ships, and residing in Ireland.*

The admiral-ty to direct the commissioners of the navy to deliver to regulating officers and captains forms of declarations and orders of payment; and the treasurer to cause to be printed and delivered an abstract of the provisions of this act to the commissioners of the navy, &c. Admiralty to cause copies of abstract to be delivered to captains of ships to be read over with the articles of war as directed by 32 Geo. 3. c. 67.

C A P. XXIX.

An act for raising a certain number of men, in the several counties, stewartries, royal burghs, and towns, in that part of Great Britain called Scotland, for the service of his Majesty's navy.—[April 28, 1795.]

Preamble.

WHEREAS it is expedient for the publick service, that the most effectual means should be adopted for providing a supply of men, to serve in his Majesty's navy; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in the present parliament assembled, and by the authority of the same, That there shall be levied within that part of Great Britain called Scotland, in the several counties or stewartries, and royal burghs and towns, herein-after mentioned, such able-bodied men to serve his Majesty in the navy of Great Britain, at such times and in such manner as herein-after is directed; and that the number of men to be levied by virtue of this act shall be as follows; (that is to say),

Men to serve in the navy to be levied in Scotland in the proportions following.

For the county of *Aberdeen* one hundred and forty-one.

For the city of *Aberdeen* twenty-two.

For the burgh of *Kintore* one.

For the burgh of *Inverary* one.

For the county of *Ayr* sixty.

For the burgh of *Ayr* five.

For the burgh of *Irvine* two.

For the town of *Kilmarnock* eighteen.

For the county of *Argyll* ninety.

For the burgh of *Inverary* two.

For the burgh of *Cambellton* two.

For the county of *Bute* eight.

For the burgh of *Rothesay* two.

For the county of *Berwick* thirty-three.

For the burgh of *Lauder* two.

For the county of *Banff* forty-seven.

For the burgh of *Banff* seven.

For the burgh of *Cullen* one.

For the county of *Caitbness* twenty-three.

For the burgh of *Wick* two.

For the town of *Thurso* six.

For the county of *Cromarty* eight.

For the county of *Clackmannan* nine.

For the county of *Dumfries* forty-one.

For the burgh of *Annan* two.

For the burgh of *Dumfries* eleven.

For the burgh of *Lochmaben* one.

For the burgh of *Sanquhar* one.

For the county of *Dunbarton* sixteen.

For the burgh of *Dunbarton* four.

For the county of *Edinburgh* sixty.

For the city of *Edinburgh*, including the liberties of *Canongate*, *Pleasance*, *South* and *North Leith*, and *Coalhill*, sixty.

For the town of *Dalkeith* five.

For the town of *Musselburgh* five.

For the county of *Elgin* thirty-eight.

For the burgh of *Elgin* four.

For the burgh of *Forres* two.

For the county of *Fife* eighty-eight.

For the burgh of *Cupar* four.

For the burgh of *Dunfirmline* seven.

For the burgh of *Inverkeithing* one.

For the burgh of *Bruntisland* two.

For the burgh of *Kinghorn* one.

For the burgh of *Kirkcaldy* four.

For the burgh of *Dysart* two.

For the burgh of *Anstruther Easter* one.

For the burgh of *Anstruther Wester* one.

For the burgh of *Craill* one.

For the burgh of *Kilrenny* one.

For the burgh of *Pittenweem* one.

For the burgh of *Saint Andrew's* four.

For the county of *Forfar* sixty-four.

For the burgh of *Brechin* three.

For the burgh of *Dundee* twenty-two.

For the burgh of *Forfar* three.

For the burgh of *Montrose* three.

For the burgh of *Arbroath* three.

For the county of *Haddington* thirty-five.

For the burgh of *Haddington* four.

For the burgh of *Dunbar* three.

For the burgh of *North Berwick* one.

For the county of *Inverness* seventy-four.

For the burgh of *Inverness* eleven.

For the county of *Kinross* six.

For the county of *Kincardine* thirty-two.

For the burgh of *Inverbervie* one.

For the stewartry of *Kirkcudbright* twenty-seven.

For the burgh of *Kirkcudbright* three.

For the county of *Lanerk* fifty-five.

For the city of *Glasgow* fifty-seven.

For the town of *Hamilton* two.

For the burgh of *Lanerk* one.

For the burgh of *Ruglen* one.

For the county of *Linlithgow* eighteen.

For the burgh of *Linlithgow* four.

For the burgh of *Queensferry* one.

For the county of *Nairne* six.

For the burgh of *Nairne* two.

For *Orkney* thirty-four.

For the burgh of *Kirkwall* three.

For *Zetland* eighteen.

For the county of *Peebles* ten.

For the burgh of *Peebles* three.

For the county of *Perth* one hundred and fifty-two.

For the burgh of *Perth* eighteen.

For the burgh of *Culrofs* one.

For the county of *Renfrew* twenty.

For the burgh of *Renfrew* one.

For the town of *Paisley*, and the villages of *Newtown*, *Williamshurg*, *Smithhills*, *Carriagehills*, *Maxwelltown*, and *Millerston*, twenty.

For the town of *Port Glasgow* one.

For the town of *Greenock* four.

For the county of *Rofs* fifty-six.

For the burgh of *Tain* two.

For the burgh of *Dingwall* two.

For the burgh of *Fortrose* one.

For the county of *Roxburgh* forty-three.

For the town of *Kelfo* five.

For the burgh of *Jedburgh* two.

For the county of *Selkirk* four.

For the burgh of *Selkirk* two.

For the county of *Stirling* eighteen.

For the burgh of *Stirling* five.

For the county of *Sutherland* twenty-nine.

For the burgh of *Dornock* one.

For the county of *Wigtoun* forty-nine.

For the burgh of *Wigtoun* two.

For the burgh of *Whitehorn* one.

For the burgh of *New Galloway* one: and

For the burgh of *Stranraer* four.

Admiralty to
appoint offi-
cers to regu-
late the admis-
sion of men.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners for executing the office of lord high admiral of *Great Britain* for the time being,

and they are hereby required to constitute and appoint so many officers to regulate the admission of men to be levied under the authority of this act for his Majesty's service, as the said commissioners shall deem necessary, who, being so respectively appointed, shall establish convenient places of rendezvous for the reception of such men; and every man so to be levied shall, before his enrolment, be examined by one such regulating officer at the least, as to his ability to serve his Majesty; and every such officer shall have the full power of approving or of rejecting any man tendered to serve his Majesty, subject nevertheless to such controul and superintendance as by this act is particularly directed.

III. And be it enacted by the authority aforesaid, That the clerks of the peace of the said several counties and stewartries in Scotland, (excepting the counties of *Inverness, Ross, Cromarty, Sutherland, and Caithness*, and the stewartry of *Orkney and Zetland*), shall, within fifteen days after the passing of this act, and the clerks of the peace of the said counties of *Inverness, Ross, Cromarty, Sutherland, and Caithness*, and of the said stewartry of *Orkney and Zetland*, shall, within twenty-five days after the passing of this act, or sooner if it can be done, cause an advertisement to be published in some one newspaper published, or usually circulated within the county, summoning the justices of the peace of the said different counties and stewartries to meet in general session upon a day to be mentioned in such advertisement, and at the usual place where the justices of each county severally are accustomed to meet; and the justices, when assembled at such meeting, shall proceed to distinguish and ascertain the valued rent of the different parishes within the county or stewartry, and apportion the number of men to be raised for each county or stewartry upon the several parishes, according to the proportion which the valuation of such parish bears to the total valuation of the county; and the said justices shall have power to adjourn till the duty incumbent on them by this act is fully discharged, so as such adjournment shall only be from day to day, *Sundays* excepted.

Clerks of the peace to summon a general session of the justices.

Session to ascertain the rent of parishes, and apportion the number of men to be raised for each county.

IV. And be it further enacted, That immediately after making such apportionment in each shire or stewartry, the justices of the peace in and for the same shall cause their clerk to transmit to the ministers of the several parishes within the shire or stewartry, other than parishes comprehended within the royal burghs and towns herein-before mentioned, an intimation to be read from the pulpit the first day of divine service after receiving the same, requiring the heritors of the parish to meet, by themselves or agents, within five days from the time of the intimation being so made at the parish church or manse of the said parish; and the heritors, or their said agents, shall meet accordingly, and at such meeting shall direct such measures to be taken as to them shall seem most expedient to procure the number of men apportioned on the parish, by the payment of bounty money, and to have the men procured delivered over to the regulating officer appointed to pass and receive them, within ten days after the meeting; and in case the said number of days shall elapse without the quota of men apportioned

Justices to cause their clerk to transmit to ministers an intimation to be read from the pulpit, requiring heritors to meet to direct measures for procuring men, &c.

Heritors to pay 25l. for

each man de-
ficient of quo-
ta, &c.;

tioned upon the parish being produced, delivered over, and passed, then the heritors of such parish shall be liable, in the first instance, to pay unto the collector of the cess for the county or stewartry within which the parish is situated, a sum of money equal to twenty-five pounds sterling for each man of the quota required from the parish deficient, such deficiency being certified under the hand of the regulating officer of the district, and copies of his certificate delivered to the minister of the parish, and to the clerk of the peace for the shire or stewartry in which the parish is situated; and in case the said heritors shall fail to make such payment within the time above-mentioned, then the justices of the peace of the county or stewartry shall immediately assess the parish in the sum due for its deficiency at the rate aforesaid, according to the valued rent of the parish, ascertained by them in manner aforesaid, and shall order the collector of the land tax for such county or stewartry, and he is hereby authorised and required, without loss of time, to recover the same from the heritors of such parish, in the same manner, and by the same means, as he is empowered by law to recover and render the land tax effectual.

and if not paid,
the justices to
assess the pa-
rishes for defi-
ciencies, &c.

Bounties to be
paid by the
heritors, who
may raise the
amount on the
parishes agree-
ble to act 1663.
c. 16, &c.

V. And be it enacted by the authority aforesaid, That the bounty monies to men procured by the heritors of the several parishes shall, in the first place, be provided and paid by the said heritors, and an account kept thereof, and at the elapse of the time before-mentioned, when the sum of twenty-five pounds for each man then deficient is appointed to be recovered and paid as aforesaid, in order to defray the expence of the bounties to be given to the said men, it shall be lawful to the heritors in the said parishes, or such of them as have advanced the bounty monies, or to any person authorised by them, to raise a sum equal to the whole of the money so advanced and paid by them upon the parish agreeably to the act of the parliament of *Scotland* which was passed in the reign of *Charles* the Second, in the year one thousand six hundred and sixty-three, chapter sixteen, and the proclamations of the privy council of *Scotland* in the reign of King *William*, ratified by an act of the parliament of *Scotland*, which was passed in the same reign, first *September* one thousand six hundred and ninety-eight, chapter twenty-first.

Heritors pay-
ing for defi-
cient men may
assess inhabi-
tants, &c. in a
moiety of the
sum.

VI. And be it enacted by the authority aforesaid, That in the case aforesaid of the number of men allotted to any parish not being raised and delivered over as above directed within the time before limited, and the sum of twenty-five pounds for each deficient man being raised from the heritors as before directed, then the heritors paying shall be, and they are hereby authorised to assess the tenants, inhabitants, and possessors, of such parish, in a moiety of the sum so paid, to be levied in the same manner as they are empowered to do by the aforesaid acts of the parliament of *Scotland*.

Assessmen's
may be reco-
vered by dis-
tress.

VII. And be it enacted, That in case any person or persons shall refuse or delay to pay his, her, or their proportion of the sum or sums so assessed or imposed, within the time appointed for payment thereof, the same shall, upon a complaint to the sheriff or

stewart

steward depute of the shire or stewardry, or his substitute, by the procurator fiscal of the county or stewardry, be recovered and rendered effectual by distress and sale of the effects of the person or persons refusing or delaying so to pay.

VIII. And be it enacted by the authority aforesaid, That in all cases where there is not sufficient evidence of the valued rent of lands, the apportionments and assessments hereby directed shall be made according to the customary payment of the cess or land tax, or in such other way as to the justices of the peace of each shire or stewardry, assembled as aforesaid, shall seem best; and in case there be no acting justice of the peace within any district, the duty and powers by this act made incumbent on or given to the justices shall be performed and exercised by the sheriff depute or substitute for such district, and the duties of the clerk of the peace by the sheriff or steward clerk, or his deputies.

Where there is no evidence of the rent of lands, assessments to be made according to the land tax; and where there are no acting justices, the sheriff depute to act, &c.

IX. And be it further enacted, That it shall be lawful for the said justices at their said meetings to add together, whenever they shall think it necessary, two or more parishes for the raising any man or number of men in pursuance of this act, so as to make the charge as equal, and impartial, and convenient as possible; and the heritors of the parishes so added together, or their agents, shall proceed to raise the proportion of men allotted for the same, and to raise the money necessary; and all the other proceedings directed by this act shall take place in like manner as if the parishes so joined did originally or by law form but one parish; and the justices shall, in the case of such junction, direct where the heritors of the parishes joined shall meet: and the said heritors are hereby directed and required to meet at the place so appointed accordingly, by themselves or their agents.

Justices may add together two or more parishes for raising men, &c.

X. And be it further enacted, That where any parish lies in two or more counties or stewardries, the charge imposed on such parish for raising men for his Majesty's service by this act shall be in the shire or stewardry where the church belonging to such parish is situated, and the whole of such parish shall, for the purposes of this act, be deemed part of the said shire or stewardry, and all the money to be levied for or in respect of such parish, in pursuance of this act, shall be paid to and recovered by the officers of the same.

The charge for raising men in a parish lying in two counties to be made in that where the church is situated, &c.

XI. And be it enacted by the authority aforesaid, That in case any regulating officer shall fail to make his certificate, and to cause copies thereof to be delivered as herein-before directed, he shall for every such failure be liable in the penalty of thirty-one pounds ten shillings, to be recovered by summary complaint made by the procurator fiscal of the county or stewardry to the sheriff or steward depute; and in case the procurator fiscal shall fail in his duty in any of the articles before-mentioned, then he shall be liable in a penalty of thirty-one pounds ten shillings for each failure, to be recovered by a summary complaint to the sheriff or steward depute by the regulating officer, the collector of the land tax, or any heritor of the parish.

Penalty on regulating officer and procurator fiscal for neglect.

Orders of
sheriffs, &c.
final.

XII. And be it further enacted, That the orders or decrees of the sheriffs or stewarts depute, and of the justices of the peace in any of the cases before-mentioned, and in all proceedings held under this act shall be final and conclusive as to all parties, and shall not be removeable by bill of suspension, advocacion, or any other form or process of law, into any superior or other court whatsoever.

Magistrates
within a li-
mited time to
take measures
for levying
men, and may
levy money to
pay bounties.

XIII. And be it further enacted by the authority aforesaid, That the magistrates of the several cities, royal burghs, and towns, in this act mentioned, except the burghs and towns to the northward of *Inverness*, shall within ten days after the passing of this act, and the magistrates of the several burghs, and towns in this act mentioned, situated north of *Inverness*, shall, within twenty-five days after passing of the same, or sooner if it can be done, take such measures as shall seem to them most expedient for levying the number of able-bodied men, according to the proportions herein before allotted for each of the said cities, royal burghs, and towns; and they shall be, and they are hereby authorized to levy from the heritors, burgesses, and inhabitants, of such cities, burghs, and towns, a sum not exceeding twenty-five pounds *per man*, for paying the bounties they may see proper to give to such men as are actually levied, not exceeding the numbers allotted for such city, burgh, or town, by this act, in such manner, and by the same proportions, as the cess, stent, and other publick burdens and contributions are in use and by law assessed and levied in such cities, burghs, and towns respectively; and the men so levied shall be delivered over by the said magistrates to the regulating officer appointed to act for that place in manner aforesaid.

If the com-
plement of
men is not
raised within
a limited
time, the
magistrates to
assess the
heritors and
inhabitants
for the de-
ficiency.

XIV. And be it enacted, That in case the magistrates of any of the said cities, royal burghs, or towns, shall not have raised its full complement of men accepted of by the regulating officer within fifteen days after they are herein-before directed to take measures for that end, then the said magistrates shall assess the heritors and inhabitants in a sum equal to twenty-five pounds for each man deficient, and shall levy the sum so assessed in the same manner, and according to the same proportions, that the cess and other publick contributions are in use to be levied by law in such city, burgh, or town, and the said sum shall be paid to the collector of the cess for such city, burgh, or town, or where there is no collector of the cess for such city, burgh, or town, then to the collector of the cess for the shire or stewartry within which such city, burgh, or town, is situated, to answer and pay the bounty money given to men levied to supply the deficiency, until the whole number allotted for such city, burgh, or town, shall be completed.

Magistrates
neglecting to
make assess-
ments for de-
ficiencies to
be personally
liable, &c.

XV. And be it enacted, That in case the magistrates of any of the said cities, burghs, or towns, shall neglect or refuse to assess and stent the heritors and inhabitants thereof for the sums of money for which such city, burgh, or town, may be liable in case of deficiency as aforesaid, or to levy, apply, and pay over the same in

in manner and for the purposes aforesaid, then the magistrates of such city, burgh, or town, making default, shall be personally liable in a penalty equal to the sum deficient, to be recovered by summary complaint to the sheriff depute, at the instance of the procurator fiscal of the sheriff court, within the jurisdiction whereof such city, burgh, or town, making default, is situated; and the sums so recovered shall be paid over and applicable in the same way that the sums are by this act directed to be applied in the case of the magistrates levying the same from the heritors and inhabitants.

XVI. And be it enacted by the authority aforesaid, That where parishes are partly landward and partly within burgh, the landward part of the parish shall be considered as part of the shire or stewartry liable for its proportion of the men allotted by this act to be raised in or for the same, and the part within burgh shall be included in the allotment for the burgh.

XVII. And be it enacted by the authority aforesaid, That it shall be lawful for any justice of the peace, or any sheriff or steward depute, or substitute, or chief magistrate resident in any city, burgh, or town, in this act mentioned, before whom any person shall be brought to be examined touching his consent to enter into his Majesty's service, to direct that any sum, not exceeding one third part of the bounty agreed to be paid to him on his engaging to serve shall be advanced to such person, or to such of his family, and in such proportions, as he shall request at the time of his enrolment herein-after mentioned; and that the residue of such bounty shall be paid into the hands of the collector of the cess for the shire or stewartry, burgh or town, to which the said person belongs, or for which he is enlisted, there to remain until the same shall become payable to such person, on his being mustered on board any of his Majesty's ships of war.

XVIII. And be it enacted, That every person who shall agree to enter himself as a volunteer in such service as aforesaid, shall be produced before the officer or officers appointed to regulate such service at the nearest place of rendezvous to any parish or place for which such volunteer shall agree to serve; and in case such officer or officers shall, on examination, approve of such volunteer to serve his Majesty, then such volunteer or volunteers may forthwith be brought before any such justice, sheriff depute, or substitute, or chief magistrate, resident as aforesaid, acting in and for the parish or place; and in case it shall appear to such justice, sheriff depute, or substitute, or magistrate, that such person or persons hath or have voluntarily entered himself or themselves in the service of his Majesty's navy, then they are hereby required forthwith to certify under their hands that such person or persons hath or have voluntarily entered himself or themselves in the service of his Majesty's navy, and at the foot of such certificate enter the amount of the sums to be paid as bounty or bounties to such volunteer or volunteers, on his or their entering into such service, and the sums (if any) which have been directed to be advanced to him or them at the time of his or their enrolment;

The landward part of parishes to be deemed part of the shire; and the parts within the burgh, part of the same.

Justices, &c. may direct a third of bounties to be advanced to volunteers on their being brought for examination; and the residue to remain in the hands of the collector of the cess, till they are mustered on board.

Volunteers to be brought before the nearest regulating officer, and, if approved, before a justice, &c. who shall certify their entering, &c.:

when certificates are delivered, to be inrolled.

If regulating officers reject volunteers, the heritors or magistrates may apply to the sheriff depute, &c.

Regulating officer, before hearing complaint, to write his reasons for rejection.

Sheriffs order final.

If men are not procured by the heritors or magistrates, persons authorised by his Majesty may produce substitutes, or volunteers may offer themselves as such to any justice, &c.

who shall settle the bounty, certify consent, &c. and order the collector of the cels to pay the bounty.

Certificates or copies to be transmitted with the persons inrolled to the commanding officer of the ship, who shall make out a

ment; and which certificates shall be delivered to such regulating officer, and he shall thereupon cause such person or persons to be inrolled in his Majesty's naval service.

XIX. And be it enacted, That in case the regulating officer at the nearest place of rendezvous aforesaid shall reject any person or persons produced before him as such volunteer or volunteers as unfit to serve his Majesty, and the heritors of any parish, or magistrates of any burgh or town, for which such person or persons shall have been tendered to serve, shall think themselves aggrieved by the rejection, it shall and may be lawful for any one of such heritors or magistrates to apply by summary complaint to the sheriff or steward depute, or substitute, of the shire or stewartry, who shall cause the said complaint to be served on the said regulating officer or officers, directing him to answer the same within a time to be limited, not exceeding six days, and he or they, on receiving such notice, shall, and they are hereby required, before the time of hearing the matter of the said complaint, to set down his reasons in writing for such rejection, and such writing being exhibited to the sheriff or steward depute, or their substitute, they shall do therein what shall seem to them in their discretion expedient, and their order shall be final and conclusive.

XX. And be it enacted, That in all cases where default shall be made in procuring and delivering men by the heritors or magistrates as aforesaid, it shall be lawful for any person or persons, having authority under his Majesty to provide men for the service of the navy, to produce any person or persons, substitute or substitutes, or for any such person or persons voluntarily to come before any justice of the peace, sheriff or steward depute, or substitute, or chief magistrate resident of the county, district, or place, respectively for which they are produced or come, and be examined as to their consent to serve in his Majesty's navy, as substitutes for such parishes or places respectively, and who shall, and they are hereby authorised and required to settle the bounty or bounties to be paid for such substitute; and such justices shall, in case any such persons shall be approved of by the regulating officer as aforesaid, certify such consent and approbation, and the bounties agreed to be paid, in the manner herein-before directed with respect to volunteers; and the said justices shall thereupon make an order upon the collector of the cels for the shire or stewartry, or burgh or town, for which such substitute is inrolled, to pay the bounty money out of the money in the hands of such collector, arising from the assessments made for and in the parish or place for which such substitute or substitutes is or are admitted.

XXI. And be it enacted, That every such certificate so granted, or a full and true copy thereof, signed by the regulating officer, shall in all cases be transmitted alongst with the person inrolled, and delivered to the commanding officer of the ship or vessel on board which such person shall be entered to serve, and such commanding officer shall, within four days from the time of such person being mustered and rated on board such ship, or before such ship or vessel shall

shall proceed to sea, make out a ticket or tickets for the payment of the bounty money agreed to be paid to such person, and then remaining due, in such manner as if such money had become due to such person on account of arrears of wages as a seaman on board such ship or vessel, and such bounty money shall and may be paid to such person, or to his family, in the manner directed by the acts regulating the payment of the wages of seamen employed in the royal navy, the money being paid by the collector of the cefs for the particular shire, stewartry, or burgh or town.

ticket for the bounty due, &c.

XXII. Provided always, and be it enacted, That no person shall be received or inrolled in his Majesty's service by virtue of this act, who is not, in the opinion of the regulating officer or officers, such an able bodied man as is fit to serve his Majesty, and is free from ruptures, and every other distemper or infirmity which may render him unfit to perform his duty in the navy; or who, in the opinion of such officer or officers, shall appear to be under the age of sixteen years, or above the age of forty-five years; nor any person being an articulated clerk or apprentice (unless with the consent of the master of such clerk or apprentice); nor any person enlisted in any of his Majesty's forces, or already entered in his Majesty's navy; nor any deserter: provided that no person inrolled by virtue of this act shall by reason of any such disqualification, as being a clerk, or apprentice, or enlisted, or entered, or being a deserter, be liable to be discharged from his Majesty's service, or taken out of the same, unless notice in writing of such disqualification shall be given to the officer or officers under whose command such person shall be, before the time of his entering on board any of his Majesty's ships of war as a sailor, and before the bounty hereby authorized to be paid, or any part thereof, shall have been paid or satisfied to him.

Disqualified persons not to be inrolled.

But no such person if inrolled shall be discharged as being an articulated clerk, &c. unless notice of his disqualification be given before his entering on board, or receiving his bounty.

XXIII. And be it enacted, That all the laws and regulations established against deserters from his Majesty's naval service, and against persons harbouring or concealing deserters, shall attach upon and be construed to comprehend the cases of persons inrolled by virtue of this act.

Laws against deserters, &c. to extend to persons inrolled.

XXIV. And be it enacted, That it shall and may be lawful to quarter and billet the men inrolled in his Majesty's service, by virtue of this act, while on shore, in such manner, and at such times and places respectively, and under such and the like powers, rules, regulations, restrictions, and provisions, as his Majesty's marine forces may be quartered and billeted by an act, passed in the last session of parliament, intituled, *An act for the regulation of his Majesty's marine forces while on shore*, or by any other act in force for the regulation of his Majesty's said marine forces.

Men inrolled may be billeted as the marines.

XXV. And be it further enacted, That all the expences incurred in the execution of this act, (including such gratifications for the trouble of the clerks of the peace, and other officers, who are respectively required to execute this act, as shall be deemed adequate for their trouble by the justices of the peace or sheriff depute, or substitute, or resident chief magistrate as aforesaid), shall be defrayed by the several counties, stewartries, burghs, and towns,

Expences of executing this act to be defrayed by the respective counties, &c.

severally ; and the collectors of the land tax in the several counties, stewartries, and burghs, are hereby empowered to assess and levy the said expence along with the land tax, according to the rules and proportions herein-before mentioned.

Collectors of the land tax may advance bounties.

XXVI. And be it enacted by the authority aforesaid, That until the money to be raised by virtue of this act shall be actually recovered and paid in to the several collectors, that the respective collectors of the land tax, out of the publick money in their hands, shall, and are hereby authorized and required to advance and pay such sums as may be necessary for payment of bounties to such persons as shall be approved of by the regulating officers.

Persons receiving money under this act to be liable as publick accountants. Surplus to be at the disposal of the treasury, &c.

XXVII. And be it further enacted, That the collectors of the cesses in the several counties, stewartries, burghs, and towns, herein-before mentioned, and all other persons into whose hands money raised or contributed under or in pursuance of this act shall be paid, shall be liable for the same as publick accountants ; and all surplus money remaining, after satisfying the purposes of this act, shall be at the disposal of the commissioners of his Majesty's treasury, to be applied in providing men for the augmentation of his Majesty's navy, in such manner as in their discretion shall seem expedient ; and the said collectors and receivers shall transmit an account of such surplus money to his Majesty's treasury accordingly, within thirty days after such surplus shall arise, and the usual process shall and may issue for compelling an account and payment thereof.

Regulating officers may intimate to clerks of the peace, and chief magistrates, when and where he will be ready to receive men.

XXVIII. *And whereas the regulating officer appointed to receive and pass the men as above-mentioned may not be able to go through the examination of such men at the different places of rendezvous within his district, in the space of ten days after the meeting of the heritors for the purposes above-mentioned ;* be it enacted, That such regulating officer may intimate to the clerks of the peace of each county or stewartry, and chief residing magistrate of each burgh or town situated within his district, that he will be ready to receive such men as they may have procured, at such particular place of rendezvous, and on such several successive days, as he may find absolutely necessary, to enable him to travel without loss of time, and with all suitable dispatch, from one place of rendezvous to another, in the several counties, burghs, and towns, within his district ; and the clerk of the peace shall forthwith give notice to the minister of each parish within the county, or, in his absence, to the precentor or session clerk of the same, of the place of rendezvous, and the particular day on which the heritors of such parish are respectively to produce and deliver over such volunteer or volunteers as aforesaid, or in default thereof to be liable in the penalty of twenty-five pounds sterling above-mentioned for each man of their quota deficient, to be levied, recovered, and applied, as herein directed ; and the chief resident magistrate of each burgh or town is in like manner to produce and deliver over at such place of rendezvous, on such day as the regulating officer shall notify, such volunteer or volunteers apportioned on each, or in default thereof to be liable as aforesaid in the penalty of twenty-five

Clerks of the peace to give notice of the same to the minister, when the volunteers are to be produced by the heritors, or 25l. to be paid for each man deficient. Chief magistrates to be liable in 25l. for each man not produced.

five pounds for each man deficient, to be levied, recovered, and applied, as herein directed.

XXIX. And be it enacted, That if any action shall be brought against any person or persons for any thing done in pursuance of this act, such action or suit shall be commenced within six months after the fact committed, and not afterwards.

Limitation of actions.

XXX. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

Act may be altered or repealed this session.

C A P. XXX.

An act for granting to his Majesty several additional duties on stamped vellum, parchment, and paper; and for repealing a certain exception as far as relates to bonds given as security for the payment of one hundred pounds or under, contained in an act of the twenty-third year of his present Majesty's reign.—[April 28, 1795.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue as shall be adequate to the increased charge occasioned by any loan to be made, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament, have freely and voluntarily resolved to give and grant unto your Majesty the 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 fifth day of *July* one thousand seven hundred and ninety-five, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the use of his Majesty, his heirs, and successors, the several new and additional stamp duties following; that is to say,

Preamble.

From July 5, the following additional duties to be paid:

For every piece of vellum or parchment, or sheet or piece of paper, upon which any affidavit shall be ingrossed, written, or printed, for which the stamp duty of sixpence is payable by virtue of an act made in the thirty-second year of the reign of his late Majesty, there shall be charged the additional stamp duty of sixpence:

Affidavits for which 6d. is payable by act 32 Geo. 2. 6d.

For every piece of vellum or parchment, or sheet or piece of paper, upon which any copy of such affidavit as is before charged, that shall be filed or read in any court, shall be ingrossed, written, or printed, there shall be charged the additional stamp duty of sixpence:

Copies of such affidavits read in court, 6d.

Depositions
taken before
the courts of
sessions, &c.
6d.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any deposition or depositions of a witness or witnesses, taken in any cause or suit before the court of sessions, or commission of tiends, or court of admiralty in *Scotland*, or commissary court of *Edinburgh*, or in any civil cause before any inferior court in *Scotland*, or whereupon any affidavit or written deposition, produced in the court of exchequer in *Scotland*, shall be ingrossed, written, or printed, there shall be charged an additional stamp duty of sixpence:

Original writs
(except where
a writ of capias
issues)
subpœna, &c.
18s.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any original writ, (except such original upon which a writ of *capias* issues), *subpœna*, bill of *Middlesex*, *latitat*, writ of *capias*, *quominus*, writ of *dedimus potestatum* to take answers, examine witnesses, or appoint guardians, or any other writ whatsoever, or any other process or mandate that shall issue out or pass the great seals of any of the courts at *Westminster*, courts of great sessions in *Wales*, courts in the counties palatine, or any other court whatsoever holding plea, where the debt or damage doth amount to forty shillings, or above, or the thing in demand is of that value, (writs of covenant for levying fines, writs of entry for suffering common recoveries, and writs of *habeas corpus*, always excepted), there shall be charged an additional stamp duty of one shilling:

Agreement
for which 6s.
are payable by
act 23 Geo. 3.
1s.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any agreement shall be ingrossed, written, or printed, for which the stamp duty of six shillings is payable by virtue of an act made in the twenty-third year of the reign of his present Majesty, there shall be charged an additional stamp duty of one shilling:

Indentures,
&c. for which
1s. is payable
by act 23,
Geo. 3. 1s.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, in *Great Britain*, any indenture, lease, bond, or other deed, for which a stamp duty of one shilling is payable by virtue of an act, made in the twenty-third year of the reign of his present Majesty, there shall be charged an additional stamp duty of one shilling:

Additional
duties on pro-
bates of wills,
or letters of
administration.

And for every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any probate of a will, or letters of administration, for any estate of or above the value of one thousand pounds, over and above all other rates and duties already imposed thereon, there shall be charged a further additional duty of two pounds and ten shillings; and where the estate is of or above the value of two thousand pounds, a further additional duty of two pounds and ten shillings; and where the estate is of or above the value of five thousand pounds, a further additional duty of five pounds; and where the estate is of or above the value of ten thousand pounds, a further additional duty of ten pounds.

Duties to be
under the
management

II. And be it further enacted by the authority aforesaid, That, for the more effectual levying, collecting, and paying, all the said duties herein-before granted, the same shall be under the government,

ment, care, and management, of the commissioners for the time being appointed to manage the duties charged on stamped 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, in order to denote the duties payable by virtue of this act, whenever they see occasion, to use such stamps as shall have been heretofore provided to denote any former duties on stamped vellum, parchment, or paper, or to cause new stamps to be provided for that purpose, or one new stamp to denote the former duties, and also the duties granted by this act; and to alter or renew the same respectively from time to time, and to do all other things necessary to be done for putting this act in execution, with relation to the said several duties herein-before granted, in the like and in as full and ample a manner, as they or the major part of them are authorised to put in execution any former law concerning stamped vellum, parchment, or paper.

of commis-
sioners of
stamps.

III. *And whereas by an act, made in the twenty-third year of the reign of his present Majesty, intituled, An act for granting to his Majesty several additional and new duties upon stamped vellum, parchment, and paper; and also for repealing certain exemptions from the stamp duties, it was enacted, That, from and after the first day of August one thousand seven hundred and eighty-three, there should be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto the use of his Majesty, his heirs and successors, the rates and duties 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, written, or printed, in Great Britain, any indenture, lease, or other deed, for which a stamp duty of one shilling and sixpence is payable by virtue of an act, made in the seventeenth year of the reign of his present Majesty, (except bonds given as security for the payment of any sum or sums of money), there shall be charged an additional stamp duty of one shilling:* be it further enacted by the authority aforesaid,

23 Geo. 3. c.
58, recited.

That, from and after the said fifth day of July one thousand seven hundred and ninety-five, the said exception, as far as the same relates to bonds given as security for the payment of any sum or sums of money amounting to one hundred pounds, or any less sum, shall be, and is hereby repealed.

Exemption in
recited act of
bonds, as far
as relates to
bonds for 100l.
and under,
repealed.

IV. And be it further enacted by the authority aforesaid, That if any person shall counterfeit or forge, or cause or procure to be counterfeited or forged, any stamp to resemble any stamp directed or allowed to be used by this act, for the purpose of denoting the duties by this act granted, or shall counterfeit or resemble the impression of the same, with an intent to defraud his Majesty, his heirs or successors, of any of the said duties, or shall utter, vend, or sell, any vellum, parchment, or paper, liable to any stamp duty by this act imposed, with such counterfeit stamp or mark thereupon, knowing the same to be counterfeit, or shall privately or fraudulently use any stamp directed or allowed to be used by this act, with intent to defraud his Majesty of the said duties; then every person so offending, and being thereof lawfully

Persons counter-
feiting
stamps, &c. to
suffer death.

convicted, shall be adjudged a felon, and shall suffer death as in cases of felony without benefit of clergy.

Power of former acts not hereby altered, to extend to this act.

V. And be it further enacted by the authority aforesaid, That all powers, provisions, articles, clauses, penalties, and forfeitures, and distributions of penalties and forfeitures, and all other matters and things prescribed or appointed by any former act or acts of parliament relating to the stamp duties on vellum, parchment, and paper, (and not hereby altered), shall (as far as the same are applicable) be of full force and effect with relation to the additional duties hereby imposed, and shall be applied and put in execution for the raising, levying, collecting, and securing, the said additional duties, according to the true intent and meaning of this act, as fully, to all intents and purposes, as if the same had severally and respectively been hereby re-enacted with relation to the said additional duties.

Duties to be paid to the receiver general of stamps, &c.

VI. And be it further enacted by the authority aforesaid, That the monies arising by the several duties hereby granted or made payable, shall be paid from time to time into the hands of the receiver general for the time being of the duties on stamped vellum, parchment, and paper, who shall pay the same, the necessary charges of raising, paying, and accounting for the same being deducted, into the receipt of the exchequer at such time and in such manner as the duties charged on stamped vellum, parchment, and paper, are directed to be paid, and the said money so paid into the said receipt as aforesaid shall be carried to, and made part of the consolidated fund.

Duties to be applied in defraying any increased charge occasioned by any loan of this session.

VII. Provided always, and be it further enacted, That the monies arising or to arise of the several rates or duties hereby granted, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan made, or stock created or to be created by virtue of any act or acts passed or to be passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenues; and there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books in which all the monies arising from the said rates and duties, paid into the said receipt, shall, together with the monies arising from any other rates and duties granted in this session of parliament for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

General issue.

VIII. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained, such person or persons shall or 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

defendant or defendants, or the plaintiff or plaintiffs become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs. Treble costs.

C A P. XXXI.

An act for extending the provisions of an act, made in the thirty-fourth year of the reign of his present Majesty, to cutters, luggers, shallops, wherries, smacks, or yawls, of any built whatever; for amending an act, made in the twenty-eighth year of the reign of his present Majesty, more effectually to secure the performance of quarantine, and for amending several laws relative to the revenue of customs; for amending an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act for the relief of the captors of prizes, with respect to the bringing and landing certain prize goods in this kingdom; and for authorising the commissioners of excise at Edinburgh to grant licences to manufacturers and dealers in tobacco and snuff, within the limits of the chief office of excise at Edinburgh.—[April 28, 1795.]

WHEREAS by an act, passed in the last session of parliament, Preamble.
for making more effectual an act, made in the twenty-fourth year of the reign of his present Majesty, 'for the more effectual prevention of smuggling in this kingdom'; it is enacted, 34 Geo. 3. c. 50, recited.

That every cutter, lugger, shallop, wherry, smack, or yawl, belonging in the whole or in part to any of his Majesty's subjects of the built in the said recited act particularly described, which should be found or discovered to have been within the limits of any of the ports of this kingdom, or within the distance of four leagues from the coast thereof, or within the distance therein particularly specified, should be forfeited, together with all the goods laden thereon, and all her guns, tackle, and furniture: and whereas it is expedient that the provisions of the said act should be extended to every cutter, lugger, shallop, wherry, smack, or yawl, belonging in the whole or in part to his Majesty's subjects, of any built whatsoever: 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 the provisions of the said act shall extend, and are hereby declared to extend, to every cutter, lugger, shallop, wherry, smack, or yawl, belonging in the whole or in part to his Majesty's subjects, of any built whatsoever the same may be.

Provisions of recited act to extend to cutters, &c. of any built.

II. And whereas by an act, passed in the twenty-eighth year of the reign of his present Majesty, intituled, An act more effectually to secure the performance of quarantine; and for amending several laws relating to the revenue of customs; the commissioners of his Majesty's customs and excise in England for the time being, or any four or more of them, and the commissioners of his Majesty's customs in Scotland for the time being, or any three or more of them, are authorised and required respectively, out of any monies in their hands arising from his Majesty's share of seizures, to reward any officer or officers of the customs and excise who shall seize any vessel or boat which 28 Geo. 3. c. 34, recited.

Commissioners of excise in Scotland may regard their officers as the commissioners of excise in England are authorized by last recited act.

by law shall be liable to be broken up after condemnation, and shall not be used in his Majesty's service in the manner in the said act mentioned; and whereas it is expedient that the commissioners of excise in Scotland should be authorized and required to reward officers of excise in Scotland making seizure of vessels or boats in like manner: be it therefore enacted by the authority aforesaid, That the commissioners of his Majesty's excise in Scotland for the time being, or any three or more of them, shall be, and they are hereby authorized and required, out of any monies in their hands arising from his Majesty's share of seizures, to reward any officer or officers of excise in Scotland who shall seize any vessel or boat which by law shall be liable to be broken up after condemnation, and shall not be used in his Majesty's service, in such manner and form, and to the same extent, and with the like sums of money, as in and by the said recited act are provided, authorized, and required to be done by the commissioners of his Majesty's excise in England.

33 Geo. 3. c.
34, recited;

III. *And whereas by an act, passed in the thirty-third year of the reign of his present Majesty, intituled, An act for the relief of the captors of prizes, with respect to the bringing and landing certain prize goods in this kingdom; it is amongst other things enacted, That any prize goods which should be received into any warehouse in pursuance of the said act, or which were then remaining in any warehouse in this kingdom where they had been secured under the King's locks by the permission of the commissioners of the customs, should and might, upon payment of the respective duties before directed by the said act, be exported at any time directly from thence, either by the captors or their agents, or by any other person or persons, without paying any further duty of customs or excise for the same, the person or persons exporting the same giving sufficient security in double the value of the goods before the delivery thereof out of the warehouse that the same should be really and truly exported, and not brought back again or reloaded in any part of Great Britain, or landed in the islands of Guernsey, Jersey, Sark, or Man, or the islands of Faro or Ferro, which security the customer or collector of the port from whence the same were intended to be exported was thereby required and authorized to take in his Majesty's name and to his Majesty's use: and whereas it is expedient to extend the security directed to be given by the said recited act to the island of Alderney, and to require security in like manner that such goods shall not be landed in the island of Alderney: be it therefore enacted by the authority aforesaid, That the security required to be given by the said recited act shall be, and is hereby directed to be extended to the island of Alderney, in like manner as by the said recited act it is extended to the islands therein mentioned, and that security shall be given in double the value of the goods intended to be exported in pursuance of the said recited act, that the same shall not be landed in the said island of Alderney.*

and security thereby required not to re-land captured goods in Great Britain, &c. extended to Alderney.

29 Geo. 3.
c. 63.

IV. *And whereas by an act, passed in the twenty-ninth year of the reign of his present Majesty, intituled, An act for repealing the duties on tobacco and snuff, and for granting new duties in lieu thereof,*

power is given to the commissioners of excise in Scotland, or any two or more of them, to grant licences to authorise persons to manufacture tobacco or snuff, or to deal in tobacco or snuff, within the limits of the city of Edinburgh: and whereas it is expedient that the commissioners of excise should have authority to grant such licences within and throughout the limits of the chief office of excise at Edinburgh: be it therefore enacted, That all licences which shall be taken out by any person or persons to manufacture tobacco or snuff, or to deal in tobacco or snuff, within the limits of the chief office of excise at Edinburgh, or any part thereof, after the passing of this act, shall be granted by such commissioners, and no other persons whatever, and in such manner and under the like terms, conditions, and payments, as licences to authorise any persons to manufacture tobacco or snuff, or deal in tobacco or snuff, within the limits of the city of Edinburgh, may be granted by virtue of the said recited act.

Licences to manufacture or deal in tobacco or snuff, within the limits of the chief office of excise in Edinburgh to be granted by the commissioners of excise.

C A P. XXXII.

An act for granting annuities to satisfy certain navy and victualling bills.—[April 28, 1795.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, having taken into our serious consideration the present state of the debt of your Majesty's navy, and being desirous to make some provision towards satisfaction thereof, have resolved, that all persons interested in or entitled unto any bills payable in the course of the navy or victualling offices, which were made out on or before the thirtieth day of September one thousand seven hundred and ninety-three, who should, on or before the first day of May one thousand seven hundred and ninety-five, carry the same, after having had the interest due thereupon computed and marked upon the said bills at the navy or victualling offices respectively, to the tenth day of March one thousand seven hundred and ninety-five, to the office of the treasurer of his Majesty's navy, to be marked and certified by him or his paymaster and cashier to the governor and company of the bank of England, should be entitled in respect of the same to one hundred and eight pounds capital stock for every one hundred pounds contained in such certificates, and so in proportion for any greater or lesser sum, the said capital stock to be attended with annuities after the rate of five pounds *per centum per annum*, to be paid and payable at the times and in the manner herein mentioned; we, your Majesty's most faithful commons, do therefore 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 all persons interested in or entitled unto any bill or bills payable in the course of the navy or victualling offices, which were made out on or before the thirtieth

Preamble.

Navy or victualling bills made out before Sep. 30, 1793, with in-

crest to
March 10,
1795, marked
thereon at the
respective of-
fices, carried
to the navy
office by May
1, to be ex-
changed for
certificates to
the bank, en-
titled to 108l.
stock per 100l.

thirtieth day of *September* one thousand seven hundred and ninety-three, who shall, on or before the first day of *May* one thousand seven hundred and ninety-five, carry the same, after having had the interest thereupon computed up to the tenth day of *March* one thousand seven hundred and ninety-five, and marked upon the said bills at the navy or victualling offices respectively, to the office of the treasurer of his Majesty's navy, shall have in exchange for the same from such treasurer, or his paymaster or cashier, a certificate to the governor and company of the bank of *England*, for the amount of the principal and interest computed thereupon; and the persons that shall be so possessed of any such certificates shall, upon delivery thereof to the said governor and company, be entitled in respect of the same to the sum of one hundred and eight pounds capital stock for each one hundred pounds contained in such certificates, and so in proportion for any greater or lesser sum, which said capital stock shall be attended with annuities after the rate of five pounds *per centum per annum*, to commence from the fifth day of *January* one thousand seven hundred and ninety-five, and shall be paid and payable at the bank of *England* at the times and in the manner herein mentioned.

Holders of
such bills may
deliver them
to be so
marked.

II. 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, who shall be possessed of, interested in, or entitled unto any bill or bills payable in course out of his Majesty's offices of the navy or victualling, which were respectively made out in the said respective offices on or before the thirtieth day of *September* one thousand seven hundred and ninety-three, to deliver such bill or bills to the respective treasurers of the said offices, to be marked, computed, and certified in such manner as is herein-after mentioned at any time on or before the first day of *May* one thousand seven hundred and ninety-five, and at such place or places as shall have been appointed by notice given in *The London Gazette*, and other public papers for that purpose.

Interest on
bills to be
marked upon
them, before
delivery at the
navy office.

III. Provided always, and be it further enacted by the authority aforesaid, That the interest which became due on the said tenth day of *March* one thousand seven hundred and ninety-five, for and in respect of the said navy and victualling bills, shall be computed and marked upon the said bills at the navy and victualling offices respectively before the same are delivered to the treasurer of his Majesty's navy, and the proper officer and officers of his Majesty's navy and victualling offices respectively is and are hereby authorized and required to compute and mark the interest as aforesaid upon every such bill which shall be tendered to him or them for that purpose.

Treasurer of
the navy to
receive such
bills, mark and
cancel them,
and make forth
certificates.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the treasurer of his Majesty's navy for the time being to take in and receive from all and every person or persons, natives or foreigners, bodies politick or corporate, who is or are or shall be possessed of, interested in, or entitled unto,

unto, any such navy or victualling bills, all the said bills which any such person and persons, bodies politick or corporate, shall, on or before the said first day of *May* one thousand seven hundred and ninety-five, deliver to such treasurer; and the said treasurer, or his paymaster and cashier, is and are hereby authorized and required to mark and cancel every such bill, and make forth and sign the certificate herein directed to be made out in lieu of the said bills.

V. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick and corporate, who shall deliver any such bill or bills to the said treasurer as aforesaid, upon producing such certificates as are hereby directed to be made forth by the said treasurer in lieu of such bills, shall, in respect of the principal sum hereby granted for every sum of one hundred pounds, and so in proportion for any greater or lesser sum have and be entitled to an annuity after the rate of five pounds *per centum per annum*, to commence from the said fifth day of *January* one thousand seven hundred and ninety-five, and to be paid or payable to such person or persons, bodies politick or corporate, or such as he, she, or they, shall appoint, his, her, or their, executors, administrators, successors, or assigns, respectively, which said annuities shall be in lieu of all other interest for or in respect of such bills, and shall be payable half-yearly at the bank of *England*, at two of the most usual days of payment in the year; that is to say, the fifth day of *July* and the fifth day of *January* in every year; the first payment thereof to become due on the fifth day of *July* one thousand seven hundred and ninety-five; and that all persons and corporations entitled to any such annuity or annuities aforesaid, and his, her, and their, administrators, successors and assigns, respectively, and all persons and corporations lawfully claiming under him, her, or them, shall have good, sure, absolute, and indefeasible estates and interests in the said annuities, according to the tenor and true meaning of this act, until the redemption thereof in the manner herein directed, and shall be possessed thereof as of a personal estate which shall not be descendible to heirs, nor liable to any foreign attachment by the custom of *London* or otherwise; any law, custom, or usage, to the contrary notwithstanding; and that all the said annuities shall be free from all taxes, charges, and impositions, whatsoever.

VI. And be it further enacted by the authority aforesaid, That the said annuities, after the rate of five pounds *per centum per annum*, shall be charged and chargeable upon, and payable out of, the consolidated fund, after paying, or reserving sufficient to pay, all such sums of money as have been directed by any former act or acts of parliament: and that the said annuities shall be irredeemable until twenty-five millions of the publick debt, bearing interest after the rate of either three pounds *per centum per annum*, or four pounds *per centum per annum*, shall have been redeemed and paid off.

VII. And be it further enacted by the authority aforesaid, That upon the delivering in of such navy or victualling bills by any

Such certificates to entitle to an annuity of 5l. per cent. per ann. from Jan. 1, 1795.

which shall be personal estate, and free from taxes.

Annuities payable out of the consolidated fund, and irredeemable, till 25,000,000l. of the 3l. or 4l. per cents. be paid off.

Treasurer of the navy to give a certificate for the

amount of such bills and interest, which may be assigned before August 29, 1795. and shall be free from stamp duties.

any person or persons, bodies politick or corporate, the treasurer of his Majesty's navy, or his paymaster and cashier. shall, and they are hereby authorized and required forthwith to give a certificate, signed by him or them, for the principal sum or sums contained in such bills, and also for the interest which shall have been computed and marked as aforesaid to be due on the said tenth day of *March* one thousand seven hundred and ninety-five, to such person or persons, bodies politick or corporate, or his, her, or their assigns, and all such certificates shall be assignable by indorsement thereupon, made at any time before the twenty-ninth day of *August* one thousand seven hundred and ninety-five, and no longer; and no such certificate or assignment thereupon shall be charged with any stamp duties whatever; and that the interest so computed and marked on every such bill shall be added to the principal sum contained in every such bill respectively, and the amount of such principal and interest certified in manner before directed shall be the principal sums for which the person or persons, bodies politick or corporate, delivering such bills, shall be entitled to such capital stock as aforesaid, after the rate of one hundred and eight pounds for every one hundred pounds contained in such certificates, and so in proportion for any greater or lesser sum, to be attended with an annuity after the rate of five pounds *per centum per annum*.

Guardians may deliver up bills for benefit of infants.

VIII. And be it further enacted by the authority aforesaid, That if any infant or infants shall have become entitled to any of the said bills, in such case the guardian or guardians, trustee or trustees of such infant or infants, shall or may, and he, she, or they, is or are hereby empowered, for the benefit of such infant or infants, to deliver up to such treasurer all such of the said bills to which such infant or infants shall be so entitled; and such infant and infants, upon such guardian or guardians, trustee or trustees, delivering up such bill, shall be entitled to such an annuity as aforesaid as fully as any other person or persons whatever; and the said guardian or guardians, trustee or trustees, shall be discharged from the same, so as the name of such infant be expressed in such certificate or certificates; any thing herein contained, or any law, usage, or custom, to the contrary in anywise notwithstanding.

Executors, &c. may deliver up bills in their possession in trust, &c.

IX. Provided also, and be it further enacted by the authority aforesaid, That all persons who, as executors, administrators, trustees, committees of idiots or lunatics, or persons of unsound mind, depositaries, or mortgagees, shall be or become possessed of, interested in, or entitled unto, any of the said bills, shall and may deliver up such bills as they shall be respectively possessed of, interested in, or entitled unto, to such treasurer as aforesaid, to be cancelled and certified as aforesaid; and as to executors or administrators, the capital stock of annuities which they shall be respectively entitled to in respect of the said bill so by them delivered up, and the dividends from time to time arising therefrom, shall be assets in their hands in the same manner as the said bills were or would have been had they not been so delivered up; and as to trustees, committees, depositaries, and mortgagees, the ca-

pital stock of annuities which they shall be respectively entitled unto, for and in respect of such trust or morgaged bills which they shall so deliver up to such treasurer as aforesaid, and the dividends from time to time arising therefrom, shall be subject and liable to the same trusts or equity of redemption as such bills were or would have been had they not been so delivered up for such annuity as aforesaid.

X. And be it further 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, or such person or persons as they shall appoint for that purpose, and he and they is and are hereby respectively authorized and required to take in and receive all and every of the certificates to be made out in lieu of the said bills as aforesaid, in pursuance of the directions of this act, and upon the receipt of every such certificate shall, and he and they is and are hereby required forthwith to give credit in a book or books to be prepared for that purpose, for the principal sum of one hundred and eight pounds for every sum of one hundred pounds contained in such certificates so brought to him or them as aforesaid, and so in proportion for any greater or lesser sum; and the persons, bodies politick or corporate, to whose credit such principal sums shall be entered in the said book or books, his, her, or their executors, administrators, or assigns, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, bodies politick or corporate whatsoever, in other books to be prepared and kept for that purpose; and the said governor and company for the time being shall also, on or before the fifth day of *July* one thousand seven hundred and ninety-six, transmit an attested duplicate, fairly written on paper, of the said book or books first herein-before mentioned, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

Bank to receive certificates, and give credit for 108l. principal, for every 100l. therein, which may be transferred, &c

XI. And, for the more easy and sure payment of the annuities established by this act, it is hereby further enacted by the authority aforesaid, That the said governor and company of the bank of *England* and their successors shall from time to time appoint and employ one or more sufficient person or persons, within their office in the city of *London*, to be their chief or first cashier or cashiers, and one other person or persons within the same office, to be their accountant general; and that so much of the monies, from time to time, being in the receipt of the exchequer, of the said consolidated fund, by this act made applicable for that purpose, as shall be sufficient to answer the said annuities, shall, by the order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further or other warrant to be sued for, had, or obtained, in that behalf, from time to time, at the respective days of payment in this act appointed, be issued and paid at the said receipt of exchequer to the first or chief cashier or cashiers of the said governor and company of the bank of *England*, and their successors for the time being, by way of imprest and upon account for the payment

Bank to appoint an accountant general.

Treasury to order money to be issued at the exchequer, for payment annuities.

Cashier to pay the same without delay.

of the said annuities; and that such cashier or cashiers, to whom the said monies shall from time to time be issued, shall from time to time without delay, apply and pay the same accordingly, and render his or their accounts thereof according to the due course of the exchequer.

Accountant general to examine the cashiers accounts.

XII. And it is hereby also enacted, That the said accountant general for the time being shall from time to time inspect and examine all receipts and payments of the said cashier or cashiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay.

Annuities to be added to the 5l. per cent. established by 24 Geo. 3. sess. 2. c. 39. 25 Geo. 3. c. 32. and 134 Geo. 3. c. 21.

XIII. And be it further enacted by the authority aforesaid, That all the monies intended to be converted into annuities by virtue of this act shall be deemed, reputed, and taken to be, one capital or joint stock, on which the said annuities, after the rate of five pounds *per centum per annum*, shall be attending, and shall be added to and made part of the joint stock of annuities with and shall be redeemable at the same time and in like manner as the annuities carrying an interest after the rate of five pounds *per centum per annum*, established by the acts of the twenty-fourth, twenty-fifth, and thirty-fourth years of the reign of his present Majesty, for granting annuities to satisfy certain navy, victualling and transport bills, and ordnance debentures; and that all and every person or persons and corporations whatsoever, in proportion to the money to which he, she, or they shall become entitled as aforesaid by virtue of this act, shall have, or be deemed to have, a proportional interest and share in the said stock of annuities at the rate aforesaid; and that the said whole capital or joint stock, or any share or interest therein, and the proportional annuity attending the same, shall be assignable and transferrable as this act directs, and not otherwise; and that there shall constantly be kept in the office of the said accountant general for the time being, within the city of London, a book or books, wherein all assignments or transfers of the said whole capital or joint stock, or any part thereof, and the proportional annuity attending the same at the rate aforesaid, shall be entered and registered; which entries shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or if any such party or parties be absent, by his, her, or their attorney or attorneys thereunto lawfully authorized by writing under his, her, or their hands and seals, to be attested by two or more credible witnesses, and that the person or persons to whom such transfers shall be made shall respectively underwrite his, her, or their acceptance thereof, and that no other method of assigning or transferring the said stock, and the annuities attending the same or any part thereof, or any interest therein, shall be good and available in law, and that no stamp duties whatsoever shall be charged on the said transfers, or any of them.

Book to be kept for entering transfers.

Annuities may be devised.

XIV. Provided always, That all persons possessed of any share or interest in the said joint stock of annuities, or any estate or interest therein, may devise the same by will in writing attested by two or more credible witnesses, but that no payment shall be made

upon any such devise until so much of the said will as relates to such estate, share, or interest, be entered in the said office; and that in default of such transfer or devise as aforesaid, such share, estate, or interest, shall go to the executors, administrators, successors, and assigns.

XV. Provided also, and it is hereby further enacted by the authority aforesaid, That the said governor and company of the bank of *England* and their successors, notwithstanding the redemption of all or any of their own funds, in pursuance of the acts for establishing the same, or any of them, shall continue a corporation for the purposes of this act until all the said annuities shall be redeemed by parliament; and the said governor and company, or any member thereof, shall not incur any disability for or by reason of his or their doing any matter or thing in pursuance of this act.

Bank to continue a corporation till annuities are redeemed.

XVI. And it is hereby enacted by the authority aforesaid, That no fee, reward, or gratuity whatsoever, shall be demanded or taken for computing and marking the interest on the said bills, or for receiving, taking in, or cancelling the said bills, or any of them, or for granting certificates in lieu thereof as aforesaid, or for issuing the monies for paying the said annuities, or any of them, or for any transfer of any sum, great or small, to be made in pursuance of this act, upon pain that any officer or person offending by taking or demanding any fee or gratuity contrary to this act, shall for every offence, forfeit the sum of twenty pounds to the party aggrieved, to be recovered with all costs of suit 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, injunction or order of restraint, or any more than one imparlance, shall be granted or allowed.

Penalty for taking fees for marking bills, &c.

XVII. Provided always, and be it further enacted by the authority aforesaid, That the 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 have power, and they are hereby authorized, out of the said consolidated fund, to reward all such persons as shall be anyways employed in the execution of this act, for their service, pains, and labour, and also to defray such incident charges as shall necessarily attend the same, and also to settle and appoint such allowances as they shall think proper, for the service, pains, and labour, of the cashier or cashiers of the said governor and company of the bank of *England*, for receiving, paying, and accounting for the said annuities made payable by this act, and also for the service, pains, and trouble, of the said accountant general of the said governor and company, for performing the duty and trust incumbent on or reposed in him by this act; all which allowances to be made as aforesaid, in respect to the service, pains, and labour, of any officer or officers of the said governor and company of the bank of *England*, shall be for the use and benefit of the said governor and company, and at their disposal only; any thing herein contained to the contrary notwithstanding.

Treasury may reward persons employed in the execution of this act.

General issue. XVIII. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any matter or thing therein contained, 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 a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his or their action, or be nonsuited, or judgement shall be given against him or them upon demurrer or otherwise, then such defendant or defendants shall have treble costs to him or them awarded against such plaintiff or plaintiffs.

Treble costs.

C A P. XXXIII.

An act for defraying the charge of the pay and cloathing of the militia, in that part of Great Britain called England, for one year, beginning the twenty-fifth day of March one thousand seven hundred and ninety-five.—[April 28, 1795.]

C A P. XXXIV.

An act for enabling the magistrates, in the several counties in Great Britain, to raise and levy, under certain regulations, such able-bodied and idle persons as shall be found within the said counties, to serve in his Majesty's navy.—[April 28, 1795.]

Preamble.

WHEREAS it is necessary that a supply of men be forthwith raised in the most speedy and effectual manner, within Great Britain, for the service of the navy; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, within and throughout the several and respective counties, ridings, divisions, shires, stewardries, cities, boroughs, cinque ports, liberties, parishes, towns, and places of Great Britain, a speedy and effectual levy of able-bodied men, within the descriptions herein-after mentioned, to serve his Majesty in the navy, shall be forthwith made and put in execution, according to the rules and directions of this act.

After the passing of this act the levy of men to be made.

Justices, mayors, &c. to put this act in execution.

II. And be it further enacted by the authority aforesaid, That the justices of the peace of every county, riding, division, shire, or stewardry, and the mayors, bailiffs, and other magistrates, of every city, borough, town, cinque port, liberty, or place, within and throughout the kingdom of Great Britain, shall be, and they are hereby authorised to put in execution this act, within the limits of their respective jurisdictions; and they are hereby strictly enjoined and required to use their utmost care and diligence that his Majesty's service, in making such levies, be not neglected or disappointed.

Admiralty to appoint officers to approve or reject men.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners for executing the office of lord high admiral of Great Britain for the time being, or

or the major part of them, to constitute and appoint so many officers to regulate the admission of men, to be levied under the authority of this act, for his Majesty's service, as the said commissioners shall deem necessary, with power and authority to act in and for such of the said districts in this act mentioned as the said commissioners shall deem expedient and shall appoint; who, being so appointed, shall have authority to examine every man intended to be entered in such service, and full power of approving all such men, or, for just cause to be alleged, of rejecting them, or any of them, and shall attend the meetings of the several justices of the peace and magistrates aforesaid, assembled for the purpose of putting this act in execution, or at such places respectively as shall be deemed most convenient for carrying this act into execution.

IV. And be it further enacted by the authority aforesaid, That within thirty days after the passing of this act, the clerk of the peace or town clerk of every county, riding, or division, in *England*, and the sheriff depute or steward clerk of every shire or stewartry in *Scotland*, and the clerk of the peace, town clerk, or other officer of every city, borough, town, cinque port, liberty, or place, in *Great Britain*, having magistrates of itself, shall, by the direction of any one of the said justices, mayors, bailiffs, or other magistrates, within their respective jurisdictions, give notice of the time and place when and where the respective justices of the peace, or other magistrates aforesaid, shall first assemble in their respective districts, to put this act into execution, by publishing the same in some newspaper usually circulated within the jurisdictions of such justices or other magistrates respectively; and the justices of the peace acting in and for any county, riding, division, shire, or stewartry, shall, pursuant to such notice, assemble themselves in their subdivisions, and in such districts in which justices have usually held petty sessions; and the mayors, bailiffs, or other magistrates of any city, borough, cinque port, town, liberty, or place, shall also assemble themselves within their respective jurisdictions in like manner; and such justices and magistrates respectively shall have power to adjourn from time to time as they shall find convenient; and the said respective justices and magistrates, at the first petty sessions to be held by virtue of this act, within their respective jurisdictions, shall issue their respective precepts to the high constables, headboroughs, or other proper officers of the respective hundreds, rapes, laths, wapentakes, or other subdivisions, within the said counties, ridings, divisions, shires, or stewartries, and to the officers of the respective wards, constaberies, and districts, within the said cities, boroughs, towns, cinque ports, liberties, or places, requiring their attendance at the next succeeding sessions, which precepts shall contain an account of the time and place appointed for the next succeeding sessions, and shall be returnable on a day therein to be named; and the said justices and magistrates aforesaid, assembled at such first meetings, shall also give notice of the respective places appointed for holding such sessions to the secretary of the admiralty

Clerks of the peace, town clerks, sheriffs depute, &c. to give notice of first meeting of magistrates, which may be adjourned.

Justices, &c. to issue precepts to high constables, &c. to attend at the succeeding sessions.

At first meetings notice of succeeding sessions to be given to the admiralty, &c.

for the time being, and shall from time to time cause to be affixed in some conspicuous part of every house or place of holding any such sessions, the time of holding the next succeeding sessions, twenty-four hours at least before the time of holding the same, whereof the respective officers to be appointed by the said commissioners of the admiralty to attend this service are required to take notice; and such justices and other magistrates may appoint a clerk to attend their meetings, and transact such business as shall belong to such clerks, by virtue of this act, who shall respectively, as a reward for his labour and pains in the execution of this act, receive from the officer appointed to enter men under this act, for every man so entered, the sum of two shillings to be paid by the respective officers who shall receive such entered men.

Justices may appoint a clerk, who shall receive 2s. for every man entered.

Justices to levy, to serve in the navy, persons who follow no lawful trade, &c.:

V. And be it further enacted by the authority aforesaid, That the justices of the peace and other magistrates aforesaid shall, and they are hereby authorized and required to levy and cause to be levied to serve his Majesty, in the navy of *Great Britain*, all able-bodied, idle, and disorderly persons, who cannot upon examination prove themselves to exercise and industriously follow some lawful trade or employment, or to have some substance sufficient for their support and maintenance.

or offenders who shall be deemed idle persons, rogues, or vagabonds; also smugglers, embezzlers of navy stores, &c.

VI. And be it further enacted by the authority aforesaid, That the said justices and other magistrates aforesaid, shall be, and they are hereby respectively authorized and empowered to raise and levy, or cause to be raised and levied, to serve his Majesty in the navy (according to the rules and regulations herein specified for the raising and levying men who exercise and follow no lawful trade or employment), all men who shall have offended against any law in force at the time of passing this act, by virtue whereof they shall be or be liable to be deemed or adjudged to be idle and disorderly persons, or rogues and vagabonds, or incorrigible rogues, and punishable as such idle and disorderly persons, or rogues and vagabonds, or incorrigible rogues respectively, and also all men who shall be adjudged to be guilty of illegal landing, running, unshipping, concealing, receiving, or carrying, prohibited goods, wares, or merchandizes, or any foreign goods liable to the payment of the duties of customs or excise, the same duties not having been paid or secured, or of embezzling any naval stores, the property of his Majesty, or of aiding or assisting in any of the offences before mentioned; and all such persons, being thereof convicted by virtue of any former law now in force, shall be deemed to be within the description of this act, and shall be dealt with according to the directions of this act, with respect to persons exercising and following no lawful trade or employment, within the meaning of this act, in lieu of such penalty, or any punishment, to which such persons may be liable by any law now in force.

VII. And be it further enacted by the authority aforesaid, That the justices of the peace or other magistrates aforesaid, assembled together from time to time at a petty sessions, within the limits of their respective jurisdictions, shall, as often as they see occa-

Justices at petty sessions may issue search warrants,

tion, or as shall be requisite for the performance of this his Majesty's service, issue out their warrants under their hands and seals, thereby requiring and commanding the constables, headboroughs, tythingmen, overseers of the poor, or other peace or parish officers of every hundred, rape, lathe, wapentake, parish, town, and hamlet, in their several limits, every or any of them, (and who shall be aided or assisted therein by sufficient men of the same places) to make or cause to be made a general search throughout their several and respective limits, for all such men as they can find, who are, or shall appear to them to be, within any of the descriptions of this act, and to convey all such persons before the justices or other magistrates acting in and for such division or place, at such time and place as shall have been prefixed for their next and subsequent meeting (and which time and place shall be expressed in the said warrants respectively); and moreover, every such justice of the peace, or other magistrate aforesaid, shall and may, on receiving information on oath where any man or men, within any of the descriptions of this act, is or are to be found within his jurisdiction, or upon receiving information upon oath of any such offence being committed as is herein-before described, issue his warrant to any of the constables or other officers of such place, to search for and apprehend such man or men, and that all such men as shall be found and apprehended upon such searches they shall cause to be secured (in case it shall be necessary) in the gaol or house of correction, or other proper place of security, of the county, riding, division, shire, stewardry, city, town, cinque port, liberty, or place where such persons shall be apprehended, and with all convenient speed brought before the justices or other magistrates aforesaid of the same district or place within which he or they shall have been so apprehended, at the next petty sessions to be held after such search, to be examined, and if the justices or magistrates aforesaid shall adjudge the person or persons so brought before them to be within any of the descriptions of this act, or shall adjudge him or them guilty of any such offence as aforesaid, and the said justices or magistrates, and the officer or officers who shall be appointed to regulate this his Majesty's service, shall judge such men to be of the descriptions hereby intended to be entertained as recruits for the navy, then and in such case the said justices or magistrates aforesaid shall cause such persons to be delivered over by the said constables, or other peace or parish officers aforesaid, to such officer or officers as shall be appointed to regulate the admission of men into the navy, at such time and place as such officer or officers shall appoint, such officer or officers giving a receipt under his or their hands, and paying to such constables or other peace or parish officers aforesaid, such sums of money as are herein directed to be paid in respect of every man so entered into the navy; and every man so delivered to and accepted by such officer or officers to serve in his Majesty's navy shall be, and be deemed to be exempt and discharged from all penalties or punishment inflicted

Persons apprehended to be secured, and brought before the petty sessions, and if adjudged to be within the meaning of this act, and fit for the navy, they shall be delivered to the regulating officers, &c.

Men accepted to be exempt from penalties for offences.

for

for any such offence by any law in force at the time of passing this act.

None to be admitted but such as are free from infirmity, and of a certain age.

VIII. Provided always, and be it further enacted by the authority aforesaid, That no person shall be admitted into his Majesty's service, by virtue of this act, who is not such an able-bodied man as is fit to serve his Majesty, and is free from ruptures, and every other distemper, or bodily weakness or infirmity, which may render him unfit to perform his duty in the navy, nor any person who, in the opinion of the officer or officers appointed by the said commissioners of the admiralty to regulate this service, shall appear to be under the age of sixteen years, or above the age of fifty years.

Voters not obliged to serve.

IX. Provided also, and be it further enacted by the authority aforesaid, That this act, nor any clause, matter, or thing herein contained, shall not extend to oblige any person to enter into the service of the navy, who shall make it appear, to the satisfaction of the justices or magistrates before whom such person shall be produced, that he hath any vote in the election of any member or members to serve in parliament for any county, city, borough, town; cinque port, or place, within the kingdom of *Great Britain*.

Justices to examine persons, and direct such as shall be judged fit to be delivered to the officers appointed to receive men.

X. And be it further enacted by the authority aforesaid, That the justices or magistrates aforesaid for executing this act, who shall attend this service at the place or places for examining men in pursuance of this act, shall strictly examine the persons who shall be brought before them by the said churchwardens, overseers, constables, headboroughs, tythingmen, or other parish or town officers as aforesaid; and it shall and may be lawful to and for the justices and magistrates aforesaid, and they are hereby authorized to administer an oath or affirmation, as the case may require, to each and every person who shall appear and give evidence touching any person so brought before them in pursuance of this act; and in case the justices or magistrates aforesaid, or the major part of them then present, upon examination of the persons so brought before them, shall find that such persons shall come within any of the descriptions herein mentioned, and the officer or officers who shall be appointed to receive such men shall adjudge them to be fit persons to be entertained in his Majesty's naval service, then and in such case the justices or magistrates aforesaid shall cause such persons to be delivered over by the said churchwardens, overseers, constables, headboroughs, tythingmen, or other parish or town officers, to such officers or persons as shall be appointed to receive such men as aforesaid.

Justices may, on request, appoint further meetings, and if they find any man not within the description of this act, they shall certify the same to

XI. Provided always, and be it further enacted by the authority aforesaid, That it shall be lawful for the justices or magistrates aforesaid, who shall have been present at any such meeting, where any man shall have been delivered over as aforesaid, or for the major part of them, upon the demand of such man, or of any other person on his behalf, signified to their clerk, within four days after such meeting, and by him to be notified to each of the justices or magistrates present as aforesaid, to appoint a further meeting of the same justices or magistrates aforesaid,

at which any other justices or magistrates may also attend, to be holden within six days after the making of such demand, unless the party appealing shall require a further reasonable time, and if upon further and more certain information the justices or magistrates, or the major part of them, at such further meeting, shall find that such man was not, at the time of his being delivered over as aforesaid, within any of the descriptions of this act, they are hereby required to certify the same, under their hands and seals, to the secretary of the admiralty, to be laid before the said commissioners of the admiralty, who, on the receipt of such certificate, shall cause the man to be forthwith discharged; and the regulating officer shall, on such man receiving his discharge as aforesaid, cause to be paid to him the sum of one shilling for each day he shall have been so detained in the service as aforesaid, over and above such subsistence as he may have received, and the clerk appointed by the justices or magistrates shall repay to such officer (without fee or other deduction) the several sums before paid to him by the said officer, and shall give back the receipts taken as above directed in exchange for a copy of the said man's discharge; and in case no such discharge shall have been obtained as aforesaid, then the said clerk shall, after the expiration of fourteen days from the time that such man was delivered over as aforesaid, pay over, without fee or deduction, to the persons respectively entitled thereto, under the directions of this act, the several sums deposited in his hands for that purpose.

XII. And be it further enacted by the authority aforesaid, That if at any of the meetings of the justices or magistrates aforesaid, by this act appointed, in any of their subdivisions or districts, they shall not be attended by some proper officer appointed for the receiving of men to be entered by virtue of this act, either through negligence or unavoidable accident, then and in that case it shall and may be lawful to and for the justices or magistrates aforesaid to adjourn themselves to some other convenient day, and they are hereby authorized to give directions for detaining in custody all such men as shall have been brought before them by the civil or parish officers to be examined, or such of them as they shall think duly qualified for his Majesty's service; and the justices or magistrates aforesaid shall give notice to any of the regulating officers attending on this service, in the district or place where such meetings shall be held, of the day of such adjournment, and the said officer is hereby required either to attend himself, or to appoint some other person to attend such justices or magistrates aforesaid, and to receive such men as the justices or magistrates aforesaid shall deem fit for his Majesty's service; and the officers for receiving the said men shall pay to such person as the justices or magistrates aforesaid shall appoint, sixpence *per diem* for the subsistence of every such man, from the day of the last meeting of the justices or magistrates aforesaid to the said day of adjournment, together with such charges and expences as shall appear to the justices or magistrates aforesaid to have been incurred on account of the detaining the said men from the day

the admiralty, who shall cause the man to be discharged.

Regulating officer to pay 1s. per day to men so discharged, during detention. Clerk to repay money paid by the officer, &c.

Justices may adjourn meetings if officers do not attend, and may detain persons brought before them.

Notice of adjournments to be given the officer.

Officer to pay 6d. per diem for every man for subsistence to the day of adjournment, &c.

of the former meeting of the justices or magistrates aforesaid to the day of such second meeting, not exceeding one shilling *per diem* for each man so detained.

Men may be detained in places of security.

XIII. And be it further enacted by the authority aforesaid, That the officer or officers, and other person or persons appointed to attend the justices or magistrates aforesaid, and to receive such men as shall be entered in such service by virtue of this act, shall, in case he or they shall find it necessary, detain such men in some secure house or place which may be provided by the justices or magistrates aforesaid, assembled at their petty sessions, in pursuance of any order or orders in writing under the hands and seals of any two or more of them for that purpose; but in case no such house or place shall be provided, then in the gaol of the county, riding, division, shire, stewardry, city, borough, town, cinque port, liberty, or place, where such men shall be received into his Majesty's service, or in the house of correction, or other publick prison of such county, riding, division, shire, stewardry, city, borough, town, cinque port, liberty, or place, and the keeper of such gaol, house of correction, or prison, shall receive and safely keep such men until they can be removed (without fee or reward); and such keeper shall be allowed the usual subsistence of such men during the time they remain there, from the officer by whom they shall be delivered as aforesaid; and the constables, headboroughs, or other civil officers, shall, if required, be assisting to such officer in conveying such man or men to such gaol, place, or house of correction, and shall be allowed such reasonable sum or sums as the major part of the justices or magistrates present at the meeting where such man or men shall be levied shall appoint to be paid by the officer or officers who shall require such assistance.

Gaolers to receive men without fee, and to be allowed the usual subsistence.

Civil officers to assist in conveying men to gaol, &c.

Justices may fine gaolers, constables, &c. for neglect.

XIV. And be it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the justices or magistrates aforesaid, or any two or more of them, to impose upon any gaoler or keeper of any house of correction or prison, who shall suffer any person committed to his custody, in pursuance of this act, to escape, or upon any high constable, churchwarden, overseer, petty constable, headborough, tythingman, or other parish or town officer, for every wilful neglect or default in the execution of any warrant, order, or precept to them, or any of them, directed in pursuance of this act, a fine not exceeding ten pounds; and to cause every such fine to be levied by distress and sale of the offender's goods and chattels, rendering the overplus (if any be) to the owner or owners, and to pay the said fine to the informer or informers.

Justices to deliver certificates of entry of men to the officer receiving them.

XV. And be it further enacted by the authority aforesaid, That the justices or magistrates aforesaid, or such of them as shall be present at such meeting as aforesaid, or any two of them present, shall, and they are hereby required to certify under their hands that such person or persons is or are duly entered into his Majesty's service, setting forth the name and parish or place of abode of him or them respectively, if known, and shall deliver such certificate,

certificate, together with such men, to the said officers or persons appointed to receive them; and the justices or magistrates aforesaid shall also forthwith cause an entry or memorial to be made, in a book or books to be kept by them or their clerks for that purpose, of the names of such men, of the parishes or places of their last abode (if they can be known), and of the time and place when and where such men were delivered to the said officers or persons appointed to receive them, and the names of the officers or persons who received them, and shall cause true copies or duplicates of such entries, attested by the justices or magistrates aforesaid, or any two or more of them, within forty days after the delivering such men as aforesaid, to be transmitted into the office of the admiralty; and every clerk, for every neglect or default in not transmitting the copy or duplicate of any such entry into the office of the admiralty as aforesaid, shall forfeit the sum of ten pounds, one moiety thereof to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons who shall inform or sue for the same in one of the courts of record at *Westminster*, of great sessions in *Wales*, or the court of exchequer in *Scotland*.

Names of men, &c. to be entered in a book, and copies transmitted to the admiralty.

Penalty on clerks for neglect in transmitting such copies.

XVI. And be it further enacted by the authority aforesaid, That the several officers who shall receive men entered into his Majesty's service, in the manner herein-before mentioned, shall pay to any person appointed by the justices or magistrates aforesaid to receive the same, for the use of the officers of the parish or town so employed in the raising such men, for their pains and services therein, twenty shillings of lawful money of *Great Britain* for every man so entered, and shall also pay for every such man who shall have a wife or family any sum not exceeding forty shillings, nor less than ten shillings, of lawful money of *Great Britain*, to be paid over as is herein-after directed, into the hands of the churchwardens or overseers of the poor, for the benefit of such parish or township in which such man shall have gained a settlement, and whose wife or family may become chargeable to such parish or township respectively, which sum shall be settled by the major part of the justices or magistrates aforesaid present at the meeting when such person shall be entered, regard being had to the number of children, or other particular circumstances of such person so entered, and shall also pay the sum of sixpence *per diem* for keeping every such man who shall be so delivered as aforesaid, according to the number of days that the officers of the said parish or town shall have kept him in custody, pursuant to the powers granted by this act, until such delivery, and which sum of sixpence *per diem* shall be deducted out of the pay of such man; in case of dispute, to be ascertained and distributed to and amongst the churchwardens, overseers, constables, headboroughs, tythingmen, and such other parish and town officers, or any of them, according to the judgement and discretion of the justices or magistrates aforesaid, or the major part of them then present; for

Parish officers to be paid 20s. for every man entered, and parishes where men have gained settlements a sum on account of their wives and families becoming chargeable, and the officer 6d. per diem while men are in custody.

Allowances, in case of dispute, to be settled by the justices.

all which payments receipts shall be given to such officer by the person receiving the same, but which receipt shall not be chargeable with any stamp duty.

Justices may allot part of allowances to high constables.

XVII. Provided always, and be it further enacted by the authority aforesaid, That the justices or magistrates aforesaid, in their respective divisions, are hereby authorised and empowered, by and out of the said sum of twenty shillings herein-before directed to be paid for the use of the officers of the parish or town so employed in the raising of such men, to allot and order such sum as they shall think fit to the respective high constables, within their respective limits and jurisdictions, for their pains and service in the execution of this act, not exceeding the sum of two shillings

Clerks to be rewarded as the treasury shall direct,

XVIII. And be it further enacted, That the said several clerks of the justices or magistrates aforesaid, provided the said copies or duplicates be truly transmitted into the office of the admiralty as aforesaid, shall have and receive, by the hands of the paymaster of his Majesty's navy, over and above the sums herein-before directed to be paid, such rewards as the commissioners of the treasury for the time being, upon consideration of the numbers of men entered in the several counties, ridings, divisions, shires, stewardries, cities, boroughs, towns, cinque ports, liberties, or places, by virtue of this act, and the pains and charges of the several clerks in this service, shall judge the said clerks several and respectively to deserve.

Parish officers not to be allowed expences in keeping persons discharged as not within the descriptions of this act; but for such as are rejected by the regulating officer, to be paid 6d. per diem.

Officer to specify his objections to men, &c. and to transmit to the admiralty reasons for refusal.

XIX. *And, for the better preventing any disputes which may arise about paying for the subsistence of those persons who, having been apprehended and detained by virtue of this act, may afterwards be discharged upon examination before the justices or magistrates aforesaid and officers,* be it further enacted by the authority aforesaid, That if any person being judged by the justices or magistrates aforesaid not to be within any of the descriptions of this act, shall be by them discharged, the officers of the parish or town shall be entitled to no consideration for their expences in keeping such person; and if any person, being judged by the justices or magistrates aforesaid to be within the description of this act, shall be rejected by the regulating officer, such officer shall pay to the officers of the parish or town sixpence *per diem* for the whole time that he shall have kept such person; and every officer who shall object to any person delivered to him by the justices or magistrates aforesaid, shall specify his objection to such person, whether it be his age or bodily disability, and the grounds of such objection shall be forthwith (as far as may be) enquired into by the justices or magistrates aforesaid, and they shall proceed accordingly; and every officer who shall refuse or discharge any person delivered to him by the justices or magistrates aforesaid as fit to serve his Majesty, within the description of this act, shall, without delay, transmit to the secretary of the admiralty his reasons for such refusal or discharge in writing, signed by himself.

Commencement of men's pay.

XX. And be it further enacted by the authority aforesaid, That the pay of every such man so delivered to the officers or persons

persons appointed to receive them as aforesaid, shall commence from the time of his being taken and secured as aforesaid, deducting such sums of money thereout as shall be paid by virtue of this act for his subsistence; and no person so entered in pursuance of this act, shall be liable to be taken out of his Majesty's service by any process, other than by some criminal process, for some criminal matter punishable by the known laws of the land.

Men entered not to be taken out of the service but for a criminal matter.

XXI. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall wilfully do any act or thing, whereby the execution of this act, in the searching for, taking, and securing, such able-bodied men as aforesaid, shall be hindered or frustrated, every such person shall, for every such offence, forfeit and pay any sum not exceeding twenty pounds, nor less than ten pounds, one moiety thereof to the use of his Majesty, his heirs and successors, and the other moiety thereof to the use of the informer or informers; and all and every such offences may be enquired of, heard, and finally determined by any two or more of his Majesty's justices of the peace dwelling in or near the place where such offence shall be committed, who have hereby power to cause the said penalty to be levied by distress and sale of the offender's goods and chattels, rendering the overplus (if any be) to the owners, and if the offender has no goods and chattels sufficient to answer the said penalty, then to commit him or her to the county gaol or house of correction, there to remain for the space of three calendar months, without bail or mainprize.

Penalty for obstructing the execution of this act.

Such offences may be determined by two justices, &c.

XXII. And it is hereby further enacted by the authority aforesaid, That the inhabitants of every parish and township where any person described as aforesaid doth abide, or is to be found, at the instance of any one or more of the justices or magistrates aforesaid, or of any churchwarden, overseer of the poor, or constable of the same parish or township), shall (not having a lawful or reasonable cause to the contrary) be aiding and assisting in the furtherance of his Majesty's said service.

Inhabitants to aid in the execution of act.

XXIII. And, to encourage such inhabitants and others to assist in discovering and apprehending such persons described as aforesaid, it is hereby further enacted by the authority aforesaid, That if any person shall discover and give information of any able-bodied man or men fit to serve his Majesty, within any of the descriptions of this act, so that he or they shall be apprehended and brought before the justices or magistrates aforesaid, and ordered to be entered in his Majesty's service, such person, for every man so discovered and entered, shall receive from the officer to whom such man shall be delivered the sum of ten shillings out of the twenty shillings which he is hereby directed to pay to the officers of the parish or town for every man raised by virtue of this act, and the remainder only of such twenty shillings shall in that case be paid to such officers,

Reward to persons giving information of able-bodied men within the descriptions of act.

XXIV. And be it further enacted by the authority aforesaid, That if any action, plaint, suit, or information, shall be commenced or prosecuted against any person or persons for what he

Limitation of actions.

or they shall do in pursuance or execution of this act, the same shall be commenced within six calendar months after the offence committed, and shall be laid or brought in the county or place where the fact was committed, and not afterwards, or elsewhere; and such person or persons, sued in any court whatsoever, shall and may plead the general issue of 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 or judgement upon demurrer pass against him, the defendant shall recover treble costs, for which he shall have the like remedy as in any case where costs by the law are given to defendants.

General issue.

Treble costs.

24 Geo. 2. c. 44. so far as relates to rendering justices more safe in the execution of their office, to extend to this act.

No action to be commenced till notice be given.

Defendant may tender amends, which may be pleaded.

Treble costs.

Persons instituting actions in Scotland to give previous notice, that amends may be tendered, &c.

XXV. And be it further enacted by the authority aforesaid, That the statute made in the twenty-fourth year of the reign of his late majesty King George the Second, intituled, *An act for the rendering justices of the peace more safe in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants*, so far as the said act relates to the rendering the justices more safe in the execution of their office, shall extend and be construed to extend to the justices or magistrates aforesaid, acting under the authority or in the execution of this act; and no action or suit shall be had or commenced, or writ issued out, or copy of writs served upon any peace officer or officers, or any other person or persons, for any thing done in the execution of this act, until notice in writing shall have been given to him or them, or left at his or their usual place of abode by the attorney for the party commencing such action, or suing out or serving the copy of the said writ, which said notice in writing shall contain the name and place of abode of the person who is to bring such action, together with the cause of action or complaint, and the name and place of abode of the said attorney shall be under written or indorsed thereon; and such defendant or defendants shall be at liberty, and may, by virtue of this act, at any time within fourteen days after such notice, tender or cause to be tendered any sum or sums of money as amends for the injury complained of to the party complaining, or to the said attorney, and if the same is not accepted of, such defendant or defendants may plead such tender in bar of such action or actions, together with the general issue, or any other plea, with leave of the court; and if upon issue joined upon such tender the jury shall find the amends tendered to have been sufficient, the said jury shall find a verdict for the defendant or defendants, who shall, in such case, be entitled to his and their treble costs.

XXVI. And be it further enacted by the authority aforesaid, That if any action shall be brought against any justice of the peace or magistrate aforesaid, or other officer employed in the execution of this act, in that part of *Great Britain* called *Scotland*, the person instituting such action shall, previous to the commencement thereof, intimate by himself, or his agent or attorney, his said intention and grounds of complaint, so as that the justices or magistrates aforesaid, or other officers, may have opportunity of making due amends

amends for the injury intended to be prosecuted; and if the said justices or magistrates aforesaid, or other officers, shall make it appear, to the satisfaction of the judge before whom the action is brought, that such due amends were tendered and refused previous to the commencement of the action, the said judge shall give decree for the defender, who shall in such case be entitled to treble costs of suit. Treble costs.

XXVII. Provided always, and be it further enacted by the authority aforesaid, That where a verdict shall be given for the plaintiff in any action to be brought against any justice of the peace or magistrate aforesaid, or any peace officer or other person, for seizing, taking, imprisoning, or detaining such plaintiff in the execution of this act, under colour of any authority or authorities hereby given, and it shall appear to the judge or court before whom the same shall be tried, that there was a probable cause for doing the act complained of in such action; and the said judge or court shall certify on the record that there was probable cause as aforesaid, then and in such case the plaintiff shall not be entitled to more than twopence damages, nor to any costs of suit: provided always, that where a verdict shall be given for the plaintiff in any such action as aforesaid, and the judge or court before whom the cause shall be tried shall certify on record that the injury for which such action was brought was wilfully and maliciously committed, the plaintiff shall be entitled to double costs of suit. Where there was a probable cause for act complained of, plaintiff not entitled to costs; but where the injury was wilful, to have double costs.

XXVIII. And be it further enacted, That when his Majesty shall be satisfied, by the said returns of the justices or magistrates, or otherwise, that a sufficient number of men in the whole shall be raised for his present service, or for other sufficient reasons, it shall be lawful for his Majesty to suspend or revive the execution of this act with respect to the whole of *Great Britain*, or any part thereof, by proclamation or order in council, or other publick notice, in the *London Gazette*, or by notice from the commissioners of the admiralty for the time being, any thing herein contained to the contrary thereof notwithstanding: provided also that his Majesty, when he shall judge it expedient for his service, may at any time suspend the execution of this act, in any place in *Great Britain*, by notice from the secretary of the admiralty; any thing herein contained to the contrary thereof notwithstanding. His Majesty may suspend or revive the execution of this act.

XXIX. And, for the more easy and better putting this act into execution, be it enacted by the authority aforesaid, That any three or more of the justices or magistrates aforesaid, for putting this act into execution, in the several ridings of the county of *York*, (being justices of the peace, though not all of the same riding), may, within the castle of *York*, or limits thereof, execute the powers of this act. Three justices, though not for the same riding, may act within the limits of *York* castle.

XXX. And be it further enacted by the authority aforesaid, That this act, and every thing herein contained, shall be and continue in force until the end of the next session of parliament, and no longer. Continuance of act.

XXXI. And be it further enacted by the authority aforesaid, That the several entries which the justices or magistrates aforesaid, for executing this act, are required to make of the names and descriptions of all men levied by virtue of this act, together with the other particulars herein-before directed, shall be made according to the form hereunto annexed.

Entries of men to be made in the form annexed.

Recruit's name.	Parish.	Age.	Description of the recruit.	Officer who received, or refused, the recruit, and on what day.	On what grounds refused.

Forms of proceedings in schedule, to be used.

XXXII. And be it further enacted, That the forms of proceeding relative to the several matters in this act, which are set forth and expressed in the schedule hereunto annexed, shall be used upon all occasions, with such additions and variations only as may be necessary to adapt them to the particular exigencies of the case, and that no objection shall be made, or advantage taken, for want of form in any such proceedings, by any person or persons whomsoever.

C A P. XXXV.

An act for making allowances, in certain cases, to subaltern officers of the militia, in time of peace.—[April 28, 1795.]

Preamble.

WHEREAS it is expedient to make some addition to the pay of certain subaltern officers of the militia forces of this kingdom, who have served during the present war, after the disembodiment of the said forces, and during peace, under certain regulations; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the disembodiment of the militia forces of this kingdom, certain annual allowances, over and above the pay to which during peace they are now by law entitled, shall

From the disembodiment of the militia the subalterns to have certain allowances during peace.

shall for the future be allowed and paid to subaltern officers of the militia, of the descriptions, to the amount, under the restrictions, and in the manner herein-after expressed; (that is to say), to every subaltern officer of the militia who now bears a commission, is serving, and shall continue faithfully to serve, in the same corps, or who, previous to the expiration of four months from the passing of this act, shall be appointed to a commission, and shall continue faithfully to serve in the embodied militia, and in the same corps, until the disembodying thereof, the following annual allowances, over and above the pay to which they may be by law entitled during peace, shall be allowed and paid, without any deductions of any kind, or for any purpose whatsoever; (that is to say), to a lieutenant twenty-five pounds *per annum*, and to an ensign twenty pounds *per annum*, in the manner herein-after mentioned.

II. Provided always, and be it further enacted, That no person who is or shall at any time hereafter become possessed of such an estate or income as would by law qualify him to hold a captain's commission in the militia, or who is or shall at any time hereafter be appointed adjutant or battalion clerk in any regiment or corps of militia, nor any person deriving in any way whatsoever, otherwise than as a subaltern officer of the militia, any income, stipend, or allowance whatever from the publick, nor any officer on the full or half pay of the navy, army, or marines, who shall also hold a subaltern's commission, and serve as aforesaid in the militia, shall have or be in anywise entitled to the said annual allowances, or any part or share thereof; any thing herein contained to the contrary thereof in anywise notwithstanding. Exceptions.

III. And be it further enacted, That the subaltern officers of the militia, who shall claim, under the authority of this act, to receive either of the said annual allowances, shall, previous to receiving the same, and, in order to entitle themselves thereto, annually take and subscribe an oath before some one of his Majesty's justices of the peace for the county, riding, or place, to which the regiment or corps in which they serve shall belong, in the words or to the effect following; (*videlicet*), Subalterns to take the following

I A. B. do swear, That I am now serving as a subaltern officer in the regiment [or corps] of militia; and that I am not, in my own right, or in right of my wife, nor have been, since the disembodying of the said regiment [or corps], in the actual possession and enjoyment or receipt of the rents and profits of lands, tenements, or hereditaments of such an annual value, above reprises, as would qualify me to hold a captain's commission in the militia; that I am not, nor have been, since the disembodying of the said regiment [or corps], an adjutant or battalion clerk in any regiment [or corps] of militia; that I do not hold or enjoy, nor have I held or enjoyed, nor does or has any person for me hold or enjoy, or held or enjoyed, since the disembodying of the said regiment [or corps], any office or income whatsoever from the publick; and that I am not entitled either to the full

or half pay of the navy, army, or marines, nor have been since the disembodiment of the said regiment [or corps].

So help me GOD.

Justices to transmit oaths to the receiver general of the land tax of the county.

Which oath, so taken and subscribed, shall be by the said justice forthwith certified and transmitted, and he is hereby required to certify and transmit the same to the receiver general of the land tax of the county, riding, or place, to which the regiment or corps of militia in which such subaltern officer shall be then serving shall belong, to be by him filed and preserved for the purposes hereinafter mentioned.

Subalterns to attend the annual exercise, certificates of which to be transmitted by the commanding officer to the lieutenant and receiver general of the county.

IV. And be it further enacted, That every subaltern officer of the militia, who shall be entitled, or claim to be entitled to the benefits of this act, shall regularly attend the annual exercise and training of the regiment or corps to which he belongs, during the whole of the twenty-eight days by law required for that purpose, and shall, during the said time, punctually do and perform his duty as a subaltern officer of such regiment or corps, on pain of forfeiting the said annual allowance, as well as the rest of his pay, and every part thereof, which may be due for the current year in which he shall neglect or refuse to attend; and certificates of his having so attended and performed his duty, signed by the commanding officer of the regiment or corps to which he may belong, shall be transmitted by the said commanding officer to the lieutenant and receiver general of the land tax of the county, riding, or place to which the said regiment or corps of militia, in which such subaltern officer shall be then serving, shall belong, to be by the said receiver general received previous to any such subaltern officer being entitled to demand or receive the said annual allowance, or any part thereof; and in case any such subaltern officer, claiming to be entitled to such annual allowance, shall, by his commanding officer, be permitted or suffered, for any special cause or unavoidable necessity, to be absent during the whole or any part of such annual exercise, (in which case it shall be lawful for such commanding officer to grant such leave of absence, and for such subaltern officer, who may be so permitted to be absent, to demand and receive the said annual allowance, and every part thereof, in like manner as if he had attended during the whole of the said annual exercise), the reasons for such absence, as well as the duration thereof, shall be carefully and truly specified in the certificates before-mentioned, signed by the commanding officer, to be transmitted, as soon as conveniently may be, to the lieutenant of the county, riding, or place, to which the regiment or corps shall belong, to the receiver general of the land tax for the same county, riding, or place, and to his Majesty's principal secretary of state for the home department.

Reasons for leave of absence from annual exercise to be transmitted to the said lieutenant and receiver general, and secretary of state.

If militia be not called out to annual exercise, subal-

V. Provided always, and be it further enacted, That in case any regiment or corps of the militia, after the disembodiment thereof at any time, shall not be called out for the annual exercise

and

and training thereof, every subaltern officer belonging to any such regiment or corps, and coming within the descriptions of this act, who shall have taken and subscribed the oath hereinbefore mentioned, before any such justice of the peace as aforesaid, shall be entitled to the said annual allowance, as if such subaltern officer had regularly attended the annual exercise and training of such regiment or corps during the whole of the twenty-eight days by law required for that purpose, and a certificate of such attendance, signed by the commanding officer of the said regiment or corps, had been transmitted to the lieutenant and receiver general of the land tax for the county, riding, or place, to which such regiment or corps belong, according to the directions of this act; any thing contained in this act to the contrary hereof notwithstanding.

terms to be entitled to allowance as if they had attended.

VI. And be it further enacted, That, upon such certificates as aforesaid, of such justice of the peace and commanding officer as aforesaid, or (where any regiment or corps of militia shall not have been called out to their annual exercise as aforesaid) upon a certificate of any such justice of the peace only, being produced to or received by the respective receivers general of the land tax, it shall and may be lawful for such receivers general, and they are hereby authorised and required to pay to the said subaltern officers, according to their respective commissions of lieutenant or ensign, the annual allowance above-mentioned, in addition to their pay, without any deduction whatsoever, out of any publick monies in their hands, and to charge the same in their respective annual accounts of money disbursed for the use of the publick; the certificates before mentioned to be by them preserved and produced among the vouchers for the payments from time to time made by them in pursuance of this act.

Allowances to be paid without deduction.

VII. And be it further enacted, That the subaltern officers of the militia, entitled or claiming to be entitled to the benefits of this act, shall at all times be liable to serve in the respective regiments or corps to which they belong, whenever the same shall be embodied and called out upon actual service; and in case of neglect or refusal to attend when called upon, or in case any such subaltern officer shall a second time neglect or refuse to attend and perform his duty at the annual exercise as before directed, each and every such subaltern officer shall forfeit his and their claim to the said annual allowance, and every part thereof, in all time to come, and shall also be considered as having resigned and vacated his and their commission and commissions to all intents and purposes whatsoever.

Subalterns not attending when called upon, to forfeit their claim to the allowance.

VIII. And be it further enacted, That the said several annual allowances shall be paid to the persons respectively entitled thereto by the receivers general of the land tax, upon the production of the before-mentioned several certificates, as soon after the times of the annual exercise and training as may be convenient and practicable: provided always, That nothing in this act contained shall extend, or be construed to extend, to prevent any subaltern officer entitled to the benefit of it, from receiving the pay allowed by law for his attendance at such annual exercise as before

Allowances to be paid by the receivers general on production of certificates.

Subalterns may receive the pay for attending annual exercise;

but not entitled to allowance while the militia is embodied.

Allowance not to extend to more than a certain number of subalterns.

Senior lieutenants to have the preference, and the junior to succeed on vacancies.

before mentioned, over and above the said annual allowance: provided also, That nothing in this act contained shall extend, or be construed to extend, to entitle any subaltern officer as aforesaid to the said annual allowance, or any part thereof during the time the regiment or corps to which he belongs shall be embodied or called out on actual service: provided also, That this act, and the benefits and allowances therein contained, shall not extend, or be construed to extend, to more than ten lieutenants in any regiment consisting of more than ten companies; to more than nine lieutenants in any regiment consisting of more than eight and less than eleven companies; to more than eight lieutenants in any regiment consisting of more than six and less than nine companies; to more than five lieutenants in any regiment, battalion, or corps, consisting of six or of a less number of companies.

IX. And be it further enacted, That in case in any regiment, battalion, or corps of the militia, at the time of disembodied thereof, there shall happen to be a greater number of lieutenants coming within the descriptions of this act than can be entitled to claim the benefits thereof within the true intent and meaning of the foregoing proviso, the senior lieutenants of such number shall always be preferred, and shall be alone entitled to demand and receive the above-mentioned allowances, and that the junior lieutenants shall succeed to such allowances in rotation as vacancies may happen among the said senior lieutenants from time to time.

26 Geo. 3. c. 107, recited.

Powers of recited act, for discharging officers at the end of every five years, not to extend to the subalterns entitled to benefits under this act.

Continuance of act.

X. *And whereas, by an act of parliament, passed in the twenty-sixth year of the reign of his present Majesty, intituled, An act for amending, and reducing into one act of parliament, the laws relating to the militia, in that part of Great Britain called England, it is enacted, That the lieutenant of any county, riding, or place, together with any three or more deputy lieutenants, and on the death or removal, or in the absence of any such lieutenant, any five or more deputy lieutenants, may, at the end of every five years, at their annual meetings to be holden as in the said act mentioned, in case the militia of such county, riding, or place, shall not be then embodied, discharge a certain number of officers for the purposes, and in the manner in the said act mentioned: and whereas it is not expedient that the powers so given by the said recited act should extend to subaltern officers coming within the descriptions, and entitled to the benefits of this act; be it therefore enacted and declared, That nothing in the said recited act contained shall extend, or be construed to extend, to empower the lieutenant or deputy lieutenants of any county, riding, or place, to discharge any such subaltern officers as are or may be entitled to the benefits of this act, according to the true intent and meaning thereof, or any of them.*

XI. And be it further enacted, That this act shall continue in force, until the twenty-fifth day of *March* one thousand seven hundred and ninety-six, and no longer.

C A P. XXXVI.

An act for granting to his Majesty a certain sum of money, to be raised by a lottery.—[April 28, 1795.]

758,541l. 13s. 4d. to be raised by a lottery, and subscribers to deposit 1l. 5s. 10d. for each ticket. All persons who have made deposits, pursuant to the resolution of the house of commons, are required to pay the remainder of their subscriptions at the times following, viz. 1l. 10s. by May 22, 1795;—2l. by July 31;—2l. by Sep. 11;—2l. by Oct. 30;—2l. by Dec. 4;—and the remaining 3l. by Jan. 22, 1796; and the contributors for each 13l. 15s. 10d. advanced shall be entitled to such lot upon each fortunate ticket as is herein mentioned; and those that pay contributions before Dec. 4, to be allowed discount at 3l. per cent. per ann. and to have lottery tickets delivered at 13l. 15s. 10d. each. Cashier to give security to the satisfaction of the commissioners of the treasury, and to pay all monies received into the exchequer. Commissioners of the treasury empowered to apply the money paid in by the cashier. 500,000l. the amount of the prizes, to be paid out of any supplies to be granted this session. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Managers to examine the books, with the tickets, and deliver them to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed of tickets, and an account of money received and paid in. Undisposed tickets to be delivered into the exchequer. Tickets of the middle columns to be rolled up, and fastened with thread or silk; and cut off indentwise into a box marked with the letter (A), and put into another box to be locked up and sealed. Books to be prepared with two columns, on each of which 55,000 tickets are to be printed. The number and value of the fortunate tickets. —Five prizes of 20,000l.—five of 10,000l.—five of 5,000l.—eight of 2,000l.—fifteen of 1,000l.—twenty-four of 500l.—fifty of 100l.—one hundred of 50l.—and fifteen thousand of 18l.—1,000l. to the first drawn ticket, and 1,000l. to the last drawn ticket. Tickets in the outermost column of the last-mentioned books to be rolled up and tied, and cut off into a box marked with the letter (B), &c. Publick notice to be given of putting the tickets into the boxes. Lottery to begin drawing on Feb. 22, 1796. Method to be observed in drawing, &c. Number of the fortunate tickets, and the sums to be printed. Disputes to be adjusted by the managers. Penalty on forging tickets, &c. Offenders (not in prison) discovering persons guilty, to receive a pardon and 50l. reward. No attainer for such offences to make corruption of blood, loss of dower, or disinheritance of heirs. Managers to be sworn. The oath.

I, A. B. as a manager and director of the lottery to be drawn in pursuance of an act of parliament made in the thirty-fifth year of his Majesty's reign, do swear, that I will faithfully execute the trust reposed in me; and that I will not use any indirect art or means, or permit or direct any person to use any indirect art or means, to obtain a prize or fortunate lot therein, for myself, or any other person whatsoever; and that I will do the utmost of my endeavours to prevent any undue or sinister practice to be done by any person whatsoever; and that I will, to the best of my judgement, declare to whom any prize, lot, or ticket of right does belong, according to the true intent and meaning of the said act.

Cashier may receive the sum subscribed before receiving the lottery book; giving a note for the same; which shall entitle the bearer to a ticket for every 13l. 15s. 10d. paid. After May 22, 1795, the cashier may deliver tickets not exceeding in value half of the sum actually subscribed; and shall give receipts for the residue of such sums, after deducting the value of the tickets so delivered. Contributors not making good their payments within the times limited, forfeit their deposits, and the tickets to be returned to the managers, &c. Commissioners of the treasury may reward the managers, &c. as they shall think fit. The 500,000l. for

Anno regni tricesimo quinto GEORGI III. c. 36. [1795.]

for the payment of the fortunate tickets, to be charged on any supplies granted this session; and shall be paid to the proprietors, without any deduction, on July 1, 1796, &c. Managers to give notice of the times for exchanging tickets for certificates. Certificates to be numbered, &c. and signed, &c. Commissioners of the treasury empowered to defray the incidental expences attending the execution of this act. No fee to be taken for receiving or paying contribution monies, for receipts, &c. on penalty of twenty pounds. No person to take down the numbers of the tickets at the time of drawing, unless employed as a clerk or licensed *so* to do. Persons so licensed to receive from the stamp office numerical books, which shall be stamped on every leaf. Commissioners to grant such licences only on account of licensed lottery offices. Five pounds penalty on unlicensed persons taking down or publishing the numbers of tickets drawn, &c. On complaint the magistrates of London may grant warrants for apprehending offenders. Persons in the actual commission of such offence may be apprehended by any person, and carried before a magistrate, who may commit the offender if the penalty be not paid. Application of penalties. Fifty pounds penalty on persons summoned as witnesses not appearing, &c. Commissioners shall not be required to grant a licence for dealing in lottery tickets, unless it shall appear that the party is able to answer the penalty required by law, and he shall have deposited a certain number of tickets, &c. Persons to whom licences are granted to give bond agreeably to 22 Geo. 3. c. 47. At the end of twelve months after expiration of licences, the commissioners may give up bonds or put them in suit. Licences of persons neglecting to deposit or divide into shares fifty tickets to be void; and the defaulters to be published in the Gazette, &c. In cases where licences under 22 Geo. 3. c. 47. are declared void, in such cases licences granted after the commencement of this act shall be void, for offences against this act, or 27 Geo. 3. c. 1. Licences may be refused to persons convicted. Twenty pounds penalty on persons continuing on their houses the words, "Licensed to deal in lottery tickets," after expiration of their licences, &c. Executors, &c. may be authorised to carry on business for the residue of the terms of licences. No tickets to be divided into any other shares than halves, quarters, eighths, and sixteenths, on penalty of fifty pounds. Application and recovery of penalties. Form of shares of tickets.

L OTTERY for the year one thousand seven hundred and ninety-five

An Half

Ticket, No _____

(or as the share may be)

The bearer of this share will be entitled to one ^{part} of such beneficial chance as shall belong to the ticket numbered as above, in the lottery to be drawn by virtue and in pursuance of an act passed in the thirty-fifth year of his present Majesty's reign.

Persons counterfeiting shares, &c. guilty of felony. Persons preparing or having in their custody any register or list of tickets but as herein particularized; or keeping any place for examining tickets by any other than such list, &c. to forfeit fifty pounds. On complaint on oath of offences against 27 Geo. 3. c. 1. whereby the parties may be liable to punishment as rogues, justices may authorise persons to break open houses, &c. Persons discovered in such houses concerned in carrying on illegal transactions, to be punished as rogues, and may be arrested, &c. Persons obstructing officers may be fined, imprisoned and whipped. Persons employing or aiding others to carry on such illegal transactions, to be deemed rogues and vagabonds. Actions to be prosecuted in the name of the attorney general or an officer appointed by the commissioners of stamps. Where the amount of the penalties sued for is not inserted in the writs, the defendant

to be served with a copy of the process, &c. Offenders adjudged rogues and vagabonds may be committed, and no appeal nor removeable by certiorari. General issue. Treble costs.

C A P. XXXVII.

An act for enabling his Majesty to raise the sum of two millions five hundred thousand pounds for the uses and purposes therein mentioned.—[April 28, 1795.]

Most gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, having taken into our most serious consideration your Majesty's most gracious message, signifying your Majesty's desire to be enabled by your faithful commons, to defray any extraordinary expences which may be incurred for the service of the year one thousand seven hundred and ninety-five, and to take such measures as the exigency of affairs may require, have resolved to give and grant to your Majesty the sum of two millions five hundred thousand pounds for that purpose.—His Majesty may empower the treasury to cause loans to be received, or exchequer bills to be made for 2,500,000l. any time before Jan. 5, 1796, agreeable to 35 Geo. 3. c. 1. Powers of 35 Geo. 3. c. 1. to extend to this act. Loans or exchequer bills chargeable on the first aids granted next session, and if not granted before July 5, 1796, to be paid out of the consolidated fund. Monies issued from the consolidated fund to be replaced out of the first supplies. Bank may advance money on the credit of this act.

C A P. XXXVIII.

An act to continue several laws relating to the granting a bounty on certain species of British and Irish linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax; to the discontinuing the duties payable on the importation of tallow, hogs lard, and grease; and to the prohibiting the importation of foreign wrought silks and velvets; and for making perpetual an act, made in the twenty-fifth year of the reign of his present Majesty, to prohibit the exportation of tools and utensils made use of in the iron and steel manufactures of this kingdom; and to prevent the seducing of artificers or workmen employed in those manufactures to go into parts beyond the seas.—[April 28, 1795.]

Act 29 Geo. 2. c. 15. granting a bounty on certain species of British and Irish linens exported, continued to June 24, 1796, &c. Act 7 Geo. 3. c. 12. to discontinue the duties on importation of tallow, &c. continued to March 25, 1799, &c. Act 6 Geo. 3. c. 28. so far as relates to prohibiting the importation of foreign wrought silks and velvets continued to June 14, 1802, &c. Act 26 Geo. 3. c. 89. extending to other tools and utensils an act 25 Geo. 3. c. 67. made perpetual.

C A P. XXXIX.

An act for allowing a drawback of the duties upon coals used in carrying on the Pennygored works, in the county of Pembroke.—[April 28, 1795.]

A drawback to be allowed of duties paid for coals used in carrying on the Pennygored works, but not to exceed one thousand pounds in any one year.

C A P. XL.

An act to enable his Majesty to grant to the right honourable John earl of Upper Ossory in the kingdom of Ireland, Baron Upper Ossory of Amptill, in the county of Bedford, his heirs and assigns, in fee simple,

all the estate, right, title, and interest remaining in his Majesty, in and upon the haye or walk of Farming Woods, in the forest of Rockingham, in the county of Northampton, and also the reversion of certain offices, rents, and other hereditaments in the said county of Northampton, to which the said earl of Upper Ossory is entitled for three lives, under a grant from his present Majesty, upon a full and adequate consideration to be paid for the same.—[April 28, 1795.]

C A P. XLI.

An act to continue the term, and alter and enlarge the powers, of an act made in the thirteenth year of the reign of his present Majesty, intituled, An act for deepening, cleansing, and making more commodious the harbour of Aberdeen; for erecting new piers and quays therein; and for regulating ships and vessels trading into, and going out of, the said harbour.—[April 28, 1795.]

Act 13 Geo. 3. c. 29, recited, and further continued for twenty-one years. Duties to be collected. Ships, &c. to pay a harbour duty at least double the sum which they were used to pay. Vessels not heretofore used to pay duties, shall pay the rates following. For every ship or vessel of the burthen of fifty tons or under, one shilling and threepence. Above fifty and under one hundred tons, two shillings and sixpence. From one hundred to one hundred and fifty tons, five shillings. And above one hundred and fifty tons, seven shillings and sixpence. Open boats under twenty tons, except employed in unloading ships, exempted from rates and duties. Officers of customs not to clear out ships until a voucher is shewn of the payment of the duties. Birth-master to keep a book to enter a list of ships coming into and sailing out of the harbour. Ship-masters to give to the birth-master an account of their cargoes. Rates and duties subject to the payment of the money due on credit of the former act. Trustees may borrow twenty thousand pounds. Rates and duties may be lessened. Powers of the former act extended to this act. Publick act.

C A P. XLII.

An act for enlarging the term and powers of three several acts, made in the sixth year of the reign of his majesty King George the First, in the seventh year of the reign of his late Majesty, and in the ninth year of the reign of his present Majesty, for laying a duty of two pennies Scots, or one sixth part of a penny sterling, upon every pint of ale, or beer, vended or sold within the town of Montrose and privileges thereof, for supplying the said town with fresh water, and for other purposes therein mentioned.—[April 28, 1795.]

C A P. XLIII.

An act for making a navigable cut from the grand junction canal, in the precinct of Norwood, in the county of Middlesex, to Paddington, in the said county.—[April 28, 1795.]

Width of the cut not more than twenty yards, and towing paths with ditches, fences, &c. twelve yards. Cut not to be made through certain lands belonging to Thomas Wood, esq. sir John Morhead, bart. and Elizabeth his wife, and Robert Phistleywayte, esq. and Selina his wife, (as lessees of the see of London) and of the bishop of London, without consent of the owners thereof. Company obliged to vary a certain part of the line of the cut, if desired by Charles Brett, esq. No earth for making bricks to be taken from North Hyde Heath. Company to build and maintain a bridge over the cut in Porto Bello farm. Rates. For all lime, ashes and manure, passing westward upon the cut, one penny per ton per mile. For all separate packages, parcels, &c. not exceeding two hundred weight each, belonging and consigned to different or distinct persons, one halfpenny per mile. And for all other goods, wares, &c. one penny halfpenny per ton per mile. No boat of less than twenty tons, or carrying passengers, to pass on the cut without permission. Land owners to be admitted subscribers in certain cases. Publick act.

C A P. XLIV.

An act to enable the most noble Francis duke of Bridgewater to make a navigable cut from his present navigation in the township of Worsley, in the county palatine of Lancaster, to the township of Pennington, near the town of Leigh, in the said county.—[April 28, 1795.]

Power to make the cut. For every ton of coal, stone, timber, and other goods conveyed by the said cut, two shillings and sixpence. Lands used for the cut to be taxed in proportion to other lands. Land owners empowered to make wharfs, &c. Preserving right to work mines. Publick act.

C A P. XLV.

An act to explain, amend, and render more effectual an act, made and passed in the thirty-first year of the reign of his present Majesty, intituled, An act for paving, lighting, watching, cleansing, watering, repairing, and keeping in repair, Finsbury Square, in the parish of Saint Luke, in the county of Middlesex, and part of the manor of Finsbury, and certain other streets and places communicating with or near to the said square; and for preventing or removing nuisances and annoyances within the same.—[April 28, 1795.]

Act 31 Geo. 3. c. 90, recited. So much of recited act as limits the extent of the rate to be laid repealed. Rates to be made not exceeding four shillings in the pound. Trustees may borrow two thousand pounds. For effectually extending the powers of the former act and this act to Middle Moorfields and the quarters in Moorfields. Separate accounts of optional streets to be kept. Rates on houses, &c. in Finsbury Square, &c. or money borrowed and chargeable thereon, not applicable to optional streets. Fourteen days notice to be given previous to raising money. Securities to be entered in books. No preference to securities on account of prior date. Compensation to the parish of Saint Luke, not to be prejudiced. Extending all the provisions of the former act to this act. Publick act.

C A P. XLVI.

An act for laying out and making a new street from Whitefriar-gate to the south end of Quay-street, within the town and county of the town of Kingston-upon-Hull.—[April 28, 1795.]

Certain persons empowered to make the new street and to take down buildings. Power to purchase buildings and grounds. Conveyances to be registered in the publick register office at Beverley in Yorkshire. How lands purchased are to be conveyed to and vested in trustees. For determining leases. No houses, &c. to be taken without consent of the owners, unless notice be given before the first day of June one thousand seven hundred and ninety-seven. The trustees when reduced to three shall convey to the committee upon the same trusts. Committee appointed. Vacancies in the committee shall be filled up in a month. Committee to make calls for money from the subscribers. Committee may admit new subscribers. Power to grant leases. Rents to be applied as the subscribers shall appoint. Power to sell lands purchased under certain restrictions. The money raised by such sales to be applied as the subscribers shall appoint. Committee to be chargeable only for the monies they receive. A treasurer and clerk or secretary to be appointed. General meeting of subscribers on the first of August yearly. Subscribers may make orders. Appeal. Subscribers may sue and be sued in the name of their treasurer or clerk or secretary. Limitation of actions. General issue. Treble costs. Saving of the privileges of Hull. Publick act.

C A P. XLVII.

An act for taking down the chapel of the chapelry of Haydon, in the parish of Warden, in the county of Northumberland, and for building a new chapel, in a convenient situation within the said chapelry.— [April 28, 1795.]

Trustees names. Three trustees may act. Trustees dying, &c. others may be chosen. First meeting of trustees to be within one month after passing this act. Seven days notice to be given of meetings. If three trustees do not meet, an adjournment to be made for a fortnight. Questions at meetings to be determined by a majority of trustees present. Trustees may appoint officers, &c. taking security from them. Contracts to be in writing. A rate to be made of eight-pence halfpenny in the pound. Recovery of rate. Chapelwardens to account. Monies received and proceedings, &c. of trustees to be entered in a book. Old chapel to be taken down and new chapel built. Monuments, &c. to be taken down. Mural monuments only to be placed in the new chapel. Pews to be set out for the vicar, chapelwardens, and for christenings, churchings, and for the poor, &c. Pews or seats to be set out to owners of such in the old chapel. Residue of pews to be allotted to owners of messuages, &c. in the chapelry for the use of their tenants. Pews to be numbered. The new chapel to be called Haydon Chapel. No burials in the new chapel. Divine service, &c. to be performed in the school house at Haydon bridge, until the new chapel is completed. Scite of old chapel and chapel yard to continue as a burial place. Right of presentation reserved to T. R. Beaumont, esq. and his wife patrons. Rights of vicar continued. Rights of the ordinary reserved. Actions to be in the name of the treasurer or clerk to the trustees. Subscriptions may be recovered by action of debt. Appeal. General issue. Treble costs. Power to grant a further piece of ground for increasing the chapel yard. Publick act.

C A P. XLVIII.

An act for amending two acts of the thirtieth year of King George the Second, and the thirty-second year of his present Majesty, so far as relates to the draining and preserving certain fen lands and low grounds within the township or hamlet of March, in the Isle of Ely, and county of Cambridge.—[April 28, 1795.]

Commissioners appointed. First meeting of commissioners to be on the third Wednesday after passing this act. Certain parts of the commons shall be assessed as fen lands. Commissioners to meet yearly on the first Wednesday in May, and last Wednesday in October, and make an annual rate of two shillings an acre. Tenants to pay the tax, and deduct the same out of the rents. Application of rates. Power to borrow one thousand five hundred pounds. Securities may be assigned. Rates charged with the principal monies, and vested in the creditors. Power to take earth for making banks, &c. Publick act.

C A P. XLIX.

An act for granting to his Majesty a duty on certificates issued for using hair powder.—[April 30, 1795.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue

revenue as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament, have freely and voluntarily resolved to give and grant unto your Majesty the 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 fifth day of May one thousand seven hundred and ninety-five, there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs, and successors, the stamp duty following; that is to say, That every person who shall use or wear any powder commonly called *Hair Powder*, of whatever materials the same shall be made, shall previously enter his or her name and place of abode, and annually take out a certificate thereof, in the manner herein mentioned; and that upon every piece of vellum or parchment, or sheet or piece of paper, upon which any certificate issued to any such person shall be ingrossed, written, or printed, there shall be charged a stamp duty of one pound and one shilling.

Persons wearing hair powder to take out a certificate annually, chargeable with a stamp duty of 1l. 1s.

II. And, in order to prevent the application of other names to any powder which shall be used as hair powder, with intent to evade the payment of the said duty, be it further enacted by the authority aforesaid, That every sort or composition of powder which shall be used or worn by any person as an article of his or her dress, by whatever name the same shall be distinguished, shall be deemed hair powder within the intent and meaning of this act.

All powder worn as an article of dress, to be deemed hair powder.

III. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to any of the royal family, or to any of the immediate servants of his Majesty, or any of the royal family, serving in any of the capacities enumerated or described in or by an act, passed in the seventeenth year of his present Majesty's reign, intituled, *An act for granting to his Majesty a duty upon all servants retained or employed in the several capacities therein mentioned; and for repealing several rates and duties upon glass, imposed by an act made in the nineteenth year of the reign of his late Majesty, and for granting to his Majesty other rates and duties upon glass in lieu thereof, and for the better collecting the duties upon glass; and for repealing the several rates and duties charged by an act made in the twenty-ninth year of the reign of his said late Majesty, upon all persons and bodies politick and corporate, having certain quantities of silver plate.*

Act not to extend to the royal family, or their immediate servants.

IV. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to charge with the duty hereby imposed any clergyman who shall not be possessed of an annual income of one hundred pounds, or upwards, whether arising from ecclesiastical preferment or otherwise; nor any subaltern or non-commissioned officer, or private man, belonging to any regiment in the army, artillery, militia,

Exemptions.

Anno regni tricesimo quinto GEORGI III. c. 49. [1795.
division of marines, corps of engineers, or fencible corps; nor any officer employed in his Majesty's navy under the rank of commander.

Exemptions.

V. Provided also, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to charge with the duty hereby imposed any officer or private man in any corps of yeomanry, or volunteers, either cavalry or infantry, raised by virtue of an act of the thirty-fourth year of his Majesty's reign, intituled, *An act for encouraging and disciplining such corps or companies of men as shall voluntarily enrol themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom during the present war.*

Persons having more than two unmarried daughters, to receive a certificate for the whole, on paying for two.

VI. Provided also, and be it enacted, That any person who shall have more than two daughters unmarried shall be at liberty, on paying the duty by this act imposed for two of the number, to receive a certificate or certificates in the manner provided by this act for the whole number, of whom he shall give an account; and that neither the person giving such account, or any of the persons included in such certificate, shall in such case be liable to any of the penalties imposed by this act by reason of the duty not being paid for the whole number.

Act not to extend to dissenting preachers not possessed of an income of 100l.

VII. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to charge with the duty hereby imposed, any preacher or preachers of any congregation of dissenters, or any person dissenting from the church of *England* in holy orders, or pretended holy orders, who now is, or at any time hereafter shall be entitled to the benefit of the statute, made in the first year of the reign of the late 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*; or of the statute, made in the nineteenth year of the reign of his present Majesty, intituled, *An act for the further relief of protestant dissenting ministers and schoolmasters*; or of the statute, made in the thirty-first year of the reign of his present Majesty, intituled, *An act to relieve, upon conditions, and under restrictions, the persons therein described, from certain penalties and disabilities to which papists, or persons professing the popish religion, are by law subject*; and who shall not be possessed of an annual income of one hundred pounds or upwards, however arising.

Duty to be under the management of the commissioners for Stamps.

VIII. And be it further enacted by the authority aforesaid, That, for the more effectual levying, collecting, and paying the said duties herein-before granted, the same shall be under the government, care, and management of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper, who, or the major part of them, are required and empowered to denote the payment of the said duty by this act imposed, either by using any stamps in their possession heretofore provided to be used in relation to any former duties on stamped vellum, parchment, or paper, or to provide new stamps for that purpose; and to renew or alter the same from time to time

time as they shall see occasion, and to do all things necessary to be done for putting this act in execution with relation to the said duty hereby granted, in as full and ample a manner as they, or the major part of them, are authorised to put in execution any former law concerning stamped vellum, parchment, or paper.

IX. And be it further enacted by the authority aforesaid, That, for the greater convenience in paying the said duty, the said commissioners of stamp duties, by any writing under the hands and seals of any three or more of them, shall and may appoint such and so many offices and places within the limits of ten miles from the head office of stamp duties in *Middlesex*, for the receipt of all accounts of the names and places of abode of persons liable to the payment of the said duty within the said limits, in pursuance of this act; and that the respective head distributors of stamps shall also, without the said limits, in their respective divisions, with the consent and approbation of the said commissioners, appoint in every county, riding, division, shire, stewardry, or place, in *Great Britain*, one or more such offices and places for the receipt of all accounts of the names and places of abode of all other persons liable to the payment of the said duty without the limits of ten miles from the head office as aforesaid; all which said offices and places shall respectively be kept open for the purposes of this act, on such days, and during such periods of the year, as the said commissioners shall from time to time direct; which directions, and also the situation of the respective offices and places aforesaid, the said commissioners shall cause to be, from time to time, publickly advertised in some newspaper, usually circulated in the neighbourhood of such offices or places respectively, with the names of the officers appointed to superintend the same.

X. And be it further enacted by the authority aforesaid, That, from and after the fifth day of *May* one thousand seven hundred and ninety-five, or within the space of one calendar month next ensuing, every person liable to the duty by this act imposed, shall make such entry as aforesaid, by delivering, or causing to be delivered, according to the directions of this act, into the head office of stamps, or such other office as the said commissioners shall appoint within the limits aforesaid, or into the office of the head distributors of stamps, or their deputies, or other persons appointed to receive the same, an account in writing, containing his or her name and place of abode, and whether he or she is a housekeeper, or one of the family, or a lodger, inmate, apprentice, or servant, abiding in the house of any person, with the day, month, and year, of delivering in the same; and such commissioners, or their distributors respectively, or their respective deputies, or such other person or persons who shall be appointed to receive such accounts at the office or place of delivery, shall thereupon, and upon payment of the said duty, issue a certificate, made out in the name of the proper officer, and stamped, to denote the duty by this act imposed, in the form and manner herein-after directed; and which account and certificate shall respectively be made out in the forms following; (that is to say),

Commissioners to appoint offices within certain limits for receipt of names, &c. and the head distributors to appoint them without such limits.

Offices to be kept open as the commissioners shall direct, who shall cause the same and their situations, &c. to be advertised.

Persons liable, to make entry, and certificates to be made out in the following forms.

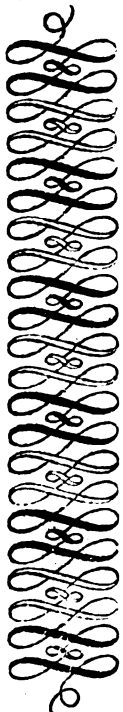
FORM of ACCOUNT.

Here set forth the county and parish, ward, street, or town, where the office is situate.	Day of _____ in the year of our Lord _____		
	Here set forth the name or names of the parties.	Here set forth the place of abode, containing town, street, parish, and county.	Here set forth whether the party is housekeeper, one of the family, <i>videlicet</i> , wife, son, daughter, &c. (as the case may be), lodger, inmate, apprentice, or servant, and the year for which the certificate is to be taken out.

FORM of CERTIFICATE.

Counterpart.

Form of certificate.

Column for the No. of certificate and date.	Column for name and place of abode and description.	Column for the county and name of officer.	Hair powder annual duty 1795.		Hair powder annual duty 1795.	Here set forth the No. of certificate and date.	Here set forth the name and place of abode of the party, or other description that may be necessary.	Here set forth the county and town or parish where the certificate is issued, and the name of the officer issuing the same, and the year for which the certificate is issued.
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XI. And be it further enacted by the authority aforesaid, That every certificate issued by virtue of this act shall cease and determine on the fifth day of *April* in the year for which the same shall be issued; and every certificate taken out after the fifth day of *May* one thousand seven hundred and ninety-five, or within one calendar month afterwards, for the year one thousand seven hundred and ninety-five, or in any subsequent year, for the year in which the same shall be issued, shall be in force until and upon the fifth day of *April* then next following, and shall commence from the date thereof; and every certificate taken out for any year subsequent to the year in which the same shall be issued, shall commence from the fifth day of *April* then next ensuing, and continue in force until and upon the fifth day of *April* in the succeeding year.

Determination of certificates.

XII. And be it further enacted by the authority aforesaid, That the names of all or any number of persons residing respectively in the same dwelling house may be included in one account, or the accounts may be several, at the election of such person or persons, but that a several certificate shall in every case be issued in respect of each person.

Names of all persons in the same dwelling may be in one account, but certificates to be issued for each.

XIII. Provided always, and be it further enacted by the authority aforesaid, That if the master or mistress of any servant or servants shall declare his or her intention to pay the duties which may be charged or chargeable in pursuance of this act, in respect of any such servant or servants using or wearing hair powder, and shall deliver, in manner herein-before directed with respect to persons paying for themselves the duties imposed by this act, a true and faithful account of all such servants by him or her kept, in respect of whom such duties are intended to be paid, setting forth the several capacities in which such servants are respectively kept, it shall be lawful thereupon, and upon payment of the duties for the several servants specified in such account, to issue and deliver to such master or mistress a distinct certificate in respect of each such servant for whom such duty shall be so paid as aforesaid; every such certificate to set forth, in words at length, the particular capacity in which such servant shall be hired and shall serve; and every such certificate shall be deemed and construed to extend to the servant named therein during his or her continuance in the same service, and also to every servant who shall come into the service of such master or mistress during the continuance of such certificate, in the room of such servant so named therein, to serve in the same capacity; and no servant serving such master or mistress in any capacity mentioned in such certificate shall, during the continuance thereof, be required for himself or herself to obtain any other certificate in pursuance of this act, nor shall such servant be liable to the payment of any duty whilst such service shall continue and such certificate shall remain in force, according to the true intent and meaning of this act.

Masters paying the duty for servants, to receive certificates, which shall extend to their successors in the same capacity.

XIV. And be it further enacted by the authority aforesaid, That the said commissioners of the stamp duties shall cause to

Commissioners to prepare

books containing certificates. &c.

be prepared books, in which every leaf shall be divided and distinguished into two columns, in each of which columns there shall be printed an equal number of certificates in blank, for the names, places of abode, and description, of the persons respectively to whom the same shall be issued to be inserted therein, all which certificates shall be of equal length and breadth as near as may be, and the said two columns shall be joined with some flourish, or device, through which the outermost certificate may be cut off indentwise, and that all certificates in the inner column of the said books shall be numbered progressively as they shall be placed therein, beginning such progressive enumeration at the end of every year, ending on the fifth day of *April* as aforesaid, in respect of each office where certificates shall be granted in pursuance of this act, and that also the certificates in the outer column shall be numbered in like manner, every successive certificate in the outer column bearing the same number with the corresponding certificate in the inner column of such books, and the certificates in the outer column of such book or books shall severally be stamped with a stamp, to denote the duty by this act imposed; and the said commissioners shall take care to provide the several distributors, or other officers to be appointed to receive accounts from persons liable to the said duty by virtue of this act, with sufficient numbers of the said books of two columns, containing such certificates as aforesaid, that all and every the said persons may be supplied with certificates stamped in pursuance of this act, as they shall require the same; and the said commissioners and head distributors respectively, or their officers aforesaid, who shall receive any account or accounts, together with the duties payable by virtue of this act as aforesaid, shall forthwith in respect of each and every person whose name and place of abode shall be entered therein, fill up one of the said certificates in the outer column of the said books in the order they are placed therein, with the name, place of abode, and description of such person entering such account, and the date of issuing the same; and shall in like manner fill up the corresponding certificate in the inner column of the said books with the said particulars, so that such certificate in the said inner column may form a counterpart of the corresponding certificate in the outer column; and, as the same are severally filled up as aforesaid, shall cause the certificates in the outer columns to be carefully cut off indentwise, and delivered to the respective persons requiring the same in manner aforesaid, on payment of the duties hereby imposed in respect thereof, and without fee or other charge.

On payment of duty, certificates to be filled up and delivered.

Distributors to return books of certificates to the commissioners, who shall transmit lists annually of the persons who have ob-

XV. And be it further enacted by the authority aforesaid, That the respective distributors, and officers aforesaid, shall, whenever they shall be thereunto required by the said commissioners of stamp duties, return the said books wherefrom the certificates to be issued as aforesaid shall have been cut indentwise, to the said commissioners at their head office in *Middlesex*; and the said commissioners shall cause one correct list, in alphabetical order, to be made out annually, before the first day of *November* in every

every year, of all and every the persons who shall have obtained certificates in pursuance of this act, for each county, riding, division, shire, stewartry, or place in *Great Britain*, containing the names, places of abode, and description of such persons respectively, and shall transmit a correct copy thereof to the clerk of the peace, town clerk, sheriff depute, or steward clerk, or their respective deputies, of such county, riding, division, shire, stewartry, or place, which lists and copies respectively, at the head office of stamps, and at the respective offices of such clerks of the peace, town clerks, sheriffs depute, and steward clerks, or their respective deputies, shall be open to the inspection of any person, at all reasonable hours, on payment of sixpence, and no more; and the said commissioners, by their officers, and the said clerks of the peace, town clerks, sheriffs depute, or steward clerks, or their respective deputies, are hereby required and directed, upon demand, to deliver a true copy or copies of all such lists, or parts of lists, in their possession, or of such of them as a copy shall be demanded, to any person or persons whatever, (such copy or copies, purporting to be a true copy or copies, to be certified and signed by such officers, clerks of the peace, town clerks, sheriffs depute, or steward clerks, or their deputies respectively), for which no greater fee than three-pence shall be charged, unless the copies so demanded shall contain the entries of two or more persons, in which case there shall be paid at the rate of sixpence for every two persons whose names are certified therein; which said lists, and parts of lists, and also a copy signed as aforesaid, of them, or any of them, or any part thereof, shall, at all times and at all places, be allowed and admitted as legal evidence of a certificate having been obtained by the person or persons whose names shall be certified therein; and such copy shall and may be required by any justice of the peace in *Great Britain*, before whom any prosecution shall be depending, to be delivered *gratis*, on notice in writing being left at the office of the said commissioners, clerks of the peace, town clerks, sheriffs depute, or steward clerks respectively, or their respective deputies, to whom respectively the same shall appertain.

tained certificates to the respective clerks of the peace, &c.

Fee to be paid for copies of lists.

Lists and copies to be admitted as evidence.

Copies may be required by justices gratis.

XVI. And be it further enacted by the authority aforesaid, That the said respective clerks of the peace, town clerks, sheriffs depute, and steward clerks, or their respective deputies, shall, within six weeks after the receipt of the copy of such list, make out, or cause to be made out therefrom, correct lists of all and every the persons named therein, for each city or town, parish and place, within such county, riding, division, shire, or stewartry, and shall, within the said period, or seven days after, cause the same to be respectively transmitted to the churchwardens or overseers of the poor, constables, tythingmen, or other peace officers, of or within such city, town, parish, or place, or to some or one of them, who shall, within three days after the receipt of any such list, cause a true and exact copy thereof to be affixed on the church or chapel doors and market crosses (if any) of such city, town, parish, or place; and if such town or place shall not have

Clerk of the peace, &c. to transmit copies of lists to the parish officers, &c. to be affixed on the church doors, &c.

Penalty on persons defacing such copies.

have a church or chapel, then on the church or chapel door of the next adjoining parish, and shall cause the same to be, from time to time, replaced, for the space of four weeks then next ensuing; and as often as it shall be necessary for that purpose shall, from time to time during the said space of four weeks, affix other copies thereof in like manner; and every person wilfully tearing, defacing, or removing, any such copy so affixed within the said space of four weeks, shall forfeit for every offence, the sum of forty shillings, on conviction before a justice of the peace, as herein-after is directed, to be paid, one moiety thereof to such churchwarden or overseers of the poor, constable, tythingman, or other peace officer aforesaid, and the other moiety thereof to the informer or informers.

Penalty for wearing hair powder without, or for transferring, or fraudulently using, certificates.

XVII. And be it further enacted by the authority aforesaid, That, from and after the expiration of one calendar month after the fifth day of *May* one thousand seven hundred and ninety-five, if any person shall use or wear as an article of his or her dress any powder commonly called *Hair Powder*, of whatever materials the same shall be made, or by whatever other name the same shall be distinguished or called, without having obtained a certificate from the proper officer of stamps in the county, riding, division, shire, stewardry, or place, where such person shall reside, in pursuance and according to the directions of this act, every such person shall, for every such offence, forfeit and pay the sum of twenty pounds, which shall be sued for and recovered in the county, riding, division, shire, stewardry, or place, where such offender shall be; and if any person having obtained any such certificate shall afterwards sell, transfer, assign, or deliver the same, to any other person, with intent that such certificate shall be fraudulently made use of to the diminution of his Majesty's revenue granted by this act, or if any person shall fraudulently use any such certificate in order to evade the payment of the said duty by this act imposed, every such person shall, for every such offence, forfeit and pay the sum of thirty pounds.

Persons from foreign parts not required to obtain certificates till 21 days after arrival.

XVIII. Provided always, and be it further enacted by the authority aforesaid, That no person who shall come into this kingdom from foreign parts, shall be required to obtain his or her certificate, in pursuance of this act, before the expiration of twenty-one days next after such arrival; the proof of such person's arrival from foreign parts, and of the time of such arrival, shall lie upon the party claiming such privilege.

Clerks of the peace, &c. to be rewarded for their trouble.

XIX. And be it further enacted by the authority aforesaid, That the respective clerks of the peace, town clerks, sheriffs depute, and steward clerks, or their respective deputies, or other officers aforesaid, who are hereby respectively required to execute this act in any of the particulars herein mentioned, and who shall respectively execute the same to the satisfaction of the commissioners of stamp duties for the time being, or the major part of them, shall have, and be entitled to such reasonable rewards, (to be paid by the said commissioners of stamp duties out of any duties arising on stamped vellum, parchment, or paper), as the commissioners

missioners of his Majesty's treasury, or any three or more of them, or the lord high treasurer for the time being, shall authorise and direct, for their care and trouble in and about the execution of this act, over and above their respective expences in the same, to be paid in like manner; and that such reasonable reward as the said commissioners of stamp duties shall from time to time authorise, shall also be given and allowed to the respective churchwardens, overseers of the poor, constables, tythingmen, or other peace officers, for any thing done by them respectively in the execution of this act, to be paid by the clerks of the peace, town clerks, sheriffs depute, steward clerks, or their deputies, or other officers aforesaid, respectively employing such constables, tythingmen, or other peace officers, to be charged in their accounts with the said commissioners of stamp duties.

XX. And be it further enacted by the authority aforesaid, That if any officer appointed to receive accounts of persons names and places of abode in pursuance of this act, or to make out and issue certificates, or to return lists or copies thereof, shall neglect to perform his or their duty in the execution of such office, with relation to the powers and trusts vested in them respectively by this act according to the rules and directions herein mentioned, or shall commit or suffer to be committed any undue or fraudulent practice in the execution of such office, and be thereof lawfully convicted, then such officer, or other person aforesaid, shall, for every such offence, forfeit and pay the sum of fifty pounds.

Penalty on persons appointed to receive accounts, or to make out certificates, for neglect of duty.

XXI. And be it further enacted by the authority aforesaid, That such persons who are or shall be appointed surveyors, in pursuance of any act or acts of parliament for the duties on houses and windows or lights, shall and may, within fourteen days after the fifth day of *April* yearly, give or leave notice to or for every occupier of any dwelling house where any person, liable to the duties hereby imposed, shall reside within the limits of the places for which such surveyors are to act, at his or her dwelling house, (and where such dwelling houses shall be divided into different stories or apartments, and occupied distinctly by several persons, then to or for the occupier of each district, story, or apartment), to prepare and produce, within fourteen days next ensuing the day of giving such notice, a list, in writing, to the best of his or her belief, of the christian and surname of each and every person resident in such dwelling house, and liable to the duty hereby imposed, who shall, within the year ending the fifth day of *April* preceding such notice, to his or her knowledge, have used or worn hair powder, and the situation or capacity of such person in respect of the family or families in such dwelling house; in which list, all persons of the family, and all apprentices, servants, lodgers, and inmates, which, to the best of his or her knowledge or belief, are respectively liable to the said duty, whether such persons, or any of them, shall have obtained certificates in pursuance of this act or not, shall be included; and every such occupier shall, after such notice so given or left, make out such list, and sign the same with his or her own name, and shall also,

Surveyors of houses and windows to give notice to occupiers of houses to produce lists annually of residents therein who have worn hair powder, &c.

Penalty of 20l. on occupiers for neglect.

at the same time, make a declaration, signed by him or her, of the county, riding, division, shire, stewardry, or place, where such occupier so resident shall have obtained, or doth intend to obtain, his or her certificate, and whether for himself or herself only, or for any part of his or her family or servants, and deliver the same, or cause the same to be delivered, to such surveyor; and if any such occupier shall neglect or refuse to make out, sign, and deliver, such list, or to make such declaration as aforesaid within the time hereinbefore limited, or shall omit any person who ought to have been included therein, in pursuance of this act, and who shall, to his or her knowledge, have used or worn hair powder within the period prescribed in such notice, every such occupier shall for every such offence, forfeit and pay the sum of twenty pounds, and shall be liable to prosecution for every such offence, and to be deemed guilty thereof, whether it shall appear that the person so omitted or not returned according to the directions of this act hath or hath not obtained for himself or herself a certificate, according to the directions of this act, or hath or hath not been prosecuted for any such offence, and whether such person, so omitted or not returned, is or is not amenable to justice for any offence against this act; and that the conviction of any such occupier, for any such neglect or omission, shall not be deemed to exempt the person so omitted or not returned from paying the duty by this act imposed, or from prosecution or punishment for any offence against this act.

Surveyors to transmit lists to the commissioners for taxes, who shall transmit copies to the commissioners of stamps.

XXII. And be it further enacted, That the persons appointed surveyors shall transmit such lists so delivered to them respectively as aforesaid, to the commissioners for the affairs of taxes at their office in *Middlesex*, who shall within a convenient time transmit a full and exact copy of the names and descriptions of all persons named or described therein, to the said commissioners of stamp duties.

Occupiers not to include in list, residents who have usual residence elsewhere.

XXIII. And be it further enacted by the authority aforesaid, That no person shall be required to include in the list made out by him or her, any persons resident in his or her house, who have respectively places of usual residence elsewhere in *Great Britain*.

Period for which first lists shall be made out.

XXIV. And be it further enacted by the authority aforesaid, That in the first list to be made out in pursuance of this act, the same shall be made for all the persons resident in any such dwelling house, who shall have used or worn hair powder as aforesaid, at any time between the fifth day of *May* one thousand seven hundred and ninety-five, and the fifth day of *April* one thousand seven hundred and ninety-six.

Application and recovery of penalties sued for within three months.

XXV. And be it further enacted by the authority aforesaid, That one moiety of all pecuniary penalties and forfeitures hereby imposed (except where other provisions are expressly made) shall (if sued for within the space of three calendar months from the time of any such penalty or forfeiture being incurred) be to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform or sue for the same within the time aforesaid, and which shall and may be sued for in his Majesty's court of exchequer at *Westminster*

er for offences committed in *England*, and in his Majesty's court of exchequer at *Edinburgh* for offences committed in *Scotland*, by action of debt, bill, plaint, or information, wherein no essoin, privilege, wager of law, or more than one imparlance shall be allowed.

XXVI. Provided always, and be it further enacted That in default of prosecution within the time herein-before limited, no such penalty or forfeiture shall be afterwards recoverable except in the name of his Majesty's attorney general in *England*, or advocate in *Scotland*, by information in the respective courts aforesaid; and in which case the whole of such penalty or forfeiture all belong to his Majesty, his heirs and successors, and that all penalties and forfeitures, and shares of penalties and forfeitures, incurred as aforesaid, belonging to his Majesty, his heirs or successors, shall be paid into the hands of the receiver general of his Majesty's stamp duties for the time being; and that in all cases here the whole of such pecuniary penalties or forfeitures shall be covered to the use of his Majesty, his heirs or successors, it shall be lawful for the said commissioners to cause such rewards as they shall think fit, not exceeding one moiety of such penalties or forfeitures so recovered, after deducting all charges and expenses incurred in recovering the same, to be paid thereout or amongst any person or persons who shall appear to them to be entitled thereto, either as discoverers or informers in respect to such penalties or forfeitures so recovered; any thing herein contained to the contrary notwithstanding.

XXVII. Provided always, and be it further enacted by the authority aforesaid; That it shall and may be lawful to and for any justice of the peace residing near the place where the offence shall be committed, to hear and determine any offence against this act which subjects the offender to any pecuniary penalty, not exceeding twenty pounds, which said justice of the peace is hereby authorized and required upon any information exhibited, or complaint made in that behalf, within three calendar months after the offence committed, to summon the party accused, giving to each party three days notice to appear, and also the witnesses on either side, and to examine into the matter of fact, and upon proof made thereof, either by voluntary confession of the party accused, or by the oath of one or more credible witness or witnesses, or otherwise, as the case may require, to give judgement or sentence for the penalty or forfeiture, as in and by this act is directed, to be divided, one moiety thereof to the poor of the parish or place where the offence shall be committed, and the other moiety thereof to the informer or informers, and to award and issue out his warrant under his hand and seal for the levying the said penalty 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 the goods of such offender cannot be found sufficient to answer the penalty, to commit such offender to prison, there to remain for any space of time not exceeding six nor less than three calendar months, unless such pecuniary

Penalty, if not sued for within the limited time, not recoverable, except in the name of the attorney general, &c. and to be applied as herein mentioned.

Justices may determine offences where the penalty does not exceed 20l.

Application of penalty.

Penalty may be levied by distress.

Persons ag-
grieved may
appeal to the
quarter ses-
sions.

Costs may be
awarded.

Justice may
adjourn the
hearing of a
complaint
where the par-
ty insists that
he has obtain-
ed a certificate
in another
place.

Penalties may
be mitigated.

Penalty on
witnesses ne-
glecting to ap-
pear, or to
give evidence.

pecuniary penalty shall be sooner paid and satisfied; and if either party shall find himself or themselves aggrieved by the judgement of any such justice, then he or they shall and may, upon giving security to the amount of the value of such penalty and forfeiture, together with such costs as shall be awarded, in case such judgement shall be affirmed, appeal to the justices of the peace at the next general quarter sessions for the county, riding, division, shire, stewardry, or place, which shall happen after fourteen days next after such conviction shall have been made, and of which appeal reasonable notice shall be given, who are hereby empowered to summon and examine witnesses upon oath, and finally to hear and determine the same; and in case the judgement of such justice shall be affirmed, it shall be lawful for such justices to award the person or persons appealing to pay such costs occasioned by such appeal as to them shall seem meet: provided also, that in case the party accused of any offence in using or wearing hair powder, without obtaining a certificate according to this act shall insist in his excuse before the justice of the peace, that he has obtained a certificate in any other county or place, and shall on his oath or affirmation, alledge and set forth the county or place, and time of obtaining the same, it shall be lawful at the request of the party accused, for the said justice of the peace to adjourn the hearing and determination of the complaint to a future time or times, to be in the discretion of the said justice, in order for the party accused to produce his certificate, or such entry or copy thereof, under the hand of the proper officer, as herein is directed; and if at the end of the time or times so to be allowed, such party shall not produce to such justice of the peace such certificate, or an entry or copy thereof as aforesaid, the said justice shall proceed to the hearing and determination of such complaint in the manner before directed: provided nevertheless that it shall and may be lawful to and for the said justice, when he shall see cause, to mitigate and lessen any such penalties as he shall think fit, (reasonable costs and charges of the officers and informers, as well in making the discovery as in prosecuting the same, being always allowed over and above such mitigation), and so as such mitigation doth not reduce the penalties to less than the moiety of the penalties incurred over and above the said costs and charges; any thing contained in this act to the contrary notwithstanding.

XXVIII. And be it further enacted, That if any person or persons shall be summoned as a witness or witnesses to give evidence before such justice, touching any of the matters relative to this act, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, without a reasonable excuse for such neglect or refusal, to be allowed of by such justice of the peace, or appearing, shall refuse to be examined on oath and give evidence before whom the prosecution shall be depending, that then every such person shall forfeit, for every such offence, the sum of forty shillings, to be levied and paid in such manner and by such means as is herein directed as to other penalties.

XXIX. And be it further enacted by the authority aforesaid, That the justice of the peace before whom any offender shall be convicted as aforesaid, shall cause the said conviction to be made out in the manner and form following, or in any other form of words to the same effect, *mutatis mutandis*, (that is to say),

Conviction may be made out in the following form.

BE it remembered, That on the day of in the year of our Lord in the county of *A. B.* of was convicted before me *C. D.* one of his Majesty's justices of the peace for residing near the place where the offence was committed, for that the said *A. B.* on the day of now last past, did, contrary to the form of the statute in that case made and provided, (*here state the offence against the act*); and I do declare and adjudge that the said *A. B.* hath forfeited the sum of of lawful money of Great Britain for the offence aforesaid, to be distributed as the law directs. Given under my hand and seal the day of

Which conviction the said justice shall cause to be wrote fairly upon parchment, and returned to the next general or quarter sessions of the peace for the county, riding, division, shire, stewardry, or place, where such conviction was made, to be filed by the proper officer there, and there to remain and be kept among the records of the same county, riding, division, shire, stewardry, or place; and no such conviction shall be removed by *certiorari*, or other process, into any court whatsoever.

Convictions to be kept among the county records, and not removable into any other court.

XXX. And be it further enacted, That if in any action, suit, information, or prosecution, against any person for non-payment of the duty imposed by this act, any dispute shall arise whether such person is entitled to be exempted from such payment, in every such case the proof thereof shall lie upon the person claiming such exemption, who shall and may be permitted to alledge the same on his oath or affirmation, or other sufficient evidence, to be produced and shewn by him or her, any thing in this act contained, or any law, usage, or custom, to the contrary notwithstanding; and if such person shall be a beneficed clergyman, the income arising from his benefice or benefices shall be estimated on the average amount thereof, as nearly as the same can be ascertained, computed on the period of seven years next preceding that in which such action, suit, information, or prosecution, shall be brought or commenced.

Persons claiming exemptions to prove their right.

Income of beneficed clergymen to be estimated on the average of 7 years.

XXXI. And be it further enacted by the authority aforesaid, That if any person shall counterfeit or forge, or procure to be counterfeited or forged, any stamp or mark directed or allowed to be used, or provided, made, or used, in pursuance of this act, for the purpose of denoting the duty by this act granted, or shall counterfeit or resemble the impression of the same, upon any vellum, parchment, or paper, with intention to defraud his Majesty, his heirs or successors, of the said duty, or shall utter, vend, sell, or expose to sale, any vellum, parchment, or paper, liable to the said

Penalty for counterfeiting, &c. stamps.

said duty, with such counterfeit mark or impression thereupon, knowing the same to be counterfeited, or shall privately or fraudulently use any stamp directed or allowed to be used by this act, with intent to defraud his Majesty, his heirs or successors, of the said duty; every person so offending, and being thereof lawfully convicted, shall be adjudged a felon, and shall suffer death as in cases of felony without benefit of clergy.

XXXII. And be it further enacted by the authority aforesaid,

Provisoes of former acts relating to stamp duties, to extend to this act.

That all powers, provisoes, articles, clauses, allowance on present payment of the duty, and all other matters and things prescribed and appointed by any former act or acts of parliament relating to the stamp duties on vellum, parchment, and paper, (and not hereby altered), shall (as far as the same are applicable) be in full force and effect with relation to the duty hereby imposed, and shall be applied and put in execution for the raising, levying, collecting and securing, the said duty hereby imposed, according to the true intent and meaning of this act, as fully and effectually, to all intents and purposes, as if the same had severally and respectively been re-enacted with relation to the said duty hereby imposed.

XXXIII. And be it further enacted by the authority aforesaid,

Duties to be paid to the receiver general of stamps, &c.

That the duties herein-before granted shall be paid from time to time into the hands of the receiver general for the time being of the duties on stamped vellum, parchment, and paper, who shall pay the same (the necessary charges of raising, paying, and accounting for the same, being deducted) into the receipt of the exchequer, at such time and in such manner as the duties charged on stamped vellum, parchment, and paper, are directed to be paid; and the said money so paid into the said receipt as aforesaid shall be carried to and made part of the consolidated fund.

Duties to be applied in defraying any increased charge occasioned by any loan of this session.

XXXIV. Provided always, and be it further enacted, That the monies arising or to arise of the duty hereby granted, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan made, or stock created or to be created, by virtue of any act or acts passed or to be passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt, distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books in which all the monies arising from the said duty, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted in this session of parliament for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs and successors, upon any account whatever.

C A P. L.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or mislaid, and for allowing them time to provide admissions duly stamped; to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors; for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time limited by law, and for allowing further time for that purpose; and for giving further time to such persons as have omitted to pay the duties on the indentures and contracts of clerks, apprentices or servants.—[April 30, 1795.]

C A P. LI.

An act for making and maintaining a navigable canal from the town and county of the town of Southampton to the city of New Sarum in the county of Wilts, with a collateral branch to Northam within the liberties of the town of Southampton.

C A P. LII.

An act for making and maintaining a navigable canal from the river Thames or Isis, at or near the town of Abingdon, in the county of Berks, to join or communicate with the Kennet and Avon canal, at or near the town of Trowbridge, in the county of Wilts; and also certain navigable cuts therein described.

C A P. LIII.

An act for further regulating the sending and receiving letters free from the duty of postage; for allowing non-commissioned officers, seamen, and private men, in the navy and army, whilst on service, to send and receive letters at a low rate of postage; and for permitting patterns and samples of goods to be transmitted by the post at an easier rate than is now allowed by law.—[May 5, 1795.]

WHEREAS it is expedient further to regulate the sending Preamble.

and receiving letters and packets free from the duty of postage; 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 passing of this act, no letter or packet whatsoever, sent by the post from any place within the kingdom of *Great Britain*, directed by or to any member of either of the two houses of parliament of *Great Britain*, shall be exempted from the payment of the duty of postage, according to the rates by law established, if such letter or packet shall exceed one ounce in weight.

No letter to or from any member of either house of parliament exceeding one ounce exempt from postage;

II. And be it further enacted by the authority aforesaid, That no letter or packet, directed by any member of either of the said two houses of parliament, shall, from and after the passing of this act,

nor any letter, unless the member directing it be

within 20 miles of the post town, on the day or day before, it is put into the office.

act, be exempted from the payment of the duty of postage, unless the member whose name shall be indorsed thereon, pursuant to the laws now in force, shall actually be in the post town into the post office of which every such letter or packet shall be put, or within the limits of the delivery of letters for such post town, or within twenty miles of such post town, on the day, or on the day before the day, on which such letter or packet shall be put into the post office.

No member to send more than 10, or receive more than 15 letters free, daily.

III. And be it further enacted by the authority aforesaid, That no member of either of the said two houses of parliament shall be entitled or allowed to send by the post, free from the duty of postage, superscribed or directed by him, more than ten letters in any one day; nor shall be entitled or allowed to receive by the post, free from the duty of postage, more than fifteen letters directed to him in any one day.

How postage shall be charged for letters exceeding the limited number.

IV. Provided always, and be it further enacted, That whenever the number of letters or packets, not weighing more than one ounce each, sent or received by any member of either of the two houses of parliament in any one day, shall exceed the number exempted by this act from the duty of postage, and the rates of postage on the said letters or packets respectively, or any of them shall differ; then such of the said letters or packets as would be chargeable with a higher rate of postage than the remainder, shall be included in the number so exempted, in preference to any which would be chargeable with a lower rate of postage; and the remainder of such letters or packets shall be chargeable with the several rates of postage respectively to which such letters or packets would now by law be chargeable if sent or received by any persons not entitled to send or receive letters or packets free from the duty of postage.

Persons authorized officially to send and receive letters free, to continue to do so.

V. Provided always, and be it further enacted, That the several persons who, by virtue of any act or acts of parliament are authorized, in right of their respective offices and employments, to send and receive letters free from postage, and their successors in such offices and employments, shall and may, during their continuance in such offices and employments respectively, send and receive letters and packets, free from the duty of postage, in the same manner, and under such restrictions, as they now send and receive the same.

Votes, proceedings in parliament, and newspapers, may be sent in open covers, &c.

VI. Provided always, and it is hereby further enacted, That nothing herein contained shall extend to charge with the duty of postage, any printed votes or proceedings in parliament, or printed newspapers, being sent without covers, or in covers open at the sides, which shall be signed on the outside thereof by the hand of any member of parliament, in such manner as hath been heretofore practised, or which shall be directed to any member of parliament, at any place whereof he shall have given notice in writing to the postmaster general, or to his deputy; but that all such votes, proceedings, and newspapers, so sent, and signed or directed as aforesaid, shall be received free of the duty of postage;

age; any thing in this, or any former act, to the contrary notwithstanding.

VII. *And whereas it is expedient that the non-commissioned officers, seamen, and privates, employed in his Majesty's navy, army, militia, fencible regiments, artillery, and marines, should, whilst on service, be permitted to send and receive single letters by the post, on their own private concerns, at a low rate of postage; be it therefore further enacted by the authority aforesaid, That, from and after the passing of this act, no single letter sent by the post from any non-commissioned officer, seaman, or private, employed in his Majesty's navy, army, militia, fencible regiments, artillery, or marines, shall, whilst such non-commissioned officer, seaman, or private respectively, shall be employed in his Majesty's service, and not otherwise, be charged or chargeable, by virtue of any act of parliament now in force, with an higher rate of postage than the sum of one penny for the conveyance of each such letter; such rate of postage of one penny for each such letter to be paid at the time of putting the same into the post office of the town or place from whence such letter is intended to be sent by the post: provided nevertheless, that no letter or letters sent by the post, from any non-commissioned officer, seaman, or private, employed in his Majesty's navy, army, militia, fencible regiments, artillery, or marines, shall be exempted from the payment of the rate of postage chargeable upon letters according to the laws now in force, unless there shall be written upon every such letter, in the hand writing of, and signed by the commanding officer for the time being of the ship or vessel, or of the corps, regiment, or detachment, to which such non-commissioned officer, seaman, or private, employed in his Majesty's service, shall respectively belong, the name of such commanding officer, and of the ship, vessel, corps, regiment, or detachment, commanded by him.*

Single letters from non-commissioned officers, seamen, and privates, liable to 1d. postage only, under certain restrictions;

VIII. *And be it further enacted by the authority aforesaid, That, from and after the passing of this act, no single letter sent by the post, directed to any non-commissioned officer, seaman, or private, employed in his Majesty's navy, army, militia, fencible regiments, artillery, or marines, upon his own private concerns only, whilst such respective non-commissioned officer, seaman, or private, shall be employed on his Majesty's service, and not otherwise, shall be charged or chargeable by virtue of any act of parliament now in force, with an higher rate of postage than the sum of one penny for each such letter; which sum of one penny shall be paid at the time of the delivery thereof: provided nevertheless, that no such letter shall be exempted from the rate of postage chargeable upon letters according to the laws now in force, unless every such letter shall be directed to such non-commissioned officer, seaman, or private, employed in his Majesty's service, specifying the ship, vessel, regiment, troop, corps, company, or detachment, to which he may belong; and provided also, that it shall not be lawful for the deputy postmaster*

as also letters to them.

of the town or place to which such letter shall be sent to be delivered, to deliver such letter to any person except to the non-commissioned officer, seaman, or private, to whom such letter shall be directed, or to any person appointed to receive the same by the commanding officer of the ship, vessel, regiment, troop, corps, company, or detachment, to which the non-commissioned officer, seaman, or private, to whom such letter shall be directed, shall belong.

26 Geo. 2.
c. 13.

IX. *And whereas, by an act, passed in the twenty-sixth year of the reign of his late majesty King George the Second, intituled, An act for the more effectually preventing the fraudulent removal of tobacco by land or water, and for the ease of the fair trader in tobacco; and for ascertaining the rates payable for the postage of certain letters; and for amending and explaining the laws relating to the sale of spirituous liquors by retail; it was declared and enacted, that, for every single letter or cover, containing one or more paper or papers, with patterns, or containing one or more pattern or patterns of cloth, silk, or stuff, or one or more sample or samples of any other sort of goods, or one or more piece or pieces of any other sort of thing inclosed therein, or affixed thereto, though not paper, if the same together did not weigh an ounce, the rates payable for a double letter should be paid, and no more: and whereas it may be expedient to permit patterns of cloth, silk, stuff, and other goods, and small samples of other sorts of things, to be transmitted by the post at a more easy rate of postage: be it therefore enacted, That, from and after the passing of this act, every packet or cover containing therein, or having affixed thereto, one or more paper or papers with patterns, or one or more pattern or patterns of cloth, silk, stuff, or other goods, or one or more sample or samples of any other sort of thing, not exceeding together one ounce in weight, shall be chargeable and charged with no higher rate of postage than as a single letter, so as every such packet or cover shall be sent open at the sides, and without any letter or writing in, upon, or with such packet or cover, other than the name or names of the person or persons sending the same, and the place or places of his or their abode, and the prices of the articles contained therein, or affixed thereto.*

Packets, not exceeding one ounce, containing samples, to be charged as single letters.

C A P. LIV.

An act for the encouragement of the mackarel fishery.—[May 5, 1795.]

Preamble.

WHEREAS it is expedient that the fisheries of this kingdom should receive every reasonable encouragement from time to time they may be found to require, and which it is in the power of parliament to bestow: 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, from and after the passing of this act, it shall and may be lawful for any

Salt may be imported, or British salt

fish curer in *Great Britain* to import any quantity of foreign salt, or to take any quantity of *British* salt from any salt works or salt pits, and to bring, carry, transport, and remove coastwise, the salt so imported or taken for the purpose of curing mackarel, or any cod, ling, hake, or salmon, being taken in the mackarel fishery, for home consumption, without paying any duty to his Majesty for the same, except the customs due on the importation thereof, in as full and ample a manner as any curer or curers of fish engaged in the herring or pilchard fishery are enabled to import, take, carry, and transport the same coastwise, by virtue of any act or acts of parliament now in force for the purpose of curing herrings or pilchards for home consumption, and under and subject to all the provisions, regulations, restrictions, forfeitures, and penalties, and with the same remedies for the recovery thereof, as in the said acts, or in any act or acts of parliament relating to salt used in the said herring or pilchard fishery, for curing herrings or pilchards for home consumption, are contained.

II. And whereas by an act, passed in the fifth year of his late majesty King George the First, it is enacted, That for every barrel of herrings, containing thirty-two gallons, exported from any port or place in *Great Britain* into parts beyond seas, a bounty of two shillings and eight-pence shall be paid: and whereas by an act, passed in the twenty-sixth year of his present Majesty, it is enacted, That for every barrel of herrings, containing thirty-two gallons, which shall be landed from any boat or vessel, and which shall be afterwards properly salted and cured, there shall be paid a bounty of one shilling: and whereas it is expedient that the same bounties should be given to the persons engaged in the mackarel fishery: be it therefore enacted, That for every barrel of white mackarel twice packed and completely cured, and containing thirty-two gallons, which shall be exported from any port or place in *Great Britain* into any parts beyond the seas, (except into any part or parts in the *Mediterranean*, in which case no bounty given by this act shall be payable or paid, any thing herein-after contained to the contrary thereof in anywise notwithstanding), a bounty of two shillings and eight-pence shall be paid; and for every barrel of mackarel which shall be landed from any boats or vessels, and which shall afterwards be properly salted and cured, there shall be paid a bounty of one shilling.

III. And be it further enacted, That from and after the passing of this act, it shall and may be lawful to and for any person or persons to carry from any port or place in the united kingdom of *Great Britain* to any port or place in the said united kingdom, any mackarel, or any cod, ling, hake, or salmon, being taken in the mackarel fishery, and cured for home consumption.

IV. And be it further enacted, That the proper officer or officers appointed to pay the bounties given by this act are hereby empowered and directed to retain and keep in their hands the following sums until the same shall amount to the sum of two hundred pounds; that is to say, For every barrel of mackarel on which the bounty of one shilling shall be payable, the sum of sixpence;

used, for curing mackarel, &c. for home consumption as for herrings or pilchards.

Geo. 1. c. 18.

26 Geo. 3. c. 45.

For every barrel of mackarel twice packed and cured, and exported, except to the *Mediterranean*, a bounty to be paid of 2s. 8d. &c.

Mackarel, &c. may be carried from one port to another for home consumption.

Officers for paying bounties to retain money to defray the charges of this act.

Anno regni tricesimo quinto GEORGII III. c. 55. [1795.
sixpence; and for every barrel of mackarel on which the bounty of two shillings and eight-pence shall be payable, the sum of one shilling and sixpence; and to pay over the sums so retained, for the purpose of defraying the costs and charges attending the obtaining and passing this act, to *Thomas Rashleigh*, the solicitor thereof: provided that such costs and charges do not exceed, in the whole, the sum of two hundred pounds.

Continuance
of act.

V. And be it further enacted, That this act, and all the matters and things contained therein, shall continue and be in force until the first day of *June* one thousand seven hundred and ninety-seven, and from thence to the end of the then next session of parliament.

Publick act.

VI. And be it further enacted, That this act shall be deemed, taken, and allowed, in all courts of law as a publick act; and shall be judicially taken notice of as such, by all judges, justices, and others whomsoever, without specially pleading the same.

C A P. LV.

An act for granting to his Majesty certain additional duties on receipts.
[May 5, 1795.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue as shall be adequate to the encreased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament, have freely and voluntarily resolved to give and grant unto your Majesty the further and additional 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 fifth day of *July* one thousand seven hundred and ninety-five, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and to the use of his Majesty, his heirs and successors, for every piece of vellum or parchment, or sheet or piece of paper, upon which any receipt, discharge, or acquittance, given for or upon the payment of money amounting to one hundred pounds, and not amounting to five hundred pounds, shall be engrossed, written, or printed, over and above all other rates and duties already imposed thereon, there shall be charged an additional duty of sixpence; and where the same shall amount to five hundred pounds or upwards, there shall be charged a further additional duty of one shilling.

From July 5, 1795, an additional stamp duty to be paid of 6d. on receipts for 100l. and under 500l.; and a further additional duty of 1s. for 500l. and upwards.

II. Provided always, and be it further enacted by the authority aforesaid, That all and every the receipts, discharges, or acquittances, which, by an act, passed in the thirty-first year of the reign of his present Majesty, intituled, *An act for repealing the duties now charged on bills of exchange, promissory notes, and other notes, drafts, and orders, and on receipts; and for granting other duties in lieu thereof*, which are particularly exempted from the duties imposed by the said act, shall also be, and are hereby exempted from the duties imposed by this act, as fully and amply as if the said exemptions had been particularly repeated and enacted in this act.

Receipts exempted by 31 Geo. 3. c. 25. not liable.

III. And be it further enacted by the authority aforesaid, That, for the more effectual levying, collecting, and paying, the said duties herein-before granted, the same shall be under the government, care, and management, of the commissioners for the time being, appointed to manage the duties charged on stamped vellum, parchment, and paper, who, or the major part of them, are required and empowered to denote the payment of the said duties by this act imposed, either by using any stamps in their possession, heretofore provided to be used in relation to any former duties on stamped vellum, parchment, or paper, or to provide new stamps for that purpose, or to cause, if they see occasion, one new stamp to be provided to denote the former duties, and also the duties granted by this act, and to renew or alter the same respectively, from time to time, as they shall see occasion, and to do all things necessary to be done for putting this act in execution, with relation to the said duties hereby granted, in the like and in as full and ample a manner as they, or the major part of them, are authorised to put in execution any former law concerning stamped vellum, parchment, or paper.

Duties to be managed by the commissioners for stamps.

IV. And be it further enacted by the authority aforesaid, That all the rules, regulations, methods, penalties, and forfeitures, in the said recited act contained, in relation to the said former duties on such receipts, discharges, and acquittances, for which other provisions are expressly made by this act, shall, from and after the said fifth day of *July* one thousand seven hundred and ninety-five, cease and determine, and be no longer put in execution, save and except always as to the rules, regulations, methods, penalties, and forfeitures, for the collecting, managing, recovering, and applying, any arrears of the said former duties on receipts, discharges, or acquittances, which may, on the said fifth day of *July* one thousand seven hundred and ninety-five, remain unpaid, and to any penalty or forfeiture, penalties or forfeitures, relating thereto, which shall have been incurred at any time before, or on the said fifth day of *July* one thousand seven hundred and ninety-five, and the several powers, provisions, and remedies, for recovering the same respectively.

Provisions of 31 Geo. 3. c. 25. hereby altered, to cease.

V. And be it further enacted by the authority aforesaid, That the full and just sum of money for which any receipt, discharge, or acquittance shall be given, and the true date thereof, shall be

The full sum to be expressed in receipts; and any note,

&c. given upon the payment of money, to be liable to duty.

bona fide respectively inserted therein; and that all notes, memorandums, or writings whatever, given to any person or persons for or upon the payment of money amounting to forty shillings or upwards, whereby any sum of money shall be acknowledged to have been paid, settled, received, accounted for, balanced, discharged, released, or in any manner satisfied, or which shall in any manner signify or denote such acknowledgement as aforesaid, and whether the same shall or shall not be signed by or with the name or names of the person or persons by or on whose behalf the same shall be given, shall be respectively taken and construed to be receipts within the true intent and meaning of this act, and shall be liable to the respective duties imposed thereon, as well by the said recited act as this act; and shall be paid and payable by the person or persons by whom, or on whose behalf, such receipts, discharges, or acquittances, shall be required, (except such receipts, discharges, or acquittances, as shall be at any time or times given upon the payment of money in respect of any salary or pension, debt or other sum, payable from his Majesty, his heirs or successors, in all which cases the duties shall be paid by the person or persons giving such receipts, discharges, or acquittances); and which rates and duties, in default of payment thereof according to the regulations of this act, shall and may be charged upon, and levied against, the person or persons by whom the same are hereby made payable, his, her, or their respective executors, administrators, or assigns.

Receipts, &c. in full, liable to a duty of 2s.

VI. And be it further enacted by the authority aforesaid, That every receipt, discharge, or acquittance, note, memorandum, or writing whatever, given to any person or persons for or upon the payment of money which shall contain or express, or in any manner signify or denote, any general acknowledgement of any debt, claim, account, or demand, or all or any debts, claims, accounts, or demands being paid, settled, received, accounted for, balanced, discharged, released, or satisfied, or whereby any sum of money therein mentioned shall be acknowledged to be in full or in discharge or satisfaction of all or any such debts, claims, accounts, or demands, or intended so to be, and whether the same shall or shall not be signed by or with the name or names of the person or persons by or on whose behalf the same shall be given, shall be deemed and taken to be a receipt for the sum of five hundred pounds and upwards within the true intent and meaning of this act, and shall be liable to the stamp duty of two shillings by the said recited act and this act imposed thereon; and no such receipt, discharge, or acquittance, note, memorandum, or writing, shall be pleaded or given in evidence in any court, or admitted in any court, to be useful or available in law or equity as an acknowledgement of any debts, claims, accounts, or demands being paid, settled, received, accounted for, balanced, discharged, released, or satisfied, whether generally or otherwise, or for any other or greater sum of money than the sum of money therein expressed, unless the same shall be stamped with the proper stamp

No receipts, &c. available in law for more than therein expressed, unless on a 2s. stamp.

to denote the said duty of two shillings hereby imposed; any thing in such receipt, discharge, acquittance, note, memorandum, or writing, expressed notwithstanding.

VII And be it further enacted by the authority aforesaid, That every note, memorandum, or writing whatever, given to any person or persons for or upon the payment of money which shall contain or express, or in any manner signify or denote, any acknowledgement of any part of any debt, claim, account, or demand, being paid, settled, received, accounted for, balanced, discharged, released, or satisfied, whether the same shall or shall not be signed by or with the name or names of the person or persons by or on whose behalf the same shall be given, shall be deemed and taken to be a receipt within the true intent and meaning of the said recited act and this act, and shall be liable to a stamp duty in respect of the sum actually paid.

Memoranda, &c. for money received, though not signed, to be deemed receipts.

VIII. And be it further enacted by the authority aforesaid, That all and every person or persons who, from and after the said fifth day of July one thousand seven hundred and ninety-five, shall write or sign, or cause to be written or signed, any receipt, discharge, or acquittance, given for or upon the payment of money liable to any stamp duty charged by the said recited act or this act upon any piece of vellum, parchment, or paper, without the same being first duly stamped or marked with a stamp or mark as herein is directed, or upon which there shall be a stamp or mark of lower denomination or value than is by the said recited act and this act charged in respect thereof, shall forfeit and pay the sum of ten pounds, in case the sum paid, contained, or expressed, in such receipt, discharge, or acquittance, shall not amount to the sum of one hundred pounds; and the sum of twenty pounds in case such sum shall amount to one hundred pounds or upwards.

Penalty on persons signing, &c. receipts unstamped, &c.

IX. And be it further enacted by the authority aforesaid, That all and every person or persons who shall give any receipt, discharge, or acquittance, or any note, memorandum, or writing, acknowledging the payment of money, in which a less sum shall be expressed than the sum actually paid or received, or who shall separate or divide the sum demanded or actually paid or received into divers sums with intent to evade the said duties or any of them, or shall, with the like intent, write off any part of any debt, claim, or demand, or who shall be guilty of or concerned in any fraudulent contrivance or device whatever with intent or design to defraud his Majesty, his heirs or successors, of any of the said duties by the said act or this act imposed, shall, for every such offence, forfeit and pay the sum of fifty pounds, to be recovered in manner as herein-after is directed.

Persons giving receipts for less than actually paid, &c. liable to penalty.

X. And be it further enacted by the authority aforesaid, That all vellum, parchment, and paper, liable to any stamp duty by the said recited act, or this act, shall, before any of the matters or things thereby or hereby charged, shall be engrossed, printed, or written thereupon, be brought to the head office for stamping or marking vellum, parchment, or paper; and the said commissioners by themselves, or by their officers employed under them, shall and

Vellum, &c. to be stamped before written upon, &c.

may, from time to time, stamp and mark, according to the directions of the said recited act and this act, any quantities or parcels of vellum, parchment, or paper, before any of the matters or things thereby or hereby charged shall be engrossed, printed, or written thereupon, upon payment of the several duties payable for the same by virtue of the said recited act and this act; and no receipt, discharge, acquittance, note, or memorandum, or writing aforesaid, liable to the duties by the said recited act or this act imposed, or any of them, shall be pleaded or given in evidence in any court, or admitted in any court to be good, useful, or available, in law or equity, unless the vellum, parchment, or paper, on which such receipt, discharge, acquittance, note, memorandum, or writing, as aforesaid, shall be engrossed, printed, written, or made, shall be stamped or marked with a lawful stamp or mark to denote the rate or duty as by the said recited act or this act is directed, or some higher rate or duty in the said recited act or this act contained; and it shall not be lawful for the said commissioners, or their officers, to stamp or mark any vellum, parchment, or paper, with any stamp or mark directed to be used as provided by virtue of the said recited act or this act, at any time after any receipt, discharge, or acquittance, shall be engrossed, written, or printed thereon, under any pretence whatever, except as herein is otherwise provided; any thing in the said recited act or this act contained, or any law or statute to the contrary thereto notwithstanding.

Receipts, &c. not stamped may be stamped within the times herein prescribed, upon payment of the sums herein mentioned.

XI. Provided always, and be it further enacted by the authority aforesaid, That if any receipt, discharge, or acquittance, given upon the payment of money, and written on vellum, parchment, or paper, not stamped as by the said recited act and this act is directed, shall be brought to the said commissioners, or their officers employed by them for that purpose to be stamped according to the directions of the said recited act and of this act, within the space of fourteen days after such receipt, discharge, or acquittance, shall be given, or shall bear date, the same shall and may be permitted to be stamped, on payment of the sum of five pounds over and above the duty payable for the same by virtue of the said recited act and this act; and if any such receipt, discharge, or acquittance, shall be brought to be stamped as aforesaid, after the expiration of such fourteen days, and within one calendar month after such receipt, discharge, or acquittance shall be given, or shall bear date, the same shall and may be permitted to be stamped, on payment of the sum of ten pounds, over and above the duty payable for the same, by virtue of the said recited act and this act, and the proper officer or officers are hereby enjoined and required, upon such receipt, discharge, or acquittance, being brought to them, within the respective times herein-before limited, and upon payment of the duty imposed thereon by the said recited act or this act, and the respective sums aforesaid, but not otherwise, to mark or stamp such receipt, discharge, or acquittance, with the proper mark or stamp by the said recited act and this act required for the same.

XII. And be it further enacted by the authority aforesaid, That one moiety of all pecuniary penalties and forfeitures hereby imposed, shall (if sued for within the space of three calendar months from the time of any such penalty or forfeiture being incurred) be to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform or sue for the same within the time aforesaid; and which shall and may be sued for in any of his Majesty's courts at *Westminster*, for offences committed in *England*, and in the court of great sessions, for offences committed in *Wales*, and in his Majesty's court of exchequer at *Edinburgh*, for offences committed in *Scotland*, by action of debt, bill, plaint, or information, wherein no essoin, privilege, wager of law, or more than one imparlance, shall be allowed.

How penalties are to be divided, and recovered.

XIII. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any justice of the peace, residing near the place where the offence shall be committed, to hear and determine any offence against this act, which subjects the offender to any pecuniary penalty; which said justice of the peace is hereby authorized and required, upon any information exhibited, or complaint made in that behalf, within three calendar months after the offence committed, to summon the party accused; and also the witnesses on either side, and to examine into the matter of fact, and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more credible witness or witnesses, to give judgement or sentence for the penalty or forfeiture as in and by this act is directed, to be divided, one moiety thereof to his Majesty, his heirs or successors, and the other moiety thereof to the informer or informers; and to award and issue out his warrant under his hand and seal, for the levying the said penalty 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 the goods of such offender cannot be found sufficient to answer the penalty, to commit such offender to prison, there to remain for the space of three calendar months, unless such pecuniary penalty shall be sooner paid and satisfied; and if any person or persons shall find himself or themselves aggrieved by the judgement of any such justice, then he or they shall and may, upon giving security to the amount of the value of such penalty and forfeiture, together with such costs as shall be awarded in case such judgement shall be affirmed, appeal to the justices of the peace at the next general or quarter sessions for the county, riding, or place, which shall happen after fourteen days next after such conviction shall have been made, and of which appeal reasonable notice shall be given, who are hereby empowered to summon and examine witnesses upon oath, and finally to hear and determine the same; and in case the judgement of such justice shall be affirmed, it shall be lawful for such justices to award the person or persons appealing, to pay such costs occasioned by such appeal as to them shall seem meet.

Justices may determine offences which subject the parties to pecuniary penalties.

Persons aggrieved may appeal to the quarter sessions.

Penalties may be mitigated.

XIV. Provided nevertheless, That it shall and may be lawful to and for the said justice, where he shall see cause, to mitigate and lessen any such penalties as he shall think fit, (reasonable costs and charges of the officers and informers, as well in making the discovery as in prosecuting the same, being always allowed over and above such mitigation), and so as such mitigation do not reduce the penalties to less than a moiety of the penalties incurred over and above the said costs and charges; any thing contained in this act, or any other act of parliament to the contrary notwithstanding.

Witnesses not attending, &c. to forfeit 40s.

XV. And be it further enacted, That if any person or persons shall be summoned as a witness or witnesses, to give evidence before such justice, touching any of the matters relative to this act, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, his or her reasonable excuse for such neglect or refusal to be allowed of by such justice or justices of the peace, or appearing shall refuse to be examined on oath or affirmation, and give evidence before whom the prosecution shall be depending, that then every such person shall forfeit, for every such offence, the sum of forty shillings, to be levied and paid in such manner, and by such means, as is herein directed as to other penalties.

Penalties not profecured for within the limited time, recoverable only as is herein mentioned.

XVI. Provided always, and be it further enacted, That in default of prosecution within the time herein-before limited, no such penalty or forfeiture shall be afterwards recoverable, except in the name of his Majesty's attorney general in *England*, or advocate in *Scotland*, by information in the respective courts of exchequer in *England* and *Scotland*, in which case the whole of such penalty or forfeiture shall belong to his Majesty, his heirs and successors; and that all penalties and forfeitures, and shares of penalties and forfeitures, incurred as aforesaid, belonging to his Majesty, his heirs or successors, shall be paid into the hands of the receiver general of his Majesty's stamp duties for the time being; and that in all cases where the whole of such pecuniary penalties or forfeitures shall be recovered to the use of his Majesty, his heirs and successors, it shall be lawful for the said commissioners to cause such reward as they shall think fit, not exceeding one moiety of such penalties or forfeitures so recovered, after deducting all charges and expences incurred in recovering the same, to be paid thereout, to or amongst any person or persons who shall appear to them entitled thereto as informers, in respect of such penalties or forfeitures so recovered; any thing herein contained to the contrary notwithstanding.

Persons counterfeiting stamps, &c. guilty of felony.

XVII. And be it further enacted by the authority aforesaid, That if any person shall counterfeit or forge, or procure to be counterfeited or forged, any stamp or mark, directed or allowed to be used or provided, made or used in pursuance of the said recited act or this act for the purpose of denoting any of the duties by the said recited act or this act granted, or shall counterfeit or resemble the impression of the same upon any vellum, parchment, or paper, with intention to defraud his Majesty, his heirs or successors,

cessors, of any of the said duties, or shall utter, vend, sell, or expose to sale, any vellum, parchment, or paper, liable to the said duties, with such counterfeit mark or impression thereupon, knowing the same to be counterfeited, or shall privately or fraudulently use any stamp or mark, directed or allowed to be used by the same recited act or this act, with intent to defraud his Majesty, his heirs or successors, of any of the said duties, every person so offending, and being thereof lawfully convicted, shall be adjudged a felon, and shall suffer death as in cases of felony without benefit of clergy.

XVIII. And be it further enacted by the authority aforesaid, That all powers, provisions, articles, clauses, allowances on present payment of the duties, and all other matters and things prescribed or appointed by any former act or acts of parliament relating to the stamp duties on vellum, parchment, and paper, (and not hereby altered), shall be of full force and effect, with relation to the duties hereby imposed, and shall be applied and put in execution for the raising, levying, collecting, and securing, the said duties hereby imposed, according to the true intent and meaning of this act, as fully and effectually, to all intents and purposes, as if the same had severally and respectively been hereby re-enacted with relation to the said duties hereby imposed.

All powers respecting former acts, to extend to this act.

XIX. And be it further enacted by the authority aforesaid, That all the said duties herein-before granted shall be paid from time to time into the hands of the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, who shall pay the same (the necessary charges of raising and accounting for the same being deducted) into his Majesty's receipt of exchequer at *Westminster*, at such time and in such manner as other duties on stamped vellum, parchment, and paper, are directed to be paid; and shall be carried to, and made part of, the consolidated fund.

Duties to be paid to the receiver-general of stamp duties, and by him paid into the exchequer.

XX. Provided always, and be it further enacted, That the monies arising, or to arise, of the said rates or duties, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan made, or stock to be created, by virtue of any act or acts to be passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said rates and duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted in this session of parliament for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs and successors, on any account whatever.

Duties to be an addition to the revenue for defraying the increased charge of any loan of this session, &c.

C A P. LVI.

An act to continue and amend an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, An act for the more effectual encouragement of the British fisheries.—[May 5, 1795.]

Preamble.

26 Geo. 3. c.
81. and

27 Geo. 3. c.
10. recited,

and continued
for 2 years.

Vessels clear-
ing out be-
tween June 1,
and Nov. 30,
entitled to
bounties.

Herrings not
entitled to 20s.
per ton, but to
18s. per barrel,
afterwards
cured, to be
paid 18s. per
barrel more.

WHEREAS an act was passed in the twenty-sixth year of his present Majesty's reign, intituled, An act for the more effectual encouragement of the British fisheries; which act was to continue in force from the first day of June one thousand seven hundred and eighty-seven, for the space and term of seven years, and from thence to the end of the then next session of parliament: and whereas an act was passed in the twenty-seventh year of his present Majesty's reign, to extend the provisions of the said act: and whereas it is expedient that the said first-mentioned act, together with the alterations and amendments made in the same by the last-mentioned act, should be continued for a limited time, with amendments 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 said act, passed in the twenty-sixth year of his present Majesty's reign, together with the alterations and amendments made therein by the said act passed in the twenty-seventh year of his present Majesty's reign, shall be and continue in force from and after the first day of June one thousand seven hundred and ninety-five, for the space and term of two years, and from thence to the end of the then next session of parliament.

II. Provided always, and be it further enacted, That any buss or vessel which shall clear out of some port in Great Britain for the said fishery, between the first day of June and the twentieth day of November in one and the same year, and shall proceed immediately upon the said fishery, shall entitle the owner or owners thereof to the bounties granted by the said acts, or either of them, in the same manner as if such buss or vessel had cleared out of some port in Great Britain between the first day of June and the first day of October in one and the same year; any thing in the said acts, or either of them, to the contrary notwithstanding.

III. And be it further enacted, That for all herrings which shall be landed from any boat or vessel not entitled to the bounty of twenty shillings per ton, but entitled to the bounty of one shilling per barrel, granted by the said act passed in the twenty-sixth year of his present Majesty's reign, and which shall afterwards be properly salted and cured, there shall be paid a bounty of one shilling per barrel, in addition to the bounty of one shilling per barrel, granted by the said act, for such herrings.

IV. And whereas doubts have arisen whether herrings which shall have been landed at the fishing places upon the coasts of Great Britain, and sprinkled with salt, to be afterwards carried coastwise in bulk to the residence

residence of the curers, were not subject to forfeiture; to remove which doubts, and for the greater encouragement of the British fishery, be it hereby enacted by the authority aforesaid, That the curers of Herrings, &c. berrings, residing in any part of Great Britain, shall and may, sprinkled with during the time of each and every season of the British fishery, salt on land- carry coastwise in bulk, free of any duty whatever, herrings, or ing, may be cod, ling, hake, and salmon, actually taken in the herring fishery, wise in bulk that shall have been landed and deposited in any warehouse or free of duty. store under the care and inspection of the salt officers at any place of fishery upon the British coasts, and there sprinkled with salt taken out of any warehouse under the revenue locks, for the uses of the British fishery, which salt shall have been deposited, during the time of the fishery, in any store or warehouse for the purpose only of sprinkling such herrings, or other fish so taken, to preserve them until the same shall be afterwards carried coastwise to that part of Great Britain where such herrings or other fish are to be entirely cured, or otherwise disposed of: provided always, That it shall be expressed in the cocquet, transire, or other coast dispatch to accompany the said herrings and other fish, that no bounty whatever has been paid or claimed upon the said herrings and other fish at any time previous to the shipping of the same to be carried coastwise; and that the said herrings and other fish shall be subject to all the restrictions, regulations, penalties, and forfeitures, now in force under this, or any other act or acts for the security of the duties on salt.

Cocquet to express that no bounty has been paid on such fish.

V. And whereas by an act passed in Scotland in the third session of the first parliament of her late majesty Queen Anne, intituled, An act for advancing and establishing the fishing trade in and about this kingdom, it is among other things enacted, That it shall be lawful to the sheriffs, baillies of regalities, and magistrates of burghs, or any having commission from them, not only to visit on all occasions the curing and packing of herring or white fish in their respective bounds, and also to pitch on any barrel after it is made up and marked, and cause break open the same, and raise the herrings, if they think fit, from the very bottom; and in case they be not cured or packed as in the said act is ordained, or that they be broken, bruised, split, or not gutted herring or fish among them, the said sheriffs, baillies, magistrates, or others commissioned by them, after the same is clearly proven by experienced and famous witnesses, are thereby ordained to secure the whole casks where the said insufficient herring or white fish shall be found, and the persons to whom they belong shall pay for each last one hundred marks Scots, the half to be given to the discoverer and the rest to the poor of the parish, and proportionally for smaller quantities of such insufficient herring or white fish, and the said insufficient herring or fish shall be discharged to be exported at any time thereafter: be it enacted, That so much of the said in part recited act as relates to the securing of casks of herrings for or in respect of any ungutted herrings being found therein, and to any fine or penalty to be paid by the person or persons to whom any casks of herrings shall belong in respect of any ungutted herrings being found therein, Act in Scotland of 3d session of 1st parliament of Queen Anne, recited, and in part repealed.

therein, and to the discharging of the exportation of any casks of herrings for or in respect of any ungutted herrings being found therein, be, and the same is hereby repealed.

VI. *And whereas it frequently happens that arrestments are used in the hands of the commissioners of the customs in Scotland, or their receiver general, for the purpose of attaching the bounty that may be due to proprietors of vessels employed in the said fishery, but in which no specification is made of the name of the vessel whereof the bounty is meant to be attached, whereby much inconvenience and embarrassment often arise, there being many persons of the same name proprietors of different vessels, which renders it difficult and uncertain with precision what particular bounty is intended to be attached, whereby payments have sometimes been made notwithstanding such attachments, at other times delays have been occasioned in payment of bounties not intended to be attached, all which might be remedied if in the arrestments the name of the particular vessel was specified; be it therefore enacted by the authority aforesaid, That in all arrestments to be used in the hands of the said commissioners or receiver general, for the purpose of attaching bounties due to owners of any of the said vessels fitted out for the said herring fishery, the schedule and execution of the arrestment shall specify the name of the particular vessel or vessels whereof the person against whom the arrestment is used may be owner, and of which his share of the bounty is meant to be attached, otherwise such arrestments shall be null and void.*

Arrestments to specify the names of vessels when bounties are to be attached by commissioners of customs in Scotland.

Inhabitants of the United Provinces, employed in the herring fishery, &c. or in building vessels, &c. coming to reside in this kingdom, may, on certain conditions, import fish duty free, export them, be entitled to bounties, carry on their trades, &c.

VII. *And be it further enacted by the authority aforesaid, That if during the continuance of this act, any person, being a subject or inhabitant of the United Provinces, who has been employed in carrying on the herring, cod, ling, haddock, or other white fisheries, or the fisheries carried on in the Greenland Seas and Davis's Streights, or the turbot fishery, or in building vessels, or in cutting whalebone, or in making nets or barrels, or in preparing salt for the said fisheries, shall come into this kingdom with intent to reside herein, and shall go before some justice of the peace, sheriff depute or substitute, or principal magistrate of some city or town of this kingdom, or before the principal officer of his Majesty's customs in some port of this kingdom, and shall take the oath of allegiance to his Majesty, and shall obtain a certificate of his having taken such oath, which oath and certificate such justice of the peace, sheriff depute or substitute, magistrate, and officer respectively, are hereby authorized and required to administer and give, on payment of no greater fee than two shillings; and if such person shall produce or transmit such certificate to the commissioners of his Majesty's customs in England or Scotland respectively, and shall make it appear to the satisfaction of such commissioners, by oath or examination before them, or before persons duly authorized by them for that purpose, that he is a subject or inhabitant of the said United Provinces, and had been employed in some one or other of the said fisheries, or in building vessels, or in making nets or barrels, or in preparing salt*

falt for the said fisheries, and that he hath come into this kingdom with intent to reside herein, and to carry on some one or other of the said fisheries, trades, or employments, it shall and may be lawful for the said commissioners of his Majesty's customs in *England*, or any four or more of them, or for the said commissioners of his Majesty's customs in *Scotland*, or any three or more of them, to grant to such person a certificate thereof; and such person shall be forthwith entitled to enter for importation, duty free, and afterwards to re-export any cargo of fish, or the produce thereof, caught in any of the said fisheries, which he may then have brought into the ports of this kingdom, and shall from thenceforth be authorised to carry on from the said ports, the said fisheries, or any of them, or to exercise in any place therein any of the said trades or employments, and to import and export such fish or oil, or other produce thereof, into or from any ports of this kingdom, in the same manner, and with all the same advantages, as any *British* subject, and be entitled to all such bounties, premiums, and emoluments, as are granted by either or both of the acts continued by this present act, and to no other, subject nevertheless, in the case of claiming such bounties, to the same rules, regulations, restrictions, penalties, and forfeitures; and such person shall thereupon be entitled to become the master or mariner of any *British* ship or vessel, employed in carrying on any of the said fisheries.

VIII. And be it further enacted, That if any such person or persons who shall have qualified, or shall qualify himself or themselves in manner before directed, being the owner in whole or in part of any ship or vessel heretofore employed in some one or other of the said fisheries, has brought or shall bring any such vessel into any of the ports of this kingdom, and shall prove, in the manner directed in an act, passed in the twenty-sixth year of his Majesty's reign, intituled, *An act for the further increase and encouragement of shipping and navigation*, having taken the oath thereunto annexed, instead of the oath required by the said act, that he or they is or are the sole owner or owners, or that he or they, and some other person or persons, being subjects or inhabitants of the said *United Provinces*, who shall have come to this kingdom, and have proved the same in manner before directed, or some *British* subject or subjects, are the sole owner or owners of such ship or vessel, it shall and may be lawful for his Majesty, by and with the advice of his privy council, to order such ship or vessel so owned to be registered, and to have a certificate thereof, and such ship or vessel shall by virtue thereof become entitled to the privileges of a *British*-built ship or vessel, under the regulations and restrictions herein-after mentioned.

Such persons, owners in whole or in part of vessels, and bringing them into this kingdom, may, by order of the privy council, have them registered, and be entitled to the privileges of *British*-built vessels.

IX. And be it further enacted, That during such time as the owner or owners of such ship or vessel shall continue to be resident within this kingdom, it shall be lawful for such ship or vessel to carry on any of the said fisheries, and to import and export into and from this kingdom, and to carry to the port of any country in *Europe*, the fish caught in any such fisheries, and the oil and other produce

While the owners reside in the kingdom such vessels may import the fish caught, export them,

and import in produce thereof, and such ship or vessel shall be entitled to the return such like advantages as any *British*-built ship or vessel employed in any articles as of the said fisheries, and to all such bounties, premiums, and emoluments, as are granted by either or both of the acts continued *British*-built ships, if properly manned. by this act, and to no other, subject nevertheless, in case of claiming such bounties, to the same duties, rules, regulations, restrictions, penalties, and forfeitures; and every such ship or vessel may import from any such foreign *European* port, in return for such fish, oil, or produce, any articles which any *British*-built ship may by law import from thence, subject nevertheless to the same duties, rules, regulations, restrictions, penalties, and forfeitures, as any *British*-built ship employed in the like trade: provided always, that every such ship or vessel employed in the manner before mentioned, shall be manned, with the number required by law, either of *British* seamen, or of subjects or inhabitants of the said *United Provinces*, who have come to and continue to reside within this kingdom, and have qualified themselves in manner before directed.

Persons so qualified may purchase estates not exceeding 100 acres, X. And be it further enacted, That any person so qualified as afore said shall be entitled to purchase or take by descent, and hold any estate in lands, tenements, or hereditaments, (not exceeding one hundred acres), in the same manner as any natural-born subject of this kingdom may now do.

and may bring into the kingdom ships, &c. duty-free XI. And be it further enacted, That it shall and may be lawful for any such person qualified in manner before mentioned, to import and bring into this kingdom all such ships, tackle, and furniture, and all nets and other articles employed in such fisheries, and also all household goods and wearing apparel, without payment of any duty whatsoever, provided it shall be made to appear, to the satisfaction of the commissioners of the custom in *England* and *Scotland* respectively, that such articles respectively are not imported by way of merchandize.

Such owners to take the following oath. XII. And be it further enacted, That the oath before directed to be taken by the owner or owners, proprietor or proprietors, of any such ship or vessel, shall be in the form and manner following, as far as the same is applicable to each or either of them:

I A. B. of (place of residence and occupation) do make oath that the ship or vessel (name) of (port or place) whereof (master's name) is at present master, being (kind of built, burthen, &c. as described in the certificate of the surveying officer) was (when and where built, and when and where it came into this kingdom); and that I the said A. B. and (the other owners names, and occupations, if any, and where they respectively reside, viz. town, place, or parish and county, or if member of and resident in any factory in foreign parts, or in any foreign town or city, being an agent for or partner in any house or copartnership, actually carrying on trade in Great Britain or Ireland, the name of such factory, foreign town, or city, and the names of such house or copartnership) am (or are) sole owner (or owners) of the said vessel, and that

no other person or persons whatever, hath or have any right, title, interest, share, or property, therein or thereto; and (if a British subject) that I the said A. B. (and the said other owners, if any) am (or are) truly and bona fide a subject (or subjects) of Great Britain, and that I the said A. B. have not (nor have any of the other owners, to the best of my knowledge and belief) taken the oath of allegiance to any foreign state whatever, (except under the terms of some capitulation, describing the particulars thereof); or that, since my taking (or his or their taking) the oath of allegiance to (naming the foreign states respectively to which he or any of the said owners shall have taken the same), and prior to the passing of an act, of the twenty-sixth year of the reign of King George the Third, intituled, An act for the further increase and encouragement of shipping and navigation, I have (or he or they hath or have) become a subject (or subjects) of Great Britain, (either by his Majesty's letters patent, as a denizen (or denizens) or naturalized by act of parliament, as the case may be, naming the dates of the letters of denization, or the act or acts of parliament for naturalization respectively); or (as the case may be) I have (or he or they hath or have) become a denizen (or denizens, or naturalized subject or subjects, as the case may be) of Great Britain, by his Majesty's letters patent, or by an act of parliament passed since the first day of January, one thousand seven hundred and eighty-six, (naming the times when such letters of denization have been granted respectively, or the year or years in which such act or acts of naturalization have passed respectively), or (if not a British subject) that I A. B. and the other owners, if any, being a subject or subjects, inhabitant or inhabitants, of the United Provinces, or having been an inhabitant or inhabitants thereof, and now resident in this kingdom, (describing the particulars thereof as to place and date), have (or he or they hath or have) taken the oath of fidelity and allegiance to his majesty the King of Great Britain, (describing the times when, the place where, and before whom taken), and that no foreigner, not having complied with the conditions above mentioned, directly or indirectly, hath any share, or part, or interest, in the said ship or vessel.

C A P. LVII.

An act to indemnify governors, lieutenant governors, and persons acting as such, in the West India islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms.
[May 5, 1795]

WHEREAS by an act, passed 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; and by other acts of parliament now in force, no goods or commodities whatsoever can be imported into, or exported out of any lands, islands, plantations, or territories, to his Majesty belonging, or in his possession, or which may hereafter belong unto or be in the possession of his Majesty, his heirs and successors, in Asia, Africa, or America, in any other ship or ships, vessel or vessels whatsoever, but in such ships or vessels

Preamble.
12 Car. 2.
c. 18.

Governors,
&c. of West
India islands
having per-
mitted the
importation
and exporta-
tion of certain
articles in
foreign bot-
toms,

vessels as do truly and without fraud belong only to the people of Great Britain, or of any of the territories thereof, in the manner, and under the penalties, and subject to the exceptions and regulations in the said acts respectively contained: but whereas notwithstanding the said acts, certain of his Majesty's governors or lieutenant governors of the islands in the West Indies, or persons acting as such, have found themselves under the necessity of opening, with the advice of their respective councils, the ports of the said islands for a limited time, for the importation of certain articles of provisions and lumber, for the supply of the said islands, in foreign bottoms, and in like manner for the exportation of certain articles the produce of the said islands in return for the same: and whereas the island of Tobago and certain parts of the island of Saint Domingo have been surrendered to his Majesty, and are now in his Majesty's possession, at the time of which surrender it was stipulated and agreed that the importation of provisions, cattle, grain, and wood, of various kinds, from the united States of America, and from other parts of America and the West Indies, and the exportation of certain articles therein enumerated, being the produce of the said islands, should be allowed for a limited time in the foreign bottoms and vessels therein described: and whereas such importation and exportation as aforesaid are contrary to the said acts of parliament, but being permitted either from the necessity of the occasion, or by virtue of the articles of capitulation, in consequence of which the said island of Tobago and certain parts of the said island of Saint Domingo were so surrendered to his Majesty, and put into his Majesty's possession, the same ought to be justified by an act of parliament; and all persons issuing, advising, or acting under or in obedience to any order or permission of any of the said governors or lieutenant governors of the said islands, or persons acting as such, and all persons concerned in any importation or exportation as aforesaid, should be respectively justified: 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 all personal actions and suits, indictments, informations, and all prosecutions and proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any person or persons for having issued or advised any such order or permission, at any time after the seventeenth day of April one thousand seven hundred and ninety-four, and before the passing of this act, or for any act done by reason of any such order or permission, or relating to any such exportation or importation in consequence of such order or permission, be, are, and shall be, discharged and made void by virtue of this act; and that if any action or suit shall be prosecuted or commenced against any person or persons for or by reason of any such act, matter, or thing, so advised, commanded, appointed, or done, or forborne to be done, he, she, or they, may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff or plaintiffs in any action or suit so to be prosecuted or commenced in that part of Great Britain called England, or in the said West India islands, shall become

all suits for
issuing such
permission,
&c. to be dis-
charged.

General issue
may be plead-
ed, and if
plaintiff be.

nonfuit or forbear further prosecution, or suffer discontinuance, or if a verdict pass against such plaintiff or plaintiffs, the defendant or defendants shall recover his, her, or their, double costs, for which he, she, or they, shall have the like remedy, as in cases where the costs by law are given to the defendants; and if any such action or suit as aforesaid shall be commenced or prosecuted in that part of *Great Britain* called *Scotland*, the court before which such action or suit shall be commenced or prosecuted, shall allow to the defender the benefit of the discharge and indemnity hereby provided, and shall further allow him his double costs of suit in all such cases as aforesaid.

II. And be it also enacted by the authority aforesaid, That if any action or suit hath been already commenced against any person or persons for any such act, matter, or thing, so advised, commanded, appointed, or done, or forborne to be done, it shall and may be lawful for the defendants or defenders in such action or suit respectively, in whatever court in *Great Britain* and in the said *West India* islands such action or suit shall have been commenced, to apply to such court or courts respectively, to stay all proceedings therein respectively, by motion in a summary way, and such court or courts are hereby required to make order for that purpose accordingly; and the court or courts making such order shall allow and award to the defendants or defenders respectively double costs of suit, for which they shall respectively have the like remedy, as in cases where the costs are by law given to defendants or defenders.

C A P. LVIII.

An act for requiring all boats, barges, and other vessels, of certain descriptions, used on navigable rivers, and on inland navigations, in Great Britain, to be registered.—[May 5, 1795.]

WHEREAS it is expedient to ascertain the quantity of vessels employed in the inland trade and navigation of Great Britain, and the number of men retained in navigating the same; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every lighter, barge, boat, wherry, or other vessel, exceeding the burthen of thirteen tons, which, from and after the fifteenth day of *June* one thousand seven hundred and ninety-five, shall be worked, rowed, or navigated, in or upon any river, canal, or other inland water or navigation in *Great Britain*, shall be registered in manner herein-after mentioned; and that the person or persons claiming the property therein shall, on or before the said fifteenth day of *June* one thousand seven hundred and ninety-five, cause the same to be registered, and shall obtain a certificate of such registry from the clerk of

Preamble.

From June 15, 1795, every vessel exceeding 13 tons used on navigable rivers, and inland navigations, to be registered.

Anno regni tricesimo quinto GEORGI II. c. 58. [1795.

the peace, town clerk, sheriff depute, or steward clerk, of the county, riding, shire, stewartry, division, or place, to which such lighter, barge, boat, wherry, or other vessel shall belong, in the manner herein-after directed, or from their respective deputies; and that every such register and certificate respectively shall truly set forth, whether the vessel so to be registered be a lighter, barge, boat, wherry, or what other vessel, and also the name or names, with the place or places of abode of the master or person having the charge or command thereof, together with the number and capacities of all and every person and persons respectively then and usually employed in working the same, and also the burthen thereof, and also, to the best of his or their belief, shall give a just account of the line and extent of the navigation in which such vessel hath been usually navigated, and where situated; and that the form of such certificate shall be as follows; viz.

Certificate of registry to be in the following form.

‘ IN pursuance of an act, passed in the thirty-fifth year of the
 ‘ reign of King George the Third, intituled, *An act* [here set
 ‘ forth the title of the act] having this day declared
 ‘ to me clerk of the peace for the of
 ‘ that is at present master of the
 ‘ and that the said admeasures tons, and
 ‘ no more and is at present worked by the number of
 ‘ persons, in the several capacities under-mentioned; viz.

Number of men employed on board the	Capacity on board.

‘ And that the line and extent of the navigation in which the
 ‘ said has been usually navigated is from
 ‘ to extending miles, or thereabouts;
 ‘ I do hereby certify, that the said is duly registered
 ‘ at my office, and described under the particulars herein set
 ‘ forth. Given under my hand at this
 ‘ day of in the year of our Lord

‘ Signed A. B.’

Fee for registry and certificate.

For which registry and certificate so granted, every such clerk of the peace, town clerk, sheriff depute, or steward clerk, shall be entitled

entitled to demand and receive from the person making such register, and granting such certificate, the fee of two shillings and sixpence, and no more.

II. And be it further enacted by the authority aforesaid, That every particular herein-before required to be inserted in the register to be entered under this act, and certificate to be granted thereupon, shall be verified on the oath or affirmation of the master or other person having the charge or command of such vessel previous to the registry thereof, (if the same shall be required by any person or persons appointed, as herein-after is mentioned, by the commissioners for the time being for executing the office of lord high admiral of *Great Britain*, or any three or more of them, (which oath may be administered by the chief magistrate of any city, borough, or town corporate, or by any justice of the peace residing near the place of such registry), and for the administering of which oath or affirmation the sum of one shilling, and no more, shall be paid.

Particulars of registry to be verified on oath of the master if required, &c.

III. And be it further enacted by the authority aforesaid, That the said commissioners of the admiralty may, and they are hereby authorised to appoint, by warrant or commission under their hands, in every county, riding, shire, stewartry, division, or place, in *Great Britain*, (when and wherever they shall see occasion), one or more person or persons to survey, examine, and admeasure, all such vessels as aforesaid, as shall be kept or worked in or upon any such river, canal, or other inland water or navigation, as aforesaid; and that, on the production of any such warrant or commission, the master, or other person having the charge or command of any such vessel, which shall be kept or worked in or upon any such river, canal, or other inland water or navigation, and which shall have been registered, and shall have procured a certificate of the registry thereof, shall, upon demand, produce such certificate of registry to such officer or officers; and such officer or officers respectively (taking to his or their assistance, if he or they shall judge it necessary, one or more person or persons skilled in the building and admeasurement of such vessels) shall and may, and he and they is and are hereby authorised to go on board every vessel kept, worked, or rowed, as aforesaid, (whether such vessel shall have been registered under this act or not), and accurately examine and admeasure the same, as to all and every particular contained, or directed to be inserted in the register or certificate herein-before required, in the presence of the master, or of such other person as shall have the charge of such vessel, and shall set down in writing a just account of all such particulars as are specified or required by this act to be specified in the register, or certificate of registry above-mentioned, and shall require the master, or other person aforesaid, to sign his name to the account of such surveying officer or officers; and such master, or other person aforesaid, shall sign his name to such account accordingly, unless he shall dissent from the particulars set forth and described therein, in which case such master or other person shall, and he is hereby required to set down in

Admiralty to appoint surveyors of vessels.

Masters to produce certificates of registry to surveyors, who may admeasure vessels, &c. and require masters to sign accounts of particulars of registry.

Masters dissenting, to set down their reasons at the foot of such accounts.

writing his reasons for such dissent at the foot of such account, and sign the same accordingly

Penalty on persons neglecting to register vessels, delivering false descriptions, obstructing surveyors, making false registers, granting false certificates, or neglecting to grant certificates.

IV. And be it further enacted by the authority aforesaid, That if any person or persons herein required to cause any such vessel to be registered shall neglect or refuse to register the same, and demand a certificate thereof, within the time herein limited for that purpose; or shall wilfully deliver to any person or persons hereby authorized to make such registry as aforesaid, a false description of any of the particulars hereby required to be contained in such register, and certificate thereof; or shall wilfully obstruct any surveying officer or officers, or any person or persons acting in his or their aid or assistance, in surveying, examining, or admeasuring, any such vessel, or in going on board, or being on board the same for that purpose, or shall assault such surveying officer or officers, or any person acting in the aid or assistance of such surveying officer or officers, in the execution of this act; or if any person or persons herein-before authorized to make such registry, and grant such certificates of registry, or to survey, examine, or admeasure any such vessel, and to take an account thereof, shall knowingly make any false register, or grant any false certificate, or make out any false account in regard to any of the particulars required by this act, or shall refuse or wilfully neglect to grant a certificate, (the same being demanded according to the directions of this act), he or they, on being convicted thereof in any of his Majesty's courts of record at *Westminster*, courts of oyer and terminer or general gaol delivery in *England*, or courts of great sessions in *Wales*, or in the court of judicary or the court of exchequer in *Scotland*, shall respectively forfeit the sum of twenty pounds.

Vessels used without registry forfeited, and the master liable to penalty.

V. And be it further enacted by the authority aforesaid, That if any lighter, barge, boat, or other vessel, exceeding the burthen of thirteen tons, as aforesaid, shall be worked, rowed, or navigated, in or upon any river, canal, or other inland water or navigation, at any time after the said fifteenth day of *June* one thousand seven hundred and ninety-five, during the continuance of this act, without being duly registered, and certificate thereof duly obtained, according to the directions of this act, every such lighter, barge, boat, wherry, or other vessel shall be forfeited and lost, and shall and may be seized by any such surveying officer or officers appointed under the authority of this act; and the master, or other person having or taking the charge or command thereof shall, for every day on which such lighter, barge, boat, or other vessel, shall be worked, rowed, or navigated, as aforesaid, contrary to this act, forfeit the sum of ten pounds.

Burthen, names of the owners, &c. to be painted on vessels, on penalty.

VI. And be it further enacted, That every owner or master of any lighter, barge, boat, wherry, or other vessel, passing upon any such river, canal, or inland water or navigation, shall cause the true number of tons burthen thereof, and also the name or names of the owner or owners thereof, and the place to which such vessel shall belong, to be painted in large white capital figures on a black ground, four inches in length at the least, and

of a proportional breadth on the outside of the stern of every such lighter, barge, boat, wherry, or other vessel, higher than the place to which the same shall sink into the water when fully laden, and to continue the same thereupon in a distinct and legible manner, so long as such vessel shall be used as aforesaid; and every owner, master, or other person having the care or command of any lighter, barge, boat, wherry, or other vessel, or who shall navigate the same upon any such river, canal, or other inland water or navigation, without having such figures thereon as herein-before directed, or who shall wilfully alter, erase, deface, or destroy, such figures, or any part thereof, shall, for every such offence, forfeit and pay any sum not exceeding twenty pounds, nor less than five pounds.

VII. And be it further enacted by the authority aforesaid, That as to every lighter, barge, boat, wherry, or other vessel, which shall begin to be kept or worked at any time after the said fifteenth day of *June* one thousand seven hundred and ninety-five, and during the continuance of this act, in or upon any such river, canal, or other inland water or navigation, the same shall be duly registered, and certificate thereof duly obtained, in the manner herein-before directed; and shall be surveyed and admeasured, and the burthen thereof ascertained, and duly marked, according to the directions of this act, before the same shall be so worked, or rowed or navigated thereon, under pain of forfeiting the respective penalties and forfeitures herein-before mentioned, with respect to the like vessels so worked, rowed, or navigated, on or before the said fifteenth day of *June* one thousand seven hundred and ninety-five.

Vessels begun to be worked after June 15, to be registered, &c.

VIII. And be it further enacted by the authority aforesaid, That every person herein-before required and authorized to make and enter registers, and grant certificates, shall cause every such register to be duly entered in a book to be provided for that purpose, in the order in which the same shall be made; and shall, on or before the fifteenth day of *August* one thousand seven hundred and ninety-five, make out and transmit to the commissioners of the admiralty aforesaid, signed by him, and in his name, a true and faithful extract of all such registers, distinguishing, by the respective titles of such extracts, the particular rivers, canals, or other inland waters or navigations, in or upon which each lighter, barge, boat, wherry, or other vessel, then was and had been usually navigated; and which shall be made in the form following; *viz.*

Registers to be entered in a book, and by Aug. 15, 1795, an extract of them to be transmitted to the admiralty in the following form.

Navigation from _____ to _____ in the
of _____ extending _____ miles, or thereabouts,

No of vessels registered progressive.	Kind of vessel.	Burthen of Do.	Master's name.	Number of men employed.	Capacities

Penalty for neglecting to transmit extracts of registers, &c.

And if any such person shall neglect or refuse to transmit such extract of all such registers, or shall wilfully transmit any false extract thereof, every such person shall, for every such offence, forfeit the sum of one hundred pounds.

To what places vessels shall be deemed to belong.

IX. And be it further enacted by the authority aforesaid, That the county, riding, division, shire, stewardry, or place, to which any such lighter, barge, boat, wherry, or other vessel, shall be deemed and taken to belong for the purposes of this act, shall be any one of the counties, ridings, shires, stewardries, divisions, or places, in which such river, canal, or other inland water or navigation, whereon such lighter, barge, boat, wherry, or other vessel, shall be worked, rowed, or navigated, shall run or be, or the master or other person having the charge or command thereof, shall usually reside.

Penalty for falsely swearing, counterfeiting certificates, &c.

X. And be it further enacted by the authority aforesaid, That if any person or persons shall falsely make oath to any of the matters herein-before required to be so verified, such person or persons shall suffer the like pains and penalties as are incurred by persons committing wilful and corrupt perjury; and that if any person or persons shall counterfeit, erase, alter, or falsify, any certificate required or directed to be obtained by this act, or shall knowingly or wilfully make use of any certificate so counterfeited, erased, altered, or falsified, such person or persons shall, for every such offence, forfeit the sum of one hundred pounds.

Act not to extend to vessels of the royal family, or for pleasure.

XI. 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 require to be registered, according to the directions of this act, any lighter, barge, boat, wherry, or other vessel, under whatsoever description the same may fall, being the property of his Majesty, or the royal family, or any of them, or any boat used solely for pleasure; any thing herein contained to the contrary thereof notwithstanding.

XII. And

XII. And be it further enacted by the authority aforesaid, That the penalties and forfeitures incurred by this act (except as herein is otherwise specially directed) shall and may be sued for, prosecuted, and recovered, in such courts, and be disposed of in such manner, and by such ways, means, and methods, as any penalties or forfeitures inflicted, or which may be incurred, for any offence committed against the laws of excise may now legally be sued for, prosecuted, recovered, and disposed of; and that the officer or officers concerned in seizures or prosecutions under this act, shall be entitled to and receive the same share of the produce arising from such seizures, as in the case of seizure for unlawful importation, and to such share of the produce arising from any pecuniary fine or penalty for any offence against this act, as any officer or officers is or are now by any law or regulation entitled to upon prosecutions for pecuniary penalties.

How penalties may be recovered and applied.

XIII. And be it further enacted by the authority aforesaid, That this act shall have continuance until the fifth day of April one thousand seven hundred and ninety-eight, and from thence until the end of the then next session of parliament, and no longer.

Continuance of act.

C A P. LIX.

An act for granting to his Majesty additional duties on distilleries in Scotland, and on the exportation of British-made spirits from England to Scotland, and from Scotland to England; and to amend an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland and from Scotland to England, for a limited time.—[May 5, 1795.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts to be passed in this session of parliament, have freely and voluntarily resolved to give and grant to your Majesty the further and additional 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 the commons, in this present parliament assembled, and by the authority of the same, That, from and after the tenth day of *October* one thousand seven hundred and ninety-five, there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs, and successors, for and in respect of the several matters and things herein-after mentioned, over and above all duties already imposed for or in respect thereof by any act or acts

Preamble.

From Oct. 10, 1795, the following additional duties to be paid in Scotland:

of parliament, the further duties of excise herein-after mentioned; that is to say,

For each gallon of the content of every still for making spirits, (save as excepted by 33 Geo. 3. c. 61.) where British materials are used, 9l. annually;

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed for the making or distilling of low wines or spirits from corn, grain, malt, tilts, cyder, or perry, or other wash or liquor made or brewed from any sort of *British* materials, or any mixture therewith, in any part or place in *Scotland*, other than and except such counties and districts of the highlands as in an act, made in the thirty-third year of the reign of his present Majesty, intituled, *An act for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England*, are particularly specified, described, and enumerated, there shall be charged the annual sum of nine pounds:

for each gallon, where melasses or sugar are used, 15l.; and

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed in any part or place in *Scotland* for the making or distilling of low wines or spirits from melasses or sugar, or any mixture therewith, the annual sum of fifteen pounds:

where other foreign materials are used, 18l.;

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed in any part or place in *Scotland*, for the making or distilling of low wines or spirits from foreign refused wine, or foreign cyder, or wash prepared from foreign materials, (except melasses and sugar), or any mixture therewith, the annual sum of eighteen pounds:

and for each gallon of rectifying stills, 9l.

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed in any part or place in *Scotland*, for the rectifying, compounding, or mixing, of any kind of spirits, or strong waters, the annual sum of nine pounds:

Additional duties to be paid for licences for stills within the limits specified, in recited act;

For and upon all licences to be granted by the commissioners of excise in *Scotland* for the erecting, keeping, and working stills, within the highlands of *Scotland*, within the counties, parts of counties, and limits, in the said recited act particularly specified and described, the additional duties following; that is to say,

Upon

Upon every gallon, *English* wine measure, of the cubical content or capacity of each and every such still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed in distilling and drawing off spirits from the barley, beer, or bigg, of the growth of the several and respective counties in the said recited act mentioned, the additional composition, licence duty, or sum, at the rate of twenty shillings by the year; and for and upon all spirits which shall be manufactured from such last-mentioned stills, over and above the quantity limited by the said recited act of the thirty-third year of the reign of his present Majesty, an additional duty of eight-pence for each gallon of such surplus spirits.

for each gallon of such stills used in making spirits from barley, &c. the produce of the counties mentioned in recited act, 20s. annually; and for each gallon made over the quantity limited by that act, 8d. additional.

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed by any distiller or distillers, or maker or makers of spirits in that part of Great Britain called *England*, for making low wines or spirits from corn, grain, malt, tilts, cyder, perry, or other wash, or liquor made or brewed from any sort of *British* materials, or any mixture therewith, for exportation from thence to that part of *Great Britain* called *Scotland*, the annual sum of nine pounds:

For each gallon of stills used in *England* for making spirits from *British* materials, for exportation to *Scotland*, 9l. annually;

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed by any such stiller or distillers, or maker or makers of spirits, in that part of *Great Britain* called *England*, for making low wines or spirits from melasses or sugar, or any mixture therewith, for such exportation as aforesaid, the annual sum of fifteen pounds:

for each gallon where melasses or sugar are used, 15l.; and

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each, and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed by any such distiller or distillers, or maker or makers of spirits, in that part of *Great Britain* called *England*, for making low wines or spirits from foreign refused wines, or foreign cyder, or wash prepared from foreign materials, (except melasses and sugar), or any mixture therewith, for such exportation as aforesaid, the annual sum of eighteen pounds:

where other foreign materials are used, 18l.;

For and upon every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus

and for each gallon of rectifying stills, 9l.

apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed by such distiller or distillers, or maker or makers of spirits in that part of *Great Britain* called *England*, for the rectifying, compounding, or mixing of any kind of spirits or strong waters for exportation from thence to that part of *Great Britain* called *Scotland*, the annual sum of nine pounds

Part of 33
Geo. 3. c. 61,
recited,

II. *And whereas by the said act, made in the thirty-third year of the reign aforesaid, it was among other things enacted, that it should not be lawful to grant any such licence, as in the said act is mentioned to any distiller or distillers, maker or makers of spirits, for or in respect of any wash still which should not in the body thereof, and exclusive of the head, be of the content or capacity less than fifty-two gallons English wine measure, and that it should not be lawful to grant any such licence to any rectifier or rectifiers, compounder or compounders of spirits, for or in respect of any still for rectifying, compounding, mixing, which should not in the body thereof, and exclusive of the head, be of the content or capacity less than twenty gallons, English wine measure: and whereas it was intended that no such licence as first above-mentioned should be granted for or in respect of any wash still, which should in the body thereof be of a content or capacity less than fifty-two gallons, and that no such licence as is secondly above-mentioned should be granted for, in respect of any still for rectifying, compounding, or mixing spirits, which should in the body thereof be of a content or capacity less than twenty gallons; and it is therefore expedient to repeal the said recited prohibitions and provisions, and to enact the prohibitions and provisions herein-after mentioned in the*

and repealed;

and no licence to be granted for a wash still of a less content than 52 gallons, or for a rectifying still of less content than 20 gallons.

thereof: be it therefore enacted by the authority aforesaid, That the said recited prohibitions and provisions shall be, and the same are hereby repealed; and that it shall not be lawful to grant any such licence as in the said act is in that behalf mentioned, to any distiller or distillers, maker or makers of spirits, for or in respect of any wash still, which shall in the body thereof, exclusive of the head, be of a content or capacity less than fifty-two gallons English wine measure; nor to grant any such licence as is in the said act in that behalf mentioned to any rectifier or rectifiers, compounder or compounders of spirits, for or in respect of any still for rectifying, compounding, or mixing, which shall in the body thereof, and exclusive of the head, be of a content or capacity less than twenty gallons, English wine measure; and that the said prohibitions and provisions hereby enacted shall be, and the same are hereby extended to the purposes of this act.

III. *And whereas the commissioners and officers of excise, in that part of Great Britain called Scotland, may have, since the passing of the said act, granted licences for stills exceeding the respective contents or capacities herein-before mentioned: and whereas doubts may be entertained whether the said commissioners and officers were authorised by law to grant such licences: be it further enacted by the authority aforesaid, That all licences granted by or under the authority of the commissioners and officers of excise, in that part of*

Licences which have been granted for stills of a

Great Britain called Scotland, since the passing of the said recited Act, shall be, and the same are hereby declared to be good and valid to all intents and purposes, notwithstanding of the same having been granted for stills exceeding the respective contents and capacities expressed in the before recited clauses; and that the said commissioners of excise, and the officer or officers acting under them, or by their authority, for the licensing of stills, shall, and they hereby are fully indemnified, freed, and discharged, from any penalty, disability, action, suit, or prosecution whatever, or in respect of the granting any such licences for stills exceeding the respective capacities or contents herein-before mentioned.

V. And whereas by the said Act, made in the twenty-eighth year of the reign of his present Majesty, it was enacted, that no person or persons should erect, set up, or work, any still or stills for the distilling, brewing, or manufacturing of low wines or spirits from the materials mentioned in the said Act, in that part of Great Britain called Scotland, without first taking out such annual licence as is by the said Act prescribed; and by the said Act, made in the thirty-third year of the reign of his present Majesty, certain duties are imposed for or in respect of the cubical content or capacity of each and every still used or employed for the making or distilling of low wines or spirits from certain materials therein mentioned, in any part or place in Scotland, except such counties and districts of the highlands as are specified in the said Act; and that no person or persons should erect, set up, use, employ, or work, any still or stills for any of the purposes mentioned in the said Act, in any part of Scotland aforesaid, without taking out such licence for that purpose in manner mentioned and directed in and by the said Act, made in the twenty-eighth year aforesaid; and that, upon or previous to the granting of any such licence, the person or persons applying for the same should, on or before the tenth day of October one thousand seven hundred and ninety-three, and so afterwards, at or before the end of every two months, pay down, in ready money in advance, the sixth part of the yearly duty payable by that Act in respect of such licence: and whereas, by the said last mentioned Act, the commissioners of excise, in that part of Great Britain called Scotland, are authorised and required, in manner prescribed by the said Act, to allow or pay, within two months, to every distiller or distillers, maker or makers, rectifier or rectifiers, compounder or compounders of spirits, who shall have given or left due notice of his, her, or their intention to make, rectify, or compound, spirits for exportation from that part of Great Britain called Scotland to that part of Great Britain called England, a proportional abatement of the licence duty paid by such distiller or distillers, maker or makers, rectifier or rectifiers, compounder or compounders: and whereas, in lieu and instead of such distillers, rectifiers, or compounders, who shall have given such notice as aforesaid, paying down in ready money, in advance, such licence duty, and the commissioners of excise in Scotland allowing or repaying the same in manner aforesaid, it is expedient to require all such distillers, rectifiers, and compounders, to give such bond as is herein after prescribed: it therefore enacted by the authority aforesaid, That, from and after the passing of this Act, in lieu and instead of such payments

larger capacity than expressed in recited Act to be valid.

28 Geo. 3. c. 46, and

33 Geo. 3. c. 61, recited.

Instead of payment of licence duties

in advance by distillers, and abatement of a proportion to those making spirits for exportation to England, as directed by recited acts, a bond to be given as herein directed.

in advance, and of such allowances or repayments, all and every distiller or distillers, maker or makers, rectifier or rectifiers, or compounder or compounders, of spirits, in that part of *Great Britain* called *Scotland*, who shall have made due entry, and given or left due notice of his, her, or their intention to make, rectify, or compound spirits for exportation from that part of *Great Britain* called *Scotland* to that part of *Great Britain* called *England*, shall give bond, with sufficient surety or sureties, in the penalty of a sum equal to one sixth part of the annual licence duty for each and every gallon, *English* wine measure, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend) specified in such entry as being to be used or employed for the making or distilling of low wines or spirits from corn, grain, malt, tilts, cyder, or perry, or other wash or liquor made or brewed from any of the materials mentioned in the said act, that no such still or stills shall, during the time that such entry shall remain in force, or not withdrawn, be used, employed, or worked for the distilling, making, manufacturing, rectifying, or compounding, any low wines or spirits which shall not be duly exported to, and landed, and paid duty for, in that part of *Great Britain* called *England*; which bond the commissioners of excise in *Scotland*, or any three or more of them, for the time being are hereby directed to take in his Majesty's name, and to his Majesty's use.

No person to make spirits in *Scotland* for exportation to *England*, not authorized to do so before passing this act.

V. Provided always nevertheless, That nothing in this act contained shall extend, or be deemed or construed to extend, to entitle any person or persons to make, rectify, or compound spirits in that part of *Great Britain* called *Scotland*, for exportation from thence to that part of *Great Britain* called *England*, save and except such persons as were authorized and empowered so to do by the laws in force immediately before the passing of this act.

50l penalty on persons removing spirits from The Highlands to The Lowlands, contrary to acts of 25 and 33 Geo. 3.;

VI. And, for the more effectually preventing the removal, carrying, or conveying, any such spirits, made or distilled within the limits of that part of *Scotland* called The Highlands, as described in the said recited act of the thirty-third of his present Majesty, out of the said limits across the line or bounds therein described into that part of *Scotland* called The Lowlands, or southern part of the kingdom; be it enacted by the authority aforesaid, That if any person or persons shall sell, deliver, receive, or buy, or knowingly permit or suffer to be sold, delivered, received, or bought, any such spirits so removed, carried, or conveyed, contrary to the prohibitions in the acts made in the twenty-fifth and thirty-third years of his present Majesty, or either of them, the person or persons so offending shall, for every such offence, forfeit the sum of fifty pounds.

and on persons retailing spirits in Scot-

VII. And be it further enacted by the authority aforesaid, That if any person or persons in that part of *Great Britain* called *Scotland*, shall retail any spirits made or distilled from malt, corn, grain,

grain, barley, beer, bigg, or other *British* materials, and which spirits are commonly called and known by the name of *Aqua Vita*, in that part of *Great Britain* called *Scotland*, without first taking out an excise licence authorising such person or persons to retail such spirits, in the manner required and directed by an act, made in the thirty-third year of the reign of his present Majesty, intituled, *An act for repealing the duties on coals, culm, and cinders, brought or carried coastwise into Scotland, and for granting other duties on licences to sell certain distilled spirituous liquors in lieu thereof, and renewing the same yearly, so long as such person or persons shall continue to retail such spirits, he, she, or they, shall, for every such offence, forfeit and lose the sum of fifty pounds.*

VIII. *And whereas by an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England, for a limited time, it was enacted, that the several rates and duties granted and imposed by any act or acts of parliament then in force upon low wines or spirits for home consumption, or upon worts, wash, and other liquors, used in Scotland in the distillation of spirits, and upon any licence required to be taken by any distiller or maker of spirits, from corn, malt, or other materials, or by any rectifier or compounder of spirits in Scotland, (save only and except any arrears then due in respect of such rates or duties), should be discontinued from and after the fifth day of July one thousand seven hundred and ninety-three: and whereas doubts have arisen whether by the said recited act the additional duties imposed for a limited time by another act, made in the thirty-first year of the reign aforesaid, among other things for consenting to his Majesty additional duties upon spirits made in Scotland and imported into England, for spirits made and manufactured in that part of Great Britain called Scotland, and imported or brought from thence into that part of Great Britain called England, and payable by the importer before the landing thereof, and which were continued and made perpetual by another act made in the thirty-third year of the reign aforesaid, are not repealed: now, to obviate all such doubts, it is hereby declared and enacted by the authority aforesaid, That the said additional duties for spirits made or manufactured in that part of Great Britain called Scotland, and imported or brought from thence into that part of Great Britain called England, are not repealed by the said recited act of the thirty-third year of the reign aforesaid, intituled, *An act for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England, for a limited time.**

IX. *And whereas by the said act, made in the thirty-third year of the reign aforesaid, certain excise duties were imposed for a limited time therein mentioned, on licences to be taken out by distillers of spirits in Scotland, for exportation, from thence to that part of Great Britain called England; and certain other excise duties were also thereby imposed on licences to be taken out by distillers in England, for exportation, from thence to Scotland: and whereas the said licence duties first above-mentioned were, by an act made in the thirty-fourth year of the reign aforesaid, continued and made perpetual, and it is expedient*

land without
licence

33 Geo. 3. c.
61, and

31 Geo. 3. c.
1, recited, and

the additional
duties imposed
by the latter
on spirits made
in Scotland
and imported
into England,
declared not
repealed by
the former
act.

33 Geo. 3. c.
61, recited;

and duties thereby imposed on licences to distillers in England to export spirits to Scotland, made perpetual.

pedient in like manner to continue and make perpetual the licence duties last above-mentioned: be it therefore enacted by the authority aforesaid, That the duties of excise imposed by the said act, made in the thirty-third year of the reign aforesaid, for or in respect of licences by the said act directed to be taken out by distillers of spirits, in that part of *Great Britain* called *England*, for exportation from thence to that part of *Great Britain* called *Scotland*, shall be, and the same are hereby continued and made perpetual, and that the same shall be paid and payable by such persons, at such times, and in such manner, and subject and liable to such repayments, allowances, and abatements, and under and subject to such penalties and forfeitures, as the said duties were payable by the said act, or any other act or acts of parliament in force at and immediately before the passing of this act; and the same shall continue to be paid into the receipt of his Majesty's exchequer at *Westminster*, (the charges of raising and accounting for the same excepted), and be carried to, and made part of, the consolidated fund.

Recovery and application of fines.

X. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, by this act created and imposed, shall be sued for, levied, recovered, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be sued for, levied, recovered, or mitigated, 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*, or in the court of exchequer in *Scotland* respectively, and that one moiety of every such fine, penalty, or forfeiture, (not otherwise directed by the said recited act of the thirty-third year of his present Majesty's reign), shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform, or sue, for the same.

Duties to be raised, &c. according to the laws now in force.

XI. And be it further enacted by the authority aforesaid, That the several and respective duties by this act imposed shall, from time to time, be raised, received, recovered, secured, and paid, by such persons, at such times, in such manner, and by such ways and means, and under such management, and under and subject to such penalties and forfeitures, and with such power of adjudging and mitigating penalties and forfeitures, and with such other powers, and subject to such other powers, and subject to the like allowances, repayments, abatements, rules, and directions, and by such methods, and in such manner and form, (except where otherwise expressly directed by this act), as by the said act, made in the thirty-third year of the reign of his present Majesty, or any other act or acts of parliament now in force concerning the several matters and things respectively for or in respect whereof any duty is by this act imposed is directed or prescribed; and that all the provisions, penalties, forfeitures, powers, authorities, rules, and directions, mentioned and contained in the said acts respectively, (except as aforesaid), shall be, and the same are hereby continued, and made perpetual; and the same shall be practised, and put in execution, as well for the raising, receiving, levying, recovering, securing, or paying, the said several and respective duties

duties by the said act of the thirty-third year aforesaid, as by this act imposed; and for the making any repayment, allowance, or abatement, in manner in the said act directed, as fully and effectually, to all intents and purposes, as if the same were particularly repeated and enacted in this act.

XII. And be it further enacted by the authority aforesaid, That all the money arising by the duties by this act imposed, (the necessary charges of raising and accounting for the same excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*; and the said monies so paid into the said receipt of exchequer as aforesaid, shall be carried to, and made part of, the consolidated fund.

Duties to be paid into the exchequer, and carried to the consolidated fund,

XIII. Provided always, and be it further enacted by the authority aforesaid, That all the monies arising, or to arise, by the said rates and duties, or any of them, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan made, or stock created, or to be created, by virtue of any act or acts passed or to be passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt of his Majesty's exchequer at *Westminster*, distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said rates and duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

and to be deemed an addition to the revenue for defraying the increased charge occasioned by any loan of this session, &c.

C A P. LX.

An act for applying certain sums of money raised in the county of Stafford by virtue of several acts of parliament made respecting the militia of this kingdom.—[May 5, 1795.]

3,325l. 15s. 11d. 1q. raised for the militia, and in the hands of the receiver general of the county of Stafford unapplied, to be paid to the treasurer of the subscribers for raising troops for the internal defence of the kingdom. Persons concerned in raising the money indemnified. Money to be applied in paying the expences of this act, and afterwards in raising troops for the internal defence of the kingdom. Surplus to be applied to some publick purpose of the county. Publick act.

C A P. LXI.

An act for repealing an act, passed in the twelfth year of the reign of his present Majesty, intituled, An act for the more effectual assessing and collecting of the rates for the relief of the poor in the parish of Saint Botolph Bishopgate, in the liberties of the city of London; for providing a workhouse for the reception of the poor of the said parish; and for the employment, maintenance, and regulation, of the said poor therein.—[May 5, 1795.]

Act 12 Geo. 3. c. 79, repealed. Trustees appointed. Trustees to meet within a month after passing this act. Trustees may borrow ten thousand pounds on annuities to be charged on the rates. Purchase of land to build a workhouse on confirmed. Assessments to be made and rates collected. Houses let out in lodgings or ready furnished, rates to be paid by the landlord. Rates to be recovered as the poor rates by 43 Eliz. and subsequent acts. Committee appointed to regulate the poor. Penalty of forty shillings for buying or receiving into pawn cloaths, &c. belonging to the poor. Appeal. Limitation of actions. General issue. Treble costs.

C A P. LXII.

An act to enable his Majesty's postmaster general to open and return certain letters contained in the mails made up at the general post office in London, for the United Provinces, on the thirteenth, sixteenth, and twentieth days of January one thousand seven hundred and ninety-five, and now remaining in the said general post office,
—[May 19, 1795.]

Preamble,
reciting that
mails intended
to be sent to
the United
Provinces
have been de-
tained.

Postmaster general may open
and return
letters in such
mails.

WHEREAS certain mails of letters, which were made up at the general post office in London, on the thirteenth, sixteenth, and twentieth days of January one thousand seven hundred and ninety-five, and were intended to be sent from the said general post office unto the United Provinces, have been detained by virtue of a warrant under the hand and seal of one of his Majesty's principal secretaries of state, and the said mails of letters are now remaining in the said general post office: and whereas many of the persons by whom the said letters were written, signed, or sent, have applied to his Majesty's postmaster general to have the same returned to them, and doubts being entertained whether his Majesty's postmaster general is authorized by law to return the same: 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, if any person or persons by or from whom any letter or letters contained in the said mails respectively were written, or signed, or sent to the post office, should be desirous to have the same returned, upon application, in writing, being made to his Majesty's postmaster general at any time within three calendar months after the passing of this act, for the return of any such letter or letters, by the person or persons who wrote or signed or sent the said letters respectively to the post office, or any other person or persons duly authorized for that purpose by the person or persons who wrote, signed, or sent, the same respectively, each written application being made at the general post office in London, and being signed by the persons respectively making the same, and containing respectively either duplicates of the respective letters applied for, or copies of the respective directions thereof, such copies of the directions to be in the same hand writing as the respective directions of which they purport to be copies, and each written application also setting forth the names of the persons respectively who have in writing subscribed, or the names of the persons respectively which are printed, set, or affixed, to such letters

letters respectively, it shall and may be lawful, notwithstanding any law, statute, custom, or usage, to the contrary, for the postmaster general, or any officer or officers of the post office to be authorised and empowered by such postmaster general, in writing, to open such letters respectively, for which application shall be so made, in the presence of the person or persons applying for the same respectively; and, in case the names subscribed in writing, or the names of the persons printed, set, or affixed, to such letters respectively, shall be found to be those which had been so declared in such writing as aforesaid, to return the said letters respectively, together with whatever shall appear to be contained therein, to the person or persons applying for the same respectively: provided nevertheless, That, before any such letter or letters shall be so returned as aforesaid, the persons respectively applying for the same shall first make oath, to be administered as herein-after is mentioned, that they did write or sign or send the said letters respectively to the post office, or that the person or persons by whose authority they demand the return of such letters respectively did, to the best of their knowledge and belief, write or sign or send the same respectively to the post office, and that the name or names subscribed in writing, printed, set, or affixed, to such letters respectively, were so subscribed, printed, set, or affixed, by the persons respectively making such application, or by their respective directions, or to the best of their knowledge and belief, by or by the authority of the persons respectively on whose behalf such application is made, and whose names are so subscribed, printed, set, or affixed; and further, that such person or persons as apply under the authority of any other person or persons shall also first make oath, to be so administered as herein-after mentioned, that he or they is or are duly authorised by such other person or persons to apply for the return of such letters respectively.

Persons applying for letters to make oath of certain particulars.

II. *And whereas there may be contained in the said mails several letters from persons residing in parts beyond the seas, which have been transmitted by such persons to their respective correspondents in London, in order to be by such correspondents put into the said general post office, and forwarded by the post unto the said United Provinces, and which may have been accordingly put into the said general post office; and it is apprehended that there are written or indorsed upon all or the greater part of such last mentioned letters so put into the said general post office, the name or names of the person or persons, or the firm of the house or houses to whom such letters respectively have been transmitted, and by whom they have been forwarded: and whereas such persons so residing in parts beyond the seas may not have an opportunity of applying under the provisions herein-before contained for the return of such letters, and it is apprehended that it will be a great convenience to them that their correspondents in London, who forwarded such letters to the said general post office, should be authorised to receive them back: be it therefore further enacted by the authority aforesaid, That, if application shall be made to the postmaster general, at any time within the space of three calendar months from and after the passing of this act, by the person or persons who so respectively*

Letters from persons residing in foreign parts may be

returned to their correspondents in London unopened.

Oath to be made to certain particulars by persons applying for such letters.

Letters not applied for in three months after passing this act may be detained till ordered to be forwarded by the secretary of state.

Anno regni tricesimo quinto GEORGIUM III. c. 62. [1795.]
 tively wrote or indorsed, or authorised to be written or indorsed, the name of the person or persons, or the firm of the house or houses by whom such last mentioned letters respectively were put into the said general post office, such application being made, in writing, at the said general post office, and being signed by the person or persons respectively making the same, and containing respectively copies of what shall be so wrote or indorsed upon such letters respectively, such copies respectively to be in the same hand writing as the hand writing indorsed upon such last mentioned letters respectively; and if upon comparing such copies of what shall be so written or indorsed upon such letters with the letters respectively, it shall appear that the copies are in the same hand writing as are indorsed upon such last mentioned letters respectively, it shall and may be lawful, notwithstanding any law, statute, custom, or usage, to the contrary, for the postmaster general, or any officer or officers of the post office, to be authorised as aforesaid, to deliver such last mentioned letters respectively without opening the same to the person or persons respectively applying for the same; such person or persons first making oath, to be administered as herein-after mentioned, that he or they did receive such last mentioned letter or letters respectively from his or their correspondent or correspondents residing in parts beyond the seas, for the purpose of being forwarded by the post from London unto the said *United Provinces*, and that such person or persons so applying as last aforesaid, did write or indorse, or cause to be written or indorsed, upon such letter or letters respectively, the words and figures which shall appear to be written or indorsed thereon respectively, and that such person or persons did put, or cause to be put, such letter or letters into the said general post office in order to be forwarded by the post unto the said *United Provinces*, in the said respective mails, or some or one of them.

III. And be it further enacted by the authority aforesaid, That the said postmaster general shall and may, notwithstanding any law, statute, custom, or usage, to the contrary, detain and keep in his possession all and every such of the said letters, together with the contents thereof respectively, as shall not, within the space of three calendar months from the passing of this act, be required to be returned in manner in this act mentioned, or under the powers herein-after given, until he shall receive directions from one of his Majesty's principal secretaries of state, by warrant under his hand and seal, to forward the same respectively unto the said *United Provinces* in his Majesty's mails of letters, to the end that such letters, and what may be contained therein respectively, may be sent by post for the persons respectively to whom the said letters respectively are addressed; which directions it is hereby declared it shall and may be lawful for any one of his Majesty's principal secretaries of state to give, by warrant under his hand and seal, and which directions the postmaster general is hereby required to obey, or cause to be obeyed.

IV. And, for the better ascertaining the persons respectively by or from whom any letter or letters contained in the said mails respectively

were written or signed or sent, and for preventing frauds in the delivery of the said letters to persons not entitled to receive the same, or to require the same to be returned; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his said Majesty's postmaster general, or any person or persons authorised and empowered by him, in writing under his hand, to administer an oath or oaths to the person or persons applying for the return of any such letters as aforesaid, according to one of the forms herein-after mentioned; (that is to say),

For preventing frauds the following oaths to be taken:

I A. B. do swear, [or, being one of the people called Quakers, I A. B. do solemnly affirm], That I did write or sign or send the letter [or letters] now claimed by me to be returned, to the post office; and that the name [or names] subscribed in writing, printed, set, or affixed, to such letter [or letters], was [or were] subscribed, printed, set, or affixed, to such letter [or letters] by me, or by my direction.

Or,

I A. B. do swear [or, being one of the people called Quakers, I A. B. do solemnly affirm], That I am duly authorised by [C. D. &c. as the case may be] to receive the letter [or letters] now claimed to be returned to me, on behalf of the said [C. D. &c. as the case may be]; and that the said [C. D. &c. as the case may be] did, to the best of my knowledge and belief, write or sign or send the same to the post office; and that the name [or names] subscribed in writing, printed, set, or affixed, to such letter [or letters] was [or were] according to the best of my knowledge or belief, so subscribed, printed, set, or affixed, by or by the authority of the said [C. D. &c. as the case may be].

Or,

I A. B. do swear, [or, being one of the people called Quakers, I A. B. do solemnly affirm], That I did receive the letter [or letters] now applied for by me to be returned, and now produced and shewn unto me, from my correspondent [or correspondents], who resides [or reside] in parts beyond the seas, for the purpose of being forwarded by me by the post from London unto the United Provinces; and that I did write or indorse, or cause to be written or indorsed, upon such letter [or letters] the words and figures which now appear to be written or indorsed thereon; and that I did put, or cause to be put, such letter [or letters] into the general post office in London, in order to be forwarded by the post unto the said United Provinces.

V. And inasmuch as, in the execution of this present act, it may happen that some of the persons who may apply for the return of letters may not be enabled to comply with the precise forms hereby directed, and probably cannot take the oath or oaths in the exact form or forms of words hereby required to be taken, on which account the postmaster general cannot, under the restrictions herein-before contained, return

Secretary of state may authorise the delivery of letters, though the persons applying cannot comply with the prescribed forms.

Penalty on persons taking false oaths.

Postmaster general, &c. not liable to any penalty for acting under this act.

Persons prosecuted may plead the general issue.

all the letters contained in the said mails which shall be applied for to be returned, notwithstanding that the persons so applying may be well entitled to receive back such letters, and that the true intent and meaning of this act is, that they should be enabled so to receive them: for remedy whereof, be it further enacted by the authority aforesaid, That, in any case where such difficulty shall occur, it shall and may be lawful to and for any one of his Majesty's principal secretaries of state, by warrant or warrants under his hand and seal, to direct, order, require, and authorise, the postmaster general to open and return any such letter or letters, for which application shall be made to be returned, and which cannot be returned under the forms and restrictions herein-before contained, upon such person or persons identifying the letter or letters, and making oath in such manner and form as in such respective warrant or warrants shall be required and expressed; and the postmaster general is hereby empowered and required to execute, or cause to be executed, all such orders and directions, and to administer, or cause to be administered, such oath and oaths as shall, in such respective warrant or warrants, be expressed or contained; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

VI. And be it further enacted by the authority aforesaid, That any person or persons who shall be convicted of wilfully taking a false oath in any of the cases in which oaths are to be taken by virtue of this act, or in any case wherein an oath or oaths shall, by virtue of a warrant or warrants under the hand and seal of such principal secretary of state, be authorised and required to be taken, every such person so taking a false oath shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury.

VII. And be it further enacted by the authority aforesaid, any law, statute, usage, or custom, to the contrary notwithstanding, That neither the said postmaster general, nor any such officer or servant as aforesaid, shall be liable to any action, suit, indictment, information, or other proceeding, or be liable to or incur any penalty, forfeiture, or incapacitation, for or by reason of any act, matter, or thing, done, or forborne to be done, by virtue and under the authority of and according to this present act, or in the execution of the same, or of the authorities herein contained, or any of them, or in relation thereto, or in pursuance of the direction and authority of such principal secretary of state, to be given in manner herein-before mentioned; but that all such actions, suits, indictments, informations, proceedings, penalties, forfeitures, and incapacitations, shall be, and are hereby absolutely discharged.

VIII. And be it further enacted by the authority aforesaid, That if any person or persons shall, at any time or times, be sued, molested, or prosecuted, for any thing by him or them done or executed, in pursuance of this act, or of any clause, matter, or thing herein contained, such person and persons shall and may plead the general issue, and give the special matter in evidence for

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 treble costs awarded to him or them against such plaintiff or plaintiffs.

Treble costs.

IX. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall falsely or fraudulently obtain any letter or letters, hereby authorised to be returned as aforesaid, or that shall or may be authorised to be returned under the authority of a warrant or warrants of such principal secretary of state, by virtue of the powers herein-before contained for that purpose, containing any bank note, bank post bill, bill of exchange, promissory note, letter of credit, or any other security or instrument whatsoever, for the payment of money, every such person so offending, and being thereof convicted in due form of law, shall be deemed guilty of felony, and shall be transported for the term of seven years.

Persons fraudulently obtaining letters containing bank notes, &c. guilty of felony.

X. And be it also further enacted by the authority aforesaid, That it shall and may be lawful to and for any one of his Majesty's principal secretaries of state, by warrant or warrants under his hand and seal, to direct, order, require, and authorise, the postmaster general to open and return any letter or letters contained in the said mails respectively, for returning which, application shall be made by or on behalf of any foreign minister or ambassador, upon such proof being made, with or without oath, that such foreign minister or ambassador did write, sign, or send to the post, or cause to be written, signed, or sent to the post, such letter or letters respectively, and upon such other directions respecting the said letter or letters so applied for being complied with, as in such warrant or warrants shall be required to be made or complied with; and the postmaster general is hereby also required to execute or cause to be executed all such orders and directions as shall, in such respective warrant or warrants, be expressed or contained; any thing herein-before contained to the contrary notwithstanding.

Letters may be returned to foreign ministers upon proof, with or without oath, of writing them, &c.

XI. And inasmuch as, in the execution of this present act, it may happen that some of the persons who may apply for the return of letters may not be enabled to comply with the precise forms hereby directed, and probably cannot take the oath or oaths in the exact form or forms of words hereby required to be taken, on which account the postmaster general cannot, under the restrictions herein-before contained, return all the letters contained in the said mails which shall be applied for to be returned, notwithstanding that the persons so applying may be well entitled to receive back such letters, and that the true intent and meaning of this act is, that they should be enabled so to receive them; be it further enacted by the authority aforesaid, That, in any case where such difficulty shall occur, it shall and may be lawful to and for any one of his Majesty's principal secretaries of state, by warrant or warrants under his hand and seal, to direct, order, require, and authorise, the postmaster general to open and return any such letter or letters, for which application shall be

Secretary of state may authorise the delivery of letters, though the persons applying cannot comply with the prescribed forms.

Anno regni tricesimo quinto GEORGI III. c. 63. [1795.]
made to be returned, and which cannot be returned under the forms and restrictions herein-before contained, upon such person or persons so identifying the letter or letters, and making oath, in such manner and form as in such respective warrant or warrants shall be required and expressed; and the postmaster general is hereby empowered and required to execute, or cause to be executed, all such orders and directions, and to administer, or cause to be administered, such oath or oaths as shall, in such respective warrant or warrants, be expressed or contained; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Act may be altered or repealed this session.

XII. Provided also, That it shall and may be lawful to alter or repeal this act in the present session of parliament.

C A P. LXIII.

An act for granting to his Majesty certain stamp duties on sea insurances.—[May 19, 1795.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament, have freely and voluntarily resolved to give and grant unto your Majesty the 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 fifth day of *July* one thousand seven hundred and ninety-five, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the use of his Majesty, his heirs and successors, for every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any insurance upon any ship or ships, goods, or merchandize, or upon any other property or interest whereon insurances may lawfully be made, shall be ingrossed, printed, or written, the stamp duties following upon the sums insured; (that is to say), where the sum to be insured shall amount to one hundred pounds, a stamp duty of two shillings and sixpence, and so progressively for every sum of one hundred pounds insured; and where the sum to be insured shall not amount to one hundred pounds, a like stamp duty of two shillings and sixpence; and where the sum to be insured shall exceed one hundred pounds, or any progressive sums of one hundred pounds each, by any fractional part of one hundred pounds, a like stamp duty of two shillings and sixpence for each fractional part of one hundred

From July 5, 1795, certain stamp duties to be paid on insurances.

hundred pounds : and that, upon all and every insurances or insurance, where the premium, or consideration in the nature of a premium, actually and *bona fide* paid, given, or contracted for, shall not exceed the rate of ten shillings, there shall be paid the following duties; (that is to say), where the sum so to be insured shall amount to one hundred pounds, a stamp duty of one shilling and three-pence, and so progressively for every sum of one hundred pounds so insured; and where the sum so to be insured shall not amount to one hundred pounds, a like stamp duty of one shilling and three-pence; and where the sum so to be insured shall exceed one hundred pounds, or any progressive sums of one hundred pounds each, by any fractional part of one hundred pounds, a like stamp duty of one shilling and three-pence for each fractional part of one hundred pounds; which several duties shall be payable and paid by the assured in such insurances respectively; and the assured, in every such insurance, shall be answerable and accountable to his Majesty, his heirs and successors, in the amount of the duty payable by this act in respect of the same, and which shall and may, in default of payment thereof according to the regulations of this act, be charged upon, and levied against, the assured, his, her, or their respective executors, administrators, and assignes.

II. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to charge with any stamp duty by this act imposed, any policy of insurance made and entered into for insuring houses, furniture, goods, wares, merchandizes, or other property, from loss by fire, whereon the duty imposed by an act, passed in the twenty-second year of his present Majesty's reign, intituled, *An act for charging a duty on persons whose property shall be insured against loss by fire*, shall have been duly paid, nor any insurance made or entered into for insuring any events or contingencies relative to a life or lives whereon the duty imposed by the laws in force at and immediately before the passing of this act shall have been duly paid.

III. And be it further enacted by the authority aforesaid, That, for the more effectual levying, collecting, and paying, the said duties herein-before granted, the same shall be under the government, care, and management, of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper, who, or the major part of them, are required and empowered to denote the payment of the said duties by this act imposed, either by using any stamps in their possession heretofore provided to be used in relation to any former duties on stamped vellum, parchment, or paper, or to provide new stamps for that purpose, and to renew or alter the same from time to time as they shall see occasion, and to do all things necessary to be done for putting this act in execution, with relation to the said duties hereby granted, in as full and ample a manner as they, or the major part of them, are authorized to put in execution any former law concerning stamped vellum, parchment, or paper.

Act not to extend to insurances from losses by fire, or on lives.

Duties to be under the management of the commissioners of stamps.

Where premium exceeds not 10s. per cent. on 200l. or upwards, stamps of 2s. 6d. per 200l. may be used.

Commissioners to provide stamped policies, which may be purchased,

or vellum, &c. may be brought and stamped, on payment of duty.

penalty on officers for neglect of duty.

Policies not to be provided at the publick charge for insurances under 10,000l.

Commissioners to appoint offices in London for distributing policies.

IV. Provided always, and be it further enacted, That, upon all and every such insurances or insurance, where the premium, or consideration in the nature of a premium, actually and *bona fide* paid, given, or contracted for, shall not exceed the rate of ten shillings *per centum* on the sum insured, it shall be lawful, in all cases where the sum insured shall amount to two hundred pounds or upwards, to use stamps of two shillings and sixpence for every two hundred pounds of the sum insured, instead of stamps of one shilling and three-pence for every one hundred pounds of the like sums so insured:

V. And be it further enacted by the authority aforesaid, That the commissioners for the time being appointed to manage the duties on stamped vellum, parchment, and paper, shall, out of the monies arising thereby, from time to time, provide sufficient quantities of vellum, parchment, or paper, adapted for policies of insurance, and shall cause to be printed thereon respectively the several forms for blank policies of insurance hereunto annexed, and the same so printed to be duly stamped, with a proper stamp or stamps, as directed by this act, for the purpose of denoting the duty to be paid thereon, in order that all his Majesty's subjects may buy the said forms adapted for policies of insurance respectively, stamped with such rate of duty as they shall respectively require, of the officers, or persons employed by the said commissioners, at the price of the said duty marked thereon, without any charge for such vellum, parchment, or paper, or for printing the same; or at their election may bring to the head office of stamps, any quantities of their own vellum, parchment, or paper, to be stamped as aforesaid, on payment of the duty payable thereon, and the said officers, or persons employed by the said commissioners, shall, and they are hereby required to write or mark thereon the day, month, and year, when any such printed vellum, parchment, or paper, so stamped, shall be delivered by them to be used as aforesaid; and if any officer, or person employed by the said commissioners, shall wilfully neglect to do or perform any matter or thing herein-before required, he shall forfeit and pay the sum of one hundred pounds, and shall be liable to be dismissed from his said office: provided always, that the said commissioners, or officers as aforesaid, shall not be required to provide, at the publick charge, any vellum or parchment stamped as aforesaid, where the sum to be insured thereon shall not amount to ten thousand pounds or upwards.

VI. And be it further enacted by the authority aforesaid, That the said commissioners for managing the duties on stamped vellum, parchment, and paper, as soon after the passing of this act as conveniently may be, shall establish one or more office or offices within the city of London, at some convenient place at or near the *Royal Exchange*, and shall appoint a proper officer or officers there, to distribute policies of insurance printed on vellum, parchment, or paper, according to the respective forms hereunto annexed, and stamped according to the directions of this act, to any person or persons carrying on the business of insurance within

the said city, on present payment of the duty payable in respect hereof; subject to the usual allowance made on present payment of the duties on stamped vellum, parchment, or paper: provided always, that it shall be lawful for the officer or officers, so to be appointed, with the consent and approbation of the said commissioners for the time being, or the major part of them, to open an account, in books to be provided by the said commissioners for that purpose, with any person or persons, body or bodies politick or corporate, carrying on the business of such insurances within the said city, who respectively shall have given, or caused to be given, to the satisfaction of the said commissioners, security, by bond, to his Majesty, his heirs and successors, for the payment of the duties at the times and in the manner to be prescribed by the said commissioners as herein-after is mentioned, and from time to time to supply such person or persons, body or bodies politick or corporate, with such vellum, parchment, or paper, printed and stamped according to the directions of this act, on the credit of such person or persons, body or bodies politick or corporate, having given, or caused such security to be given, as aforesaid, in such quantities as the said commissioners shall have authorised such officer or officers, from time to time to supply to them respectively, making the like allowances, on payment of the duties within the times prescribed by the said commissioners, as are herein directed to be made on present payment of the said duties; and the said officer or officers shall progressively number all such policies of insurance printed on vellum, parchment, or paper, and stamped as aforesaid, as the same shall severally be issued to and on the credit of any such person or persons, body or bodies politick or corporate, as aforesaid, beginning such progressive enumeration on the commencement of each and every distinct account opened with any such person or persons, body or bodies politick or corporate, and so successively, on the close of and payment of the sums due on each successive distinct account, or at such stated periods in the year, as the said commissioners shall in their discretion direct, and shall, in such book or books, set down the numbers of such policies, with the sums payable thereon for the said duties, to the distinct credit and account of the person or persons, body or bodies politick or corporate, applying for the same on the conditions aforesaid; and also the date and time of delivering the same; and if any such officer or officers shall knowingly make any false entry in such book or books, in any of the particulars aforesaid, to the damage of any such person or persons, body or bodies politick or corporate, every such officer so offending shall be liable by action of debt or on the case to pay treble the value of the damages and costs to the party or parties aggrieved, and may be dismissed from his place or office for such offence.

Accounts may be opened with persons giving bond for payment of duties.

Policies issued on credit to be numbered, and entered.

Penalty for making false entry.

VII. And be it further enacted by the authority aforesaid, That all and every person and persons, body or bodies politick or corporate, upon or to whose credit any stamped vellum, parchment, or paper, shall be delivered in pursuance of this act, shall previously

Persons to whom policies are delivered on credit, to give bond.

viously give, or cause to be given, bond to his Majesty, his heirs and successors, in such sum as the said commissioners may think reasonable, so as the same doth not exceed the probable amount of the duty payable by such person or persons, body or bodies politick or corporate respectively, for any space of time not exceeding two calendar months, nor less than six weeks, with a condition, that if such person or persons shall from time to time well and truly make payment of all such sum and sums of money, which shall be due and payable to his Majesty, his heirs or successors, according to the true intent and meaning of this act, such bond shall be void, but otherwise to be and remain in full force; and it shall be lawful for the said commissioners, or the major part of them, to fix the times and periods of making such payments, and to specify the same in the condition to every such bond, and which shall not, in any case, be by less than eight payments in the year, at equal intervals as nearly as may be; and every such bond may be renewed from time to time in the discretion of the said commissioners, or the major part of them, as often as the same shall be forfeited, or the party or parties to the same, or any of them, shall die, become bankrupt or insolvent, or reside in parts beyond the seas; and every such bond shall, at any time at the request of the obligor or obligors therein, his heir, or their executors, administrators, or assigns, be delivered up to be cancelled; or otherwise, if in the discretion of the said commissioners the same shall be detained, then the same shall be put in suit for some breach thereof before the end of the second term after such request made, or in default thereof shall be void.

Commissioners to fix the times of payment.

Bonds may be renewed, cancelled, or put in suit.

Damaged policies, &c. may be cancelled and others delivered on certain conditions.

VIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for all and every person and persons to whom any stamped vellum, parchment, or paper, shall have been delivered in pursuance of this act, bearing the date of the delivery thereof, by the proper officer, in the manner hereinbefore directed, which shall be inadvertently and undesignedly spoiled, obliterated, or by any other means rendered unfit for use of the purpose intended, at any time within the same calendar month in which such stamped vellum, parchment, or paper, shall have been delivered, or within fifteen office days after the expiration of such calendar month, such time to be computed from the date of the delivery thereof, and as it shall appear thereon to have been made, to bring or send such stamped vellum, parchment, or paper, unto the said commissioners of the stamp duties, at their head office, to be cancelled on the terms and regulations herein-after mentioned; and in case no sum or sums of money, nor any name of any person as an assurer or underwriter shall be subscribed or underwritten thereon, then, upon either oath or affirmation made to the satisfaction of the said commissioners, (which oath or affirmation the said commissioners, or any one or more of them, are or is hereby authorized to administer); or in case it shall otherwise appear to the satisfaction of the said commissioners that such stamped vellum, parchment, or paper, so spoiled, obliterated, or by any other means rendered

unfit for the purpose intended, hath not been subscribed or underwritten by any person or persons, or used for any other purpose, or in any other manner whatsoever, the said commissioners, or their officers under them, are hereby required to cancel the same, and to stamp, or cause to be stamped, for the use of the several persons to whom the said vellum, parchment, or paper, so spoiled or bliterated, or rendered unfit for use, had been previously delivered, any quantity of other vellum, parchment, or paper, fit for the like uses, with stamps, amounting to the like value, and of the same denomination, or any other denomination in this act mentioned, as may be required, and to mark the date and time of the delivery thereof, in the manner herein-before prescribed, without demanding or taking, directly or indirectly, for the same, any sum of money, or other consideration whatsoever; or in case any sum or sums of money, and the name or names of any person or persons, as such assurers or underwriters respectively, shall have been subscribed or underwritten on any such stamped vellum, parchment, or paper, which shall be brought to the said commissioners, to be cancelled within ten office days after the date of the first of such subscriptions hereon; and in case it shall appear to the satisfaction of the said commissioners, that such sums and names have been respectively subscribed or underwritten on stamped vellum, parchment, or paper, of a different denomination or value than is required by this act in respect of the sums so subscribed; and it shall be proved on oath or affirmation, as aforesaid, that the same was occasioned through inadvertence or mistake, or that the subscriptions hereon intended to have been obtained have not, from some just cause to be alleged, been completed to the amount of the sums allowed by this act to be insured on such stamped vellum, parchment, or paper; and if in every such case the party or parties bringing such stamped vellum, parchment, or paper, to be cancelled within the time last mentioned, shall produce to the said commissioners another policy of insurance on vellum, parchment, or paper duly stamped, and actually made out for the same interest, risque, or adventure, with the policy so brought to be cancelled; then, and in such cases, the said commissioners, or their officers, shall have the like authority as aforesaid to cancel the policies so brought as aforesaid, and to exchange the same for other stamped vellum, parchment, or paper, with stamps of the like value with the stamped vellum, parchment, or paper, so cancelled, in the manner herein-before directed.

IX. Provided always, and be it further enacted by the authority aforesaid, That in case any such insurance shall have been made and subscribed as aforesaid, on any ship or ships bound on a voyage outwards from any port or place in *Great Britain*, or any part, share, or interest therein, or arising thereout, or on any goods or merchandize laden on board such ship or ships, and the policy whereby such insurance shall have been made, shall be brought to be cancelled within ten office days after the departure of such ship or ships from any such port or place in *Great Britain*, it shall be lawful for the said commissioners, in such case, to cause the same to be cancelled in like manner, and under the like powers,

Policies brought within 10 office days after departure of vessels may be cancelled.

powers, as if such policy had been brought to be cancelled within ten office days from the date of the first subscription as before directed; any thing herein contained to the contrary thereof notwithstanding.

Where sums insured on homeward voyages, exceed the interest of the assured, to certain amounts, the commissioners may make an allowance of the stamps on the excels, &c.

X. Provided always, and be it further enacted, That in case any insurance shall have been made on any goods or merchandize laden on board any ship or ships specifically named in the policy, on a voyage homewards to any port or place in *Great Britain*, and the sum insured thereby shall be found to exceed the interest of the assured on which the risque attached on board such ship or ships so named in the policy; and in case the separate interest of any person, or the joint interest of two or more persons assured in such policy, shall fall short of the sum insured on such account by the sum of one thousand pounds or upwards, where the duty payable thereon shall be at and after the rate of one shilling and three-pence *per centum*, or of five hundred pounds, or upwards, where the duty payable thereon shall be at and after the rate of two shillings and sixpence *per centum*, and upon due proof on oath or affirmation as aforesaid, to the satisfaction of the said commissioners, or any one of them, of the value of the interest of such party or parties in the goods or merchandize on which the risque attached on board such ship or ships, and on production of the policy whereby such insurance was made, at any time within one calendar month after the landing the goods from on board such ship or ships in *Great Britain*, and on due proof being made of the return of premium *bona fide* by the several underwriters or insurers on such policy, on account only of such short interest as aforesaid, and of the proportion of the premium so returned, it shall be lawful for the said commissioners to make an allowance to the assured of the stamps on such policy in respect of such part of the sums by him or them thereby insured, as shall be found to exceed the interest of the said assured in such policy, and to deliver other stamped paper of the like value in the manner hereinbefore directed with respect to policies brought to be cancelled; provided that such policy of insurance be delivered to the said commissioners, or their officers, to be cancelled, who are hereby authorised and required to cancel the same; and provided that the interest of the assured shall not be valued in or by such policy so brought to be cancelled as last aforesaid.

Every contract liable to duty under this act to be deemed a policy of insurance, and certain particulars to be expressed therein, or the insurance to be void.

XI. And be it further enacted by the authority aforesaid, That every contract or agreement which shall be made or entered into for any insurance, in respect whereof any duty is by this act made payable, shall be engrossed, printed, or written, and shall be deemed and called, *A Policy of Insurance*; and that the premium, or consideration in the nature of a premium, paid, given, or contracted for, upon such insurance, and the particular risque or adventure insured against, together with the names of the subscribers and underwriters, and sums insured, shall be respectively expressed or specified in or upon such policy, and in default thereof every such insurance shall be null and void to all intents and purposes whatever.

XII. And be it further enacted by the authority aforesaid, That no policy of insurance upon any ship, or upon any share or interest therein, shall be made for any certain term longer than twelve calendar months; and every policy which shall be made for any longer term, shall be null and void to all intents and purposes.

No policy to be made for more than a year.

XIII. 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 prohibit the making of any alteration which may lawfully be made in the terms or conditions of any policy of insurance, duly stamped as aforesaid, after the same shall have been underwritten, or to require any additional stamp duty by reason of such alteration, so that such alteration be made before notice of the determination of the risque originally insured, and the premium or consideration originally paid or contracted for, shall exceed the rate of ten shillings *per centum* on the sum insured, and so that the thing insured shall remain the property of the same person or persons, and so that such alteration shall not prolong the term insured beyond the period allowed by this act, and so that no additional or further sum shall be insured by reason or means of such alteration.

Alterations in the terms of policies may be made under certain restrictions.

XIV. And be it further enacted by the authority aforesaid, That no insurance made or entered into in *Great Britain*, in respect whereof any duty is by this act made payable, nor any contract or agreement for such insurance as aforesaid, shall be pleaded or given in evidence in any court, or admitted in any court, to be good, useful, or available, in law or equity, unless the vellum, parchment, or paper, on which such insurance shall be ingrossed, printed, or written, shall be stamped with a lawful stamp, to denote the rate or duty as by this act is directed, or to denote some higher rate or duty in this act contained; and it shall not be lawful for the said commissioners of the said stamp duties, or any of their officers, to stamp any vellum, parchment or paper, with any stamp directed to be provided or used by virtue of this act, at any time after any such insurance as aforesaid, or contract for such insurance, shall be engrossed, printed, or written thereon, under any pretence whatever.

No contract available in law unless properly stamped,

nor any vellum, &c. to be stamped after contract is printed or written thereon.

XV. And be it further enacted by the authority aforesaid, That, from and after the said fifth day of *July* one thousand seven hundred and ninety-five, all and every person or persons who shall make or effect, or knowingly procure to be made or effected, any insurance whatever, in respect whereof any duty is by this act made payable, or shall give or pay, or agree to give or pay, or render himself or herself liable to pay, any sum of money, premium, or consideration whatever, in the nature of a premium, for or upon any such insurance as is before mentioned, or shall enter into any contract or agreement whatever, for any such insurance as is before mentioned, unless the same insurance, contract, and agreement for insurance respectively, shall be ingrossed, printed or written, on vellum, parchment, or paper, being first duly stamped with a proper stamp or stamps as herein is directed, or with some stamp or stamps of higher denomination or value than herein

Persons making insurance, &c. unless the contract be properly stamped,

and brokers,
&c. acting
contrary to
this act, to
forfeit 500l.

herein is directed, shall for every such offence forfeit and pay the sum of five hundred pounds; and also, all and every the brokers, agents, scriveners, or other persons negotiating or transacting any such insurance as is herein-before mentioned contrary to the true intent and meaning of this act, or engrossing, printing, or writing, any agreement for any such insurances as is herein-before mentioned, upon vellum, parchment, or paper, before the same vellum, parchment, or paper, whereon the same shall be engrossed, printed, or written, be so duly stamped as aforesaid, shall also for every such offence forfeit the sum of five hundred pounds.

Brokerage,
&c. not a legal
charge unless
the insurance
be properly
stamped, &c.

XVI. And be it further enacted by the authority aforesaid, That it shall not be lawful for any broker, agent, scrivener, or other person, transacting, making, or negotiating, any such insurance as is herein-before mentioned, to charge or set against his employer or employers any sum of money for brokerage or agency, or for his pains or labour in transacting, making, or negotiating, such insurance, or engrossing, printing, or writing, the same, or for any sum of money expended or paid by way of premium, or consideration, in the nature of a premium, for such insurance, unless the same shall be engrossed, printed, or written, on vellum, parchment, or paper, duly stamped according to the directions of this act, or upon vellum, parchment, or paper, stamped with a stamp or stamps of higher denomination or value than is by this act required, and all and every sum and sums whatever paid by such employer or employers on any such account to any broker, agent, scrivener, or other person aforesaid, transacting, making, or negotiating, any insurance contrary to this act, shall be deemed to be paid without consideration, and shall remain the property of such employer or employers, his, her, or their respective executors, administrators, or assigns.

Affurers, un-
less insurances
be properly
stamped, &c.
to forfeit 500l.

XVII. And be it further enacted by the authority aforesaid, That if any person shall become an assurer upon any such insurance as is herein-before mentioned, or shall subscribe or underwrite any such insurance, or shall receive or contract for any premium or consideration for any such insurance, or shall pay or allow in account, or agree to pay or allow in account, or otherwise, any sum or sums of money upon any loss, peril, or contingency, relative to any such insurance as aforesaid, unless such insurance shall be engrossed, printed, or written, on vellum, parchment, or paper, duly stamped according to the directions of this act, or if any person shall be concerned in any fraudulent contrivance or device, with intent to evade the duties by this act imposed, every such person shall, for every such offence, forfeit and pay the sum of five hundred pounds.

XVIII. *And whereas it is customary for the purpose of making insurances, by the corporation of the London Assurance and The Royal Exchange Assurance, to prepare a label, slip, or memorandum, in writing, containing the heads of the insurance proposed to be made, from which label, slip, or memorandum, signed by the person making the insurance and the proper officer or officers of such corporations, policies of insurance have been afterwards made as obligatory on the parties; and it would be attended with considerable inconvenience to require*

require policies of insurance duly stamped to be in all cases immediately made out; be it provided and further enacted, That nothing herein contained shall extend to subject any of the members, officers, or servants, of such corporations, to any of the penalties by this act imposed for or by reason of their making any agreement to insure by any such label, slip, or memorandum, in writing, upon unstamped vellum, parchment, or paper, provided that in every such case, the day on which such agreement shall be made, shall be truly expressed in words at length on such label, slip, or memorandum, and a policy of insurance according to the agreement expressed in such label, slip, or memorandum, shall be made out according to one of the forms in the schedule to this act annexed, and duly executed and stamped within three office days from the time of making such agreement as aforesaid.

The London Assurance and the Royal Exchange Assurance not liable to penalty for making agreements unstamped, if policies be made out and stamped, &c.

XIX. And be it further enacted by the authority aforesaid, That one moiety of all pecuniary penalties and forfeitures hereby imposed (except where other provisions are hereby expressly made) shall (if sued for within the space of six calendar months from the time of any such penalty or forfeiture being incurred) be to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform or sue for the same within the time aforesaid, and which shall and may be sued for in his Majesty's court of exchequer at *Westminster*, for offences committed in *England*, and in his Majesty's court of exchequer at *Edinburgh*, for offences committed in *Scotland*, by action of debt, bill, plaint, or information, wherein no essoin, privilege, wager of law, or more than one imparlance shall be allowed.

Application of penalties sued for in six months.

XX. Provided always, and be it further enacted, That in default of prosecution within the time herein-before limited, no such penalty or forfeiture shall be afterwards recoverable, except in the name of his Majesty's attorney general in *England*, or advocate in *Scotland*, by information in the respective courts aforesaid, in which case the whole of such penalty or forfeiture shall belong to his Majesty, his heirs and successors; and that all penalties and forfeitures, and shares of penalties and forfeitures, incurred as aforesaid, belonging to his Majesty, his heirs or successors, shall be paid into the hands of the receiver general of his Majesty's stamp duties for the time being; and that in all cases where the whole of such pecuniary penalties or forfeitures shall be recovered to the use of his Majesty, his heirs and successors, it shall be lawful for the said commissioners to cause such reward as they shall think fit, not exceeding one moiety of such penalties or forfeitures so recovered, after deducting all charges and expences incurred in recovering the same, to be paid thereout, to or amongst any person or persons who shall appear to them to be entitled thereto either as discoverers or informers, in respect to such penalties or forfeitures so recovered; any thing herein contained to the contrary notwithstanding.

How penalties not sued for within the limited time, may be recovered and applied.

XXI. And be it further enacted by the authority aforesaid,

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That

Prosecutions
for penalties
incurred with-
out intention
of fraud may
be stopt.

That in case any prosecution shall be commenced by any person or persons for the recovery of any penalty or forfeiture, penalties or forfeitures, incurred by virtue of this act, it shall and may be lawful for his Majesty's attorney general in *England*, or advocate in *Scotland*, in case it shall appear to their satisfaction respectively that such penalty or forfeiture, penalties or forfeitures, was or were incurred without any intention of fraud, to stop all further proceedings on every such prosecution, as well with respect to the share of such penalty or forfeiture, penalties or forfeitures, to which any such person may claim to be entitled, as to the share thereof belonging to his Majesty, his heirs or successors, upon such terms nevertheless, as to costs and otherwise, as such attorney general or advocate shall think reasonable.

Powers of former acts relating to stamps to extend to this act.

XXII. And be it further enacted by the authority aforesaid, That all powers, provisions, articles, clauses, allowances on present payment of the duties, and all other matters and things prescribed and appointed by any former act or acts of parliament relating to the stamp duties on vellum, parchment, and paper, (and not hereby altered), shall (as far as the same are applicable) be of full force and effect, with relation to the duties hereby imposed, and shall be applied and put in execution for the raising, levying, collecting, and securing, the said duties hereby imposed, according to the true intent and meaning of this act, as fully and effectually, to all intents and purposes, as if the same had severally and respectively been hereby re-enacted, with relation to the said duties hereby imposed.

Persons counterfeiting stamps, &c. to suffer death.

XXIII. And be it further enacted by the authority aforesaid, That if any person shall counterfeit or forge, or procure to be counterfeited or forged, any stamp or mark, directed or allowed to be used or provided, made, or used, in pursuance of this act for the purpose of denoting any of the duties by this act granted, or shall counterfeit or resemble the impression of the same upon any vellum, parchment, or paper, with intention to defraud his Majesty, his heirs or successors, of any of the said duties, or shall utter, vend, sell, or expose to sale, any vellum, parchment, or paper, liable to the said duties, with such counterfeit mark or impression thereupon, knowing the same to be counterfeited, or shall privately or fraudulently use any stamp or mark, directed or allowed to be used by this act, with intent to defraud his Majesty, his heirs or successors, of any of the said duties, every person so offending, and being thereof lawfully convicted, shall be adjudged a felon, and shall suffer death as in cases of felony without benefit of clergy.

From July 5, 1795, former duties to cease.

XXIV. And be it further enacted by the authority aforesaid, That from and after the said fifth day of *July* one thousand seven hundred and ninety-five, upon all and every policies and policy of insurance, upon which any duty is hereby imposed, and which shall be duly stamped in pursuance of this act, all the former duties on stamped vellum, parchment, or paper, which, by any act or acts of parliament in force at and immediately before the

passing

passing of this act, were, or were deemed, taken, or adjudged, to be payable on or in respect of policies of insurance, shall cease and determine, and be no longer paid or payable.

XXV. And be it further enacted by the authority aforesaid, That all the said duties herein-before granted shall be paid, from time to time, into the hands of the receiver general for the time being of the duties on stamped vellum, parchment, and paper, who shall pay the same (the necessary charges of raising and accounting for the same being deducted) into the receipt of the exchequer at *Westminster*, at such time and in such manner as other duties on stamped vellum, parchment, and paper, are directed to be paid; and the said money so paid into the said receipt as aforesaid, shall be carried to, and made part of, the consolidated fund.

Duties to be paid to the receiver general of stamp duties, and by him into the exchequer.

XXVI. Provided always, and be it further enacted by the authority aforesaid, That the monies arising, or to arise, of the several rates or duties hereby granted, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan made, or stock to be created, by virtue of any act or acts to be passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said rates and duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties, granted in this session of parliament for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs and successors, on any account whatever.

Duties to be deemed an addition to the revenue for defraying the increased charge occasioned by any loan of this session, &c.

S C H E D U L E

To which this act refers.

£. 500. }
 S. }
 Delivered the }
 day of }
 IN the name of God, *Amen.*
 as well in own name, as for and in the
 name and names of all and every other persons
 to whom the same doth, may, or shall, apper-
 tain, in part or in all, doth make assurance, and cause
 and them, and every of them, to be insured, lost or not lost, at

and from _____ upon the body, tackle, apparell, ordnance, munition, artillery, boat, or other furniture, of and in the good ship or vessel called *The* _____ whereof is master, under God, for this present voyage, _____ or whatsoever else shall go for master in the said ship, or by whatsoever other name or names the same ship, or the master thereof, is or shall be named or called: beginning the adventure upon the said ship, &c. from and immediately following _____ and so shall continue and endure until the said ship, with the said tackle, apparell, &c. shall be arrived at _____ and there hath moored at anchor twenty-four hours in good safety: and it shall be lawful for the said ship in this voyage to proceed and sail to and touch and stay at any port or places whatsoever without prejudice to this insurance; the said ship, &c. for so much as concerns the assureds, is and shall be valued at _____

Touching the adventures and perils which we the assurers are contented to bear and do take upon us in this voyage, they are, of the seas, men of war, fire, enemies, pirates, rovers, thieves, jettisons, letters of mart and countermart, surprizals, takings at sea, arrests, restraints, and detainerments of all kings, princes, and people, of what nation, condition, or quality soever, barrettry of the master and mariners, and of all other perils, losses, and misfortunes, that have or shall come to the hurt, detriment, or damage, of the said ship, &c. or any part thereof: and in case of any loss or misfortune, it shall be lawful to the assureds, their factors, servants, and assigns, to sue, labour, and travel, for in, and about, the defence, safeguard, and recovery, of the said ship, &c. or any part thereof, without prejudice to this insurance, to the charges whereof we the assurers will contribute each one according to the rate and quantity of his sum herein assured: and it is further agreed by us the insurers, that this writing or policy of assurance shall be of as much force and effect as the surety writing or policy of assurance heretofore made in *Lombard Street*, or in the *Royal Exchange*, or elsewhere in *London*: and so we the assurers are contented, and do hereby promise and bind ourselves, each one for his own part, our heirs, executors, and goods, to the assureds, their executors, administrators, and assigns, for the true performance of the premises, confessing ourselves paid the consideration due unto us for this assurance by the assured at and after the rate of _____

In witness whereof we the assurers have subscribed our names and sums assured in *London*.

N. B. The ship and freight warranted free from average under three pounds *per cent.* unless general, or the ship be stranded.

£. 1,000.

G. }
delivered the
day of

IN the name of God, *Amen.*
as well in own name, as for and
in the name and names of all and every other
person or persons to whom the same doth,
may, or shall, appertain, in part or in all, doth make assurance,
and cause and them, and every of them, to be
insured, lost or not lost, at and from

upon any kind of goods and merchandizes whatsoever, loaden or
to be loaden aboard the good ship or vessel called *The*
whereof is master, under God, for this present voyage,

or whosoever else shall go for master in the said ship,
or by whatsoever other name or names the same ship, or the mas-
ter thereof, is or shall be named or called: beginning the adven-
ture upon the said goods and merchandizes from and immediately
following the loading thereof aboard the said ship

and so shall continue and endure until the said ship,
with the said goods and merchandizes whatsoever, shall be arrived
at and the same there safely landed: and it
shall be lawful for the said ship, in this voyage, to stop and stay at
any ports or places whatsoever without prejudice
to this insurance; the said goods and merchandizes, by agree-
ment, are and shall be valued at

Touching
the adventures and perils which we the assurers are contented to
bear, and do take upon us in this voyage, they are, of the seas,
men of war, fire, enemies, pirates, rovers, thieves, jettisons, let-
ters of mart and countermart, surprizals, takings at sea, arrests,
restraints, and detainments of all kings, princes, and people, of
what nation, condition, or quality soever, barrety of the master
and mariners, and of all other perils, losses, and misfortunes, that
have or shall come to the hurt, detriment, or damage, of the said
goods and merchandizes, or any part thereof: and in case of any
loss or misfortune it shall be lawful to the assureds, their factors,
servants, and assigns, to sue, labour, and travel, for, in, and about,
the defence, safeguard, and recovery, of the said goods and mer-
chandizes, or any part thereof, without prejudice to this insurance,
to the charges whereof we the assurers will contribute each one
according to the rate and quantity of his sum herein assured: and
it is agreed by us the insurers, that this writing or policy of as-
surance shall be of as much force and effect as the surest writing
or policy of assurance heretofore made in *Lombard Street*, or in
the *Royal Exchange*, or elsewhere in *London*: and so we the as-
surers are contented, and do hereby promise and bind ourselves,
each one for his own part, our heirs, executors, and goods, to the
assureds, their executors, administrators, and assigns, for the true
performante of the premises, confessing ourselves paid the confi-
deration due unto us for this assurance by the assured

at and after the rate of

In witness whereof we the assurers have subscribed our names and
sums assured in *London*.

N. B. Corn, fish, salt, fruit, flour, and seed, are warranted free from average, unless general, or the ship be stranded;—sugar, tobacco, hemp, flax, hides, and skins, are warranted free from average under five pounds *per cent.*; and all other goods free from average under three pounds *per cent.* unless general, or the ship be stranded.

£. 10,000.

— S. G. }
delivered the
day of

IN the name of God, *Amen.*
as well in own name as for and
in the name and names of all and every other
person or persons to whom the same doth,
may, or shall, appertain, in part or in all, doth make assurance,
and cause and them, and every of them, to be
insured, lost or not lost, at and from
upon any kind of goods and merchandizes, and also upon the body,
tackle, apparel, ordnance, munition, artillery, boat, and other fur-
niture, of and in the good ship or vessel called *The*
whereof is master, under God, for this present voyage
or whosoever else shall go for master in the said ship, or by
whatsoever other name or names the same ship, or the master
thereof, is or shall be named or called: beginning the adventure
upon the said goods and merchandizes from the loading thereof
upon
the said ship, &c. and
so shall continue and endure during her abode there, upon the
said ship, &c.: and further, until the said ship, with all her ord-
nance, tackle, apparel, &c. and goods and merchandizes whatso-
ever, shall be arrived at upon
the said ship, &c. until she hath moored at anchor twenty-four
hours in good safety, and upon the goods and merchandizes until
the same be there discharged and safely landed: and it shall be
lawful for the said ship, &c. in this voyage, to proceed and sail to
and touch and stay at any ports or places whatsoever

without prejudice to this insurance; the said ship, &c.
goods and merchandizes, &c. for so much as concerns the as-
sureds, by agreement between the assureds and assurers, in this
policy, are and shall be valued at
touching the adventures and perils which we the assurers are con-
tended to bear and do take upon us in this voyage, they are, of
the seas, men of war, fire, enemies, pirates, rovers, thieves, jetti-
sons, letters of mart and countermart, surprizals, takings at sea, ar-
rests, restraints, and detainments of all kings, princes, and peo-
ple, of what nation, condition, or quality soever, barrety of the
master and mariners, and of all other perils, losses, and misfor-
tunes, that have or shall come to the hurt, detriment, or damage,
of the said goods and merchandizes, and ship, &c. or any part
thereof; and in case of any loss or misfortune it shall be lawful

to the assureds, their factors, servants, and assigns, to sue, labour, and travel, for, in, and about, the defence, safeguard, and recovery, of the said goods and merchandizes, and ship, &c. or any part thereof, without prejudice to this insurance, to the charges whereof we the assurers will contribute each one according to the rate and quantity of his sum herein assured: and it is agreed by us the insurers that this writing or policy of assurance shall be of as much force and effect as the surest writing or policy of assurance heretofore made in *Lombard Street*, or in the *Royal Exchange*, or elsewhere in *London*: and so we the assurers are contented, and do hereby promise and bind ourselves, each one for his own part, our heirs, executors, and goods, to the assureds, their executors, administrators, and assigns, for the true performance of the premises, confessing ourselves paid the consideration due unto us for this assurance by the assured at and after the rate of

In witness whereof we the assurers have subscribed our names and sums assured in *London*.

N. B. Corn, fish, salt, fruit, flour and seed, are warranted free from average, unless general, or the ship be stranded;—sugar, tobacco, hemp, flax, hides, and skins, are warranted free from average under five pounds *per cent.*; and all other goods, also the ship and freight, are warranted free of average under three pounds *per cent.* unless general, or the ship be stranded.

SHIP AND GOODS.

London Assurance House.

N^o N^o in *London*.

By the Governor and Company of the *London Assurance*.

IN the name of God, *Amen*.
 as well in own name as for and in the name and names
 of all and every other person or persons to whom the same doth,
 may, or shall, appertain, in part or in all, doth make assurance,
 and causeth and them, and every of them,
 to be assured, lost or not lost, at and from
 upon any kind of goods and merchandizes whatsoever; and also
 upon the body, tackle, apparel, ordnance, munition, artillery,
 boat, and other furniture, of and in the good ship or vessel called
The whereof is master, under God, for this
 present voyage or whoever else shall go
 for master in the said ship or vessel, or by whatsoever other name
 or names the said ship or vessel, or the master thereof, is or shall
 be

Anno regni tricesimo quinto GEORGIÏ III. c. 63. [1795.

be named or called : beginning the adventure upon the said goods and merchandizes from and immediately following the loading thereof aboard the said ship or vessel at _____ and upon the said ship or vessel, &c. _____ and so shall continue and endure during her abode there, upon the said ship or vessel, &c. ; and farther, until the said ship or vessel, with all her ordnance, tackle, apparel, &c. and goods and merchandizes whatsoever, shall be arrived at _____ and upon the said ship or vessel, &c. until she hath moored at anchor twenty-four hours in good safety, and upon the goods and merchandizes, until the same be there safely discharged and landed : and it shall be lawful for the said ship or vessel, &c. in this voyage, to proceed and sail to, and touch and stay at, any ports or places whatsoever without prejudice to this assurance, the said ship or vessel, &c. goods and merchandizes, &c. for so much as concerns the assureds, (by agreement between the assureds and the *London* assurance), are and shall be rated and valued at _____ without farther or other account to be given by the assureds for the same. Touching the adventures and perils, which the said *London* assurance are contented to bear and do take upon them in this voyage, they are, of the seas, men of war, fire, enemies, pirates, rovers, thieves, jettisons, letters of mart and countermart, surprisals, takings at sea, arrests, restraints, and detainments of all kings, princes, and people, of what nation, condition, or quality soever, barrety of the master and mariners, and of all other perils, losses, and misfortunes, that have or shall come to the hurt, detriment, or damage, of the said goods and merchandizes, and ship or vessel, &c. or any part thereof : and in case of any loss or misfortune it shall be lawful to the assureds, their factors, servants, and assigns, to sue, labour, and travel, for, in, and about, the defence, safeguard, and recovery, of the said goods, merchandizes, and ship or vessel, &c. or any part thereof, without prejudice to this assurance, to the charges whereof the said *London* assurance will contribute according to the rate and quantity of the sum herein assured : and it is agreed that this writing or policy of assurance shall be of as much force and effect as the surest writing or policy of assurance heretofore made in *Lombard Street*, or in the *Royal Exchange*, or elsewhere in *London* : and so the said *London* assurance are contented, and do hereby promise and bind themselves and their successors to the assureds, their executors, administrators, and assigns, for the true performance of the premises, confessing themselves paid the consideration due unto them for this assurance by the assured, at and after the rate of _____ per cent. In witness whereof the said *London* assurance have caused their common seal to be hereunto affixed, and the sum or sums by them assured to be hereunder written, at their office in *London*, this _____ day of _____ in the year of the reign of our sovereign lord _____ by the grace God, of *Great Britain, France, and Ireland*, King, defender of the faith, &c. and in the year of our Lord

Free from all average on corn, flour, fruit, fish, salt, and seeds, except general.

Free from average on sugar, rum, hides, skins, hemp, flax, and tobacco, under five pounds *per cent.*; and on all other goods, and ship, under three pounds *per cent.* except general.

The said governor and company are content with this assurance for

S. G. } S. G. N^o
N^o } L

By the Corporation of the *Royal Exchange Assurance.*

IN the name of God, *Amen.*

as well in own name as for and in the name and names of all and every other person or persons to whom the same doth, may, or shall, appertain, in part or in all, doth make assurance, and causeth and them, and every of them, to

be assured, lost or not lost, upon

any kind of goods and merchandizes whatsoever, loaden or to be loaden, and also upon the body, tackle, apparel, ordnance, munition, artillery, boat, and other furniture, of and in the good ship or vessel called *The* burthen, or thereabouts,

whereof is master, under God, for this present voyage

or whosoever else shall go for master in the said ship, or by whatsoever other name or names the same ship or the master thereof is or shall be named or called: beginning the adventure upon the said goods and merchandizes from and immediately following the loading thereof on board the said ship

and upon the said ship, &c. and so shall continue

and endure during her abode there upon the said ship, &c. and

further until the said ship, with all her ordnance, tackle, apparel,

&c. and goods and merchandizes whatsoever, shall be arrived

at upon the said ship, &c. until she hath there

moored at anchor twenty-four hours in good safety, and upon the

goods and merchandizes, until the same be there discharged and

safely landed: and it shall be lawful for the said ship, &c. in this

voyage, to proceed and sail to, and touch and stay at, any ports or

places whatsoever, without prejudice to this assurance the said ship

&c. goods and merchandizes, &c. for so much as concerns the

assureds, (by agreement made between the assureds and the said

corporation in this policy), are and shall be rated and valued

at sterling, without farther account to be given

by the assureds for the same. Touching the adventures and per-

ils which the said corporation are contented to bear and do take

upon them in this voyage, they are, of the seas, men of war, fire,

enemies, pirates, rovers, thieves, jettisons, letters of mart and

countermart, surprisals, takings at sea, arrests, restraints, and

detainments of all kings, princes, and people, of what nation,

condition, or quality soever, barrety of the master and mariners,

and of all other perils, losses, and misfortunes, that have or shall come to the hurt, detriment, or damage, of the said goods and merchandizes, and ship, &c. or any part thereof: and in case of any loss or misfortune it shall be lawful to the assureds, their factors, servants, and assigns, to sue, labour, and travel, for, in, and about, the defence, safeguard, and recovery, of the said goods and merchandizes, and ship, &c. (or any part thereof), without prejudice to this assurance, to the charges whereof the said corporation will contribute according to the rate and quantity of the sum herein assured: and it is agreed by the said corporation that this writing or policy of assurance shall be of as much force and effect as the surest writing or policy of assurance heretofore made in *Lombard Street*, or in the *Royal Exchange*, or elsewhere in *London*: and so the said corporation are contented, and do hereby promise and bind themselves and their successors to the assureds, their executors, administrators, and assigns, for the true performance of the premises, confessing themselves paid the consideration due unto them for this assurance by _____ at and after the rate of _____ per cent. In witness whereof the said corporation have caused their common seal to be hereunto affixed, and the sum or sums by them assured to be hereunder written, at their office in the *Royal Exchange of London* this day of _____ in the _____ year of the reign of our sovereign lord _____ by the grace of God, of *Great Britain, France, and Ireland*, King, defender of the faith, &c. and in the year of our Lord

The said corporation are content with this assurance for

- Free from all average on corn, flour, fish, salt, fruit, feed, hides, and tobacco, unless general, or otherwise specially agreed.
- Free from average on sugar, rum, skins, hemp, and flax, under five per cent.; and on all other goods, and on ship, under three per cent. except general.

By order of the court of directors.

C A P. LXIV.

An act for encreasing the rates of subsistence to be paid to innkeepers and others on quartering soldiers, for a limited time.—[May 19, 1795.]

Preamble.
Mutiny act.
recited.

WHEREAS by the act of parliament now in force for punishing mutiny and desertion, and for the better payment of the army and their quarters, certain rates are established in that part of Great Britain called England, the dominion of Wales, and the town of Berwick-upon-Tweed, for the payment of innholders and others on whom non-commissioned officers and private soldiers are quartered and billeted, who shall be furnished with diet and small beer at their quarters; and an option is given to such innholders and others, to furnish certain articles gratis, in lieu of diet and small beer, at the rates

rates prescribed: and whereas the occasion of marching and quartering of troops has encreased, and may continue, and the rules prescribed for furnishing soldiers with necessaries are, in many instances, become, from the high price of provisions, inadequate, and are productive of distress to such innholders and others: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, and during the continuance thereof, every non-commissioned officer and private soldier who shall be furnished with diet and small beer within the aforesaid part of Great Britain, by the innholders or other persons on whom such non-commissioned officers or private soldiers shall be quartered and billeted by virtue of the said act now in force, or by virtue of any act which may hereafter be in force, for punishing mutiny and desertion, and for the better payment of the army and their quarters, shall pay and allow for the same ten-pence *per diem*; and that the accounts of the same shall be rendered, and payment hereof made, in like manner as is directed in the said act now in force touching the former rates of sixpence *per diem* for the cavalry, and four-pence *per diem* for the infantry.

II. And be it further enacted, That in case any innholders or other persons on whom any non-commissioned officers or private men shall be quartered, shall, by virtue of the said option in the said act, furnish such non-commissioned officers or soldiers with the articles therein mentioned, in lieu of furnishing diet and small beer, at the rates prescribed by this act, such innholders or other persons on whom such non-commissioned officers or soldiers are quartered, and by whom the said articles shall have been so supplied, shall receive, in consideration thereof, two-pence *per diem* for each non-commissioned officer and soldier, instead of furnishing the same gratis, as required by the said act; which sum of two-pence *per diem* shall be accounted for and paid in like manner as is directed touching the rates aforesaid.

III. And be it further enacted, That the sum to be paid to the innholder or other person, on whom any of the horses belonging to his said Majesty's forces shall be quartered by virtue of the said act, for hay and straw, shall, from and after the passing of this act, and during the continuance thereof, be ten-pence half-penny *per diem* for each horse, instead of sixpence *per diem* as directed in the said act.

IV. And whereas the provisions contained in the said recited act, with respect to the manner of dieting non-commissioned officers and soldiers on a march, or employed in recruiting, and likewise the recruits by them raised, have been productive of much inconvenience, as well to the troops as the innholders; be it further enacted, That so much of the said recited act as relates to the manner of furnishing non-commissioned officers and soldiers on a march, or employed in recruiting, and likewise the recruits by them raised, with diet or other provision, be, and the same is hereby repealed.

Non-commissioned officers and soldiers to allow 10d. per diem for diet and small beer in quarters in England;

and for articles which have been furnished gratis in lieu thereof, 2d. per diem to be allowed.

For horses quartered 10d. 2q. per diem to be paid for hay and straw.

So much of recited act as relates to furnishing with diet non-commissioned officers and soldiers on a march or recruiting, repealed.

Regulation
with respect to
dieting non-
commissioned
officers and
soldiers on
their march;

V. And be it further enacted, That all non-commissioned officers and soldiers shall, during the continuance of this act, be entitled to receive their diet and small beer from the innholders or other persons on whom they may be billeted, at the rates herein-before prescribed, while on the march, as also on and for the day of their arrival at the place of their final destination, and on the two subsequent days, unless either of the two subsequent days shall be a market day in and for the town or place where such officers or soldiers shall be billeted, or within the distance of two miles thereof, in which case it shall and may be lawful for the innholder, or other person as aforesaid, to discontinue on and from such market day, the supply of diet and small beer, and to furnish in lieu thereof the articles in the said recited act specified, and at the rate herein-before prescribed: provided always, that if any regiment, troop, company, or detachment, when on the march, shall be halted, either for a limited or indefinite time, at any intermediate place, the non-commissioned officers and soldiers belonging thereto shall be entitled to receive their diet and small beer from the persons on whom they shall be billeted at such intermediate place, for such time only for which they would be entitled to receive the same after arriving at the place of their final destination, according to this act.

and recruiting
parties and
recruits.

VI. And be it further enacted, That all non-commissioned officers and private men employed in recruiting, and the recruits by them raised, shall, while on the march, and for two days after the day of their arrival at any recruiting station, be entitled to the same benefits as is herein-before provided in regard to troops upon the march; but no recruit enlisted after the two days subsequent to the arrival of the party at their recruiting station, shall be entitled to be supplied with diet and small beer at the rate herein-before prescribed, except at the option of the person on whom he shall be quartered: provided also nevertheless, that in case any such recruiting party, with the recruits by them raised, shall remove from their station, and after a time shall return to the same place, they, and the recruits by them raised, so returning, shall not be again entitled to the supply of diet and small beer for such two days as aforesaid, unless the period between the time of their removal from such place, and their return thereto, shall have exceeded twenty-eight days.

Continuance
of act.

VII. And be it further enacted, That this act shall have continuance until the twenty-fifth day of *March* one thousand seven hundred and ninety-six.

C A P. LXV.

An act to prevent unnecessary delay in the execution of writs, for the election of members to serve in parliament for that part of Great Britain called Scotland.—[May 19, 1795.]

Trreamble.

WHEREAS the execution of writs of election of members to serve for the commons in parliament for that part of Great Britain called Scotland, has often been improperly delayed; for remedy

whereof

whereof, 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 sheriff or steward depute or substitute of any county or stewartry in that part of *Great Britain* called *Scotland*, shall, within six free days after receiving the writ or writs for the election of members to serve in parliament, direct the notices required by law to be given as to the time and place of election of a member for such county or stewartry; and that the day of election appointed by the sheriff shall not be sooner than six free days, nor later than fifteen days after the day of publication at the church doors.

Sheriffs deputies or substitutes, &c. to direct within six days after receiving the writs, the notices required to be given for elections of members &c.

II. And whereas doubts have been entertained by whom the writs for election of members to serve for the commons in parliament for that part of *Great Britain* called *Scotland*, should be received and executed when there happens to be a principal or high sheriff or steward appointed by his Majesty in any county or stewartry as well as a sheriff depute or steward depute, whose commission is also derived from the crown, and is ad vitam aut culpam, in respect that, by an act, passed in the twentieth year of his late Majesty, for taking away and abolishing the heritable jurisdictions, these offices, and the powers and authorities belonging to them, were essentially changed; for remedy thereof, and to remove such doubts, be it enacted, That, upon issuing of any writ or writs for the election of a member or members to serve in parliament for that part of *Great Britain* called *Scotland*, the said writ or writs shall be forthwith forwarded and delivered to the sheriff depute, or steward depute, or to the substitute of each, and the principal or high sheriff, or steward, shall not officiate either in receiving or in executing the writ, the whole of this duty being entrusted to the sheriff depute, or steward depute, or in case of absence, to the substitute of each, and to no other person whatsoever.

None but sheriffs deputies, &c. or in their absence their substitutes, to receive and execute writs for elections.

III. And be it enacted by the authority aforesaid, That if any sheriff or steward depute or substitute shall wilfully refuse, neglect, or delay, to do or perform what is hereby required of him in any of the particulars aforesaid, he shall, for every offence, forfeit and pay the sum of five hundred pounds sterling, one half to the person who shall sue for the same, and the other half to his Majesty, to be sued for and recovered in the manner directed by an act of the sixteenth year of the reign of his late majesty King George the Second, intituled, *An act to explain and amend the laws touching the election of members to serve for the commons in parliament for that part of Great Britain called Scotland; and to restrain the partiality, and regulate the conduct, of returning officers at such elections.*

Penalty on sheriffs deputies, &c. for neglect of duty;

IV. And be it enacted by the authority aforesaid, That if any principal or high sheriff or steward, or any person, other than the sheriff or steward depute, or the substitute of each, shall presume in any respect to interfere, or take upon himself the execution of writs of election of members to serve in parliament for that part

and on high sheriffs, &c. for interfering in the execution of writs.

of *Great Britain* called *Scotland*, every such person so offending in any particular, shall, for every offence, forfeit and pay the sum of one thousand pounds sterling, one half to the person who shall sue for the same, and the other half to his Majesty, his heirs and successors, to be sued for and recovered in the manner directed by an act of the sixteenth year of the reign of his late majesty King *George the Second*, intituled, *An act to explain and amend the laws touching the election of members to serve for the commons in parliament for that part of Great Britain called Scotland; and to restrain the partiality, and regulate the conduct, of returning officers at such elections*; and further, the person convicted on any suit shall thereby become disabled and incapable of ever bearing or executing any office or place of trust whatsoever under his Majesty, his heirs and successors.

V. Provided always, and be it further enacted by the authority of the Commons of Great Britain in Parliament assembled, That every action or suit for any offence against this act, shall be commenced within twelve months after commission of the fact on which the same is grounded, or within twelve months after the conclusion of any proceedings in the house of commons relating to such election.

Limitation of actions.

Writs for the election of members for Orkney and Zetland where to be published.

VI. *And whereas the several parish churches in the stewartry of Orkney and Zetland are situated upon islands, detached and difficult of access*; be it therefore enacted, That the writ for the election of a member to serve in parliament for the said stewartry shall be published at the town of *Kirkwall*, and the twelve parish churches in the island of *Pomona*, or the main land of *Orkney* only.

C A P. LXVI.

An act for making part of certain principal sums or stock and annuities raised or created, or to be raised or created, by the parliament of the kingdom of Ireland, on loans, for the use of the government of that kingdom, transferrable, and the dividends on such stock and annuities payable, at the bank of England; and for the better security of the proprietors of such stocks and annuities, and of the governor and company of the bank of England.—[May 19, 1795.]

Preamble.

Act of the parliament of Ireland of 34 Geo. 3. and

WHEREAS by an act of parliament of the kingdom of Ireland, made and passed in the thirty-fourth year of his Majesty's reign, intituled, *An act for securing the payment of the annuities and of the interest upon the principal sums therein provided, for and towards the discharge of such principal sums in such manner as therein is directed; and for enabling the officers of his Majesty's treasury to receive certain sums, for a limited time, in manner therein mentioned; and for granting to his Majesty a certain sum of money out of the consolidated fund; and for applying a certain sum of money therein mentioned, for the service of the year one thousand seven hundred and ninety-four; and for other purposes; it was among other things enacted, that it should be lawful to raise on loan the several sums of nine hundred thousand pounds, and one hundred and twenty-nine thousand six hundred and fifty pounds; and*

and that for so much of the said sums as should be actually paid by any person or persons into the receipt of his Majesty's exchequer of that kingdom upon loan, by debentures bearing interest after the rate of five pounds per centum per annum, or upon loan by debentures bearing interest after the rate of four pounds per centum per annum, there should be paid, at the receipt of his Majesty's exchequer of that kingdom, at the end of every six calendar months, to the person or persons so paying or lending the same, his, her, or their executors, administrators, or assigns, such interest, not exceeding the rate of five pounds per centum per annum, and four pounds per centum per annum respectively, and to commence from such time or times as should be agreed upon by the lord lieutenant, or other chief governor or governors of that kingdom for the time being, without any fee or charge, and free from all deductions whatsoever, until such time as they should be respectively paid their principal money at one entire payment: and it was further enacted, that it should be lawful for the lord lieutenant, or other chief governor or governors of that kingdom for the time being, to appoint to be paid to such person or persons who should subscribe on loan by debentures at the respective rates of interest aforesaid, such respective annuities, and for such terms of years respectively as therein mentioned: and it was further enacted, that it should be lawful for the lord lieutenant, or other chief governor or governors of that kingdom for the time being, from time to time to appoint one or more person or persons to pay, in the city of London, the interest by that act to be payable on any sum or sums by that act authorized to be raised and borrowed, and to pay such annuities as might by that act be granted to effectuate the raising of any such sum or sums, such interest and annuities to be paid for such sums as should be subscribed, and for which the person or persons subscribing should, at the time of paying the sum or sums subscribed for, declare his or their intention of receiving in London the interest thereof and the annuities thereupon, which interest and annuities should be paid without any deduction or charge whatsoever for exchange or otherwise: and whereas by another act of parliament of the said kingdom of Ireland, made and passed in the thirty-fifth year of his Majesty's reign, intituled, An act for securing the 35 Geo. 3.
recited. payment of the annuities, and of the interest upon the principal sums therein provided, for and towards the discharge of such principal sums, in such manner as therein is directed; and for enabling the officers of his Majesty's treasury to receive certain sums, for a limited time, in manner therein mentioned; and for granting to his Majesty a certain sum of money out of the consolidated fund; and for applying a certain sum therein mentioned for the service of the year one thousand seven hundred and ninety-five; and for other purposes; reciting, among other things, that, towards effectuating the raising of the sum of one million and twenty-nine thousand six hundred and fifty pounds, by the said former act authorized to be raised and borrowed, annuities of twenty shillings by the year, for each sum of one hundred pounds, for fifteen years from the twenty-fifth day of March one thousand seven hundred and ninety-four, had, in pursuance of the said former act, been appointed to be paid to the persons who subscribed to the same, which annuities amounted to the sum of ten thousand

thousand two hundred and ninety-six pounds and ten shillings: and that the persons entitled to nine thousand and one hundred pounds thereof, had, pursuant to the said former act, declared their intention of receiving the same in London, it was enacted, that for the several principal sums therein mentioned, including in particular the said sum of one million and twenty-nine thousand six hundred and fifty pounds, borrowed in pursuance of the said former act upon, or secured by, debentures bearing an interest at the rate of five pounds per centum per annum, and which should remain unpaid on the twenty-fifth day of March one thousand seven hundred and ninety-five, there should be paid, at the receipt of his Majesty's exchequer in the kingdom of Ireland, or by the person or persons appointed in the city of London for the payment of such interest as should be there payable in pursuance of the said former act, at the end of every six calendar months, to be computed from the twenty-fifth day of March one thousand seven hundred and ninety-five, to the person or persons who paid or lent, or should have become entitled to the same respectively, his, her, or their executors, administrators, or assigns, an interest at the respective rates therein mentioned, according to the tenor of such debentures respectively, without any fee or charge, and free from all deductions whatsoever, until such time as they should be respectively paid their principal money at one entire payment: and it was by the said act of the thirty-fifth year of his Majesty's reign further enacted, that it should be lawful to raise on loan the sum of one million five hundred and ninety-one thousand six hundred and sixty-six pounds thirteen shillings and four-pence, and that for so much of the said last mentioned sum as should be actually paid by any person or persons into the receipt of his Majesty's exchequer of that kingdom, upon loans by debentures bearing interest after the rate of five pounds per centum per annum, there should be paid at the receipt of his Majesty's exchequer in that kingdom, at the end of every six calendar months, to the person or persons so paying or lending the same, his, her, or their executors, administrators, or assigns, such interest not exceeding the rate of five pounds per centum per annum, and to commence from such time or times as should be agreed upon by the commissioners of his Majesty's treasury in that kingdom, or any three or more of them, or the lord high treasurer of that kingdom, with the approbation of the lord lieutenant or other chief governor or governors of that kingdom, for the time being, without any fee or charge, and free from all deductions whatsoever, until such time as they should be respectively paid their principal money at one entire payment: and it was, by the said act of the thirty-fifth year of his Majesty's reign, further enacted, that for so much of the said sum of one million five hundred and ninety-one thousand six hundred and sixty-six pounds thirteen shillings and four-pence, as should be actually paid by any person or persons in England, for the use of the government of the kingdom of Ireland, there should be paid at the bank of England, to the person or persons so paying or lending the same, his, her, or their executors, administrators, and assigns, such interest, not exceeding the rate of five pounds per centum per annum, and to commence from such time or times as should be agreed upon by the commissioners of his Majesty's treasury of Ireland, or any three

or more of them, or the lord high treasurer of that kingdom, with the approbation of the lord lieutenant, or other chief governor or governors of that kingdom for the time being, without any fee or charge, and free from all deductions whatsoever, until such time as they should respectively be paid their principal money at one entire payment: and the said act of the thirty-fifth year of his Majesty's reign, further reciting, that, in order to effectuate the raising of the said sum of one million five hundred and ninety-one thousand six hundred and sixty-six pounds thirteen shillings and four-pence, or such part thereof as might be wanting, it might be necessary to grant annuities for certain terms of years to the persons subscribing to a loan on debentures, or subscribing to stock at the bank of England, in case the governor and company of the said bank should agree to keep transfer books of the same, and in case transfer books of stock, consisting of such money as should be subscribed in England towards raising the said sum to be borrowed in pursuance of the said act of the thirty-fifth year of his Majesty's reign should be kept at the bank of England, it was thereby enacted, that the entries in such transfer books should be evidence of the right and title of the person or persons appearing by such entries to have a right thereto, and should in every respect be as effectual and sufficient for every purpose as any entry in any transfer book kept at the bank of England of stock in any fund there: and it was, by the said act of the thirty-fifth year of his Majesty's reign, further enacted, that it should be lawful for the lord lieutenant, or other chief governor or governors of the kingdom of Ireland for the time being, to appoint to be paid to such person or persons as should subscribe, at the receipt of his Majesty's treasury in that kingdom, or in England, for the use of the government of the kingdom of Ireland, any sum or sums towards raising the said sum of one million five hundred and ninety-one thousand six hundred and sixty-six pounds thirteen shillings and four-pence, such annuity or annuities as should be agreed on by the lord lieutenant, or other chief governor or governors of the kingdom of Ireland, not exceeding the lowest rate that should be offered by any person subscribing to the said loan, for any term of years not more than fifteen; and that such annuities as should be so appointed, should be paid to the person or persons so subscribing, his, her, or their executors, administrators, and assigns, at the receipt of his Majesty's chequer in Ireland, in respect of such sums as should be subscribed and paid there; and at the bank of England, in respect of such sums as should be subscribed and paid in England, for the use of the government of the kingdom of Ireland; and such annuities should be paid at such time or times, and in such manner, and to commence from such period, as should be appointed: and whereas the governor and company of the bank of England have consented and agreed, that so much of the annuities, and of the interest upon the said principal sums of one million and twenty-nine thousand six hundred and fifty pounds, and one million five hundred and ninety-one thousand six hundred and sixty-six pounds thirteen shillings and four-pence, by the said two acts of Parliament of Ireland authorised to be raised and borrowed, as shall be payable in England, should be payable at the bank of England; and the said governor and company have also consented and

agreed to keep such transfer books as mentioned in the said act of parliament of Ireland of the thirty-fifth year of his Majesty's reign; but such agreement cannot be effectually carried into execution without the aid of parliament: may it therefore please your Majesty that it may be enacted; 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, from and after the passing of this act, it shall and may be lawful for the governor and company of the bank of England to apply such money as shall be paid into the bank of England in pursuance of the said acts of the parliament of Ireland, in paying the interest and annuities in pursuance of the said two acts of parliament of Ireland, or either of them, and the said annuities, and also the said principal sums or stock, and any part or parcel thereof, shall and may be transferrable at the bank of England in the manner herein-after described; and the said annuities, principal sums, or stock, and the interest payable thereon, shall not be liable to any foreign attachment by the custom of London or otherwise; any law, statute, or custom, to the contrary notwithstanding.

Bank of England may apply money paid in pursuance of recited acts, in payment of interest and annuities pursuant thereto, &c.

Books to be kept for entering transfers of annuities, &c.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the governor and company of the bank of England to authorise and direct their accountant general for the time being, to keep books wherein all assignments or transfers of the said annuities, and principal sums or stock, shall be entered and registered, in such manner as the said governor and company shall direct; which entry shall be signed by the parties making such assignments or transfers, or if such parties be absent, by their respective attorney or attorneys, thereunto lawfully authorised, in writing under his, her, or their hand and seal or hands and seals, to be attested by two or more credible witnesses; and that the several persons to whom such transfers shall be made, shall respectively underwrite their acceptance thereof by themselves, or by their respective attorney or attorneys thereunto lawfully authorised in manner aforesaid; and that no other method of assigning and transferring the said annuities and principal sums or stock, or any part thereof, or any interest therein, shall be good or available in law: provided always, that no stamp duties whatsoever shall be charged on any of the said transfers, nor on any receipt for any payment in respect of the said annuities, or the said principal sums, or stock, or the interest thereof; any law or statute to the contrary notwithstanding.

No stamp duties to be charged.

III. And whereas, for the prevention of forgeries and frauds in respect to the receipts, payments, and transfers, made or given in pursuance of this act, it is necessary that the like provisions should be enacted as by the laws now in being are already in force respecting stocks, annuities, and other publick funds, transferrable at the bank of England aforesaid; be it therefore further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or wilfully act or assist in the forging or

Persons forging or altering, &c. receipts or debentures, to suffer death.

counterfeiting, any receipt or receipts for the whole or any part or parts of the said subscriptions or contributions towards the said two loans, or either of them, or any debenture or debentures purporting to entitle any person or persons, or body politick or corporate whatsoever, to any principal sum, or the interest thereon, or any annuity, or part of any principal sum, interest, or annuity, payable under the said two acts of parliament of *Ireland*, or either of them, either with or without the name or names of any person or persons, or body politick or corporate, being inserted therein as the subscriber or subscribers, or contributor or contributors, or payer or payers, towards the said two loans, or any part or parts thereof, or shall alter any number, figure, or word therein, or utter or publish as true, any such false, forged, counterfeited, or altered, receipt or receipts, debenture or debentures, with intention to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whatsoever, every such person or persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or wilfully acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing, as aforesaid, shall be deemed guilty of felony, and shall suffer death as a felon or felons, without benefit of clergy.

IV. And be it further enacted by the authority aforesaid,

That, from and after the passing of this act, if any person or persons shall forge or counterfeit, or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any letter of attorney or other authority or instrument, to transfer, assign, sell, or convey, any part or share of or the principal sums or stock, or the annuities, by this act made and declared transferrable at the bank of *England*, or to receive any annuity or annuities, or interest, or dividend or dividends, in pursuance of this act, payable at the bank of *England*, or any part thereof, or shall forge or counterfeit, or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any the name or names of any the proprietor or proprietors of any such part or share of or in such principal sums, or stock, or annuities, interest, dividend or dividends as aforesaid, in or to any such pretended letter of attorney, instrument, or authority, or shall knowingly and fraudulently demand or endeavour to have any such part or share of or in such principal sums, or stock, or annuities, interest, dividend or dividends, or any part thereof, transferred, assigned, sold, or conveyed, or such annuity or annuities, interest, dividend or dividends, or any part thereof, to be received by virtue of any such counterfeit or forged letter of attorney, authority, or instrument, or shall falsely and deceitfully personate any true and real proprietor or proprietors of the said shares, of or in the said principal sums or stock, annuities, interest, dividend or dividends, or any of them, or any part thereof, and thereby transferring, or endeavouring to transfer, any part or share of or in the said principal sums, or stock, or annuities, or receiving, or endeavouring, to receive the money of

Person, forging letters of attorney to transfer stock, &c. or personating proprietors, to suffer death.

such true and lawful proprietor or proprietors, as if such offender or offenders were the true and lawful owner or owners thereof, then, and in every or any such case, such offender or offenders shall be deemed guilty of felony, and shall suffer death as a felon or felons, without benefit of clergy.

Persons forging dividend warrants, &c. to suffer death.

V. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or persons shall forge, counterfeit, or alter, any dividend warrant, or warrant for payment of any annuity, interest, or money, payable in pursuance of this act at the bank of *England*, or any indorsement thereon, or shall offer, or dispose of, or put away, any such forged, counterfeited, or altered, dividend warrant, or warrant for payment of any annuity, interest, or money, payable as aforesaid, or the indorsement thereon, or demand the money therein contained or pretended to be due thereon, or any part thereof, of the said governor and company of the bank of *England*, or any their officers or servants, knowing such dividend warrant, or warrant for payment of any annuity, interest, or money, payable as aforesaid, or the indorsement thereon, to be forged, counterfeited, or altered, with intent to defraud the said governor and company of the bank of *England*, or their successors, or any other body politick or corporate, or any person or persons whatsoever, every person or persons so offending shall be deemed guilty of felony, and shall suffer death as a felon or felons, without benefit of clergy.

Officers of the bank embezzling notes, &c. to suffer death.

VI. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any officer or servant of the said governor and company of the bank of *England* being entrusted with any note, bill, dividend warrant, or warrant for payment of any annuity or interest, or money, or any security money, or other effects, of or belonging to the said governor and company, or having any note, bill, dividend warrant, or warrant for payment of any annuity or interest, or money, or any security money, or other effects, of any other person or persons, body politick or corporate, lodged or deposited with the said governor and company, or with him as an officer or servant of the said governor and company, in pursuance of this act, or of the due execution thereof, shall secrete, embezzle, or run away with any such note, bill, dividend or other warrant, security money, or other effects, as aforesaid, or any part thereof, every such officer or servant, so offending, shall be deemed guilty of felony, and shall suffer death as a felon, without benefit of clergy.

Persons making transfers in any but names of proprietors, to suffer death.

VII. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or persons shall wilfully make, or assist in making, any transfer of any interest, part, or share, of or in any principal sums or stock, annuity or annuities, by this act made or declared transferrable at the bank of *England*, in any of the books of the said governor and company of the bank of *England*, in which transfers of principal sums, stock, or annuities, as aforesaid, are, or in pursuance of this act shall be, made, in the name or names of any person or persons,

persons, not being the owner or owners, or proprietor or proprietors, of such principal sums or stock, or annuity or annuities, transferrable as aforesaid, with intent to defraud the said governor and company of the bank of *England*, or any other body politick or corporate, or any person or persons whatsoever, such person or persons so making, or assisting in making, such transfer as aforesaid, shall be deemed guilty of felony, and shall suffer death as a felon or felons, without benefit of clergy.

VIII. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or persons whatsoever shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or shall wilfully act or assist in the falsely making, forging, or counterfeiting, of any transfer of any interest, part, or share, of or in any principal sums, or stock, or annuity or annuities, by this act made or declared transferrable at the bank of *England*, or shall utter or publish as true any such false, forged, or counterfeited transfer as aforesaid, knowing the same to be false, forged, or counterfeited, with intent to defraud the said governor and company of the bank of *England*, or any other body politick or corporate, or any person or persons whatsoever, all and every person or persons whatsoever, so offending, shall be deemed guilty of felony, and shall suffer death as a felon or felons, without benefit of clergy.

Persons forging transfers, &c. to suffer death.

IX. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or persons whatsoever shall wilfully make, or assist in making, any false entry, or shall wilfully alter, or assist in altering, any word or figure in any entry in the books of account kept, or in pursuance of this act to be kept, by the said governor and company of the bank of *England*, wherein the several accounts of the owners or proprietors of principal sums, or stock, or annuities, by this act made or declared transferrable at the bank of *England*, are, or in pursuance of this act shall be, entered and kept, or shall in any manner wilfully falsify the account or accounts of any such owner or proprietor in the books of the said governor and company, wherein such accounts are, or in pursuance of this act shall be, entered and kept, with intent to defraud the said governor and company of the bank of *England*, or any other body politick or corporate, or any person or persons whatsoever, every such person or persons, so offending, shall be deemed guilty of felony, and shall suffer death as a felon or felons, without benefit of clergy.

Persons making false entry in the books of the bank to suffer death.

X. And whereas, in order to cover and conceal forgeries and frauds in transfers, dividend warrants have been sometimes made out for different sums than the sums really due: be it therefore enacted by the authority aforesaid, That, if any clerk, officer, or servant of, or other person or persons employed or entrusted by, the said governor and company, shall, from and after the passing of this act, knowingly or wilfully make out or deliver, or cause or procure to be made out or delivered, or wilfully act or assist in the making out or delivering, of any dividend warrant, or warrant for payment

Clerks, &c. of the bank making out false dividend warrants to be transported.

of any annuity, or interest, or money, payable in pursuance of this act at the bank of *England*, for a greater or less amount than the person or persons on whose behalf, or pretended behalf, such dividend warrant, or warrant for payment of any annuity, or interest, or money, payable as aforesaid, shall be made out, is or are entitled to, with intent to defraud the said governor and company of the bank of *England*, or any other body politic or corporate, or any person or persons whatsoever, all and every such person or persons, so offending, being in due form of law convicted of any such offence or offences as aforesaid, shall be transported for seven years.

C A P. LXVII.

An act for rendering more effectual an act, passed in the first year of the reign of King James the First, intituled, An act to restrain all persons from marriage until their former wives and former husbands be dead.—[May 19, 1795.]

Preamble.

1 Jac. I. c. 11.

WHEREAS the punishment of persons convicted of felony, under or by virtue of an act, made in the first year of the reign of King James the First, intituled, An act to restrain all persons from marriage until their former wives and former husbands be dead, has not proved effectual to deter wicked and evil-disposed persons from being guilty of the offence therein described: 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 if any person or persons within his Majesty's dominions of *England* and *Wales*, being married, or which hereafter shall marry, do, at any time from and after the passing of this act, marry any person or persons, the former husband or wife being alive, and shall be in due manner convicted thereof under the said act, shall be subject and liable to the same penalties, pains, and punishments, as, by the laws now in force, persons are subject and liable to who are convicted of grand or petit larceny.

Persons convicted in *England* of bigamy, subject to the penalties inflicted for larceny;

and returning to Great Britain before the expiration of the term for which they are transported, to suffer death,

Offenders returning from transportation, where to be tried, &c.

II. And be it further enacted, That if any person or persons, who shall be ordered to be transported by virtue of this act, shall be afterwards at large within *Great Britain*, without some lawful cause, before the expiration of the term for which such person or persons shall be ordered to be transported, all and every such person and persons, being thereof lawfully convicted, shall be guilty of felony, and suffer death as a felon, without benefit of clergy.

III. And be it further enacted, That such person and persons so ordered to be transported as aforesaid, and afterwards found at large within *Great Britain*, may be tried for such offence either in the county where such person or persons was or were so convicted and ordered to be transported as aforesaid, or in such county where such person or persons shall be apprehended and taken (such county being within *England* or *Wales*); and in such latter

case the clerk, or other person having the custody of the records of the court by which such person or persons was or were ordered to be transported, shall certify a transcript, briefly containing the tenor and effect of the record of the indictment, verdict, and judgement, against such person and persons; which certificate, being produced to the court before whom such person or persons shall stand on their trial, shall be deemed and taken to be sufficient evidence of the indictment, verdict, and judgement, contained in such record.

C A P. LXVIII.

An act for vesting, for a certain term of years, in the right honourable Henry Seymour Conway, his executors, administrators, and assigns, the sole property of a kiln or oven, by him invented, for burning lime, and for the use of distillers and brewers, and for other beneficial purposes.—[May 19, 1795].

Letters patent dated first of January 1782, recited. Specification of the invention. Sole privilege of making and vending the invention vested in the right honourable Henry Seymour Conway, his executors, &c. for twenty years. Privilege not to be transferred to more than five persons. Publick act.

C A P. LXIX.

An act for repealing so much of an act, made in the twenty-fourth year of the reign of his present Majesty, intituled, An act to enable his Majesty to grant to the heirs of the former proprietors, upon certain terms and conditions, the forfeited estates in Scotland, which were put under the management of a board of trustees by an act passed in the twenty-fifth year of the reign of his late majesty King George the Second, and to repeal the said act, as relates to the amount of the debt charged upon the lands and estate which became forfeited by the attainder of Evan Macpherson, late of Cluny.—[May 19, 1795.]

Act 24 Geo. 3. c. 57, recited, and that part which subjects the forfeited lands of Cluny to the payment of five thousand one hundred and thirty-eight pounds seventeen shillings and eleven-pence and seven twelfth parts of a penny, repealed. The forfeited lands of Cluny to be subject only to the payment of three thousand one hundred and eighty-eight pounds seven shillings one penny and one twelfth part of a penny.

C A P. LXX.

An act for amending an act, passed in the thirtieth year of the reign of his present Majesty, intituled, An act for taking down the church and tower belonging to the parish of Saint John at Hackney, in the county of Middlesex; and for building another church and tower for the use of the said parish; and for making an additional cemetery or churchyard; and for raising a further sum of money for completing the said church, and other works.—[May 19, 1795.]

Trustees empowered to make a further rate of two-pence in the pound. Trustees may borrow a further sum of five thousand pounds. All future contracts to be signed, &c. by the treasurer to the trustees. Publick act.

C A P. LXXI.

An act for building a new church or chapel in the town of Halifax, in the west riding of the county of York.—[May 19, 1795.]

Agreement of William Henry Coulthurst, doctor in divinity, with the governors of Nathaniel Waterhouse's charity for the purchase of ground to erect a church or chapel. Power to sell or let pews and galleries and one fifth part of the church yard. Archbishop of York to fix the fee for breaking the ground and for funerals, and to apportion the same between the minister of the chapel and the vicar of Halifax. Doctor Coulthurst and his heirs to appoint a minister. The chapel to be deemed a benefice with cure of souls, and to be named, "The Church or Chapel of the Holy and Undivided Trinity in Halifax." No burials within the church. Correct lists of the burials to be delivered to the vicar of Halifax. Patronage to vest in doctor Coulthurst, his heirs, &c. for sixty years. Power for doctor Coulthurst to serve the cure until he be reimbursed. Preferring his rights to the vicarage. Duty to be performed in the chapel, but no publication of banns, &c. Provision for the minister of the chapel not less than one hundred pounds a year. Chapel to be kept in repair by owners and occupiers of pews, and money to be raised by an assessment on pew owners. Minister of the chapel to appoint to the offices. Churchwarden's duty. Churchwarden to deliver his accounts twice in the year. Limitation of actions. General issue. Treble costs. Right of the vicarage of Halifax not to be prejudiced. Publick act.

C A P. LXXII.

An act for making a navigable cut from Stratford-upon-Avon canal, in the parish of Lapworth, into the Warwick and Birmingham canal, in the manor of Kingswood, in the county of Warwick.—[May 19, 1795.]

The company of proprietors of the Stratford-upon-Avon canal navigation to make the intended cut. Not to deviate more than one hundred yards from the line described in the plan. Proprietors restrained from making use of any water belonging to the Warwick and Birmingham canal company. Damage to Mr. Legge's lands to be ascertained by a land surveyor. Rates of tonnage upon the new cut. For all coal, coak, iron, ironstone, stone, and other goods (except lime and limestone) which have been navigated upon any part of the Warwick and Birmingham canal, between Birmingham and the place where the Warwick and Birmingham canal shall be joined by the intended cut, shall pass along the said cut into or upon the Stratford-upon-Avon canal, towards Stratford-upon-Avon; or having been navigated upon the Stratford-upon-Avon canal, between Stratford-upon-Avon and the end of the said cut, shall pass along the said cut into the Warwick and Birmingham canal, and along the same towards Birmingham, one shilling and three-pence per ton. For all other coal, coak, iron, ironstone, and other goods (except lime and limestone), four-pence per ton. For all lime and limestone, which having been navigated upon the Warwick and Birmingham canal, shall pass along the said cut into the Stratford-upon-Avon canal, one shilling and two-pence per ton. For all other lime and limestone, three-pence per ton. And for all flint and other stone, sixpence per ton. Power to raise ten thousand pounds by mortgage. Company to be rated for lands and buildings in the same proportion as adjoining lands and buildings. Company to make satisfaction for tythes. Compensation rates to the Warwick and Birmingham canal company. Publick act.

C A P. LXXIII.

An act for repealing several acts, made in the eighth, tenth, thirteenth and fifteenth years of the reign of his present Majesty, for regulating the nightly watch and beadies, and for paving, repairing, cleansing, and lighting the parish of Saint Mary-le-bone in the county of Middlesex, and for the better relief and maintenance of the poor thereof, and for divers other purposes therein mentioned; and for making more effectual provision for those purposes.—[May 19, 1795.]

Acts 8 Geo. 3. c. 46.—10 Geo. 3. c. 23.—13 Geo. 3. c. 49, and 15 Geo. 3. c. 21, repealed. Vestrymen appointed, who are to meet every Saturday. For electing new vestrymen. Chairman to be appointed, who may examine persons on oath. Entries of proceedings good evidence. Actions to be in the name of the clerk. For appointing officers. Persons acting under the late acts to account. Vestrymen to appoint one churchwarden and side-man. Duke of Portland to appoint one churchwarden and one side-man. Appointment of overseers. Vestrymen to choose and justices to swear constables. Vestrymen to appoint watchmen and beadles, and may build a watch-house. All contracts to be advertised. No contract to be made for more than three years. Part of Tyburn-road or Oxford-road or street which lies in the parishes of Saint George, Hanover-square, Saint James and Saint Anne, Westminster, subject to the jurisdiction of the vestrymen. The road from High-street and Tottenham-court-road to the turnpike at Tyburn to be under the jurisdiction of the vestrymen, and the trustees of the said road are to pay them annually five hundred pounds, to keep the same in repair. Pavements, &c. vested in vestrymen. Lamps to be set up. Vestrymen to pave, &c. Stands of hackney coachmen, &c. to be regulated by the vestrymen. Names of streets to be fixed up and houses numbered. Footways to be swept once a day. Vestrymen may direct the streets to be cleaned and the dustmen to ring a bell. No ashes, &c. to be taken away by any person but the contractor. Bog houses to be emptied between the hours of twelve at night and five in the morning. Inspectors of weights and measures to be appointed. Inspectors may weigh bread. Vestrymen to meet annually in February, and choose thirty inhabitants to be directors and guardians of the poor. Directors and guardians to divide themselves into six committees, and establish a rule for attendance. Committees to meet weekly. Directors and guardians to hold four general quarterly meetings yearly, to pass accounts, &c. Directors may examine persons on oath, appoint officers and a clergyman to instruct the poor. Directors and guardians may make bye laws. Overseers of the poor, constables, &c. to aid, assist, and obey the directors. Five distinct rates or assessments to be made, viz. Poor's rate; highway rate, four-pence in the pound; watch rate, sixpence in the pound; paving rate, sixpence in the pound; repairing, cleansing and lighting rate, one shilling and sixpence in the pound. Cavendish-square to pay an additional rate of two-pence in the pound. Rate for watering streets, two-pence in the pound. Fifteen thousand pounds may be borrowed on the poor's rate, and ten thousand pounds on the paving rate. Old securities and bonds good. One penny halpenny in the pound of the rates to be applied in discharge of the money borrowed. Appeal. Limitation of actions. General issue. Treble costs. Publick act.

C A P. LXXIV.

An act for keeping in repair the footways in the High-street of the town of Kensington, in the county of Middlesex, and for lighting and watching the said street, and also certain courts and alleys communicating therewith, and for removing and preventing encroachments, nuisances and annoyances therein.—[May 19, 1795.]

Commissioners. For appointing officers. Vesting footways, &c. in commissioners. Commissioners to repair the footways, &c. Inhabitants to sweep the footways every morning. Commissioners to erect lamps and appoint watchmen. Rates not to exceed one shilling and three-pence in the pound. Commissioners may borrow three hundred pounds. Twenty shillings penalty on wilfully breaking lamps. Encroachments to be removed. Appeal. Limitation of actions, General issue. Treble costs.

C A P. LXXV.

An act for paving the footways, and for cleansing, lighting, watching, and regulating, the streets, lanes, passages, and places, within the borough of Wallingford, in the county of Berks, and for removing and preventing nuisances, annoyances, encroachments, and obstructions therein.—[May 19, 1795.] Commissioners.

Commissioners. Commissioners may appoint officers, who are to give security. Rates not to exceed one shilling in the pound. Commissioners may borrow one thousand five hundred pounds. Lamps, pavements, &c. vested in commissioners. Footpaths to be swept by the inhabitants. Signs, &c. to be regulated. Power to purchase buildings for the purpose of widening streets. Watchmen may be appointed. Appeal. Limitation of actions. General issue. Treble costs. Saving the rights of the corporation of Wallingford and others to prevent nuisances.

C A P. LXXVI.

An act for the better paving, lighting, cleansing, and otherwise improving the streets, lanes, and other publick passages, of the city of Aberdeen, and the roads and avenues within the royalty thereof; for the better supplying the inhabitants with fresh water; and for the removing and preventing all obstructions and annoyances within the said city and royalty.—[May 19, 1795.]

C A P. LXXVII.

An act for improving the drainage of the Middle and South Levels, part of the great level of the fens, called Bedford Level, and the low lands adjoining or near to the river Ouze, in the county of Norfolk, draining through the same to sea by the harbour of King's Lynn, in the said county; and for altering and improving the navigation of the said river Ouze, from or near a place called Eau Brink, in the parish of Wiggshall Saint Mary, in the said county, to the said harbour of King's Lynn; and for improving and preserving the navigation of the several rivers communicating with the said river Ouze.—[May 19, 1795.]

C A P. LXXVIII.

An act for building a bridge over the river Severn, at Bewdley, in the county of Worcester, and for opening convenient avenues thereto.—[May 19, 1795.]

Commissioners. May appoint officers and give security. Commissioners to build a new bridge, &c. Materials of the old bridge vested in the commissioners. A turnpike to be erected on the bridge, and the following tolls to be taken, and double on Sundays, except for foot passengers. For a foot passenger, one halfpenny. A coach, chaise, &c. drawn by six horses, two shillings. Drawn by four horses, one shilling and sixpence. Drawn by two horses, one shilling. For a chaise, &c. drawn by one horse, sixpence. For a waggon, cart, &c. drawn by six horses, one shilling. Drawn by four or five horses, eight-pence. Drawn by two or three horses, four-pence. Drawn by one horse, two-pence. For a sledge or dray without wheels drawn by three or more horses, three-pence. Drawn by two horses, two-pence. Drawn by one horse, three halfpence. For a horse laden or unladen and not drawing, one penny. Oxen, cows, &c. ten-pence a score. Calves, sheep, &c. five-pence a score. Tolls paid but once a day. Tolls may be let. Commissioners may borrow money. Tolls on foot passengers to cease, when the debt is reduced to two thousand pounds. Appeal. Limitation of actions. General issue. Treble costs.

C A P. LXXIX.

An act for amending an act, passed in the twenty-first year of the reign of his present Majesty, intituled, An act for building a bridge over the river Thames, at the town of Henley-upon-Thames, in the county of Oxford, and making commodious avenues thereto; for widening some part of the high-street, and the market-place; for lighting and watching; for regulating the footways in, and removing nuisances, obstructions, and annoyances from, the said town, so far as the same relates to widening

widening some part of the high-street and market-place; for lighting and watching; for regulating the footways in, and removing nuisances, obstructions, and annoyances from the said town.—[May 19, 1795.]

Commissioners for purchasing land for the scite of the new market-house, &c. Reservation to the lord of the manor for his rights. Appeal.

C A P. LXXX.

An act to make further provision respecting ships and effects come into this kingdom to take the benefit of his Majesty's orders in council of the sixteenth and twenty-first days of January one thousand seven hundred and ninety-five; and to provide for the disposal of other ships and effects detained in, or brought into, the ports of this kingdom.—[May 22, 1795.]

WHEREAS by an act, passed in the present session of parliament, **Preamble.**
intituled, An act for rendering effectual his Majesty's ^{35 Geo. 3. c.} order in council of the sixteenth and twenty-first days of January ^{15.} one thousand seven hundred and ninety-five, respecting the admission of the effects mentioned in the said orders into the ports of this country to be warehoused; and for indemnifying all persons who have acted in consequence of such orders; it is, amongst other things, enacted, that it shall and may be lawful for any person or persons to import or bring into any of the ports of this kingdom any goods, wares, or merchandize and effects whatsoever, belonging to any of the subjects of the United Provinces, or to any persons who, before the nineteenth day of January last, were inhabitants of the United Provinces, or belonging to any subject of his Majesty, or to any subject of any country in amity with his Majesty, coming from any part of the United Provinces, and also any like goods, wares, merchandize, and effects, from any part of Europe, Asia, Africa, or America, in amity with his Majesty, in vessels belonging to any subject of the United Provinces, or to any persons who, before the nineteenth day of January last, were inhabitants of the said United Provinces, or to any subject of his Majesty, or of any country in amity with his Majesty, and bound to any port of the United Provinces; and that the same shall and may be landed in the presence of the proper officers of the customs, and secured in warehouses under the joint locks of his Majesty and of the proprietors thereof, at the risk and expence of the said proprietors, such warehouses to be approved by the commissioners of his Majesty's customs, or any four or more of them, in that part of Great Britain called England, and by the commissioners of his Majesty's customs in that part of Great Britain called Scotland, or any three or more of them respectively, or by the principal officers of the port where such goods shall be imported; and the said commissioners respectively are thereby authorized and required to make such regulations, and to give such directions as they might deem necessary for securing the said goods, wares, merchandize, and effects, for the benefit of the proprietors thereof, and for the security of the revenue, until further provisions should be made by parliament respecting the same: and whereas ships and vessels

have come or may hereafter come into the ports of this kingdom, to take the benefit of the said recited act, or of the said orders in council, with goods, wares, merchandize, and effects, which are now or may hereafter be secured in warehouses as before mentioned; and it is expedient that provision should be made to enable the proprietors of such ships or vessels, goods, wares, merchandize, and effects, to sell, re-export, or otherwise dispose of the same: 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,

Proprietors of ships or goods brought into the kingdom in consequence of recited act, &c. may enter them, and dispose of the goods:

duties to be paid on such goods for home consumption.

That it shall and may be lawful for every such proprietor or proprietors, importer or importers, or their respective agent or agents, to enter all such ships and vessels, and also to enter all such goods, wares, merchandize, and effects, so imported and warehoused, and to take the same out of such warehouse in order either to re-export the same, or to sell or make use thereof, upon payment of the several and respective duties, and subject to the conditions, rules, regulations, and restrictions, herein-after mentioned.

II. And be it further enacted, That upon all goods, wares, merchandize, and effects, imported or brought into this kingdom, to take the benefit of the said recited act, or of the said orders in council, there shall be raised, levied, collected, and paid, unto his Majesty, his heirs and successors, in ready money, without any discount or abatement whatever, upon taking the same out of warehouse for home consumption, the several duties herein-after mentioned, and that the same shall be in lieu of any duties now payable by law thereupon; (that is to say), For all naval and military stores, timber, and iron, so imported or brought into this kingdom, there shall be paid respectively the lowest custom duty that is now by law payable on naval and military stores, timber and iron respectively, when imported from the northern countries of *Europe*; for all tobacco unmanufactured there shall be paid the same duties of customs and excise as are payable for tobacco duly and regularly imported from the *British* plantations, or from the united states of *America*; provided, that if the tobacco shall not be of the growth of the *British* plantations, or of the united states of *America*, the same shall, if taken out of the warehouse for home consumption, be chargeable and charged with the same duties as such tobacco would be liable to on importation from other countries, agreeable to an act, passed in the twenty-ninth year of the reign of his present Majesty, intituled, *An act for repealing the duties on tobacco and snuff, and for granting new duties in lieu thereof*: and, in order to prevent frauds in the exportation of tobacco so warehoused, no tobacco shall be shipped for exportation except in packages containing four hundred and fifty pounds weight nett in each package.

Tobacco warehoused, not to be exported except in packages of 450 lb.

Ships arriving with tobacco at a port not enumerated

III. And be it further enacted by the authority aforesaid, That if any ship or vessel, laden wholly or in part with tobacco, shall have arrived or shall arrive at any port of this kingdom, not being, according

according to law, a port enumerated for the importation of tobacco, such ship or vessel shall proceed to one of the enumerated ports where such tobacco may be legally imported and warehoused.

for importation, to proceed to one.

IV. And be it further enacted by the authority aforesaid, That all manufactured tobacco, except snuff, shall pay a further custom duty of sixpence per pound.

Duty on manufactured tobacco,

V. And be it further enacted by the authority aforesaid, That snuff, if taken out of the warehouse for home consumption, shall be chargeable and charged with the same duties of customs and excise as on a legal importation; but that no duty shall be required on snuff, if the same be exported from the warehouse within the space of six months from the time the same shall be lodged therein.

on snuff,

VI. And be it further enacted by the authority aforesaid, That for all materials for manufactures, so imported or brought into this kingdom, there shall be paid the lowest duties that are now by law payable on the importation of such materials for manufactures respectively in *British*-built ships.

on materials for manufactures,

VII. And be it further enacted, That for all sugar, coffee, and cocoa nuts, so imported or brought, there shall be paid the like duties as on foreign sugar, coffee, and cocoa nuts respectively.

on sugar, coffee, and cocoa nuts,

VIII. And be it further enacted, That for all wines and spirits so imported or brought into this kingdom, there shall be paid respectively the like duties of customs and excise to which the same may be liable by law on a legal importation.

and on wines and spirits.

IX. And be it further enacted, That, for all goods, wares, and merchandize, so imported or brought into this kingdom, being of the growth, produce, or manufacture of *India* or *China*, or other parts within the limits of the exclusive trade of the united company of merchants of *England* trading to the *East Indies*, there shall be paid the like respective duties that are now payable for goods, wares, and merchandize, of the like sorts imported into this kingdom by the said united company; and that on the exportation thereof respectively the same duties shall be paid, and the same drawbacks of duties and allowances shall be made, as the like sorts of goods, wares, and merchandize, are subject or would be entitled to respectively on the exportation thereof, if the same had been imported by the said united company; any thing in this act contained to the contrary notwithstanding.

For goods, &c. of the limits of the trade of the East India company, the like duties as paid by the company, and the like drawbacks to be allowed.

X. And be it further enacted by the authority aforesaid, That the several goods and merchandizes imported or brought into this kingdom, to take the benefit of the said recited act or orders in council, shall, on delivery out of any warehouse under the authority of this present act, either for consumption in this kingdom or for exportation, be first duly entered, and the same shall in all other respects be subject and liable to all and every the rules, regulations, and restrictions, as far as the same are applicable and can be put in execution, to which such goods and merchandize

Goods delivered out of warehouses to be entered, and liable to the laws of customs and excise.

merchandize respectively, on a legal importation or exportation, would be subject and liable, under any laws or law now in force relating to the revenue of customs or excise, the same as if all the clauses, powers, directions, and authorities, relating thereto, were particularly repeated and re-enacted in the body of this present act.

Articles of private persons not liable to duty, on certain conditions.

XI. And be it further enacted by the authority aforesaid, That no duty whatever shall be chargeable or charged on the following articles, belonging to private persons, so imported or brought into this kingdom; (that is to say), Wearing apparel, jewels, watches, and trinkets, plate, pictures, prints, and drawings, framed or unframed, china, or earthen ware, glass, framed or unframed, books, household furniture, useful or ornamental, or household linen; any law, custom, or usage, to the contrary notwithstanding: provided always, that it shall be proved to the satisfaction of the commissioners of the customs in that part of *Great Britain* called *England*, or any four or more of them, and of the commissioners of the customs in that part of *Great Britain* called *Scotland*, or any three or more of them, that such wearing apparel, jewels, watches, and trinkets, plate, pictures, prints, and drawings, framed or unframed, china, or earthen ware, glass, framed or unframed, books, or household furniture, useful or ornamental, and household linen, have been imported for private use, and not to be sold by way of merchandize, and that the owners thereof reside or intend to reside in this kingdom, and that such household linen is not new.

Prohibited goods, except specified articles of private persons, not to be delivered out of warehouses but for exportation, &c.

XII. And be it further enacted by the authority aforesaid, That no goods, wares, merchandize, or effects, which by law are prohibited to be used or consumed in this kingdom, other than the articles herein specified belonging to private persons, shall be delivered out of any warehouse in pursuance of this act, but for exportation only, nor for exportation, until security is given in such manner, and in such penalty, for the due exportation thereof as is now by law required on the exportation of such sorts of goods from this kingdom.

Enumerated warehoused goods, except from East India warehouses, may be exported duty free, as also articles not herein enumerated, and may be delivered for home consumption on payment of duty.

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to export, from any warehouse in which the same shall or may be so lodged, any of the goods, wares, merchandize, or effects, herein enumerated, except such as are hereby directed to be lodged in the warehouses of the *East India* company, without payment of any duty whatever; and that all articles not herein enumerated, which may legally be imported into this kingdom, or which may not be absolutely but circumstantially prohibited, may in like manner be delivered by virtue of this act for exportation, without payment of any duty, or for use or consumption in this kingdom, for payment of such duties as are respectively due for the same on a legal importation into this kingdom, in *British*-built ships.

No spirits to be exported in casks containing less than

XIV. Provided always nevertheless, and be it enacted, That no spirits shall be so exported from any such warehouse, in any cask or vessel which shall contain less than one hundred gallons,

or on board any ship or vessel of less burthen than one hundred tons, nor unless all and singular the rules, regulations, restrictions, and provisions, by law in force for the exportation of rum or spirits of the growth, production, or manufacture, of the *British* sugar plantations, from the warehouses in which the same shall have been lodged or deposited under and by virtue of the laws now in force, shall have been fully complied with, in respect of the exportation of spirits under or by virtue of this act; and all and singular the said rules, regulations, restrictions, and provisions, together with all fines, penalties, and forfeitures, for any breach thereof respectively, shall be used, applied, and put in execution, on such exportation of spirits, under or by virtue of this act.

100 gallons, or in ships under 100 tons, &c.

XV. And be it further enacted, That upon the due exportation of any of the goods, wares, merchandize, and effects, before mentioned, which shall have paid any of the respective duties herein imposed, there shall be allowed and paid the respective drawbacks to which such goods, wares, merchandize, and effects, would be entitled if duly exported, after a regular importation, and under the like conditions, rules, regulations, restrictions, penalties, and forfeitures.

On exportation of goods, drawbacks to be allowed.

XVI. And be it further enacted by the authority aforesaid, That all goods and effects so warehoused shall and may be sold by auction, free of the duty imposed by law on goods and effects sold by auction; provided nevertheless, that nothing in this act contained shall extend, or be deemed or construed to extend, to authorise the sale of any such goods or effects free of the said duty, unless on the first sale of such goods or effects, by or for the account of the original owner, by whom the same were so lodged in such warehouse, and unless such sale shall be made within twelve months next after the time when such goods or effects shall have been so lodged in such warehouse.

Goods warehoused may be sold free of auction duty, on account of the original owner.

XVII. And be it further enacted, That all monies arising from duties imposed by this act shall be appropriated and applied in such and the like manner, and to such and the like uses and purposes, as the duties now payable by law on goods, wares, and merchandize, of the like sorts are directed by law to be appropriated and applied.

Duties to be applied as those on the like sorts of goods are applicable.

XVIII. And be it further enacted, That if the owner or owners, proprietor or proprietors of any ship or vessel, which shall have brought or shall bring into this kingdom, any goods, wares, or merchandize, to be warehoused, to take the benefit of the said act, or the said orders in council, being a subject or subjects of the said *United Provinces*, or having been an inhabitant or inhabitants thereof before the nineteenth day of *January* one thousand seven hundred and ninety-five, shall come into this kingdom with intent to reside herein, and shall go before some justice of the peace, sheriff depute or substitute, or the principal magistrate of some city or town of this kingdom, or before the principal officer of his Majesty's customs in some port of this kingdom, and shall take the oath of allegiance to his Majesty,

Vessels owned by inhabitants of the United Provinces before Jan. 19, 1795, who shall come to reside in the kingdom, or purchased of them by British subjects, may be registered for the European trade, on certain conditions, &c.

Anno regni tricesimo quinto GEORGI III. c. 80. [1795.]
 and shall obtain a certificate of his having taken such oath, which oath and certificate such justice of the peace, sheriff depute or substitute, magistrate and officer respectively, are hereby authorised and required to administer and give, on payment of no greater fee than two shillings; or if any such ship or vessel shall be purchased and owned by any *British* subject or subjects, either wholly or jointly with any of the persons herein-before described, who shall have qualified themselves in manner herein-before mentioned, it shall and may be lawful for his Majesty, by and with the advice of his privy council, to order such ship or vessel so owned to be registered, and to have a certificate of foreign ships registry for the *European* trade only; and every such ship or vessel may, during the time that the owner or owners, proprietor or proprietors, shall continue to have his or their residence in his Majesty's *European* dominions, be legally used and employed in the foreign *European* trade of this kingdom, and in no other, and such conditions shall be expressed in the certificate of registry of every such ship or vessel: provided always, that the owner or owners, proprietor or proprietors, shall prove in the manner directed in an act, passed in the twenty-sixth year of his Majesty's reign, intituled, *An act for the further encrease and encouragement of shipping and navigation*, by taking the oath hereunto annexed, instead of the oath required by the said act, that he or they is or are the sole owner or owners, or that he or they, and some other person or persons qualified in manner herein-before directed, or some *British* subject or subjects of this kingdom, are the sole owner or owners of such ship or vessel, and shall also conform to all the other regulations respecting registry contained in the said last mentioned act; provided always, that for all such ships and vessels, with their tackle, apparel, sails, and furniture, they shall be paid, for each and every one hundred pounds of their value, the sum of five pounds and ten shillings.

5l. 10s. per cent. of the value of such vessels to be paid.

Oath to be taken by owners to be in the following form.

XIX. And be it further enacted, That the oath before directed to be taken by the owner or owners, proprietor or proprietors, of any such ship or vessel, shall be in the form and manner following, as far as the same is applicable to each or either of them :

I A. B. of [place of residence and occupation] do make oath, That the ship or vessel [name] of [port or place] wheresof [master's name] is at present master, being [kind of built, burthen, &c. as described in the certificate of the surveying officer] was [when and where built, and when and where it came into this kingdom]; and that I the said A. B. [and the other owners names and occupations, if any, and where they respectively reside, *viz.* town, place, parish, and county, or if member of and resident in any factory in foreign parts, or in any foreign town or city, being an agent for or partner in any house or co-partnership actually carrying on trade in *Great Britain* or *Ireland*, the name of such factory, foreign town, or city, and the names of such

1795.] Anno regni tricesimo quinto GEORGII III. c. 80.

such house or copartnership] am [or are] sole owner [or owners] of the said vessel, and that no other person or persons whatever hath or have any right, title, interest, share, or property therein or thereto; and [if a British subject] that I the said A. B. [and the said other owners, if any] am [or are] truly and bona fide a subject [or subjects] of Great Britain; and that I the said A. B. have not (nor have any of the other owners, to the best of my knowledge and belief) taken the oath of allegiance to any foreign state whatever [except under the terms of some capitulation, describing the particulars thereof] or that since my taking [or his or their taking] the oath of allegiance to [naming the foreign states respectively to which he or any of the said owners shall have taken the same], and prior to the passing of an act in the twenty-sixth year of the reign of King George the Third, intituled, An act for the further encrease and encouragement of shipping and navigation, I have [or he or they hath or have] become a subject [or subjects] of Great Britain [either by his Majesty's letters patent as a denizen or denizens, or naturalized by act of parliament, as the case may be, naming the dates of the letters of denization, or the act or acts of parliament for naturalization respectively] or [as the case may be] I have [or he or they hath or have] become a denizen [or denizens, or naturalized subject or subjects, as the case may be] of Great Britain, by his Majesty's letters patent, or by an act of parliament passed since the first day of January one thousand seven hundred and eighty-six [naming the times when such letters of denization have been granted respectively, or the year or years in which such act or acts of naturalization have passed respectively]; or [if not a British subject] that I A. B. [and the other owner, if any] being a subject or subjects of the United Provinces [or having been an inhabitant or inhabitants thereof before the nineteenth day of January one thousand seven hundred and ninety-five] and now resident in this kingdom [describing the particulars thereof, as to place and date] have [or, he or they hath or have] taken the oath of fidelity and allegiance to his majesty the King of Great Britain [describing the time when, the place where, and before whom taken]; and that as foreigner, not having complied with the conditions above-mentioned, directly or indirectly hath any share, or part or interest in the said ship or vessel.

XX. And whereas goods, wares, merchandize, and effects belonging to any of the subjects of the United Provinces, or to any persons who, before the nineteenth day of January one thousand seven hundred and ninety-five, were inhabitants of the United Provinces, or belonging to any subject or subjects of his Majesty, may have been imported for security, and permitted to be warehoused in this kingdom previous to the said order in council, or may have been carried for security to Hamburgh, or to some other port of Germany, or of the Baltic or east country; and the owner or owners, or proprietor or proprietors thereof, may be desirous to take the same out of such warehouse in this kingdom, or to bring the same, or parts thereof, into this kingdom; be it enacted, That, within the space of six calendar months after the

Within six months after passing this

act, goods may be taken out of warehouses, or imported from Hamburg, &c.

passing of this act, it shall and may be lawful for every owner or owners, proprietor or proprietors, of such goods, wares, merchandize, and effects, who have or shall come to reside in this kingdom, and shall take the oath of allegiance in manner hereinbefore mentioned, to take the same out of such warehouse or warehouses, if the same shall have been warehoused, or to import the same from *Hamburg*, or from any other port of *Germany*, or of the *Baltic* or east country respectively, in vessels belonging to any subject of the *United Provinces*, or to any persons who, before the nineteenth day of *January* last, were inhabitants of the said *United Provinces*, or to any subject of his Majesty, or of any country in amity with his Majesty, from whence the same shall be brought, and to lodge the same in warehouses, as directed by the said act, and to take the same out of such warehouses for home consumption, or for exportation, upon payment of the several and respective duties, and subject in either case to the conditions, rules, regulations, and restrictions, penalties, and forfeitures, herein-mentioned; provided always, that it shall be proved by such owner or owners, proprietor or proprietors, to the satisfaction of the commissioners of the customs, or any four or more of them, in that part of *Great Britain* called *England*, and of the commissioners of the customs, or any three or more of them, in that part of *Great Britain* called *Scotland* respectively, and the said goods, wares, merchandizes, and effects so imported from *Hamburg*, or from any other port of *Germany*, or of the *Baltic* or east country, were actually so carried from the said *United Provinces* to some of those places, and are the property of the persons herein qualified and authorized to import the same.

XXI. *And whereas several ships and vessels belonging to the subjects or inhabitants of the United Provinces, and also other ships and vessels, having on board goods, wares, merchandize, and effects belonging to such subjects, have been or may be hereafter detained in, or brought into the ports of this kingdom: and whereas such cargoes, and such ships and vessels, may perish or be greatly injured, if some provision is not made respecting the same: be it further enacted, That it shall and may be lawful for his Majesty, by and with the advice of his privy council, from time to time to grant a commission or commissions, under the great seal of Great Britain, to three or more persons, authorising them to take such ships and cargoes into their possession, and under their care, and to manage, sell, or otherwise dispose of the same to the best advantage, according to such instructions as they shall from time to time receive from his Majesty, with the advice of his privy council; subject nevertheless, in respect of goods, wares, and merchandize hereby directed to be brought into the warehouses of the *East India* company, to the special provisions in this act contained.*

His Majesty in council may appoint commissioners to take the care of ships and cargoes which may be detained or brought into the kingdom.

Claims not to be prosecuted except as here provided.

XXII. *And be it further enacted, That it shall not be lawful for any person to prosecute any claim, or maintain any suit or action respecting any such ship or cargo, except in the manner herein specially provided,*

XXIII. And be it further enacted, That in case any claim shall be made before the said commissioners, of any such ship or vessel, or of any such goods, wares, merchandize, or effects, or of any part or parts thereof, as the property of the subjects of his Majesty, or of any country in amity with his Majesty, and not of the people of the said *United Provinces*, it shall and may be lawful for the said commissioners, if they shall be satisfied of the justice of the said claim, with the licence of his Majesty's most honourable privy council, to order such ships or vessels, or such goods, wares, merchandize, or effects, or any part or parts thereof, to be forthwith released, upon such terms and conditions as shall appear to them to be equitable, and which shall be agreed upon between them and the respective parties, or to remit such claim to the judge of the high court of admiralty, who shall decree restitution to such claimant as shall appear to be entitled thereto, and shall decide all questions of freight, average, and other charges to which the property claimed shall be legally subject or entitled; and the said judge shall direct payment of all such freight, average, and other charges, to be made to the registrar of the said court of admiralty, which registrar shall receive the same, and within twenty days after his receipt thereof pay it over to the said commissioners, or to any agent appointed by them for that purpose, without any fee, poundage, charge, or deduction whatever: and in cases where the property of the people of the said *United States* shall appear to be subject to charges of the like nature, due and owing to the subjects of his Majesty, or of any country in amity with his Majesty, whose property has been restored, with such legal charges attendant thereon, by the decree of the court of admiralty, the said commissioners shall, on receiving from the registrar of the said court a copy of the said decree, with the amount of the said charges, forthwith pay, or cause to be paid, the said amount to the parties entitled thereto.

For settling claims of ships and goods, &c. before the commissioners.

XXIV. And be it further enacted, That if any claim of any such ship or vessel, or of any such goods, wares, merchandize, or effects, or of any part or parts thereof, as the property of the subjects of his Majesty, or of any country in amity with his Majesty, and not of the people of the said *United Provinces*, shall be made in the said high court of admiralty, the said claim not having been made before the said commissioners, it shall and may be lawful to the said judge, and he is hereby directed also to proceed on the said claims, and direct restitution and payments of freight, averages, and other charges to be made, in like manner as if the said claim had in pursuance of this act been remitted to him by the said commissioners.

For settling claims made in the high court of admiralty.

XXV. And be it further enacted, That in case any such ship, vessel, or any such goods, wares, merchandize, or effects, or any part or parts thereof, shall be claimed as the property of the subjects of his Majesty, or of any country in amity with his Majesty, as herein-before mentioned, the said commissioners shall forbear proceeding to a sale of such ships, vessels, goods, wares, merchandize, or effects, or such part or parts thereof, until such claim

Commissioners not to sell ships, &c. claimed as the property of British subjects, &c. till claims be decided.

claim shall be decided, unless they shall receive directions from the said court of admiralty to proceed therein.

Vessels and goods sold, liable to duty, and entitled to drawback, &c.

XXVI. And be further enacted, That if any of the said ships or vessels, goods, wares, merchandize, or effects, shall be sold under the authority aforesaid, they shall be respectively liable to the duties, and entitled to the drawbacks, and subject to the conditions, rules, regulations, and restrictions, penalties, and forfeitures, before mentioned; and the said commissioners shall, and they are hereby authorized and required to cause the duties, and the expences of the sale, in the first place, to be paid out of the proceeds of such sale; and after such payment shall (except in cases where it is otherwise provided by this act) cause the proceeds of such sale to be paid into the bank of *England*, there to remain, subject to such orders as his Majesty, with the advice of his privy council, may from time to time think fit to give thereupon; or in case such proceeds shall arise from a sale made under the directions of the high court of admiralty, as herein-before provided, then subject to such orders as the said court shall make concerning the same, or such part thereof, for which a claim shall have been made and adjudged by the said court.

Proceeds to be paid into the bank.

Regulations respecting goods, &c. of the limits of the trade of the East India company:

XXVII. And be it further enacted, That all goods, wares, and merchandize, of the growth, product, or manufacture of *India* or *China*, or other parts within the limits of the exclusive trade of the united company of merchants of *England* trading to the *East Indies*, so imported or brought into this kingdom, or detained in the ports thereof as aforesaid, shall be brought into the port of *London*, and lodged and secured in the warehouses of the said united company, under the order of the directors of the said united company; and the said goods, wares, and merchandize, so lodged and secured, being duly entered, shall from time to time, upon requisition made for that purpose by the proprietors or owners thereof, or by the commissioners to be appointed by virtue of this act, respectively be exposed to sale, and sold at the publick sales of the said company, by order of the court of directors of the said company for the time being, either for home consumption, or for exportation to some of his Majesty's *European* dominions, or for the purpose of exporting the same to any country not being a part of his Majesty's *European* dominions, as shall be expressed and specified in any such requisition respectively, under and subject to such rules, regulations, conditions, and restrictions, as the goods, wares, or merchandize of the like sort, imported by the said united company, may by law be sold, and to such other rules and regulations, and to such agreements, as may be made by the proprietors or owners thereof, or by the said commissioners respectively, and the said court of directors.

the company may purchase such goods;

XXVIII. Provided always, and it is hereby declared, That nothing in this act contained shall extend to preclude the said united company from becoming the purchasers of any of the said goods, wares, or merchandize, or to hinder the said owners or proprietors, or the said commissioners, to be appointed by the authority of this act respectively, from contracting with the said united

united company for the sale to them of any of such goods, wares, or merchandize; but it shall and may be lawful for the said united company to purchase the same of and from the said owners and proprietors, or the said commissioners respectively, and for the said owners and proprietors, and commissioners, to sell the same to the said united company; any thing herein, or in any other act or acts, contained to the contrary notwithstanding.

XXIX. And be it further enacted, That on all goods, wares, or merchandize, so imported or brought into this kingdom, or detained in the ports thereof, and sold at the publick sales of the said united company, the said company shall be entitled to receive, and shall be paid, out of the proceeds of the sales thereof, for and in respect of the landing, cartage, warehousing, charges of sale, and other charges thereon, an allowance, not exceeding the rate of five pounds *per centum* on the gross sale amount thereof severally and respectively.

XXX. And be it further enacted, That if the commissioners to be appointed by virtue of this act shall make any requisition for the sale of any of the goods, wares, or merchandize, deposited in the warehouses of the said united company as aforesaid, for consumption within any of his Majesty's *European* dominions, it shall and may be lawful for the said commissioners to contract with the said directors for a further allowance out of the proceeds of the sales thereof, by way of compensation in respect thereof; and if the said commissioners, or if any of the said owners or proprietors, making any the like requisition for the sale of any of the said goods, wares, or merchandize for consumption as aforesaid, shall decline to agree with the said directors for the making of such further allowance as aforesaid, it shall and may be lawful for the said directors to forbear to sell the goods, wares, or merchandize in any such requisition expressed or specified, unless for exportation to some place or places not being within any of his Majesty's *European* dominions; any thing herein contained to the contrary notwithstanding.

XXXI. Provided always, and it is hereby enacted and declared, That nothing contained in this act shall be construed to compel the court of directors of the said united company to expose to sale for home consumption any tea which, according to the practice that hath of late times obtained in the sales of the company's own tea, would not have been deemed fit and proper to be sold by them for home consumption; but that in respect to all such tea as on an examination thereof shall appear to the said directors, either on account of any damage it may have received, or by reason of its condition or quality, to be unfit for sale for home consumption, or as on the shew or publick exhibition thereof shall or may be objected to by brokers or dealers in tea, as being unfit for sale for home consumption, the said directors shall, and they are hereby required to forbear to expose any of such tea to sale for home consumption, or for any other purpose than for exportation only to some country or place not being within his Ma-

and shall be entitled to 5 per cent. on such as are sold at their sales.

On goods required to be sold for consumption in his Majesty's *European* dominions, a further allowance to be made the company, or they may forbear to sell them, &c.

Company not compelled to expose to sale for home consumption, unfit tea.

jeſty's *European* dominions; any thing herein-before contained to the contrary notwithstanding.

Accounts of proceeds of ſale to be ſettled.

XXXII. And be it further enacted, That, from time to time, when and as often as the proceeds of each reſpective ſale ſhall have been paid into the treasury of the ſaid united company, the ſaid directors ſhall cauſe a perfect account of the particulars of ſuch ſale to be delivered to the ſaid owners and proprietors, or to the ſaid commiſſioners reſpectively; which ſaid owners and proprietors, or commiſſioners, ſhall, and they are hereby authorized and required reſpectively, to adjust and ſettle every ſuch account with the proper officer or officers of the ſaid company, and the ſame, being ſo ſettled and adjusted, to allow thereof by ſigning or atteſting the ſame, and that ſuch allowance ſhall be valid and effectual in law.

Proceeds of goods purchaſed by the company, or ſold at their ſales at the owners requeſt, to be accounted for to them; and of goods ſold to them by the commiſſioners, or at their requeſt, to be carried to account, with 4l. per cent. intereſt, &c.

XXXIII. And be it further enacted, That the net proceeds of all ſuch of the ſaid goods, wares, and merchandizes, as ſhall be purchaſed by the ſaid company of and from the ſaid owners and proprietors, or which, on the requeſition of the ſaid owners and proprietors, ſhall be ſold at the publick ſales of the ſaid company, ſhall (after deducting the rates and allowances authorized by this act) be accounted for and paid by the ſaid company to the ſaid owners and proprietors entitled thereto reſpectively; and that the net proceeds of all ſuch of the ſaid goods, wares, and merchandize, as ſhall be ſold to the ſaid company by the commiſſioners to be appointed by virtue of this act, or which ſhall be ſold at the ſaid publick ſales, on the requeſition of the ſaid commiſſioners, ſhall (after deducting the rates and allowances authorized by this act as aforeſaid) be carried to an account to be raiſed in the books of the ſaid united company, and placed to the credit of the ſaid commiſſioners, and ſhall afterwards be ſubject to be iſſued, and ſhall be paid by the ſaid company, purſuant to ſuch orders as his Maſteſty, with the advice of his privy council, may from time to time think fit to give therein, together with intereſt for the ſame, after the rate of four pounds *per centum per annum*, until the payment thereof, ſuch intereſt (as to the goods ſold at the publick ſales of the ſaid company) to be computed from the time when full payment of the proceeds of each reſpective ſale ſhall have been made, and in reſpect to ſuch goods, wares, or merchandize, as ſhall be purchaſed by the ſaid company, from the time to be ſtipulated for that purpoſe by and between the ſaid commiſſioners and the directors of the ſaid company.

Commiſſioners of cuſtoms and exciſe may direct the delivery of goods out of the company's warehouses for exportation to places without his Maſteſty's *European* dominions.

XXXIV. Provided always, and be it further enacted, That it ſhall and may be lawful for the commiſſioners of his Maſteſty's cuſtoms and exciſe in *England* for the time being, from time to time, upon requeſition to them made by the ſaid owners or proprietors, or by the commiſſioners to be appointed by virtue of this act, ſeverally and reſpectively to direct the delivery out of the warehouses of the ſaid united company of any goods, wares, or merchandize deposited therein by virtue of this act, previous to any ſale made thereof, in order to the exportation of the ſame to ſome place or places, not being a part of his Maſteſty's *European* dominions;

dominions; and that such goods, wares, or merchandize, shall accordingly be delivered out to be exported to such place or places, not being a part of his Majesty's *European* dominions, pursuant to the direction of the said commissioners of customs, under such or the like securities as are by law required to be given for the exportation of goods entitled to a drawback, and on payment being first made to the said united company of the charges which shall have been incurred by them in respect thereof, together with a reasonable satisfaction for the use of their warehouses, and that the unrated or *ad valorem* duties chargeable on the said goods, wares, and merchandize, shall in every such case be ascertained to the satisfaction of the commissioners of the customs, upon a fair estimate to be made of the true and real value thereof.

XXXV. And be it further enacted and declared, That the several clauses and enactments contained in an act of the thirty-third year of his Majesty's reign, intituled, *An act for continuing in the East India company for a further term the possession of the British territories in India, together with their exclusive trade, under certain limitations; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; for appropriating to certain uses the revenues and profits of the said company; and for making provision for the good order and government of the towns of Calcutta, Madras, and Bombay; so far as the same provide for exempting the said united company from the claims of individuals in respect to any embezzlement, waste, loss, or damages of goods, wares, or merchandize therein specified; or as direct that the deeds of covenant, engagements, or securities, given to the said united company by their officers and servants, for the safe custody of the goods, wares, and merchandize, of the said company, shall extend to the custody and care of goods, wares, and merchandize, of individuals; or as render any such officers or servants liable to costs and damages at law for embezzlement, waste, losses, or damages, therein also specified, shall be, and are, by force and virtue of this act, extended, and shall be construed to extend, to all goods, wares, and merchandize, which, by this act, are placed in the possession, care or custody, of the said united company, or the directors of the said company, their officers or servants respectively, for the better protecting the same from spoil, embezzlement, or loss.*

Parts of
33 Geo. 3.
c. 52. to
extend to this
act.

XXXVI. Provided always, and it is hereby further enacted and declared, That if any goods, wares, or merchandize, of the growth, production, or manufacture of *India* or *China*, or other parts within the limits of the exclusive trade of the said united company, imported or brought into this kingdom, or detained in the ports thereof as aforesaid, except such articles of wearing apparel, jewels, watches, trinkets, plate, pictures, prints, drawings, china, or earthen ware, glass framed or unframed, books, furniture, or linen, which shall be permitted to be imported for private use, without the payment of duties, according to the provisions of this act, shall be landed or unshipped, or taken from on board of any ship or vessel, otherwise than for the express purpose of

Goods unlawfully landed may be seized.

Persons unlawfully landing goods, &c. liable to penalty.

Recovery and application of penalties.

Vessels detained, or brought into the kingdom, may be registered for the European trade.

bringing the same into the warehouses of the said united company, according to the provisions in this act contained, the good, wares, and merchandize, which shall be so landed, unshipped, or taken from on board of any such ship or vessel, and which shall not be duly brought and deposited in the said warehouses, according to the directions of this act, and the true intent and meaning thereof, shall be deemed to have been illicitly imported, and shall and may be seized, and shall be forfeited; and that all and every person and persons who shall have so unshipped or landed the same, or shall have acted therein, or procured the same to be so done, and all persons in whose custody any of such goods, wares, or merchandize, so unlawfully landed or unshipped, shall be found, shall be deemed and accounted to have unlawfully traded and trafficked therein, and shall be subject and liable to such several pains, penalties, and forfeitures, for unlawfully trading and trafficking to the *East Indies*, or other parts within the limits of the exclusive trade of the said united company, as are in that behalf provided or imposed by the aforesaid act, made in the thirty-third year of the reign of his present Majesty as aforesaid, or in any other act or acts in force for protecting and preserving to the said united company the benefits of their said exclusive trade; and that all penalties and forfeitures to be incurred as aforesaid shall and may be sued for, recovered, and applied, in the same or the like manner respectively as by the said act of the thirty-third year of his Majesty's reign, or by any other act or acts in force as aforesaid, is or are directed in respect of any seizures, penalties, or forfeitures, to be made or incurred for any unlawfully trading or trafficking within the said parts or limits, contrary to the provisions thereof respectively.

XXXVII. And be it further enacted, That if any ship or vessel so detained in, or brought into, this kingdom as aforesaid, shall be wholly owned by any of the subjects or inhabitants of the *United Provinces* as before described, who shall have qualified themselves in manner herein-before mentioned, or by any subject or subjects of his Majesty, either wholly or jointly with any of the said persons, it shall and may be lawful for his Majesty, by and with the advice of his privy council, to order any such ship or vessel to be registered in the manner herein-before mentioned, and to have a certificate of foreign ship's registry for the *European* trade only, and to enjoy the privileges thereof in the same manner, and subject to the same conditions, rules, and regulations, and duties, as are herein-before mentioned respecting the registry of such ships and vessels belonging to subjects of the *United Provinces*, or to persons having been inhabitants thereof before the nineteenth day of *January* one thousand seven hundred and ninety-five, as shall have come into the ports of this kingdom to take the benefit of the act, or of the orders in council herein-before mentioned.

XXXVIII. And whereas, for the preservation of certain cargoes, or parts of cargoes, which were of a perishable nature on board certain ships or vessels brought into and detained in the ports of his Ma-

jeſty's dominions, the ſame have under the ſpecial circumſtances of the caſe, been ordered to be ſold; be it enacted, That the commiſſioners to be appointed in manner herein-before directed ſhall and may give the ſame directions reſpecting the proceeds of ſuch ſale, and ſuch proceeds ſhall be ſubject to the ſame order, and be liable to the ſame claims, as if ſuch commiſſioners had taken ſuch cargoes into their poſſeſſion, and had cauſed ſale thereof to be made in purſuance of the authority given to them by this act; and that it ſhall not be lawful for any perſon to proſecute any claim, or maintain any ſuit or action reſpecting any ſuch cargoes, or parts of cargoes, or the proceeds thereof, except in the manner herein ſpecially provided.

Proceeds of cargoes of a perſhable nature, which have been ſold, to be ſubject to the order of the commiſſioners.

XXXIX. *And whereas certain ſhips and veſſels have, by ſpecial orders in council, been permitted, at the requeſt of the owners or proprietors thereof, under the ſpecial circumſtances of the caſe, to take the benefit of the ſaid recited act, and of the ſaid orders in council of the ſixteenth and twenty-ſiſt days of January laſt, upon declaration of ſuch ſhips or veſſels having been bound to ſome of the ports of the ſaid United Provinces, though ſufficient proof could not be made thereof: and whereas it is expedient that ſuch ſhips and veſſels, with their cargoes, ſhould be exempted from all forfeitures, and all perſons who have acted or ſhall act, in bringing in the ſame, or who have acted or who ſhall act in purſuance of or according to ſuch ſpecial orders, ought to be indemnified in the ſame manner as if ſuch ſhips and veſſels, with their cargoes, had been entitled to take the benefit of the ſaid orders in council of the ſixteenth and twenty-ſiſt days of January laſt, and in the ſame manner as perſons acting in purſuance of or according to the ſaid laſt-mentioned orders, have been exempted from forfeiture, and indemnified by the ſaid recited act: and whereas it is probable that the owners of other ſuch ſhips and veſſels may requeſt, under the ſpecial circumſtances of the caſe, to have the like permission: be it further enacted, That it ſhall and may be lawful, at any time before the expiration of ſix calendar months after the paſſing of this act, to permit, by order in council, ſuch ſhips or veſſels, under ſuch ſpecial circumſtances, to take the benefit of the ſaid recited act, and of the ſaid orders in council of the ſixteenth and twenty-ſiſt days of January laſt; and all goods, wares, merchandize, and effects, brought in the ſame, ſhall be exempted from all forfeitures, and all perſons who have acted, or ſhall act in bringing in the ſame, or who have acted or who ſhall act in purſuance or according to any ſuch ſpecial order in council, ſhall be indemnified, and ſhall be released and diſcharged in the ſame manner as is provided in the ſaid recited act, reſpecting ſhips and veſſels, and goods, wares, merchandize, and effects, brought in ſhips or veſſels entitled to the benefit of the ſaid orders in council of the ſixteenth and twenty-ſiſt days of January laſt; and that all ſuch ſhips and veſſels, and all goods, wares, merchandize, and effects, brought in the ſame, ſhall be admitted to the ſame privileges and advantages, as to importation, warehouſing, or exportation, and ſhall be liable to the payment of the ſame duties, and be entitled to the ſame drawbacks, and ſhall be ſubject to the ſame conditions,*

Within ſix months after the paſſing of this act, cargoes of ſhips permitted, by ſpecial order in council, to take the benefit of recited act, &c. exempted from forfeiture, &c.

rules, regulations, restrictions, penalties, and forfeitures, as are herein provided respecting ships and vessels, and goods, wares, merchandize, and effects, that have come into the ports of this kingdom to take the benefit of the said recited act, or of the said orders in council of the sixteenth and twenty-first days of January last.

C A P. LXXXI.

An act to apportion the relief, by the several statutes now in force directed to be given to the families of non-commissioned officers, drummers, fifiers, and privates, serving in the militia, between the county at large and the peculiar districts therein not contributing to the county rate, according to the number of men serving for each in such militia; and to remove certain difficulties in respect to the relief of families of substitutes, hired men, or volunteers, serving in the militia.—[May 22, 1795.]

Preamble.

WHEREAS, in and by several acts of parliament, relating to the militia in that part of Great Britain called England, provision is made for the relief of the families of militia men chosen by lot, and of serjeants, corporals, drummers, and fifiers, serving in the militia, in the cases in the said acts mentioned: and whereas there are within this kingdom divers cities, boroughs, towns, and places, being counties of themselves, and other cities, boroughs, towns, and places, which are entirely independent of the rate called The County Rate raised and assessed in and for the county at large, of which such city, borough, town, and place, is and are respectively deemed within and made part, for the purposes of the militia laws: and whereas such counties at large, and such cities, boroughs, towns, and places, ought respectively to contribute to such relief of the families of such militia men chosen by lot, according to the locality of the parish for which such militia man shall serve, and of such serjeants, corporals, drummers, and fifiers, under the said acts, proportionably, according to the number of men respectively raised in each of them; and no provision is made in the said acts for that purpose: therefore 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 in all cases where in and by the said acts now in force, or any of them, a certain number of militia men are directed to be raised for any county, together with or including any city, borough, town, or place, being a county or district of itself, not contributing to the said general county rate, the several sums of money already raised and paid, or hereafter to be raised and paid, under the said acts of parliament, to and for the relief of the families of such militia men chosen by lot, shall be paid and borne, out of the said several rates, by the treasurer of the county at large, or such city, borough, town, or place respectively, for which the said militia man whose family may want relief shall serve.

Relief to the families of militia men to be borne by the county at large, or the respective places, not contributing to the county rate for which the men serve;

and to families of non-commissioned

II. And be it further enacted, That the several sums of money raised and paid under the said acts to and for the relief of the families

milies of such serjeants, corporals, drummers, and sifers respectively, shall be divided and apportioned between and borne by such county, and such city, borough, town, or place, being a county or district of itself, or not contributing to the said general county rate, in such proportions as the respective numbers of militia men apportioned to be raised in and by such county, and by such city, borough, town, and place, respectively bear to such other.

officers, &c. to be apportioned according to the numbers of men to be raised by the county, and such place.

III. And be it further enacted, That the treasurer of such county and such city, borough, town, and place respectively, are hereby authorized and required to demand, receive, and make payment of such proportions and sums of money of the treasurer of such other county, city, borough, town, and place respectively, the one to the other of them, as the case may require, in like manner as in and by a certain act of parliament, made and passed in the thirty-third year of his present Majesty's reign, intituled, *An act to provide for the families of persons chosen by lot to serve in the militia of this kingdom, and of substitutes serving therein; and to explain and amend an act of parliament, passed in the twenty-sixth year of his present Majesty, intituled, 'An act for amending, and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England,'* is directed and required, in case of payment to the families of militia men chosen by lot, serjeants, corporals, drummers, and sifers, serving in the militia of any county, riding, city, town, liberty, division, or place, other than the county, riding, city, town, liberty, division, or place, where such family shall dwell.

Treasurers to demand and pay proportions according to 33 Geo. 3. c. 8.

IV. And be it further enacted by the authority aforesaid, That if any dispute or disagreement shall arise as to the proportion to be paid as aforesaid, or any other matter or thing relating thereto, or to the payments under the said acts, or this act, the lord lieutenant of the said county at large, and in his absence the deputy lieutenants, or any three or more of them, at any meeting called or to be called under the militia laws, or any of them, shall and may, and he and they is and are hereby empowered and required to adjust and settle the same, whose decision therein shall be final; and the said lord lieutenant and deputy lieutenants, or any three or more of them, is and are respectively hereby authorized and empowered to call for, require, and inspect, the account and accounts of every such treasurer and treasurers respectively, for the purpose of adjusting and settling the said proportion.

Disputes to be settled by the county lieutenant, or three deputy lieutenants.

V. And be it further enacted by the authority aforesaid, That in all cities, towns, liberties, divisions, and places, which do not contribute to the said general county rates, and where no treasurer is yet appointed, the justices of the peace for every such city, town, liberty, division, and place, in case there are any, and if not, then the justices of the county wherein such city, town, liberty, division, and place, shall be, shall and may, and they are hereby required, at their general quarter sessions, to appoint a treasurer; and shall, from time to time, assess upon every

In places not contributing to the county rate, where no treasurer is appointed, the justices may appoint one, and make assessments, &c.

every parish, tything, township, hamlet, and vill, within the liberties of such cities, towns, liberties, divisions, and places, in such proportions as the rates heretofore made for the relief of the poor have usually been assessed; and shall cause to be paid, out of the money collected and levied for the relief of the poor of every such parish, tything, township, hamlet, and vill, into the hands of such treasurer, such sum and sums of money as are, shall, and may be in their discretion, necessary for the purposes of this act; and such treasurer shall pay and dispose of the same accordingly, and shall be and act in all respects, in respect to the provisions of this act, the same as the treasurer or treasurers of peculiar districts where a publick stock is now raised.

Justices may order relief to the families of substitutes, hired men, and volunteers.

VI. *And whereas doubts and difficulties have arisen as to the extent of the power of justices of the peace to make orders for the relief of the families of substitutes, hired men, or volunteers; be it enacted by the authority aforesaid, That, from and after the passing of this act, it shall and may be lawful for justices of the peace to make orders for the relief of the families of substitutes, hired men, or volunteers, serving in the militia, when embodied and called out into actual service, and ordered to march, becoming chargeable to the parishes, townships, or places, where such families shall dwell, out of the poor rates of such parish, township, or place, not exceeding such sum or sums, as by the said acts are directed and authorized with regard to the families of men chosen by lot, and of serjeants, corporals, drummers, and fifers.*

VII. *And whereas doubts have arisen as to the power of the justices at the general quarter sessions, to make and enforce orders on overseers of the poor of the parish, township, or place, for which substitutes serve, for repaying the money to the treasurer of the county, riding, or place who shall advance and pay the same, in pursuance of the said act, to the treasurer of the county, riding or place, where the family of such substitute dwells, unless the relief was afforded under orders previously made by a justice of the peace, and accounts of such payments transmitted from time to time, quarterly, by the treasurer of the county, riding, or place where the families of such substitutes reside and dwell, to the treasurer of the county, riding, or place, for which the substitutes serve; and such orders have been frequently made after the relief afforded, and the parish officers have not applied for or been repaid the same quarterly; be it further enacted by the authority aforesaid, That the justices of the peace of any county, riding, or place, to the treasurer whereof any certificates of orders and accounts of monies paid for the relief of the families of any substitutes shall not have been transmitted by the treasurer of any other county, riding, or place, in the manner and within the time directed by the said act, shall, and they are hereby required, at their next or any subsequent general quarter sessions to be held after the passing of this act, to enquire into and examine any such account, and to allow all such payments as shall have been actually made, whether the orders for the relief were made before or after the relief afforded, and although the accounts thereof shall not have been transmitted quarterly, and forthwith to make*

Quarter sessions to allow payments made to the families of substitutes, though accounts have not been transmitted quarterly, &c.

orders for the overseers of the poor of the parish, township, or place, for which the substitutes shall serve, to pay the same to the treasurer of the county, riding, or place, in which such parish, township, or place, shall be situated, out of the poor rates of such parish, township, or place, within fourteen days next after such allowance of any such account, which treasurer shall, and he is hereby required, to pay or remit the amount of such account within fourteen days next after the receipt thereof.

VIII. *And whereas the collecting and receiving such sums of money four times in the year from a great number of parishes is and will be attended with very considerable trouble and expence*; be it further enacted by the authority aforesaid, That, from and after the passing of this act, the treasurer of the county, riding, or place, who shall repay to any overseer of the poor of the parish, township, or place, where such families shall dwell, shall transmit a certificate of the order of the justice allowing such relief (whether made before or after such relief being afforded), and also an account of monies so repaid by him, from time to time, either yearly at the *Easter* sessions, or quarterly, (as required by the said act), to the justices of the peace of the county, riding, or place, in the militia whereof such substitutes shall serve, which accounts so received shall be allowed by the justices at such sessions, who shall forthwith make an order for the overseers of the poor of the parish, township, or place, for which such substitutes shall serve, to pay the same to the treasurer of such county, riding, or place, out of the poor rates of such parish, township, or place, within twenty-one days next after such sessions shall be held as aforesaid, which treasurer shall, and he is hereby required to remit or pay the amount of such account, within fourteen days after the receipt thereof, to the treasurer of the county, riding or place, transmitting such certificate and account as aforesaid.

Treasurers re-
paying over-
seers of the
poor relief
given to such
families, to
transmit the
order of the
justice, and an
account, to
the justices of
the place for
which substi-
tutes serve,
who shall or-
der payment
out of the poor
rates.

C A P. LXXXII.

An act for enclosing, dividing, allotting, draining, embanking, and improving the open and common fields, meadows, pastures, commons, wastes, and other uninclosed grounds, within the township of Gainsburgh, in the parish of Gainsburgh, in the county of Lincoln; and also for making a compensation for the tythes arising within the said township, and within the lordship of Thonock, in the said parish.—[May 22, 1795.]

C A P. LXXXIII.

An act for augmenting the royal corps of artillery, and providing seafaring men for the service of the navy, out of the private men now serving in the militia; and to amend an act, passed in the twenty-sixth year of the reign of his present Majesty, intituled, An act for amending, and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England.—[June 2, 1795.]

WHEREAS in the present conjuncture it is expedient to aug- Preamble.
ment the royal corps of artillery, and also to transfer to the
service of the royal navy such seafaring men as are now serving in the
militia

Colonels to discharge militia men trained for the artillery, who shall desire it, in order to enlist in the artillery.

militia forces of this kingdom : may it therefore please your Majesty that it may be enacted ; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for every colonel or commanding officer of any regiment, battalion, or corps of militia, of any county, riding, or place, and he is hereby required and directed to discharge any number of private men, who have been or may be trained as artillery men, if any such there be in such regiment, battalion, or corps of militia, not exceeding one out of every fifty private men of the whole effective establishment of such regiment, battalion, or corps of militia, who shall respectively, from and after the passing of this act, desire such discharge for the purpose of enlisting themselves in the royal corps of artillery ; and every such private man so enlisting shall be entitled to his discharge from such regiment, battalion, or corps of militia, and on receiving such discharge shall and may be enrolled in the said corps of artillery, and shall have and be entitled to the like allowance of subsistence, pay, and cloathing, and shall serve therein, subject to, and under the like laws, rules, and regulations, as the rest of the said corps of artillery ; any law or statute to the contrary thereof notwithstanding.

His Majesty may direct the discharge of private men from the militia who are desirous to serve, and have served, in the navy.

II. And be it further enacted, That it shall and may be lawful for his Majesty also from time to time to authorise and direct the colonel or commanding officer of every such regiment, battalion, or corps of militia, from time to time, to discharge every private man serving in such regiment, battalion, or corps, who shall desire his discharge for the purpose of entering into the navy of *Great Britain*, and shall have agreed to enter into such service, and who shall, to the satisfaction of his colonel or commanding officer, prove that he has actually and *bona fide* served, at least, three years at sea ; and every such private man, on due proof and examination on his oath, before any justice of the peace of the county or place where such regiment, battalion, or corps shall be quartered or placed, (which oath every such justice is hereby authorised and required to administer), as well as in regard to the time of his service at sea, as to other circumstances necessary to satisfy such colonel or commanding officer of the fact of such service, shall be entitled to his discharge in the manner hereinafter mentioned, and thereupon shall and may be examined by such officer or officers as shall be appointed for this service, and if approved of by him or them shall be delivered over to such officer or officers, and enrolled in his Majesty's naval service, subject to and under the like terms, conditions, rules, regulations, and provisions (except as herein is otherwise provided) as are made and provided for raising men for the service of the navy, by an act, passed in this present session of parliament, intituled, *An act for raising a certain number of men, in the several counties in England, for the service of his Majesty's navy* ; all which terms, conditions, rules, regulations, and provisions in the said act contained,

tained, shall (as far as the same are applicable) be extended, applied, and put in force for accepting, approving, receiving, enrolling, detaining, and conveying such private men, who shall be discharged from the militia by virtue of this act, as fully and amply as the same are or may be applied in respect of the men enrolled under the act before mentioned, and all such men so discharged as aforesaid, on their so engaging to serve in the navy, shall be liable to serve therein during the continuance of the present war, and for the space of three calendar months after the end of the war, if the ship on board which such persons shall serve shall be in any of the ports of *Great Britain*, or otherwise for the space of three calendar months next after the arrival of such ship in such port.

Time for which such men shall be liable to serve in the navy.

III. Provided always, and be it further enacted by the authority aforesaid, That the colonel or commanding officer of any regiment, battalion, or corps of militia, shall not at any one time discharge, or cause to be or have discharged, in pursuance of this act, from the said service in the militia into the said corps of artillery, and into the navy, more in number than one in ten of all the private men then enrolled in his said regiment, battalion, or independent company, unless or until other men, according to the directions of this act, in the proportions herein-after specified, shall be raised and enrolled in the room of the private men before discharged; and that whenever such colonel or commanding officer shall have discharged from his regiment, battalion, or independent company, such proportion of one in ten of men enrolled as aforesaid, he is hereby required to cause certificates of the number of men so discharged, who shall respectively have been enlisted or entered in either of the said services of the artillery and navy, signed by the adjutant of such regiment, battalion, or independent company, to be transmitted to the officers of the ordnance and admiralty respectively; and every such certificate shall contain the names of the men so discharged, and of the officer or officers of the artillery or navy to whom they shall respectively have been delivered.

Not more than a certain number of men to be discharged at one time:

when the proportion shall be discharged, certificates of the number to be transmitted to the ordnance and admiralty.

IV. And be it further enacted by the authority aforesaid, That his Majesty's lieutenant and deputy lieutenants respectively of the county, riding, or place to which the regiment, battalion, or independent company, from which such private men shall be discharged, doth belong, and also the colonel or commanding officer of such regiment, battalion, or independent company, and every other commissioned officer, duly authorised by the commanding officer, of such regiment, battalion, or independent company, shall be, and each of them is hereby empowered, by beat of drum, or otherwise, to raise volunteers from time to time, to be inrolled as private men in such regiment, battalion, or independent company, in the room of such private men as shall, from time to time, have been discharged in pursuance of this act; and that the colonel or commanding officer, whenever the number of private men so discharged shall be replaced by new recruits, shall, and he is hereby required to certify the same, by writing

Men may be raised by beat of drum in room of those so discharged,

and when they are replaced, the same to be certified to the secretary at

war, and after which a further discharge men may be made, &c.

under his hand, to the secretary at war to be laid before his Majesty; and it shall and may be lawful for the said colonel or commanding officer thereupon, and upon receiving the directions of his Majesty for that purpose, to proceed to discharge such further number of private men as shall desire their discharge, in the manner and for the purpose herein-before directed, so as not to exceed the proportion aforesaid, and which men, so discharged, shall and may, from time to time, be replaced in the manner before directed; and so the said colonel or commanding officer shall continue from time to time to discharge all such private men as shall be desirous of their discharge, until the proportion of men herein-before specified shall have been supplied for the royal corps of artillery aforesaid, and also until all the seamen or seafaring men desirous of entering into the navy, shall have been discharged for that purpose in the manner before mentioned; and all private men so discharged, and entering into the corps of artillery or navy, shall be entitled to the usual allowance of bounty paid to men entering in the corps of artillery and navy respectively.

Men entering into the artillery or navy entitled to bounty.

Volunteers in place of men so discharged entitled to bounty, &c.

V. And be it further enacted, That all volunteers who shall be raised and enrolled as private men in such regiment, battalion, or independent company, to supply the place of those so discharged, shall be entitled to the same allowance of bounty, subsistence money, arms, and cloathing, as the other private men of the regiment, battalion, or independent company; and that the colonel or commanding officer shall, from time to time, as he shall find most convenient, or as shall be required, certify to his Majesty the number of volunteers who shall have so been raised and enrolled as private men as aforesaid, until the whole number of discharged men shall be replaced; and that all persons who shall engage to serve as private men as aforesaid, in pursuance of this act, shall be enlisted to serve for the same period for which the persons were liable to serve whose places respectively they shall be enlisted to supply,

For every man so discharged ten guineas to be paid to provide others.

VI. And be it further enacted, That for every man discharged from any regiment, battalion, or independent company of militia, in pursuance of this act, the colonel or commanding officer of such regiment, battalion, or independent company, shall be entitled to receive, in the manner herein-after mentioned, the sum of ten pounds and ten shillings, to be applied in providing other private men to replace the number so discharged; and that the officer of the corps of artillery, or person appointed to receive any man so discharged from the militia who shall enlist in the said corps of artillery, and the officer of the navy, or person appointed to receive any man so discharged who shall enter into the service of the navy, shall respectively deliver to the colonel or commanding officer of the regiment, battalion, or independent company from which such men were discharged, a certificate under the hand and seal of such officer of artillery or of the navy respectively, specifying the names of the men so discharged, the regiment, battalion, or corps of militia, from which every such man was discharged,

Persons receiving men for the artillery or navy, to deliver to the regiment from whence discharged certificates, which shall entitle the colonel to receive ten guineas from the re-

discharged, and the service into which he has entered and been accepted, which certificates shall be attested by the commanding officer or adjutant of the said regiment, battalion, or corps of militia; and such certificates, being transmitted to the receiver of the land tax of or for the county or riding to which the regiment, battalion, or independent company aforesaid doth belong, shall entitle such colonel or commanding officer to the payment of the sum of ten pounds and ten shillings for every man specified in such certificate, to be applied for the purposes before mentioned; and every such receiver shall be, and is hereby empowered and required, on demand made, and production and delivery of such certificate, to pay the said sums out of any monies in his hands of the publick rates, taxes, or assessments, taking the receipt of such colonel or commanding officer for the same; and all sums of money so paid on account of the men enlisted in the said corps of artillery shall be carried to the account of the treasurer and paymaster of the ordnance, and all sums so paid on account of the men entered in the navy shall be carried to the account of the treasurer of the navy, and upon production and delivery of such certificates and receipts at the ordnance and navy offices respectively, shall be immediately duly paid by such treasurer and paymaster of the ordnance, and such paymaster of the navy respectively, to such receiver general of the land tax advancing the same, or to his order.

receiver general of the land tax, to be repaid him by the ordnance and admiralty.

VII. *And whereas, by the said act, passed in the twenty-sixth year of his Majesty's reign, intituled, An act for amending and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England, it is enacted, that when any colonel or other commanding officer of any regiment, battalion, or independent company, shall be absent from Great Britain, all the powers by the said act given to such colonel or other commanding officer shall be vested in and lawfully may be exercised by the next officer in command in such regiment, battalion, or independent company, who shall be residing within Great Britain, until such colonel or other commanding officer shall be returned to Great Britain, and shall have notified his arrival to the clerk of the peace of the county, riding, or place to which such regiment, battalion, or independent company belongs; and the clerk of the peace is by the said act required to transmit an account thereof to the officer who shall have been next in command as aforesaid; and all acts, matters, and things done by such officer next in command as aforesaid, in exercising the powers given by the said act to colonels and other commanding officers, shall be good and valid in the law, equally as if they had been done by the colonel or commanding officer himself: and whereas doubts have arisen concerning the powers by the said act given to the next officer in command in any regiment, battalion, or independent company of militia, who shall be residing in Great Britain when the colonel or other commanding officer of such regiment, battalion, or independent company shall be absent from Great Britain, and until he shall have notified his arrival in Great Britain as aforesaid; and considerable inconvenience has arisen, and may arise, by reason of such doubts: be it further enacted,*

26 Geo. 3. c. 107. f. 56, recited.

When a colonel is absent from Great Britain, his Majesty may invest the senior resident officer with the powers of the colonel, &c.

That when any colonel or commanding officer of any regiment, battalion, or independent company of militia shall be absent from *Great Britain*, and until he shall return to *Great Britain*, and shall have notified his arrival in the manner required by the said recited act, it shall and may be lawful for the King's most excellent majesty, by warrant under his sign manual, to direct and order that the officer next in command who shall be residing in *Great Britain* shall, in all cases, act and be dealt with as the commanding officer of such regiment, battalion, or independent company; and that all powers and authorities which might have been exercised by such colonel or commanding officer so absent as aforesaid, if in *Great Britain*, shall be vested in and exercised by the next officer in command in such regiment, battalion, or independent company, who shall be resident in *Great Britain*; and, from and after issuing the said warrant as aforesaid, all matters and things which ought to be transacted and done by any other person or persons with such colonel or commanding officer, whilst resident in *Great Britain*, shall be transacted and done, during the time aforesaid, with such officer so next in command as aforesaid, who shall be residing in *Great Britain*; and all mony directed to be issued or paid to, or to the order of, such colonel or commanding officer, for the use of such regiment, battalion, or independent company, shall be issued and paid to, or to the order of, such officer next in command as aforesaid; and all acts, matters, and things done by and with such officer so next in command as aforesaid, during the time aforesaid, which are or shall be authorized or required to be done by or with such colonel or commanding officer when in *Great Britain*, shall be good and valid as if done by or with such colonel or commanding officer; and during the absence from *Great Britain* of the colonel or commanding officer of such regiment, battalion, or independent company, and until he shall return to *Great Britain*, and notify his arrival as aforesaid, the next officer in command in such regiment, battalion, or independent company, who shall be residing in *Great Britain*, shall appoint the regimental or battalion clerk, and agent to such regiment, battalion or independent company, in the same manner as such colonel or commanding officer might have done, and shall take security from such agent, and shall be and is hereby made subject and liable to make good all deficiencies that may happen from the said agent, or from himself upon account of the pay, cloathing, or publick stock of such regiment, battalion, or independent company: provided always, that such officer next in command as aforesaid, who shall assume the powers so given to him by the said recited act, and by this act, in consequence of the absence from *Great Britain* of his colonel or commanding officer, shall, within seven days after he shall assume any such powers, notify the absence from *Great Britain* of such colonel or commanding officer to the lieutenant of the county, and also, when the regiment, battalion, or company shall be in actual service, to the secretary at war: provided also, that if any such colonel or commanding officer as aforesaid shall

Officer assuming such powers to notify the absence of the colonel to the county lieutenant, and when in actual service, to the secretary at war.

Money for payment of

have given any orders for cloathing or other necessaries, or for accoutrements, which ought to be provided in due course, or in pursuance of any order by proper authority, at the time when such order shall be given, for the use of his regiment, battalion, or company, and before such orders shall be completed, or after the same shall be completed, and before the money shall be issued for the same, such colonel or commanding officer shall leave *Great Britain*, the orders so given by such colonel or commanding officer shall nevertheless be completed, and the money to be issued in respect thereof shall be paid to the order of such colonel or commanding officer, notwithstanding his absence from *Great Britain*, as aforesaid; and in like manner if any officer so next in command as aforesaid shall, in consequence of the absence from *Great Britain* of his colonel or commanding officer, and under the authorities given to him as aforesaid, give any orders for cloathing or other necessaries, or for accoutrements, which ought to be provided in due course, or in pursuance of any order by proper authority, at the time when such orders shall be given, for the use of his regiment, battalion, or company, and before such orders shall be completed, or after the same shall be completed, and before the money which ought to be issued shall be issued for the same, the colonel or commanding officer shall return to *Great Britain*, and notify his arrival as aforesaid, the orders so given by such officer so next in command as aforesaid shall be completed, and the money to be issued in respect thereof shall be paid to the order of such officer, notwithstanding the return of such colonel or commanding officer as aforesaid.

cloathing, &c. to be paid to the officer who ordered the articles.

VIII. And be it enacted, That his Majesty, his heirs and successors, shall, from time to time, as he and they shall think fit, signify his and their pleasure to his and their lieutenants of any county, riding, or place, to displace all or any deputy lieutenants and officers in the militia; and thereupon his Majesty's respective lieutenants shall appoint others within the same county, riding, or place, under the like qualifications, to serve in their stead.

His Majesty may direct deputy lieutenants and officers to be displaced.

IX. And whereas, by an act passed in the twenty-sixth year of the reign of his present Majesty, relating to the militia forces in England, it is enacted, that any serjeant or corporal of the militia may, by sentence of a court martial, be reduced to the condition of a private militia man, to serve as such during any time not exceeding fifteen months; after which time, if not regularly re-appointed to the rank of a non-commissioned officer, he shall be discharged from the service; which provision has in many cases been found to be inconvenient: be it therefore enacted, That, from and after the passing of this act, the said clause shall be repealed; and that any serjeant or corporal of the militia may, by sentence of a court martial be reduced to the condition of a private militia man, to serve as such during any time not exceeding fifteen months, in case the regiment or corps to which he belongs shall not be then embodied or called out into actual service, and in case the regiment or corps to which he belongs shall be then embodied or called out into actual

26 Geo. 3. c. 101. s. 89, recited,

and repealed.

Serjeants and corporals may be reduced to serve as privates for a certain term.

service, to serve as aforesaid until the disembodiment of the said regiment or corps, after which time, or at the end of the said fifteen months, as the case may be, if not regularly re-appointed to the rank of a non-commissioned officer, he shall be discharged from the service.

X. *And whereas doubts have arisen whether the acceptance by officers of the militia of commissions in his Majesty's regular forces, or in any fencible or volunteer corps, do vacate their commissions in the militia; for obviating such doubts for the future, be it enacted and declared, That, from and after the passing of this act, the acceptance by any officer of the militia of this kingdom (except the colonel) of any commission in any of his Majesty's other forces, whether liable to serve out of Great Britain, or within the same only, shall, from the date of such commission so accepted, absolutely vacate and make void any commission the said officer may hold in the militia forces of this kingdom, to all intents and purposes whatsoever; and all officers of the militia of this kingdom (except the colonel) who may heretofore have accepted commissions in any of his Majesty's other forces as aforesaid, and now hold the same, together with their militia commissions, shall, and they are hereby required, within one month after the passing of this act, to make their election whether they will continue to serve in the militia, or such other of his Majesty's forces, and shall also within the same time notify such their election in writing to the lieutenant of the county, riding, or place, to which the regiment, battalion, or corps, in which they may at the time hold their militia commission, shall belong, and also to one of his Majesty's principal secretaries of state, in order to such notification being inserted in the London Gazette; and the commissions of all such officers, in such regiment or corps wherein they shall not make their election to serve, shall, from and after such notification, be absolutely vacated and made void, to all intents and purposes whatsoever; and in case any of the said officers shall neglect or refuse to make and notify such election within the time aforesaid, the militia commission of such officer shall, from and after the expiration of one month, to be computed from the passing of this act, become vacated and made void, to all intents and purposes whatsoever, any law, usage, or practice, to the contrary in anywise notwithstanding; and that every person holding the commission of colonel in the militia, who shall, after the passing of this act, raise any fencible corps, shall receive only the pay of such fencible corps to which he belongs, and it shall not be lawful for such colonel to act in any respect as colonel in the militia, until such fencible corps is reduced; and that it shall and may be lawful for the lieutenant of the county to which such militia belongs to appoint an additional major to such militia regiment, with the pay of such, during the time the duty of such colonel's service in the militia is suspended by this act; and that it shall and may be lawful to try such colonel as a fencible officer only, by a court martial composed as courts martial are for trying officers in fencible regiments, any law to the con-*

Acceptance of commissions in the other forces to vacate those in the militia, (except as colonel).

Militia officers holding commissions in the other forces to make their election, &c.;

and if not done within a limited time, their commissions in the militia to be void.

Militia colonels raising fencible corps to receive only the pay thereof, and not to act in the militia.

County lieutenants may appoint an additional major while the colonel's service is suspended.

trary notwithstanding; provided nevertheless, that in case any commission in any militia regiment, now held by any officer serving in a fencible regiment, shall not be filled up at or before the time such fencible regiment is reduced, it shall and may be lawful for such officer, after such fencible regiment is reduced, with the consent of the lieutenant of the county, riding, or place, to which such militia belongs, to resume and act under his militia commission in like manner as if such militia commission had never been vacated by this act.

Colonel to be tried as a fencible officer.

Commissions in the militia, now held by fencible officers, if vacant at reduction of their corps may be resumed.

XI. And be it further enacted, That whenever any certificate, signed by the colonel or commanding officer of any regiment, battalion, or independent company of militia, shall be transmitted to the deputy lieutenants of the subdivision for which any private militia man shall have been enrolled, of any such private militia man having died, or been appointed a serjeant, corporal, or drummer, in the militia, or been discharged as being unfit for service, or in pursuance of the sentence of a court martial, such deputy lieutenants shall, and are hereby required to cause such vacancy to be filled up by ballot, immediately after the receipt of such certificate.

On receipt of certificates of the death, &c of private men, the deputy lieutenants to cause others to be balloted for.

C A P. LXXXIV.

An act for continuing several acts passed for the better regulation of lastage and ballastage in the river Thames.—[June 2, 1795.]

Act 6 Geo. 2. c. 29. for the regulation of lastage and ballastage continued to June 24, 1805.

C A P. LXXXV.

An act for making and extending a navigable cut from the town of Watford, in the county of Hertford, to the town of Saint Alban, in the same county.

C A P. LXXXVI.

An act to explain, amend, and render more effectual, the several acts of the sixteenth and seventeenth of King Charles the Second, and of the seventh of his present Majesty, relating to the navigation of the river Itchin, in the county of Southampton, and for improving the navigation thereof, and for ascertaining the rates of carriage, riverage, and wharfage, payable thereon.

C A P. LXXXVII.

An act for making and maintaining a navigable canal from and out of the navigation from the Trent to the Mercy, at or near Stoke upon Trent, in the county of Stafford, to the town of Newcastle under Lyme, in the said county.

C A P. LXXXVIII.

An act to remedy certain omissions in an act, passed in the last session of parliament, intituled, An act for the discharge of certain insolvent debtors.—[June 22, 1795.]

WHEREAS an act, passed in the last session of parliament, intituled, An act for the discharge of certain insolvent debtors, did not extend to the relief of all the persons to whom it was

Preamble. 34 Geo. 3. c. 69, recited.

meant to extend, owing to the circumstance of several prisoners, who were in custody on the twelfth day of February one thousand seven hundred and ninety-four, and had continued in custody from that time, having, during the time of their imprisonment, been removed by writ of habeas corpus, or by other means, from one prison to another, after the said twelfth day of February one thousand seven hundred and ninety-four: 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 passing of this act, all and every gaoler or keeper of any prison within this kingdom shall and is hereby required to make a true, exact, and perfect list, alphabetically, of the name or names of all and every person and persons described in the said act, who, upon the said twelfth day of February one thousand seven hundred and ninety-four, was or were in the custody of any gaoler or gaolers, keeper or keepers of any prison, and at the time of making out every such list shall be really an actual prisoner or prisoners in the custody of the gaoler or gaolers, keeper or keepers, of any prison, making and delivering such list, which list shall be delivered and dealt with in like manner as is directed by the said act with respect to the lists therein mentioned.

Gaolers to make out lists of prisoners who, on Feb. 12, 1794, and at the time of making out, were in custody.

Warden of the Fleet, &c. on delivering in lists, to take the following

II. And be it further enacted, That the warden of his Majesty's prison of the *Fleet*, and the marshal of the *King's Bench* prison, and every other gaoler and keeper of any other prison, shall severally, on the delivering in of such list of prisoners in their respective custody, take an oath in the open court of general quarter session of the peace, or at some adjournment thereof, to the following effect:

oath.

I A. B. upon my corporal oath, in the presence of Almighty God, do solemnly swear, profess, and declare, That all and every person and persons, whose name or names is or are inserted in the list by me now delivered in and subscribed, have been, to the best of my knowledge and belief, really and truly prisoners in my actual custody ever since the respective days and times in such list mentioned; and that it appears by the several returns and affidavits of the several gaoler or gaolers, keeper or keepers, in whose custody the said several persons have been, previous to their being committed into my custody, that they were really and truly prisoners in actual custody on the twelfth day of February one thousand seven hundred and ninety-four, at the suit or suits of the several person or persons therein respectively mentioned

Oath, &c. to be dealt with as directed by recited act.

Which said oath, and the words thereof, lists, and copies of lists, shall be entered, kept, and dealt with in manner in the said act directed respecting the oath, lists, and copies of lists, therein mentioned.

Prisoners to take the following

III. And be it further enacted by the authority aforesaid, That, instead of the oath by the said act directed to be taken by

such prisoners as in the said act are described, an oath to the following effect shall be taken by them respectively :

I A. B. upon my corporal oath, in the presence of Almighty God, oath. do solemnly swear, protest, and declare, That on the twelfth day of February one thousand seven hundred and ninety-four, I was really and truly a prisoner in actual custody of the keeper of some gaol or prison at the suit of _____ without any fraud or collusion whatever, and that I have ever since my commitment continued a prisoner in actual custody, at the suit of _____ and without any fraud or collusion whatever; and that the schedule now delivered by me, and subscribed, doth contain, to the best of my knowledge, remembrance, and belief, a full, just, true, and perfect account and discovery of all the goods, effects, and estates, real and personal, in possession, reversion, remainder, or expectancy, which I, or any person in trust for me or for my benefit or advantage, am or is seized or possessed of, interested in, or entitled to, or which was or were in my possession at any time since my commitment to prison, and of all debts which are to me owing, or to any person or persons in trust for me, and of all the securities and contracts whereby any money now is, or will or may hereafter become payable, or any benefit or advantage may accrue to me, or to my use, or to any person or persons in trust for me, and the names and places of abode of the several persons from whom such debts are due and owing, and of the witnesses that can prove such debts or contracts (if any such there be); and that neither I, nor any other person or persons in trust for me or for my use, have any lands, money, stock, or any estate, real or personal, in possession, reversion, or remainder, or expectancy, other than what are in the said schedule contained, except wearing apparel and bedding for myself and family, working tools, and necessary implements for my occupation and calling, together with a sum of money not exceeding five pounds, and these in the whole not exceeding the value of thirty pounds; and that I have not, nor any body for me hath, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in trust, or concealed, all or any part of my lands, money, goods, chattels, stock, debts, securities, contracts, or estate, real or personal, whereby to secure the same, or to receive or expect any profit or advantage thereof, or with intent to defraud or deceive any creditor or creditors to whom I am or was indebted in anywise howsoever.

So help me GOD.

IV. And be it further enacted, That instead of the oath directed by the said act to be taken (if required as therein mentioned) by the gaoler, or person who acts as gaoler or keeper of any such prison, at the time of bringing up any such prisoner in order to be discharged, an oath to the following effect (if so required) shall be administered and taken:

Gaolers on bringing up prisoners to be discharged to take the following

I A. B. do swear, That _____ was, as I verily oath. believe, a prisoner in custody at and upon the twelfth day of February one thousand seven hundred and ninety-four, and that the copy

or copies, account or accounts of the cause or causes of his [or her] commitment or detainer, now by me brought with the body of the said and produced to this court, is or are a true copy or copies, account or accounts, of the cause or causes of such detainer or commitment, without any fraud or deceit by me or any other person whatsoever, to the best of my knowledge and belief.

So help me GOD.

Recited act to extend to prisoners meant to be discharged under this act.

V. And be it further enacted by the authority aforesaid, That all and every the clauses, powers, provisions, penalties, regulations, and directions in the said act contained, shall apply to the cases of the prisoners meant to be discharged under this act, in the same manner as if the said clauses, powers, provisions, penalties, regulations, and directions, were herein inserted and enacted.

C A P. LXXXIX.

An act for making perpetual an act made in the thirtieth year of the reign of his present Majesty, to discontinue the payment of the duties in Scotland upon low wines and spirits, and upon worts, wash, and other liquors, there used in the distillation of spirits; and for regulating the exportation of British-made spirits from England to Scotland, and from Scotland to England; to continue so much of an act, made in the thirty-third year of the reign of his present Majesty, as permits sir William Bishop, George Bishop, and Argles Bishop, to carry on the manufacture of Maidstone geneva; and to make perpetual the duties granted by an act, made in the twenty-seventh year of the reign of his present Majesty, upon worts, wash, and other liquors, for extracting spirits for home consumption.— [June 22, 1795]

Preamble.

WHEREAS the laws herein-after mentioned have been found useful and beneficial, and are 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 this present parliament assembled, and by the authority of the same, That an act, made in the thirtieth year of the reign of his present Majesty, intituled, *An act to continue two acts made in the twenty-eighth and twenty-ninth years of the reign of his present Majesty, 'for discontinuing, for a limited time, the several duties payable in Scotland upon low wines and spirits, and upon worts, wash, and other liquors there used in the distillation of spirits, and for granting to his Majesty other duties in lieu thereof; and for better regulating the exportation of British-made spirits from England to Scotland, and from Scotland to England; and to continue, for a limited time, an act, made in the twenty-sixth year of the reign of his present Majesty,'* "to discontinue, for a limited time, the payment of the duties upon low wines and spirits for home consumption; and for granting and securing the due payment of other duties in lieu thereof; and for the better regulation of the making and vending British spirits; and for discontinuing for a limited time, certain imposts and duties upon rum and spirits imported from the West Indies;" and for

30 Geo. 3.
c. 37.

amending the said act, made in the twenty-ninth year of his present Majesty's reign; and such parts of the said acts of the twenty-sixth, twenty-eighth, and twenty-ninth years aforesaid, (save and except the duties imposed by the said act of the twenty-eighth year of the reign aforesaid), as were continued by the said act of the thirtieth year aforesaid, until and upon the fifth day of July one thousand seven hundred and ninety-one; and by another act of the thirty-first year of the reign aforesaid, until and upon the fifth day of July one thousand seven hundred and ninety-three; and by another act of the thirty-third year of the reign aforesaid, until and upon the first day of December one thousand seven hundred and ninety-five, and from thence to the end of the then next session of parliament, shall be, and the same are hereby made perpetual.

II. *And whereas by an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act to continue certain duties of excise on foreign spirits imported into this kingdom, for a limited time, and also for continuing certain laws of excise therein mentioned; reciting, that certain rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, were, by an act made in the twenty-eighth year of the reign of his present Majesty, provided, settled, and established, for the manufacture of spirits called Maidstone Geneva, established at Maidstone in the county of Kent, by George Bishop of that place, and that certain duties were by the said act, and by another act made in the thirty-first year of the reign of his said Majesty, imposed on the said George Bishop for and in respect of wash produced by him from malt or other corn; and that the said George Bishop was lately dead, and sir William Bishop knight, George Bishop, and Argles Bishop, were become possessed of the distillery and premises, in which the said George Bishop deceased carried on the manufacture of such Maidstone Geneva at Maidstone aforesaid, and that the said sir William Bishop, George Bishop and Argles Bishop, were desirous to carry on the manufacture of, and to make spirits commonly called Maidstone Geneva, in the said distillery and premises at Maidstone aforesaid, under and subject to the like duties, rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, as the said George Bishop deceased carried on in the manufacture of, and made spirits commonly called Maidstone Geneva; and that it was expedient to allow the said sir William Bishop, George Bishop, and Argles Bishop, so to carry on such manufacture, and to make such spirits, it was enacted that it should and might be lawful to and for the said sir William Bishop, George Bishop, and Argles Bishop, and the survivors and survivor of them, possessed of the said distillery and premises, to carry on the manufacture of, and to make spirits commonly called Maidstone Geneva, in the said distillery and premises at Maidstone aforesaid, until and upon the fifth day of July one thousand seven hundred and ninety-five, under and subject to the like duties as were imposed on the said George Bishop deceased, by the said acts of the twenty-eighth and thirty-first years of the reign of his said Majesty: and whereas it is expedient to allow the said sir William Bishop, George Bishop, and Argles Bishop, so to carry on such manufacture, and to make such spirits, for a further term: be*

and such parts
of 26 Geo. 3.
c. 73.
28 Geo. 3.
c. 46. and
29 Geo. 3. c.
45. (except as
hereby ex-
cepted), which
were con-
tinued by 33
Geo. 3. c. 59-
to Dec. 1,
1795, made
perpetual.

33 Geo. 3.
c. 59, recited.

Sir William Bishop and company may continue to make Maidstone gin till July 5, 1797, subject to the duties imposed on the late George Bishop.

it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the said sir *William Bishop, George Bishop, and Argles Bishop*, and the survivors or survivor of them, possessed of the said distillery and premises, to carry on the manufacture of, and to make spirits commonly called *Maidstone Geneva*, in the said distillery and premises at *Maidstone* aforesaid, from the said fifth day of *July* one thousand seven hundred and ninety-five, until and upon the fifth day of *July* one thousand seven hundred and ninety-seven, under and subject to the like duties as were imposed on the said *George Bishop* deceased, by the said acts of the twenty-eighth, and thirty-first years of the reign of his said Majesty.

Duties imposed by 27 Geo. 3. c. 13. on wash brewed in England for extracting spirits for home consumption, which were continued by 33 Geo. 3. c. 59. to July 5, 1795, made perpetual.

III. And be it further enacted by the authority aforesaid, That the several duties of excise which were, by an act passed in the twenty-seventh year of the reign of his present Majesty, for repealing the several duties of customs and excise, and granting other duties in lieu thereof, imposed for a limited time, for or in respect of fermented wort or wash brewed or made in that part of *Great Britain* called *England*, for extracting spirits for home consumption, from any malt, corn, grain, or tilts, or any mixture with the same, and for or in respect of cyder or perry, or other wash or liquor brewed or made as aforesaid, from any sort or kind of *British* materials, except such as are before mentioned, or from any mixture therewith, for extracting spirits for home consumption, and for or in respect of fermented wort or wash brewed or made as aforesaid from melasses or sugar, or any mixture therewith, for extracting spirits for home consumption, and for or in respect of wash brewed or made as aforesaid, from foreign refused wine, or foreign cyder, or wash prepared from foreign materials, except melasses and sugar, or any mixture therewith, for extracting spirits for home consumption, and which were, by several acts made in the twenty-eighth, twenty-ninth, thirtieth, thirty-first, and thirty-third years of the reign of his present Majesty, continued until and upon the first day of *July* one thousand seven hundred and ninety-five, shall be, and the same are hereby severally and respectively made perpetual; and the said duties shall severally and respectively be paid and payable by the several and respective makers and distillers of such wort, wash, cyder, perry, or other liquor respectively, at such times, and in such manner, and under such penalties and forfeitures, as the said duties, by the said act imposed and hereby continued and made perpetual, were severally and respectively payable by law under or by virtue of any act or acts of parliament in force immediately before the passing of this act, and shall continue to be paid into the receipt of his Majesty's exchequer at *Westminster*, (the charges of raising and accounting for the same excepted), and be carried to, and made part of, the consolidated fund.

C A P. XC.

An act for regulating the shipping and carrying slaves in British vessels from the coast of Africa.—[June 22, 1795.]

Preamble

WHEREAS it is expedient to regulate the shipping and carrying slaves in British vessels from the coast of Africa, for a limited time;

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, That by the authority of the same, That it shall not be lawful for any master or other person taking or having the charge or command of any *British* ship or vessel whatever, which shall clear from any port of this kingdom from and after the first day of August one thousand seven hundred and ninety-five, to have on board at any one time, or to convey, carry, bring, or transport, slaves from the coast of *Africa* to any part beyond sea, in any ship or vessel, in any greater number than in the proportion of five such slaves for every three tons of the burthen of such ship or vessel, so far as the said ship or vessel shall not exceed two hundred and one tons; and moreover of one such slave for every additional ton of such ship or vessel over and above the said burthen of two hundred and one tons, or male slaves who shall exceed four feet four inches in height, in any greater number than the proportion of one such male slave to every one ton of the burthen of such ship or vessel, so far as the said ship or vessel shall exceed two hundred and one tons; and moreover of three such male slaves, who shall exceed the said height of four feet four inches, for every additional five tons of such ship or vessel, over and above the said burthen of two hundred and one tons; and every such ship or vessel shall be deemed and taken to be of such burthen or burthen as is described and set forth in the respective certificate of the registry of each and every such ship or vessel, granted in pursuance of an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, *An act for the further increase and encouragement of shipping and navigation*; and if any such master, or other person taking or having the charge or command of any such ship or vessel, shall act contrary hereto, such master or other person as aforesaid shall forfeit and pay the sum of thirty pounds of lawful money of *Great Britain* for each and every such slave, exceeding in number the proportions herein-before limited; one moiety whereof shall go to his Majesty, his heirs or successors, and the other moiety thereof shall go to any person or persons who shall first sue for the same: provided always, that if there shall be in any such ship or vessel any more than two fifths part of the slaves who shall be children, and who shall not exceed four feet four inches in height, then every five such children, over and above the aforesaid proportion of two fifths, shall be deemed and taken to be equal to four of the said slaves, within the true intent and meaning of this act: provided always, that nothing herein contained shall extend, or be construed to extend, to the case of a ship taking on board any number of slaves that shall be found shipwrecked, or from on board any other ship or vessel where, by reason of mutiny or insurrection among the slaves, or the crew, or by failure of hands, or by any actual distress of the vessel, the master or commander shall be disabled from governing the ship, or continuing the voyage, the proof of which shall lie

From Aug 1, 1795, no vessel clearing out from Great Britain, to carry slaves from Africa in greater numbers than herein specified.

Vessels to be deemed of the tonnage set forth in their certificates of registry.

Masters of vessels to forfeit 30l. for every slave exceeding the limited number.

If more than two fifths of the slaves be children, five of the surplus to be deemed equal to four slaves, &c.

upon the master or other person having charge of such ship or vessel so taking on board such slaves.

Masters of vessels, before they land any slaves in the West Indies, to give in a written declaration to the officer of the customs of the burthen of the vessels, &c.

II. And be it further enacted by the authority aforesaid, That on the arrival of any such ship or vessel in any island in the *West Indies*, belonging to or under the dominion of his Majesty, his heirs or successors, from the coast of *Africa*, carrying or conveying, any such slaves as aforesaid, the master or other person having or taking the charge or command of such ship or vessel shall, before any of the said slaves shall be unshipped or landed from such ship or vessel, repair to the nearest custom house, and there give in a written declaration to the collector, or other chief officer of the customs, who is hereby required to accept and preserve the same, of the burthen of such ship or vessel, and shall, at the same time, shew to such officer the certificate of the registry thereof; and shall also give in a written declaration to the said officer, (who is hereby required to accept and preserve the same), containing an exact and true account of the greatest number of such slaves, (distinguishing the number of males and females, and specifying the number of such slaves as shall exceed the aforesaid height of four feet four inches), who are or shall have been at any one time in or on board such ship or vessel, before, when, or after, such ship or vessel quitted or departed from the coast of *Africa* for that voyage; and if such master, or other person taking or having the charge or command of any such ship or vessel, shall unship or land, or shall cause to be unshipped or landed, or shall wilfully permit or suffer to be unshipped or landed, any such slaves, contrary to the true intent and meaning of this act, such master or other person as aforesaid shall forfeit and pay the sum of five hundred pounds of lawful money of *Great Britain* for every such offence, and one moiety of the said forfeiture shall go to his Majesty, his heirs or successors, and the other moiety shall go to the person or persons who shall first sue for the same; and it shall and may be lawful for such collector or other chief officer of the customs, and he is hereby required to search, or to cause search to be made in every part of such ship or vessel, to see and to take an account of the number of such slaves on board such ship or vessel, and to specify in such account the number of males and females, and also the number of slaves not exceeding four feet four inches in height, and without delay to transmit such account, attested under his hand and seal, to the commissioners of his Majesty's customs in *London*, under the penalty of five hundred pounds: provided always, that in case the said collector or other chief officer of the customs shall be absent, or that there shall be no such officer in any such island where the said ship shall arrive as aforesaid, or in case there shall be no other officer of the revenue, then any civil officer in the said island shall be, and he is hereby authorised and required, upon application as aforesaid, to receive and preserve the said declaration of the burthen of such ship as aforesaid, and to perform all the other duties aforesaid which the said collector or other chief officer of the customs is hereby required to perform.

and if they land slaves contrary hereto, to forfeit 500l.

Officers of the customs to take an account of the slaves on board such vessels, &c. on penalty of 500l.

Where there is no officer of the customs, any civil officer to receive the declaration of the master, &c.

[II. And be it further enacted, That if any person making any declaration, by this act authorised or required to be made, shall be guilty of wilful falsehood, or if any person shall procure or suborn any person to become guilty of such wilful falsehood, every such person shall be deemed guilty of a misdemeanour, and shall be punished by such fine as the court, before whom the offender shall have been tried and convicted, shall think fit in order or adjudge, and also by imprisonment for any time not exceeding twelve nor less than three calendar months from the date of such sentence.

Penalty on making false declaration.

[V. And be it further enacted by the authority aforesaid, That no vessel shall be lawful for the master or other person taking or receiving the charge or command of any such ship or vessel as aforesaid, which shall be cleared out from any port in Great Britain, after the first day of August one thousand seven hundred and eighty-five, to take or have on board such ship or vessel, or convey, carry, bring, or transport, any slaves from the coast of Africa, or any parts beyond the seas, in any such ship or vessel as aforesaid, unless such ship or vessel shall, at the time of her so clearing out, have been entered for such purpose at the custom house of the port from whence such ship or vessel cleared out, and unless the surgeon of or belonging to such ship or vessel shall have given bond to his Majesty, his heirs and successors, and shall have left the same in the hands of the collector or comptroller of the customs in the port from whence such ship or vessel shall depart for her voyage to the coast of Africa, in the penal sum of one hundred pounds, with condition that such surgeon shall keep a regular and true journal, containing an account of the greatest number of slaves which shall have been, at any time during such voyage, on board such ship or vessel, from the time of the arrival of such ship or vessel on the coast of Africa as aforesaid, until her departure at the port of her delivery, distinguishing the number of males and females, and of the deaths of any such slaves or crew on the said ship or vessel, and of the cause thereof, during the voyage from the first departure of the said ship or vessel to her arrival on the coast of Africa, during her stay on the said coast, and after her departure from thence to the said port of delivery, during such time as such surgeon shall have been on board the said ship or vessel; and that the said surgeon shall deliver such journal to the collector or other officer as aforesaid, at the first British port where such ship or vessel shall arrive after leaving the coast of Africa, and shall deliver in a written declaration of the contents of such journal, to the best of his knowledge and belief, to the collector or other officer as aforesaid, who is hereby required to accept and preserve the same; and such collector or other officer as aforesaid shall deliver to such master or other person as aforesaid, and to such surgeon respectively, copies of the declaration of such master or other person, and of such surgeon as aforesaid, and also of the said journal, which copies shall severally be attested (as true copies) by such collector or other officer as aforesaid, under his hand and seal; and duplicates of the said copies, attested

No vessel to carry any slaves, unless entered for that purpose at clearing out, nor unless the surgeon give bond to keep a journal of the slaves during the voyage;

Journal is to be delivered to the officer of the customs, at the first British port of arrival, &c.

Officer to deliver to the master a copy of his declaration, and to the surgeon a copy of his journal, and

transmit duplicates to the commissioners of the customs.

attested in like manner, shall be transmitted by the said collector, or other chief officer, to the commissioners of his Majesty's customs in *London*; and if such master, or person taking or having the charge or command of any such ship or vessel, shall carry his cargo of slaves to, and land the whole or any part in, any port or ports not subject to the crown of *Great Britain*, and shall afterwards arrive at any *British* island or port, having delivered the whole or any part of his said cargo, such master or other person, and also the surgeon of such ship or vessel, shall make the same declaration, deliver in the same journal to, and take the same oaths before the collectors, or other chief officers of the customs, or civil officer of the island or port, and receive the same attested certificate, in like manner as if he had first arrived at such island or port; and if the said ship or vessel shall not arrive at any *British* island or port before her return to *Great Britain*, then the said master or other person, and surgeon, shall make the said declaration, deliver in the said journal to, and take the said oaths before, the collector or other chief officer of the customs of the port where they shall first land, which the collector or chief officer is hereby empowered and required to receive and administer, and the said collector or other chief officer shall forthwith transmit the same to the commissioners of his Majesty's customs in *London*; and if such master or surgeon shall act contrary hereto, such master or surgeon shall, for every such offence, forfeit the sum of one hundred pounds, one moiety whereof shall go to his Majesty, his heirs or successors, and the other moiety thereof shall go to any person or persons who shall sue for the same.

Masters or surgeons acting contrary hereto to forfeit root.

If penalty on masters be not paid within 14 days, their vessels may be seized and sold.

V. And be it further enacted by the authority aforesaid, That in case the master or other person having or taking the charge or command of any such ship or vessel, shall be convicted of any one of the said offences before mentioned, and shall not, within the space of fourteen days, pay or cause to be paid, into the hands of the proper officer of the court wherein the offence shall be prosecuted, in order that the same may be applied in manner herein directed, the amount of the penalty on such conviction, it shall and may be lawful for any admiral, or other commander at sea of any of the ships of war, or other ships having commission from his Majesty, or from his heirs or successors, or for any governor of any island or plantation to his Majesty belonging in *America* or the *West Indies*, or for any officer or officers of his Majesty's customs, to seize and detain the said ship or vessel wherever found, and to convey the same to the custom house nearest to the place where she shall be found; and the collector, or other principal officer of the customs of such custom house, shall, and he is hereby required to cause every such ship or vessel to be sold publickly by auction, and the produce arising by such sale thereof to apply towards satisfying the said penalty; and if there shall remain any overplus, to pay the same over to such person or persons as shall prove his, her, or their property therein, or to his, her, or their lawful assigns.

VI. *And whereas it may happen that the master or other person having the command of such ship or vessel so prosecuted and convicted may be unable to pay such penalty or penalties incurred; be it enacted, That as soon as such ship or vessel shall arrive in any of the said islands, and due notice of such arrival shall have been given at the custom house thereof, the owner or owners of the said ship or vessel, or his, her, or their factor or agent to whom such ship and cargo are consigned, shall give bond in the penal sum of five thousand pounds to the collector or other officer of the customs, for the full and just payment of such penalty or penalties as may be awarded against such captain, or other officer, by the verdict of a jury: and it is hereby enacted, That no such ship or vessel shall be permitted or suffered to enter or clear inwards, until such bond shall be first given; and it shall be lawful for any officer of the customs to detain such ship or vessel, with all her cargo on board, until such bond shall be entered into as before required: provided always, that no suit against such captain, or other officer, shall be prosecuted in any island, unless the same shall be commenced within one month after due notice given of the ship's arrival to the collector or other officer of the customs in the said islands.*

On arrival of vessels in America or the West Indies, the owners to give bond for payment of penalties.

Vessels not to be admitted to entry till bond is given, &c.

Suits to be commenced within one month.

VII. *And be it further enacted by the authority aforesaid, That the several penalties and forfeitures inflicted by this act shall and may be sued for, prosecuted, and recovered, in any court of vice admiralty in any part of America, or in any island in the West Indies, wherein any such offence shall have been committed, or wherein any such ship or vessel shall have disposed of the whole or any part of her cargo, or in any of his Majesty's courts of record at Westminster, or in the court of exchequer at Edinburgh.*

Where penalties may be sued for.

VIII. *And be it further enacted by the authority aforesaid, That in every such ship or vessel, the upper as well as the lower cabin, and the space between decks, shall be allotted and properly prepared for the reception of such slaves; and that after any such ship or vessel shall have taken two third parts of her complement of slaves on board, in the proportions herein-before limited, no goods, wares, or merchandize, shall ever be stowed or put in any such cabin or place in which any such slaves shall be.*

The upper and lower cabin, and the space between decks, to be allotted to the slaves, &c.

IX. *And be it further enacted by the authority aforesaid, That from and after the first day of August one thousand seven hundred and ninety-five, it shall not be lawful for any person to become a master, or take or have the command or charge of any such ship or vessel, at the time he shall clear out from any port of Great Britain, for purchasing and carrying slaves from the coast of Africa, unless such master, or person taking or having the charge or command of any such ship or vessel, shall have made oath, and delivered in to the collector or other chief officer of the customs, at the port where such ship or vessel shall clear out, a certificate, attested by the respective owner or owners, that he has already served in such capacity during one voyage, or shall have served as chief mate or surgeon during the whole of two voyages,*

If any person take the command of a vessel, who is not qualified as herein directed, he and also the owner shall forfeit 500*l.*

voyages, or either as chief or other mate during three voyages, in purchasing and carrying slaves from the coast of *Africa*, under pain that such master or other person taking or having the charge or command of any such ship or vessel, and also the owner or owners who shall hire or employ such person, shall, for every such offence, respectively forfeit and pay the sum of five hundred pounds.

Former acts,
recited,

X. *And whereas by an act, made in the thirty-third year of his present Majesty's reign, and several preceding acts, it is enacted, that, from and after the first day of August one thousand seven hundred and ninety-three, it should not be lawful for any owner or owners of any ship or vessel to insure any cargo of slaves, or any part thereof, on board the same, against any loss or damage, save and except the perils of the sea, piracy, insurrection, or capture by the King's enemies, barratry of the master and crew, and destruction by fire; and that all and every policy of insurance thereafter made contrary to the said act should be, and the same are thereby declared to be null and void to all intents and purposes whatsoever: and whereas the owners of ships and others concerned in the trade to Africa, understanding that it was merely intended by the above-mentioned provision of the said act, to prescribe and specify the particular kinds of loss and damage for which alone an indemnity should thereafter be recoverable in respect to cargoes of slaves, and not to interfere with or vary the particular forms of the policies of insurance, whereby such insurances had been theretofore effected, have continued to make insurances on the perils and dangers allowed to be insured by the said act in the same general terms as are contained in the common policies theretofore used in other insurances on ships and goods: and whereas doubts have arisen respecting the validity of such insurances so made on cargoes of slaves, on account of the policies whereby the same are effected not being expressly restrained to the particular peril and dangers which are by the said provision of the said act alone saved and excepted as the subjects of lawful insurance: for remedy whereof and for the more effectual security of such persons, be it therefore enacted by the authority aforesaid, That nothing in the said act, or any former act contained, shall extend, or be construed to extend, to make void any insurance already made, or which hereafter shall be made, upon ships, slaves, goods, and merchandize, in the same general terms with the policies now commonly made in use of in all other insurances on ships and goods, (that is to say), on account of their expressing to be made, "against the risks and perils of the seas, men of war, fire, enemies, pirates, rovers, thieves, jettisons, letters of mart and counter-mart, surprizals, takings at sea, arrests, restraints, and detentions of kings, princes, and people, of what nation, condition, or quality, soever, barratry of the master and mariners, and of all other perils, losses, and misfortunes, that have or shall come to the detriment or damage thereof:" provided nevertheless, that under such policies of insurance so made, or to be made, no loss or damage shall be hereafter recoverable on account of the mortality of slaves by natural death or ill treatment, or against loss, by throwing overboard of slaves,*

and nothing therein to make void insurances made in the same general terms as other insurances, but under them no damages shall be recoverable in certain cases.

on any account whatsoever, or against loss or damage by restraints and detainments by kings, princes, people, or inhabitants of *Africa*, where it shall be made appear that such loss or damage has been occasioned through any aggression for the purpose of procuring slaves, and committed by the master of any such ship, or by any person or persons commanding any boat or boats, or party or parties of men belonging to any such ship, or by any person or persons acting by the direction of any such master or commander respectively.

XI. And be it further enacted by the authority aforesaid, That no such ship or vessel shall be allowed to clear out, unless it shall appear to the collector, or other principal officer of the customs at the port, that there is one surgeon at least engaged to proceed on board such ship or vessel, and unless such surgeon shall have produced and delivered to such collector or other principal officer of the customs, a certificate or warrant of his having passed his examination at the surgeons hall, or at some publick or county hospital, or at the royal college of physicians or royal college of surgeons at *Edinburgh*, or shall have served as surgeon or surgeon's mate in his Majesty's fleet or armies, of which certificate or warrant the said collector or other principal officer shall give to the said surgeon an attested copy, *gratis*.

No vessel to be cleared out that has not a surgeon who has passed his examination, &c.

XII. And be it further enacted by the authority aforesaid, That if it shall be made appear, to the satisfaction of the collector or other principal officer of the port where such ship or vessel shall be discharged, that there shall not have died more than in the proportion of two slaves in the hundred, from the time of the arrival of such ship or vessel on the coast of *Africa*, to the time of her arrival at her port of discharge in any of the islands of the *West Indies*, belonging to or under the dominion of his Majesty, his heirs or successors, in such case the collector or other principal officer shall, and he is hereby authorized and required to make out certificates, specifying the number of slaves that appear to have been taken on board the said ship or vessel, and the number that have died within the period above-mentioned, one of which certificates shall be delivered to the master, and the other to the surgeon of such ship or vessel, and on production of such certificates, the commissioners of his Majesty's customs in *England* and *Scotland* respectively, shall, and they are hereby authorized and required to direct the sum of one hundred pounds to be paid to the master, and the sum of fifty pounds to be paid to the surgeon of such ship or vessel, out of any money that shall be in the hands of the receiver general of the customs of *England* and *Scotland* respectively; or if it shall be made appear to the collector or other principal officer as aforesaid, that there shall not have died more than in the proportion of three slaves in the hundred, from the time of the arrival of such ship or vessel on the coast of *Africa* to the time of her arrival at her port of discharge in any of the islands of *West India*, in such case the collector or principal officer as aforesaid shall, and he is hereby required and authorized to make out like certificates, and to deliver one to the master and

If the officer at the port of discharge shall be satisfied that there have not died on the voyage more than 2 slaves in the 100, he is to give certificates to the master and surgeon, and on production thereof to the commissioners of the customs, they are to order the master 100l. and the surgeon 50l.

Like certificates to be given where the mortality has not been more than 3 in the 100, which is to entitle the master to 50l. and the surgeon to 25l.

the other to the surgeon of such ship or vessel, and the commissioners of the customs in *England* and *Scotland* respectively shall, and they are hereby authorized and required, on production of such certificates, to direct the sum of fifty pounds to be paid to the master, and the sum of twenty-five pounds to be paid to the surgeon of such ship or vessel.

Before any vessel is cleared outwards, the master, officers, and mariners, to execute articles of agreement in the forms hereunto annexed; and no other form to be used, on penalty of 50*l.*

XIII. *And, for the better regulation, encouragement, and preservation of the health of the officers and seamen, employed in ships & vessels trading to the coast of Africa, for slaves, and from thence to the West Indies, and America; be it enacted by the authority aforesaid, That, from and after the first day of August one thousand seven hundred and ninety-five, before any ship or vessel shall proceed to sea, the master, officers, and mariners, shall sign and execute articles of agreement, and a muster-roll, in the presence of, and witnessed by, the clearing officer and one of the tidemen of the port from whence the ship departs; and a duplicate of the articles of agreement and muster-roll, duly signed and executed, shall be delivered to the aforesaid clearing officer, in order to its being lodged with the proper officer in the custom house, according to the forms hereunto annexed; which agreement shall be conclusive to all parties for the time contracted for; and no other form whatsoever of articles of agreement, or muster-roll, shall be used, under the penalty of fifty pounds, or half to be paid to the use of *Greenwich* hospital, and the other half to the informer, or other person who shall sue for the same, in any of his Majesty's courts of record.*

Muster roll to be regularly kept, &c.

XIV. *And be it further enacted by the authority aforesaid That a continuation of the muster-roll shall be regularly and duly kept during the voyage; also a log book, wherein all penalties, forfeitures, and charges, against any officer or seaman shall be regularly entered and signed by the master, chief mate, and surgeon; which said log book and the said muster-roll shall, on the arrival of the ship or vessel at her discharging port in *Great Britain*, be delivered in to the collector or other chief officer of the customs, together with the written declaration of the truth thereof, which declaration the collector, or other chief officer aforesaid, is hereby required to accept and preserve; and if any master, chief mate, or surgeon, shall be convicted of signing false muster-rolls, articles of agreement, or log book, he or they shall forfeit and pay the sum of one hundred pounds, and shall also suffer six months imprisonment.*

Penalty for signing false muster rolls, &c.

No officer, &c. to be turned over or discharged, but under the circumstances herein mentioned.

XV. *And be it further enacted, That no officer, mariner, or seaman, shall be turned over or discharged, upon any pretext whatsoever, unless into his Majesty's ships of war, or to assist a ship in actual distress, which is to be certified by the principal officers of both ships concerned, and an agreement made in writing with the said officers or men so lent, or, upon preferment, or under ill state of health, with the consent of the party, for which a certificate shall be given from the captain of any of his Majesty's ships or vessels, if any are present, or, in their absence, two justices of the peace, or the collector and comptroller of the customs.*

at the place or port where such ship or vessel shall be, or shall first arrive, which certificate shall be returned with the muster-roll and log book, on the arrival of the ship at her delivering port in Great Britain.

XVI. And be it further enacted, That no master, commander, or other person, shall supply the officers or mariners, seamen, or seafaring men, with more slops, tobacco, spirits, or any other article whatsoever, than to the amount of one fourth part of the monthly wages of such officer, mariner, seaman, or seafaring man.

No slops, &c. to be supplied beyond one fourth of the monthly wages.

XVII. And be it further enacted, That if any officer, mariner, or seaman, shall behave in a riotous, seditious, or mutinous manner, it shall be lawful for the commander or commanding officer to put such officer, mariner, or seaman, into confinement, for a time not exceeding twenty-four hours, before the same is reported to the captain or commander of any of his Majesty's ships or vessels (being present, or within a convenient distance), who is hereby authorized to enquire into the cause of the complaint, and to examine upon oath, if found necessary, and to grant such relief or remedy therein as the circumstances of the case may require; and in case none of his Majesty's ships be present, the cause of complaint shall be fully examined into by the master and two officers, in the presence of the ship's company; and if it shall be judged necessary, for the safety of the ship and cargo, to continue the offender or offenders in confinement, the determination shall be drawn up in writing, with the reasons coming to such resolution stated at large, and signed by the master and two officers, which they are hereby enjoined, under penalty of fifty pounds, to report, without delay, to the captain or commander of the first ship or vessel belonging to his Majesty which may fall in with, and in default thereof to report the same to the governor or chief officer of any *British* fort on the coast of *America*, or to the governor of any of the *West India* islands, on their arrival at any port or road therein, that such measures may be taken to bring the offender or offenders to justice as the nature of the case will admit.

Regulations with regard to officers, &c. behaving in a riotous, seditious, or mutinous manner.

XVIII. And be it further enacted, That the master or other person having or taking the charge or command of every such ship or vessel, shall cause a printed abstract of this act, and also a copy of the schedule (A) and of the muster-roll, respectively annexed to this act, to be hung up and affixed to the most publick place of such ship or vessel, and shall cause the same to be constantly put and renewed, so that at all times they may be accessible to the officers and seamen on board of such ship or vessel, upon pain that every such master, or other person having or taking the charge or command of every such ship or vessel, who shall neglect to affix and renew the same, shall, for every such offence forfeit the sum of twenty pounds.

Master to cause a printed abstract of this act, &c. to be hung up in the most publick place in his vessel, on penalty of 20l.

XIX. And be it further enacted, That if any officer, mariner, or seaman, charged with mutiny or sedition, shall be delivered

If mutinous officers, &c. be taken into

Custody in Africa or the West Indies, a statement upon oath, to be lodged with the governor, &c. and if the witnesses do not appear at the trial, they shall incur a penalty.

over or taken into custody by the order of the governor or chief officer of any fort on the coast of *Africa*, or the governor of any of the islands in the *British West Indies*, a full statement, upon oath, which they are hereby empowered to administer, shall be made out and lodged with the said governor, together with the names of the witnesses who are to support the charge alleged against the prisoner or prisoners, in order to their being sent home for trial at the next admiralty sessions, for the offence or offences alleged against him or them; and in case the said witness or witnesses shall neglect to appear at the trial, upon being duly summoned, he or they shall incur such penalty as the court shall adjudge.

Officers, &c. to continue in pay till the vessel is cleared inwards. Wages of run men to go to Greenwich Hospital, &c.

XX. And be it further enacted by the authority aforesaid That upon the arrival of every ship or vessel at her discharging port in *Great Britain*, the officers and seamen therein shall be continued in full pay and provisions until the ship is cleared inwards, or their accounts are settled and paid; and that all wages due to run men shall be forfeited and paid, one half to the use of *Greenwich Hospital*, and the other half to the merchants hospital of the port to which such ship belongs; and all other forfeitures shall be applied as is specified in the articles of agreement; and custom, law, or usage, to the contrary notwithstanding.

Where offences may be tried, and penalties sued for.

XXI. And be it further enacted by the authority aforesaid That any offence committed in breach or violation of this act may be tried in any court of oyer and terminer, in any county of *England* wherein any such offence shall have been committed, or in case any such offence shall have been committed on the seas, or in parts beyond the seas, then in such county within which the ship on board which such offence shall have been committed shall have cleared out, or in the county of *Middlesex*; and any penalty or forfeiture, inflicted by this act, may be prosecuted, sued for, and recovered, in any court of record in *Great Britain*, and in every such action or suit the party against whom judgement shall be given (whether plaintiff or defendant) shall pay double costs of suit; and every such action shall and may be brought at any time within three years after the offence committed, and afterwards; and every such action shall be carried on without wilful delay.

Limitation of actions.

Delivery of writs on board vessels, to be deemed legal service.

XXII. And be it further enacted, That if any master or other person, having or taking the charge or command of any ship or vessel, shall be prosecuted on account of any offence committed against this act, and the officer, whose business it shall be to serve the writ or process issuing out of the court in which such master or other person shall be prosecuted, shall not be able to find the said master or other person so prosecuted either on board the said vessel, or on shore or elsewhere, of which such officer shall give publick notice in such court, then, and in all such cases, the delivery of the said writ or process on board the said ship or vessel of which the said person shall have had the charge or command, shall be deemed due and legal service of the said writ or process.

XXIII. And be it further enacted by the authority aforesaid, that if any person, taking any oath by this act authorised or required to be taken, shall thereby commit wilful perjury, or if any person shall unlawfully procure or suborn any person to take any oath, by this act authorised or required to be taken, whereby such person shall commit wilful perjury, every such person shall incur and suffer the like pains and penalties as are by law inflicted on persons committing wilful and corrupt perjury, or subornation of perjury.

Persons taking false oaths, to incur the pains of perjury, &c.

XXIV. And be it further enacted, That this act shall continue in force until the first day of August one thousand seven hundred and ninety-six, and no longer, except for the purpose of punishing or suing any person in consequence of any offence or offence committed in breach or violation of this act.

Continuance of this act.

S C H E D U L E (A).

ARTICLES of agreement between the master, officers, mariners, seamen, and seafaring men, of the ship bound from the port of _____ upon an intended voyage to the coast of *Africa* for _____ from thence to the *West Indies*, or *America*, and afterwards to _____ in *Great Britain*, or to her delivering port in *Europe*.

FIRST, The master does hereby covenant, agree, and engage, with the said officers, seamen, seafaring men, landsmen, and _____, That he will pay, or cause to be paid, to each and every of them, at the rate of the wages per month, sterling value, as against each persons name is expressed in the muster roll.

Secondly, The said master does further agree and engage with the said officers, mariners, seamen, seafaring men, landsmen, and _____, That they shall be daily and regularly supplied with good and wholesome victuals, and a portion of wine or spirits, as hereafter specified; the said provisions to be issued and dressed in the usual manner in which it is done on board his Majesty's ships of war, and served out to the ship's company in the manner following; *videlicet*,

Sunday, - - One pound and an half of beef, containing sixteen ounces to the pound, and a pint of flour.

- Monday, - - One pound of pork, containing sixteen ounces to the pound, and half a pint of peak.
- Tuesday, - - One pint of oatmeal, and two ounces of butter, and four ounces of cheefe; or, one pound of stock fish, with one eighth of a pint of oil, and a quarter of a pint of vinegar, in lieu of butter and cheefe.
- Wednesday, - The same as Monday.
- Thursday, - The same as Sunday.
- Friday, - - The same as Tuesday.
- Saturday - The same as Monday.

Each person, besides, to have six pounds of bread *per week*; and a quarter of a pint of spirits, or half a pint of wine, together with of water *per day*, during the voyage.

In lieu of pease and oatmeal may be served rice, Indian corn, yams, or calavances.

In case of being put to short allowance, the master, officers, and seamen, are to be at the same allowance of provisions and water, and to be allowed short allowance money, at the rate of three-pence *per day* if at two thirds allowance, and four-pence halfpenny *per day*, *per man*, if at half allowance, and to be paid their short allowance money ten days before the vessel sails from the *West Indies* or *America*.

And it is hereby further covenanted and agreed by and between the said parties, That the master of the said ship, at his or the owners proper cost and charge, will hire and employ the native in their craft to wood and water the said ship, during her continuance on the coast of *Africa*, if such natives can be procured, under the direction of a patrolon belonging to the said ship.

And it is further agreed on the part of the said master, That whenever the officers and seamen are employed trading in craft on the rivers, that the said master will, on the part of the owners furnish the parties so employed with a sufficient quantity of painted canvas, or tarpawling, for an awning, and provisions for the time in the proportion *per diem*, as is set forth in the foregoing articles with proper utensils and fire to dress the same; and upon failure thereof, for every such neglect he shall forfeit double the value of provisions.

The said master does further agree and engage, That there shall be a space reserved for half the ship's company to shelter themselves, while the slaves are on board; if a frigate-built ship, it shall be under the half deck; or in the steerage, or under a standing awning of wood, well caulked, in any other ship or vessel.

It is hereby further agreed by the said master, That he will not, upon any pretence whatsoever, turn over or discharge any of the officers or ship's company belonging to the said ship, unless on promotion, or to assist a ship actually in distress, and not then, unless properly certified as before expressed in this act: and the said master does hereby further agree to advance one month's pay to the officers and ship's company before the said ship departs from

from *Great Britain*, at the time of settling the river or harbour pay; and that the monthly wages shall commence from that period: and it is further agreed by the said master, That he will pay, or cause to be paid, one month's pay after the landing of the slaves in the *West Indies* or *America*, ten days before the sailing of the said ship on her homeward-bound passage: and also the said master engages to make the general signal for sailing twenty-four hours before the departure of the said ship; *videlicet*, by loosing the fore topfail and firing a gun.

And we the officers, mariners, seamen, seafaring men, landmen, and boys, in consideration of the monthly or other wages, foregoing stipulations, and engagements, do severally promise and agree, and bind ourselves by these presents to behave with due subordination, and respect, and to obey the lawful commands of our commander or superior officers on board the said ship, or boats thereunto belonging, as becomes good and faithful seamen and mariners, and at all places where the said ship shall touch at, put into, or anchor, during the said voyage, to do our utmost endeavours for the preservation of the said ship and cargo; and not to neglect or refuse doing our duty, by night or by day; nor out of the said ship on board any other vessel, or be on shore, under any pretence whatsoever, without leave obtained of our commander or commanding officer on board: and further, That we will, on no account whatsoever, leave or desert the said ship without the master's consent (unless to serve on board any of his Majesty's ships) till the abovesaid voyage be ended, and the said ship discharged under the forfeiture of our wages: and we do further agree, That, when absent upon leave, we will immediately repair on board, when required so to do by our commander or any of our superior officers, on failure thereof to forfeit for such disobedience seven days pay, to be charged against our wages, for every such offence: and we do further agree and acknowledge, That forty-eight hours absence, without leave, shall be deemed a total desertion from the said ship, and our wages forfeited as above agreed on, unless good and sufficient cause can be assigned for such absence.

And it is further agreed by us, the said officers and mariners belonging to the said ship, That we will not demand our wages, or any part thereof, except the value of a fourth part of our wages to be supplied in shops or other necessaries, and one month's pay, with our short allowance money then due, in the *West Indies*, or *America*, until the arrival of the said ship at her delivering port, except we should be impressed, or enter on board any of his Majesty's ships, or be discharged by mutual consent, agreeable to the foregoing certificate, as specified in the act.

And it is hereby further agreed by us the said officers, mariners, seamen, seafaring men, landmen, and boys, That whatever stores, furniture, or apparel, each or any of us receive into our charge belonging to the said ship, shall be accounted for; and in case any thing should be lost or damaged by our negligence or carelessness, it shall be made good to the masters or owners of the wages of such officers or seamen by whose negligence it has

MUSTER ROLL.

Officers and men's names.	Quality.	Where born.	Age.	Years at sea.	Time of entry, and place where.	Time when, and place where, discharged, died, run, or drowned.	Cause of discharge, death, or drowned.	Number of months and days on board.	Wages per month.	Advance money.	Hospital duty.	Amount of rops supplied.	Amount of dead men's cloaths.	Amount of mort al-luance money.	Total amount of wages due when discharged, &c. &c.	Amount of run men's pay.
									<i>E. s. d.</i>	<i>E. s. d.</i>	<i>E. s. d.</i>	<i>E. s. d.</i>	<i>E. s. d.</i>	<i>E. s. d.</i>	<i>E. s. d.</i>	<i>E. s. d.</i>

C A P. XCI.

An act to amend an act, made in the twenty-ninth year of the reign of his present Majesty, for the better regulation of hawkers, pedlars, and petty chapmen; and for repealing so much of the said act as restrains them from selling goods, wares, or merchandize, within a certain distance from any city or market town.—[June 22, 1795.]

WHEREAS by an act of parliament, made and passed in the twenty-ninth year of the reign of his present Majesty, intituled, An act to explain and amend an act made in the twenty-fifth year of the reign of his present Majesty, intituled, 'An act for granting to his Majesty additional duties on hawkers, pedlars, and petty chapmen, and for regulating their trade;' it is amongst other things enacted, that if any such hawker, pedlar, or petty chapman, as is in the said act mentioned, or other trading person so travelling as in the said act mentioned, should, from and after the first day of August one thousand seven hundred and eighty-nine, trade, as in the said act is described, without such licence as is therein also mentioned and described, that then and in any of the said cases such hawker, pedlar, petty chapman, or trading person, so offending, should, for each and every such offence, forfeit the sum of ten pounds; and it is by the said act also enacted, that if any such hawker, pedlar, petty chapman, or other trading person as aforesaid, should be found trading without a licence contrary to the said act, or who being found trading should refuse or neglect to produce a licence according to the said act, after being required so to do, that then it should and might be lawful for any of his Majesty's justices of the peace of the county or place where such offence or offences should be committed, to convict the offender of trading without a licence: and whereas it is expedient that, in default of payment, it should be lawful for such justice, by warrant under his hand and seal, to cause the penalty in which the offender or offenders shall be convicted, to be forthwith levied by distress and sale of the goods, wares, or merchandizes of such offender or offenders, or of the goods with which such offender or offenders should be found trading as 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, upon every conviction of any hawker, pedlar, petty chapman, or other trading person in the said act mentioned, who shall be found trading without a licence contrary to the said act, or who being found trading shall refuse or neglect to produce to such person or persons a licence according to the said act, it shall be lawful for such justice, and he is hereby required, by warrant under his hand and seal, to cause the penalty in which such offender or offenders shall be convicted, to be forthwith levied by distress and sale of the goods or chattels of such offender or offenders, or of the goods with which such offender or offenders shall be found trading as aforesaid, rendering the overplus (if any be) to the owner or owners thereof, after deduction of the reasonable charges

Preamble.

29 Geo. 3. c. 26, recited.

Penalty inflicted by recited act on hawkers trading without a licence, or not producing it, may be levied by distress of the goods.

Anno regni tricesimo quinto GEORGIÏ III. c. 92. [1795.

charges for taking and detaining the said distress, and selling the same, and out of the said sale to pay the said respective penalties and forfeitures aforesaid, and in the mean time to commit such offender to the common goal or house of correction of the county, riding, division, city, liberty, town, or place, where the said offence shall be committed, there to remain until the said penalties and forfeitures, and the reasonable charges of taking the said distress, shall be levied and raised by such distress and sale as aforesaid, or until the same shall be otherwise paid or satisfied by such offender.

II. *And whereas, by the sixteenth, seventeenth, and eighteenth sections of the said act, all hawkers, pedlars, and petty chapmen, are restrained, under the penalties therein mentioned, from vending, selling, or exposing to sale, any goods, wares, or merchandizes whatsoever, in any city or market town in England, Wales, or the town of Berwick-upon-Tweed, or within the distance of two miles from the middle of the most central market place of any such city or market town, except on market and fair days, such hawkers, pedlars, and petty chapmen, not being householders there, or the same not being the usual place of their abode, or of their carrying on business: and whereas the said restrictions have been found inconvenient to the manufacturers in general, and also detrimental to the revenue: be it therefore enacted by the authority aforesaid, That, from and after the first day of August one thousand seven hundred and ninety-five, so much of the said act as relates to the said restrictions shall be, and the same is hereby repealed.*

Restrictions
by s. 16, 17,
and 18 of re-
cited act re-
pealed.

C A P. XCII.

An act for further encouraging and regulating the southern whale fisheries.—[June 22, 1795.]

Preamble.

WHEREAS it is proper to encourage the fishery carried on by his Majesty's European subjects in the seas to the southward of the Greenland seas and Davis's Straights, for the purpose of taking whales and other creatures found in those seas, by continuing the present premiums, and bestowing them in a different manner: and whereas it is of importance that immediate effect should be given to the said premiums, for which reason it is necessary to repeal the laws by which the present premiums are granted: 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 passing of this act, an act, passed in the twenty-sixth year of the reign of his present Majesty, intituled, *An act for the encouragement of the southern whale fishery*; and also an act, passed in the twenty-eighth year of the reign of his present Majesty, intituled, *An act for amending an act made in the twenty-sixth year of his present Majesty's reign, for the encouragement of the southern whale fishery*; and for making further provisions for that purpose; and also every act, and part of an act, repealed

26 Geo. 3. c.
50, and

28 Geo. 3. c.
20, &c. re-
pealed, except
as to vessels

by the said acts, or either of them, shall be, and are hereby repealed, except so far as regards ships or vessels which have been or may be fitted and cleared out for the purpose of carrying on such fishery before the first day of *November* one thousand seven hundred and ninety-five, under the encouragements given by the said acts.

cleared out before Nov. 1, 1795.

II. And be it further enacted by the authority aforesaid, That the several premiums hereafter mentioned shall be paid and allowed for three years, from the first day of *January* one thousand seven hundred and ninety-six, to twenty-eight ships or vessels employed in the said fishery under the limitations and restrictions herein-after expressed; that is to say, every such ship or vessel shall appear by her register to be *British*-built, and shall be fitted and cleared out from some port of *Great Britain* or *Ireland*, or the islands of *Fersey*, *Guernsey*, or *Man*, and shall be wholly owned by his Majesty's subjects usually residing in any of the dominions aforesaid, and navigated as herein-after directed.

Premiums granted for three years to 28 ships fitted out for the fishery :

III. And be it further enacted by the authority aforesaid, That for fifteen of such ships or vessels which shall be so fitted and cleared out between the first day of *January* and the thirty-first day of *December*, in the year one thousand seven hundred and ninety-six, and between the first day of *January* and the thirty-first day of *December*, in each succeeding year, and shall have sailed to the southward of the equator, and shall there have *bona fide* carried on the said fishery, and shall return before the first day of *December*, in the year subsequent to that in which they cleared out, to some port of *Great Britain*, there shall be paid and allowed three hundred pounds to each of the five such ships or vessels which shall so sail and first arrive, within the times herein-before mentioned, with the greatest quantity of oil or head matter taken together, being not less in the whole than twenty tons in each of such ships or vessels, and being the produce of one or more whale or whales, or other creatures living in the seas, taken and killed by the crews of every such ship or vessel respectively; and there shall be paid and allowed two hundred pounds to each of the five such ships or vessels, which shall in like manner sail and first arrive with the next greatest quantity of such oil or head matter taken together, being not less in the whole than twenty tons in every such ship or vessel, and being the produce of any whale or whales, or other creatures living in the seas, so taken as aforesaid; and there shall be paid and allowed one hundred pounds to each of the five such ships or vessels, and which shall in like manner sail and first arrive with the next greatest quantity of such oil or head matter taken together, being not less in the whole than twenty tons in every such ship or vessel, and being the produce of any whale or whales, or other creatures living in the seas, so taken as aforesaid.

premiums and conditions for 15 ships :

IV. And be it further enacted by the authority aforesaid, That for five other of such ships or vessels which shall be fitted and cleared out, and shall sail within the times herein-before mentioned, and proceed to the southward of the thirty-sixth degree

premiums and conditions for 5 other ships :

of south latitude, and shall there *bona fide* carry on the said fishery, and shall not return till after the expiration of fourteen calendar months from the day on which they cleared out, but before the thirty-first day of *December* in the second year after their clearing out, to some port in *Great Britain*, there shall be paid and allowed four hundred pounds to each of such ships or vessels which shall so sail and arrive, within the times herein-before last mentioned, with the greatest quantity of oil and head matter taken together, being not less in the whole than twenty tons, and being the produce of any whale or whales, or other creatures living in the seas, and taken and killed by the crew of such ship or vessel.

premiums and conditions for eight other ships.

V. And be it further enacted, That for eight other of such ships or vessels which shall be fitted and cleared out, and shall sail within the times herein-before mentioned, and shall double *Cape Horn*, or pass through the *Streights of Magellan* into the *South Seas*, and carry on the said fishery during the space of four months, to the westward of *Cape Horn*, in those seas, and shall not return to some port of *Great Britain* till after the expiration of sixteen calendar months from the day on which they cleared out, but before the thirty-first day of *December* in the second year after their clearing out, there shall be paid and allowed six hundred pounds to any one of such last mentioned ships or vessels, which shall so sail and arrive within the times herein last mentioned, with the greatest quantity of oil and head matter taken together, being not less in the whole than thirty tons, and being the produce of any whale or whales, or other creatures living in the seas, and taken and killed by the crew of such ship or vessel in the said voyage, either outward or homeward; and there shall be paid and allowed five hundred pounds to each seven of such ships or vessels last before mentioned, which shall so sail and arrive within the times herein last before mentioned, with the next greatest quantity of oil and head matter taken together, being not less in the whole than thirty tons, and being the produce of any whale or whales, or other creatures living in the seas, and taken and killed by the crew of such ship or vessel in the said voyage, either outward or homeward.

Vessels need not be cleared out specially for the latitudes specified.

VI. Provided always, and be it further enacted, That the owner or owners of any ship or vessel shall not be obliged to clear out specially for the respective latitudes specified in this act, but shall be entitled to the premiums hereby granted, on complying with all the other conditions, regulations, and restrictions, imposed by this act.

The master and 3 fourths of the crew to be British subjects, or if cleared from Britain, foreign protes-

VII. And be it further enacted by the authority aforesaid, That every such ship or vessel shall be navigated by persons, of whom the master and at least three fourths of the mariners are his Majesty's subjects, usually residing in *Great Britain*, *Ireland*, *Guernsey*, *Jersey*, or *Man*; or if such ship or vessel shall clear out from any port of *Great Britain*, then that such ship or vessel may be navigated by persons being protestants, and who, not being

being subjects of his Majesty, have been heretofore employed in carrying on the said fishery, and who shall, at the time of clearing out of every ship or vessel on board of which they shall serve respectively, take the oath (or, being a quaker, shall make a declaration) of fidelity and allegiance to his Majesty, and also shall make oath (or, being a quaker, shall make affirmation) before two or more of the principal officers of the customs, of which the collector is to be one, at the port where such ship or vessel shall so clear out, (which oath or affirmation they are hereby authorized and required to administer), if it is their first voyage from any port of *Great Britain*, that they have already established, or that it is their intention to establish themselves and their families in *Great Britain*, as inhabitants thereof, and subjects of his Majesty; and if it shall be their second, or any subsequent voyage, that they actually have established themselves and their families in *Great Britain*, and have taken the oath (or, being quakers, have made a declaration) of fidelity and allegiance to his Majesty as aforesaid.

tants intending to settle in Britain, &c.

VIII. And be it further enacted by the authority aforesaid, That no premium granted by this act shall be paid or allowed to any person or persons whatever, for or on account of any ship or vessel employed in the aforesaid fishery, unless such ship or vessel shall have on board an apprentice indentured for the space of three years, at the least, for every fifty tons burthen of such ship or vessel by admeasurement, every such apprentice not exceeding the age of eighteen years, nor being under fourteen years, at the time he shall be so indentured, and having proceeded on and continued the whole of the voyage, both out and home, for which any such premium shall be claimed, unless such apprentice died or deserted in the course of that voyage; which facts shall and are hereby required to be verified by the oath of the master, the mate, and two of the mariners, belonging to such ship or vessel, unless by reason of some unavoidable accident, proof whereof shall be made to the satisfaction of the officers of the customs herein-after mentioned, two mariners cannot be procured, and then by the oath of the master and mate, taken before two or more of the principal officers of the customs, at the port to which such ship or vessel shall return from the said fishery, (of which the collector is to be one), which oath they are hereby authorized and required to administer; and in confirmation also thereof, the proper officers of the customs belonging to the port to which such ships or vessels shall respectively return, shall, immediately after their return from such voyage respectively, visit every such ship or vessel, and muster the crew, and having satisfied themselves therein, shall certify the same to the commissioners of his Majesty's customs in *England* and *Scotland* respectively.

No premium to be paid unless there is an apprentice, indentured for three years, on board for every 50 tons burthen.

IX. And be it further enacted by the authority aforesaid, That if the master of any ship or vessel, or any other person or persons whatever, to whom any apprentice or apprentices shall be indentured pursuant to this act, shall permit or suffer any such apprentice or apprentices to quit, leave, or depart, his or their

Penalty of 50l. on masters suffering apprentices to quit their service before expiration of term.

service, on any pretence whatever, except as herein-after is provided, before the expiration of the term for which he or they shall be bound, every such master or other person shall forfeit and pay, for each and every offence, the sum of fifty pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, in which no wager of law, no essoin, nor any more than one imparlance, shall be allowed: provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to inflict the aforesaid penalty, in any case where any apprentice or apprentices shall be legally discharged before a magistrate or justice of the peace, or shall be turned over from one person to another person concerned in either of the aforesaid fisheries, to serve the remainder of his time in such fisheries pursuant to the directions of this act: provided also, and it is hereby declared, that no bounty or premium shall be paid or allowed by virtue of this act in any case unless there shall be inserted in the indenture or indentures of each and every apprentice or apprentices who shall be indentured by virtue of this act, or who shall be turned over from one person to another, pursuant to this act, the name or names of the ship or vessel, or ships or vessels, on board of which such apprentice or apprentices is or are bound to serve.

No premium to be allowed unless the names of vessels in which apprentices are to serve are inserted in indentures.

Apprentices to be considered as such for the voyage, though their indentures expire during it.

No premium to be allowed unless a log book be regularly kept, and delivered to the collector of the customs at the port of arrival, verified on oath.

X. And be it further enacted, That in case the time for which any apprentice shall have been indentured to serve on board any ship or vessel employed in the said fisheries shall expire during the voyage of such ship or vessel, such apprentice shall be accounted and considered, to all intents and purposes, as an apprentice for the whole voyage, and shall on the ship's or vessel's return from the said fishery be mustered accordingly.

XI. And be it further enacted by the authority aforesaid, That no premium granted by this act shall be paid or allowed to any person or persons whatever, on account of any ship or vessel employed in the said fishery, unless a log book shall have been regularly kept on board such ship or vessel, in which log book the various situations and occurrences, respecting such ship or vessel, during the whole course of the voyage, shall be inserted every day, and particularly the times when such ship or vessel shall have been in sight of land, distinguishing what land, and the bearings thereof, and the supposed distances therefrom, and the soundings; and also the time when and the latitude in which any whale, or other creature living in the sea, shall have been killed, taken, or caught, by the crew of such ship or vessel; which log book, so to be kept as aforesaid, shall be delivered by the master, or other person having or taking the charge or command of such ship or vessel, at the time of his making a report of such ship or vessel, to the collector of the customs at any port in *Great Britain*, where such ship or vessel shall arrive, on her return from the said fishery, for his inspection and examination; and the said master, or other person having or taking the charge or command of such ship or vessel, together with the mate thereof, shall jointly and severally verify on oath the contents of such log book before such collector,

collector, who is hereby authorised and required to administer the same.

XII. And be it further enacted by the authority aforesaid, That in case any such ship or vessel shall, in the course of her voyage, meet or fall in with any of his Majesty's ships or vessels of war, the master, or other person having or taking the charge or command of her, shall and is hereby required to produce to the captain, or other officer commanding such ship or vessel of war, the said log book, so to be kept as aforesaid; and such captain or commanding officer shall, and is hereby required to make a memorandum in such log book of the day on which it was so produced to him, and shall subscribe his name to such memorandum, and shall also make an entry in the log book of the said ship or vessel of war, of the name and description of the ship or vessel on board of which the log book of such ship or vessel, so produced to and signed by him, was kept; and in case such ship or vessel, on board of which a log book is required to be kept as aforesaid, shall put into any foreign port, where there is or shall be a *British* consul, or other chief *British* officer, the master or other person having or taking the charge or command of such ship or vessel, shall and is hereby required to produce such log book to such *British* consul, or other chief *British* officer, who shall and is hereby required also to make a memorandum therein of the day on which it was so produced to him, and shall, in like manner, subscribe the same.

XIII. And be it further enacted by the authority aforesaid, That the master, mate, and two of the mariners, belonging to every such ship or vessel, unless by reason of some unavoidable accident, proof whereof shall be made to the satisfaction of the officers of the customs hereinafter mentioned, two mariners cannot be procured, and then the master and mate, shall, and are hereby required, upon the importation into *Great Britain* of any oil or head matter as being taken on the fishery aforesaid, to declare upon oath, before two or more of the principal officers of the customs at the ports of their arrival respectively, of which the collector shall be one, (which oath they are hereby authorised and required to administer), from what port, and the time when, such ship or vessel cleared out, and that all such oil or head matter, so imported, is the produce of one or more whale or whales, or other creatures living in the seas, actually and *bona fide* taken and killed by the crew of such ship or vessel only, at the times, and in the latitudes respectively mentioned, and set down in the log book so to be kept as aforesaid.

XIV. And be it further enacted by the authority aforesaid, That in case the master, or other person having or taking the charge or command of any ship or vessel whatever, fitted out as aforesaid, for the purpose of obtaining some one or other of the premiums granted by this act, shall knowingly receive or permit, or suffer to be received on board such ship or vessel, for the purpose of obtaining any one of the said premiums, any oil, head matter, or any other produce whatever, of any whale or whales,

The log book to be produced to the captain of any ship of war that may be met at sea, who shall make therein a memorandum of the production; and to the *British* consul at any foreign port, for the like purpose.

Oath to be made that the cargo is the produce of creatures killed by the ship's crew.

Persons taking part of the cargo of other vessels for the purpose of obtaining a premium, forfeit 500l. one moiety to the informer, if information

be given in a month after report at the custom-house.

or other fish or creatures living in the seas, which whale or whales, or other creatures living in the seas, shall not have been really and *bona fide* caught and taken by the crew of such ship or vessel only, such master, or other person having or taking the charge or command of such ship or vessel, shall forfeit the sum of five hundred pounds; one moiety of which sum shall, on recovery thereof, be paid to the person or persons discovering the same, provided such person or persons shall give information of the offence within one month after such matter, or other person having or taking the charge or command of such ship or vessel, shall have reported his ship or vessel at the custom-house at the port to which such ship or vessel shall return from the said fishery; which master, or other person having or taking the charge or command of such ship or vessel, is hereby required to make such report in the usual time, and in the manner in which all trading ships or vessels are reported before the proper officers of the customs; and the owner or owners of such ship or vessel shall, and is and are hereby authorised and required, in case, at the time such information shall be given, any sum or sums of money shall be due from him or them to such master, or other person having or taking the charge or command of such ship or vessel, to keep and detain such sum or sums of money, and to pay the same (towards discharging the said penalty) to the collector or other principal officer of the customs at such port to which such ship or vessel shall so return from such fishery; and if such owner or owners shall pay any sum or sums of money to, or shall otherwise account for, such sum or sums of money with any master or other person having or taking the charge or command of any such ship or vessel, before the expiration of one month after the report shall have been so made at the custom-house as aforesaid, and such master or other person shall be liable to the penalty aforesaid, such owner or owners shall make good such sum or sums of money so paid, or otherwise accounted for, and shall pay the same towards discharging the aforesaid penalty into the hands of the collector, or other principal officer of the customs, in manner before directed.

When information has been given, owners to pay money due to masters to the collectors of the customs; and if paid otherwise, to be accountable for the same.

Produce of whales caught in particular latitudes on the voyage, to be deemed part of the quantity entitling to a premium.

XV. And be it further enacted by the authority aforesaid, That in case any whale or whales, or other creatures living in the seas, shall be caught or taken in any part of the ocean, to the northward of the equator, by the crew of any of the fifteen ships or vessels to which premiums are given in manner before mentioned, or to the northward of the thirty-sixth degree of south latitude, by the crew of any of the five ships or vessels to which other premiums are also given, in manner before mentioned, or in any part of the *Atlantic Ocean* by the crew of the eight ships or vessels, going round or doubling *Cape Horn*, either on the voyage out or return home, of any such ship or vessel, the oil or head matter produced from such whale or whales, or other creatures so caught or taken, shall be accounted, and considered, and taken to be part of the quantity of oil and head matter required to be taken and imported as aforesaid, to entitle the owner or owners of such ship or vessel to some one of the premiums herein-before granted; provided

provided it shall appear by the log book of such ship or vessel, so kept as aforesaid, that such ship or vessel hath actually sailed beyond, and been *bona fide* employed in the fishery, either to the southward of the equator, or to the southward of thirty-six degrees of south latitude, or during the space of four months to the westward of *Cape Horn*, as the case may be.

XVI. And be it further enacted by the authority aforesaid, That in case all and every the several rules, regulations, and restrictions, prescribed and directed by this act, shall have been observed and fully complied with, it shall and may be lawful for the commissioners of his Majesty's customs in *England*, or any four or more of them, and the commissioners of his Majesty's customs in *Scotland*, or any three or more of them, to order the receiver general of his Majesty's customs in *England* and *Scotland* respectively, to pay out of any money in his hands, arising by any duties under their management, to such person or persons as shall be legally entitled thereto, any of the premiums herein-before granted.

Commissioners of the customs may order payment of the premiums.

XVII. And be it further enacted by the authority aforesaid, That no premium granted by virtue of any act or acts of parliament for the encouragement of the southern whale fishery, shall be paid or allowed to any person or persons whatever, for or on account of any ship or vessel employed in the said fishery, unless the premium shall be claimed within two months from the time of the crew being mustered inwards, by the proper officer or officers of the customs, and such claim shall be made in writing, by application from the owner or owners of every ship or vessel, to the commissioners of his Majesty's customs in *England* and *Scotland* respectively, and also, unless it shall, within one month, after such time for making the claim, be made appear that the requisites of law have been complied with.

No premium to be paid unless claimed in a limited time.

XVIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any ship or vessel, employed in carrying on the said southern whale fishery, to sail and pass for that purpose to the eastward of the *Cape of Good Hope*, and to the westward of *Cape Horn*, or through the *Streights of Magellan*; any law, usage, or custom, to the contrary notwithstanding.

Ships permitted to sail to the east of Good Hope, &c.

XIX. Provided always, and be it further enacted, That any ship or vessel sailing to the eastward of the *Cape of Good Hope*, for the purpose aforesaid, shall not sail or pass to the northward of the equator, nor make more than fifty-one degrees of east longitude from *London*; and that any ship or vessel so sailing or passing to the westward of *Cape Horn*, or through the *Streights of Magellan*, for the purpose aforesaid, shall not, either to the northward or southward of the equator, make more than one hundred and eighty degrees of west longitude from *London*.

Restrictions in their course.

XX. Provided also, and be it further enacted, That every ship or vessel employed in the said fishery, and intending to sail or pass to the eastward of the *Cape of Good Hope*, or to the westward of *Cape Horn*, or through the *Streights of Magellan*, shall, before

Ships sailing to the east of Good Hope, &c. to take a licence from the India company.

Conditions on which such licences are to be granted.

before she shall proceed on her voyage, be obliged to take a licence for each respective voyage, from the court of directors of the united company of merchants of *England* trading to the *East Indies*, for the time being, in the name and under the seal of the said company, specifying which of the said voyages such ships shall be licensed to perform, and such licence shall be valid and effectual only for the voyage therein expressed; and the said court of directors shall not be required to grant any licence to pass to the eastward of the *Cape of Good Hope*, to more than ten ships or vessels in any one year or season, or to grant any licence to any ship or vessel to sail or pass to the eastward of the *Cape of Good Hope*, unless the person or persons applying for, or demanding such licence, shall deliver to the said court of directors a manifest or certificate under the hand of the collector or comptroller, or other chief officer of the customs belonging to the port or place from whence such ship or vessel is intended to clear out and sail, verified by the oath of the owner or owners, or the master of such ship or vessel, taken before and attested by any magistrate, or other person authorised by law to take affidavits, specifying the names and places of abode of the owner or owners, and master of the said ship, and also the species, quantity, quality, and value of all goods then on board of such ship or vessel, and of all goods (if any) intended to be afterwards taken into, or on board of the same, before her departure outwards; and also unless it shall, by such manifest or certificate, appear unto the said court of directors, that no goods or merchandizes whatever (save and except the stores of such ship or vessel, and the tackle, materials, and other things necessary for the purpose of the voyage) are taken, or intended to be taken, into or on board of such ship or vessel.

India company not obliged to grant licence to sail round the Cape of Good Hope unless bond be given with certain conditions.

XXI. Provided also, and be it further enacted by the authority aforesaid, That the united company of merchants of *England* trading to the *East Indies*, shall not be required or obliged to grant any licence, for any ship or vessel to sail to or pass within the limits of their exclusive trade round the *Cape of Good Hope*, until the owner or owners of such ship or vessel, or the major part of such owners, if there shall be more than one owner, shall have entered into and executed a bond to the said united company in the penalty of two thousand pounds, with a condition to be thereunder written for payment to the said united company, of the sum of one thousand pounds as a forfeiture to the use of the said united company, over and above the forfeitures and penalties herein-mentioned, in case any goods or merchandizes whatsoever (other than and except the stores of such ship or vessel, and the tackle, materials, and other things, necessary for the purpose of the voyage) shall be taken into or put on board such ship or vessel for or upon her outward voyage; or in case such ship or vessel shall have taken on board, in any part of the voyage homeward, before her arrival in *Great Britain*, any goods or merchandize of the growth, produce, or manufacture, of the *East Indies*, or any islands, ports, havens, coasts, cities, towns, or places,

between

between the *Cape of Good Hope*, and the *Streights of Magellan*, to the value of one hundred pounds or upwards, computing the same according to the value in *England*, except such provisions, stores, or clothing, as it may at any time during the voyage have become necessary for the said ship's crew to take on board for the sole use of the said crew.

XXII. And be it further enacted, That if any ship or vessel to be employed in the said southern whale fishery, to the eastward of the *Cape of Good Hope*, or the westward of *Cape Horn*, shall proceed or go beyond the limits herein-before specified or expressed, unless driven or forced beyond the same by stress of weather, or other inevitable accident, or being so driven or forced, shall not return back within the limits herein-before prescribed, with as much convenient speed as the safety of the ship or other circumstances will admit; or if any ship or vessel shall depart from any port or place without having first obtained such licence as aforesaid, and shall go or be found beyond the *Cape of Good Hope*, or beyond the *Streights of Magellan*, or in any other place within the limits of the said company's exclusive trade; or if any ship or vessel, being so licensed to proceed to the fishery beyond the *Cape of Good Hope*, shall have on board, or shall take on board before her return, any manufactures, goods, or merchandize, other than and except such as shall have been specified and described in and by such manifest or certificate, and other than and except the oil, head matter, or bone of whales or other fish or creatures caught or taken in carrying on the said fishery; every such ship or vessel, and the goods, merchandizes, and effects, on board the same, and the owner and owners, master and crew thereof, shall be deemed and taken, to all intents and purposes, to be subject to the several provisions, regulations, penalties, and forfeitures, by any act or acts, made or imposed upon any person or persons, or their ships, vessels, goods, merchandizes, and effects, who shall repair, sail, adventure, or go to, or traffick, trade, or be found in the *East Indies*, or other place or places within the limits of the said united company's exclusive trade, without licence having been first obtained from the said company; and the offenders shall and may be sued and prosecuted, and the penalties and forfeitures incurred shall and may be recovered, in any court of justice in *Great Britain* or in the *East Indies*, wherein suits may be instituted and brought for offences committed against the said acts, or any of them.

Ships sailing out of their limits, or having improper merchandize on board, liable to the penalties of trading to the East Indies without licence.

XXIII. And be it further enacted by the authority aforesaid, That in case any thing shall be done by any ship or vessel licensed as aforesaid, or by the owner or owners, master or crew thereof, in any way respecting the rights and privileges of the said united company, contrary to the true intent and meaning of this act, the owner or owners of the said ship or vessel shall not afterwards be entitled to require, nor shall the said united company be obliged to grant or give to them or any of them, any future licence for the same, or for any other ship or vessel, to proceed within the limits of the said company's exclusive trade.

if any thing be done contrary to this act, the owners of the ship not entitled to a future licence from the company.

Ships touching at St. Helena may be examined, and unlicensed goods seized.

XXIV. And be it further enacted, That in case any ship or vessel, to be licensed by the said united company as aforesaid, shall touch at the island of *Saint Helena*, or shall be found within the limits before described, it shall and may be lawful to and for the governor of *Saint Helena*, the commander of any ship or vessel belonging to or in the service of the said company, or any person authorised or deputed by them respectively, or to and for any agent specially authorised or deputed for that purpose by the said company, and residing at any place within the limits before described, to search and examine such licensed ship or vessel, to see if any goods or merchandizes shall be on board her contrary to the provisions of this act; and in case any such goods or merchandizes shall be found in or on board of such ship or vessel on such search or examination, the same shall be forfeited to the said united company, and the owner or owners, and master, of the said ship or vessel, shall be liable to all other penalties and forfeitures for trading contrary to the said company's charters; and it shall and may be lawful to and for the said united company, and the persons aforesaid on the behalf and for the use of the said company, to seize and take away such goods and merchandizes to and for the use of the said united company, and to send them home to the said united company, or to sell and dispose thereof to the use of the said company, as they shall think fit.

Certificates to be delivered to the secretary of the East India company, that no produce of the East Indies has been imported, to entitle to a premium.

XXV. And be it further enacted by the authority aforesaid, That within thirty days next after the return of any ship or vessel from a fishing voyage to the eastward of the *Cape of Good Hope*, the master of such ship or vessel shall deliver, or cause to be delivered, to the secretary of the said united company, for the use of the said court of directors, a certificate under the hand of the collector or comptroller, or other chief officer of the customs, belonging to the port or place where the said ship or vessel shall arrive, verified by the oath of the said master, taken before and attested by any magistrate or other person authorised by law to take affidavits, that no goods or merchandizes whatever of the growth, produce, or manufacture, of any place or places in the *East Indies*, *China*, or elsewhere between the *Cape of Good Hope* and the *Streights of Magellan*, except oil, head matter, or bone of whales or other fish, ambergris, or seal skins, have been taken on board such ship or vessel during the said voyage; but in case any such goods and merchandizes shall have been taken on board the said ship or vessel during the said voyage, then the said certificate shall specify the species, quantity, quality, and value, of all such goods and merchandizes, and the cause or reason of taking the same on board; and the owner or owners of such ship or vessel shall not be entitled to any bounty under the authority of this act, until such certificate as aforesaid shall have been delivered to the said secretary, and such delivery shall have been proved by a production of his receipt for the same.

Ships sailing within the

XXVI. Provided always, and be it enacted by the authority aforesaid, That every ship or vessel intending to navigate within, or frequent any part of the seas comprized in the boundaries of the

exclusive

exclusive trade of the *South Sea* company, as described in and by an act of the ninth of her late majesty *Queen Anne*, shall, before he shall proceed on every such voyage, be obliged to take a licence for such voyage from 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 every vessel navigating such seas, without such licence, shall be liable to such forfeitures and penalties as are created and enacted by the said act; any thing in this act to the contrary thereof in any-wise notwithstanding.

limits of the South sea company, must have licence from the company.

XXVII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said ships or vessels which shall be so fitted and cleared out as aforesaid, for the purpose of doubling the *Cape of Good Hope* or *Cape Horn*, or passing through the *Streights of Magellan*, not being of less than two hundred tons burthen, to be properly furnished with arms and ammunition, for resistance and defence; provided the owner or owners of such ships or vessels, before clearing out, shall obtain a licence from the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral for the time being, authorising the same.

Ships may be furnished with arms and ammunition on licence from the admiralty.

XXVIII. And be it further enacted by the authority aforesaid, That the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral for the time being, is and are hereby authorised and empowered to grant such licence for arming, in such cases as to him or them shall seem fit and proper; provided that there shall have been exhibited to him or them a certificate under the hands and seals of the commissioners of his Majesty's customs, (which certificate they are hereby authorised and required to give); testifying that such ship or vessel is entered out for the purpose of doubling the *Cape of Good Hope* or *Cape Horn*, or passing through the *Streights of Magellan*; and provided also, that the owner or owners of such ship or vessel shall have entered into a bond, with two sufficient sureties, in the sum of one thousand pounds, with condition that such arms and ammunition shall not be used for any unlawful purpose, but merely for resistance and defence in cases of involuntary hostility.

Admiralty may grant such licences on certain conditions.

XXIX. And be it further enacted by the authority aforesaid, That no ship or vessel whatever shall be entitled, within or during the periods of time respectively limited by this act for such ship or vessel to sail on and to return from such voyage, to more than one of the premiums hereby granted, although such ship or vessel shall make two voyages within any one of the periods aforesaid.

No ship entitled to more than one premium the same season.

XXX. And be further enacted by the authority aforesaid, That no premium whatever, granted by this act, shall be paid and allowed to the owner or owners of any ship or vessel which shall clear out after the first day of *January* in the year one thousand seven hundred and ninety-six on the said fishery, unless it shall appear, by certificates from the proper officers of the customs, that such ship or vessel was visited, and the crew by them respectively

No premium to be allowed to vessels cleared out after Jan. 1, 1796, unless certified to have been visited on clearing out, &c;

tively mustered, as well before the clearing out of such ship or vessel for the said fishery, as on her return to any port in *Great Britain*; any law, usage, or custom, to the contrary notwithstanding.

nor unless registered.

XXXI. And be it further enacted by the authority aforesaid, That no ship or vessel which, after the first day of *January* one thousand seven hundred and ninety-six, shall be fitted or cleared out for the said fishery, shall be entitled to any of the premiums granted by this act, unless such ship or vessel shall have been duly registered pursuant to the terms and directions of an act, passed in the twenty-sixth year of his present Majesty's reign, intituled, *An act for the further increase and encouragement of shipping and navigation.*

If water be mixed with the oil, &c. imported it shall be forfeited, as well as the claim to premium.

XXXII. And be it further enacted by the authority aforesaid, That, upon the return of every ship or vessel from the fisheries aforesaid, in which ship or vessel any oil or head matter shall be imported, and on account of which importation any of the premiums herein-before granted shall be claimed or demanded, in case there shall be any reason to suspect that such oil or head matter is mixed with water, or any other material or materials, in order to increase the quantity thereof, it shall and may be lawful to and for the collector, or other principal officer or officers of the customs, at the port to which such ship or vessel shall so return, to nominate and appoint, and such collector, or other principal officer or officers, is and are hereby required to nominate and appoint, one or more (as the case may require) skilful person or persons to examine such oil or head matter, for the purpose of ascertaining whether such oil or head matter has been mixed with any water, or any other material or materials whatever, (other than oil or head matter so taken as aforesaid), whereby the quantity of such oil or head matter is increased; and if it shall appear, upon such examination, that there has been mixed with such oil or head matter any water, or any other material whatever, whereby the quantity of such oil or head matter is increased, the owner or owners shall not be entitled to any of the premiums granted by this act; and over and above the loss of the premium, such oil or head matter, so mixed as aforesaid, shall be forfeited and lost, and shall and may be seized by any officer or officers of his Majesty's customs; and if any dispute shall arise whether there hath been mixed with such oil or head matter any water, or any other material or materials whatever, not being oil or head matter so taken as aforesaid, whereby the quantity of such oil or head matter is increased, then, and in such case, the proof thereof shall lie on the owner or claimer of such oil or head matter, or on the person or persons claiming the premium on account of the importation of such oil or head matter, and not on the officer who shall seize or prosecute the same.

In case of dispute the owner to prove the purity of the oil.

The quantity of oil, &c. imported to

XXXIII. And be it further enacted by the authority aforesaid, That before any of the premiums granted by this act shall be paid or allowed to any person or persons whatever, the exact quantity of oil and head matter taken together, imported in such

ship or vessel, shall be truly ascertained by the proper officer or officers of the customs, and such quantity shall be certified by them to the commissioners of the customs in *England* and *Scotland* respectively.

be ascertained by the officer of the customs, and certified to the commissioners.

XXXIV. And be it further enacted by the authority aforesaid, That no harpooner, line manager, or boat steerer, belonging to any ship or vessel, fitted out on the aforesaid fishery, shall be impressed from the said service, but shall be, and is hereby privileged and exempt from being impressed, so long as he shall belong to and be employed on board any ship or vessel whatever in the fishery aforesaid.

No harpooner, &c to be impressed.

XXXV. And be it further enacted, That no boat used as and commonly called a *Whale Boat*, belonging to any ship or vessel employed in the said fishery, shall be liable to seizure for or on account of her built, dimensions, or construction, provided, on the return of such ship or vessel from the fishery, such boat shall be laid up by the owner thereof, in such place or places as shall be approved of by the principal officer of his Majesty's customs of the port at which such ship or vessel shall arrive, and shall not be employed or made use of in any way whatever but in the said fishery.

Whole boats not liable to seizure on account of built, if used only in the fishery.

XXXVI. And be it further enacted, That if any person or persons, not exceeding forty families, not being subject or subjects of his Majesty, who has or have been heretofore employed in carrying on the said whale fishery, and being the owner or owners of any ship or vessel, and intending to reside together with his or their families (not exceeding forty families in the whole) in this kingdom, for the purpose of continuing to carry on such fishery from thence, shall, on or before the thirty-first day of *December* one thousand seven hundred and ninety-eight, come to the port of *Milford*, in the county of *Pembroke*, with his or their family or families, and shall bring any ship or vessel, or any number of ships or vessels, not exceeding twenty in the whole, to the said port of *Milford*, built before the first day of *January* one thousand seven hundred and ninety-five, and manned severally with any number of seamen or fishermen, not less than twelve in number, having been heretofore employed in carrying on the said fishery; and it shall be made appear to the satisfaction of the commissioners of his Majesty's customs, or any four of them, by the oath (or affirmations of the people called *Quakers*) of such owners respectively (which oath or affirmations the said commissioners, or the principal officers in the new port of *Milford*, or any two of them, the collector being one, are hereby respectively authorized and empowered to administer), and by other means, that he or they have been so employed in carrying on the said fishery for three years previous to his or their arrival; and that he or they, together with his or their family, (if any they shall have), are then actually resident in this kingdom; and that twelve such seamen, or fishermen, at the least, are brought into *Great Britain* in every such ship; and the same shall be certified by the said commissioners to his Majesty; it shall and may be

Forty foreigners, with their families, who have carried on the whale fishery, coming to *Milford* by Dec. 31. 1798, to reside in the kingdom, and bringing not more than 20 vessels, built before Jan. 1, 1795, may be permitted to import oil, &c. on certain conditions:

lawful for his Majesty, his heirs and successors, by and with the advice of his privy council, to allow the cargoes of oil or head matter, and fins, or other parts of animals frequenting the seas, imported in any such ships or vessels, not exceeding twenty in the whole which shall arrive from a fishing voyage, to be admitted to entry on payment of the same duty as oil, head matter, and fins of *British* fishing, and to allow any goods, furniture, and stock, which shall be necessary to their whaling out fit, and which shall be part of the property of the said owner or owners imported in any such ships or vessels, and arriving from the late residence of the said owners, to be admitted to an entry without payment of any duty whatsoever; any law, custom, or usage, to the contrary notwithstanding: provided always, that the owner or owners of such ship or vessel as shall be allowed to enter a cargo on the *British* instead of the foreign duty, shall give bond to the commissioners of the customs to the full amount of the difference between the two duties, that he or they will reside during three years in *Great Britain*, and will not absent himself or themselves from the kingdom during that term without leave of his Majesty, by and with the advice of his privy council, except on the prosecution of a fishing voyage from and to this kingdom.

such ships fitted out from Milford for a whaling voyage, may be registered as *British* ones, on the owners taking the oath of allegiance.

XXXVII. And be it further enacted, That if any person or persons not being a subject or subjects of his Majesty, and being the owner or owners of any ship or vessel so admitted to entry as aforesaid, shall fit out the said ship or vessel for a whaling voyage from the port of *Milford*, in the county of *Pembroke*, and shall go before some justice of the peace for the said county of *Pembroke*, or before the principal officer of his Majesty's customs in the new port of *Milford*, and shall take the oath of allegiance to his Majesty, and shall obtain a certificate of his having taken such oath, which oath and certificate such justice of the peace, and officer of the customs respectively, are hereby authorised and required to administer and give, on payment of no greater fee than two shillings, it shall and may be lawful for his Majesty, by and with the advice of his privy council, to order such ship or vessel to be registered, and to have a certificate of registry in the same manner as any *British* ship or vessel; and every such ship or vessel shall, during the time that such owner or owners shall continue to have his or their residence, together with his or their family or families, within this kingdom, or during the time that such ship or vessel shall be owned by any natural-born subject or subjects of this kingdom, and shall be duly registered, enjoy all the privileges and advantages, and be entitled to all the bounties and premiums, granted to any *British* ship or vessel employed in the whale fishery, subject nevertheless to the same rules, regulations, restrictions, penalties, and forfeitures; and every such person and persons shall have and enjoy the rights, privileges, and advantages, of natural-born subjects of *Great Britain*, in like manner, and subject to the like disabilities, as the same may be granted to aliens by a special act of parliament: provided always, that such owner or owners, not being a subject or subjects of his Majesty,

Such owners to make oath

Majesty, shall prove in the manner directed in an act, passed in the twenty-sixth year of his present Majesty's reign, intituled, *An act for the further increase and encouragement of shipping and navigation*, by taking the oath, or making, if a quaker, the declaration herein-after mentioned, instead of the oath required by the said act, that he or they is or are sole owner or owners of such ship or vessel; and shall also conform to all the other regulations respecting registry contained in the said last mentioned act.

as to their sole property in vessels.

XXXVIII. And be it further enacted, That the said oath or declaration, before directed to be taken by the owner or owners, proprietor or proprietors, of any such ship or vessel, shall be in the form and manner following, as far as the same is applicable to each or either of them :

Oath to be in the following form.

I A. B. of [place of residence and occupation], do make oath [or do declare] that the ship or vessel [name] of [port or place] whereof [master's name] is at present master, being [kind of built, burthen, &c, as described in the certificate of the surveying officer], was [when and where built, and when and where it came into this kingdom]; and that I the said A. B. [or the other owners names, and occupations, if any, and where they respectively reside, videlicet, town, place, parish, and county, or if member of and resident in any factory in foreign parts, or in any foreign town or city, being an agent for a partner in any house or copartnership, actually carrying on trade in Great Britain or Ireland, the name of such factory, foreign town, or city, and the names of such house or copartnership], am [or are] sole owner [or owners] of the said vessel, and that no other person or persons whatsoever hath or have any right, title, interest, share, or property, therein or thereto, and [if a British subject], that I the said A. B. [and the said other owners, if any], am or was [or are or were] truly and bona fide a subject [or subjects] of Great Britain; and that I the said A. B. have not [nor have any of the other owners, to the best of my knowledge and belief] taken the oath of allegiance to any foreign state whatever, [except under the terms of some capitulation, describing the particulars thereof]; or that, since my taking [or his or their taking] the oath of allegiance to [naming the foreign states respectively to which he or any of the said owners shall have been subject or subjects], and prior to the passing of an act, in the twenty-sixth year of the reign of King George the Third, intituled, *An act for the further increase and encouragement of shipping and navigation*, I have [or he or they hath or have] become a subject [or subjects] of Great Britain, [either by his Majesty's letters patent, as a denizen or denizens, or naturalized by act of parliament, as the case may be, naming the dates of the letters of denization, or the act or acts of parliament for naturalization respectively]; or [as the case may be] I have [or he or they hath or have] become a denizen [or denizens, or naturalized subject or subjects, as the case may be] of Great Britain, by his Majesty's letters patent, or by an act of parliament passed since the first day of January one thousand seven hundred and eighty-six, [naming the times when such letters of denization have

Anno regni tricesimo quinto GEORGH III. c. 92. [1795.]
 have been granted respectively, or the year or years in which such
 act or acts of naturalization have passed respectively], or [if not a
British subject] that I A. B. and the other owners, if any, being a
 subject or subjects, of some foreign state, [specifying the state], have
 come into and am [or are] now resident in this kingdom, [describing
 the particulars thereof as to the place and date], and intend to re-
 side therein, and have taken the oath, or, being a quaker, have made
 a declaration, of fidelity and allegiance to his majesty the King of
 Great Britain, [describing the times when, the place where, and
 before whom taken], and that no foreigner, not having complied
 with the conditions above-mentioned, directly or indirectly, hath any
 share, or part, or interest, in the said ship or vessel.

Persons grant-
 ing or using
 false certifi-
 cates, or coun-
 terfeiting cer-
 tificates, for-
 feit 500*l*.

XXXIX. And be it further enacted by the authority aforesaid,
 That if any person or persons whatever shall knowingly give or
 grant any false certificate or certificates, for any of the purposes
 required or directed by this act, such person or persons shall for-
 feit the sum of five hundred pounds, and be rendered incapable of
 serving his Majesty, his heirs or successors, in any office what-
 ever: and if any person or persons shall counterfeit, erase,
 alter, or falsify, any certificate or certificates required by this act,
 or shall knowingly or willingly make use of any false certificate
 or certificates, or of any certificate or certificates so counterfeited,
 erased, altered, or falsified, such person or persons shall, for every
 such offence, forfeit the sum of five hundred pounds; and every
 such certificate or certificates shall be invalid and of no effect.

How penalties
 are to be ap-
 propriated.

XL. And be it further enacted by the authority aforesaid,
 That one moiety of the penalties and forfeitures inflicted by this
 act (except in such cases where other directions are given by this
 act) shall be to the use of his Majesty, his heirs and successors, and
 the other moiety to such officer or officers of the customs as
 shall sue or prosecute for the same in any of his Majesty's courts
 of record at *Westminster*, or in the court of exchequer in *Scotland*
 respectively, where the offence shall be committed.

General issue.

XLI. And be it further enacted by the authority aforesaid,
 That if any action or suit shall be commenced against any person
 or persons whatever, for any thing done in pursuance of this act,
 the defendant or defendants, in such action or suit, may plead the
 general issue, and give this act, and the special matter, in evidence
 at any trial to be had thereupon, and that the same was done in pur-
 suance of and by the authority of this act: and if it shall appear so
 to have been done, the jury shall find for the defendant or
 defendants; and if the plaintiff shall be nonsuited, or shall disconti-
 nue his action, after the defendant or defendants hath or have
 appeared; or if judgement shall be given upon any verdict or de-
 murrer against the plaintiff, the defendant or defendants shall
 recover treble costs, and have the like remedy for the same as
 defendants have in other cases by law.

Treble costs.

nuities, the same to be paid at the bank, and charged upon the consolidated fund, but not till subscriptions to both loans are completed, and debentures produced.

a penny; and that, on default of payment of the interest and annuity stipulated to be paid on the part of the emperor, as herein is mentioned, on the first day of *May* and the first day of *November* in every year, agreeably to the dividend certificates to be annexed to the said debentures and annuity bonds, the amount of such dividend certificates shall be paid to the respective holders at the bank of *England*, on the fifth day of *July* and fifth day of *January*; and that the payments so made at the bank of *England*, in consequence of such default on the part of his Imperial Majesty, shall be charged and chargeable upon, and are hereby charged upon, and made payable out of, the consolidated fund, and the same shall be payable and paid at the bank of *England* on the days herein-after mentioned; that is to say, Such of the said dividends wherein default shall be so made on the first day of *May* in any year, and shall remain unsatisfied on the fifth day of *July* next ensuing, shall be payable and paid at the bank of *England* on the fifth day of *July* next ensuing such default: and such of the said dividends wherein default shall be so made on the first day of *November* in any year, and shall remain unsatisfied on the fifth day of *January*, shall be payable and paid on the fifth day of *January* next ensuing: provided always, that no such payment shall be made until the respective contributors towards both the said loans of eighteen millions and four millions six hundred thousand pounds, shall have completed the whole of the respective sums by them subscribed for the purchase of the said several annuities, nor until the person or persons entitled thereunto shall have deposited, or shall produce, from time to time, at the bank of *England*, the debenture or debentures, annuity bond or annuity bonds, for securing his, her, or their, share or interest in the principal sums or annuities on the said loan of four millions six hundred thousand pounds.

Bank to provide a book for entering debentures and annuity bonds, and a duplicate to be transmitted to the auditor of the exchequer.

II. And be it further enacted, That, in the office of the accountant general of the governor and company of the bank of *England* for the time being, a book or books shall be provided and kept, in which the debentures and annuity bonds, to be issued by the bankers or agents for his Imperial Majesty, shall, after being countersigned by or by the authority of the said accountant general, be fairly entered, specifying the number and sum of each debenture and annuity bond, and the name or names of the person or persons in which the said debentures and annuity bonds have been filled up; and the said accountant general shall, on or before the fifth day of *January* one thousand seven hundred and ninety-six, transmit an attested duplicate, fairly written on paper, of the said book or books, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain.

Agents of the emperor may pay to the bank the dividends due on the loan, and shall deliver

III. And be it further enacted, That it shall and may be lawful for the bankers or agents of the emperor to advance and pay, to the cashier or cashiers of the governor and company of the bank of *England*, before or on the first day of *May* and the first day of *November* in every year, the dividends to grow due on the whole of the loan of the said four millions six hundred thousand pounds,

or such part thereof as shall not have been redeemed or paid off by the emperor, for the purpose of satisfying the dividends to grow due on those days respectively, or to advance and pay to the said cashier or cashiers such part of the said dividends as shall have been remitted to them, or shall be in their hands for that purpose; and shall also, on each day appointed for payment of such dividends as aforesaid, deliver to such cashier or cashiers an account in writing, signed by them, of the amount of the sums to grow due at the end of such half year on such loan, and of the deficiency (if any) in the sums remitted to them, or in their hands, for the purpose aforesaid, together with the amount of the principal sums and interest thereon, which the emperor may have redeemed or repurchased of the said loan, in pursuance of the provisions contained in the convention before mentioned; and if the whole of the half-yearly dividends shall not be paid, to the said cashier or cashiers, on or before the day on which the same shall be payable to the respective contributors, their respective executors, administrators, successors or assigns, according to the stipulations before mentioned, the said cashier or cashiers shall, on the day next afterwards, certify the same to the governor and company of the bank of *England*, which certificate shall be by them transmitted under their seal to the commissioners of his Majesty's treasury, or the lord high treasurer for the time being; and the said commissioners of the treasury, or any three or more of them, or the lord high treasurer for the time being, shall, and they and he are and is hereby empowered, in pursuance of such certificate, to cause to be issued, within the time herein-before limited, to the governor and company of the bank of *England*, out of the consolidated fund, in case the necessary provision shall not, in the mean time, be made on the part of his Imperial Majesty, the amount of the deficiency so certified, receiving from the said governor and company the tallies or certificates of the sums so paid on account of such dividends, according to the intent and meaning of the convention between his Majesty and the emperor before mentioned, in order that his Majesty may be enabled to recover the same, with interest, in the manner therein specified.

IV. And be it further enacted, That the commissioners of the treasury, or the lord high treasurer for the time being, shall cause to be prepared, and shall lay before both houses of parliament, within fourteen days after the commencement of every session, an account of the total sums from time to time issued and applied, by virtue of this act, towards paying and satisfying the dividends to grow due on the said loan of four millions six hundred thousand pounds, or any part thereof, and also an account of all sums repaid by or recovered from or on behalf of the emperor by reason of such advances, together with the interest paid or recovered thereon.

V. And whereas, in pursuance of the said convention certain debentures and annuity bonds are to be issued in the name of his Imperial Majesty, by his said Imperial Majesty's bankers or agents resident in this kingdom, for securing the principal sums, interest, and annuity on

accounts of sums to grow due half-yearly, &c. and if the whole dividends be not paid, the cashier to certify the same to the directors which shall be transmitted to the treasury, who shall cause the deficiency to be issued from the consolidated fund, &c.

Treasury to lay before parliament an account of the sums issued, and what has been repaid by the emperor.

Debentures and annuity bonds issued in the name of the emperor, may be entered at the bank, and transferred.

the said loan; be it further enacted, That it shall and may be lawful for the governor and company of the bank of *England*, upon the said debentures or annuity bonds, or any part or parcel thereof, being lodged at the bank of *England*, to authorise and direct their accountant general for the time being to keep books, wherein the persons so depositing such debentures and annuity bonds, or any of them, shall be credited for the amount of the interest, according to the principal sums contained in the said debentures, and of the annuities contained in the said annuity bonds, and wherein all assignments or transfers of the principal sums, interest, and annuities, of the debentures and annuity bonds respectively so deposited, or of any part or parcel thereof, shall be entered and registered in such manner as the said governor and company shall direct, which entries shall be signed by the parties making such assignments or transfers, or, if such parties be absent, by their respective attorney or attorneys, thereunto lawfully authorised, in writing, under his, her, or their hand and seal, or hands and seals, to be attested by two or more credible witnesses; and that the several persons to whom such transfers shall be made shall respectively underwrite their acceptance thereof by themselves, or by their respective attorney or attorneys, thereunto lawfully authorised as aforesaid, and that no other method of assigning and transferring at the bank of *England* the principal sums, interest, and annuities of the debentures and annuity bonds, that shall be so deposited at the bank of *England*, or any part or parcel thereof, or any interest therein, shall be good or available in law for the purpose of claiming or demanding any dividend, interest, or annuity, for or on account of such debenture or annuity bonds as shall be deposited at the bank of *England* as aforesaid.

No stamp duties to be charged for debentures, &c.

VI. And be it further enacted, That no stamp duties whatsoever shall be charged on any of the said debentures or annuity bonds, nor on any of the assignments or transfers thereof, at the bank of *England*, nor on any receipt given for or upon the payment of the said loan, or any part thereof, or of the interest, annuities, or dividends, to grow due thereon; any law or statute to the contrary notwithstanding.

Penalty for forging debentures, annuity bonds, letters of attorney, &c.

VII. And be it further enacted, That if any person or persons shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, or wilfully act or assist in the forging, counterfeiting, or altering, any debenture or debentures, annuity bond or annuity bonds, purporting to entitle any person or persons, or body politick or corporate, to any principal sum or the interest thereon, or any annuity or dividend for or on account of the said loan of four millions six hundred thousand pounds, or any part thereof, or by virtue of this act, or shall wilfully deliver to, or deposit with, the said governor and company of the bank of *England*, any such forged, counterfeited, or altered debenture or debentures, annuity bond or annuity bonds, knowing the same to be forged, counterfeited, or altered, with intention to defraud the governor and company of the bank of *England*, or any body politick

politick or corporate, or any person or persons whatsoever, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly or wilfully act or assist in forging or counterfeiting, any letter of attorney, or other authority or instrument, or any indorsement on any such debenture or debentures, annuity bond or annuity bonds, to transfer or assign any such debenture or debentures, or annuity bond or annuity bonds, as aforesaid, or any principal sum or sums placed in the name of any person or persons whomsoever in the books of the bank of *England*, as herein mentioned, or any part of such sum or sums, or to receive any such interest, annuity or dividend, as aforesaid, or any of them, or any part thereof, or of any of them, or shall forge or counterfeit, or shall cause or procure to be forged or counterfeited, or wilfully act or assist in forging or counterfeiting, the name or names of any of the proprietors of any of the said debentures or annuity bonds, or of any of the said principal sums, interest, annuities, or dividends, or any part thereof, or of any of them, in or to any such pretended letter of attorney, indorsement, authority, or instrument, or shall knowingly and fraudulently demand, or endeavour to have or receive, any such principal sum or sums, or any part thereof, or of any of them, or any such annuities, interest, or dividends, or any of them, by virtue of any such counterfeited or forged letter of attorney, indorsement, authority, or instrument, or shall falsely and deceitfully personate any true and real proprietor or proprietors of any such debenture or debentures, annuity bond or annuity bonds, or of any of such principal sums as aforesaid, or of any part thereof, or of any of such annuities, interest, or dividends as aforesaid, or of any part thereof, and thereby assign or transfer, or endeavour to assign or transfer, the said debenture or debentures, annuity bond or annuity bonds, or any of them, or the said principal sums or any of them, or any part thereof, or of any of them, or thereby receive or endeavour to receive any of the said annuities, interest, or dividends, or any part thereof, or of any of them, with intent to defraud his Majesty, his heirs or successors, or the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whomsoever, or shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, any warrant for payment of any annuity, interest, or dividend, herein mentioned, or any indorsement on any warrant for payment of any such annuity, interest, or dividend, or shall offer, dispose of, or put away, any such forged, counterfeited, or altered warrant, for payment of any annuity, interest, or dividend, as aforesaid, or any warrant, for such payment, with such forged, counterfeited, or altered indorsement thereon, or demand the money therein contained, or any part thereof, of the said governor and company of the bank of *England*, or any their officers or servants, knowing such warrant for payment of any such annuity, interest, or dividend, as aforesaid, or the indorsement on any such warrant for payment of any such annuity, interest, or dividend, as aforesaid, to be forged, counterfeited,

terfeited, or altered, with intent to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whomsoever, every person or persons so offending shall be deemed guilty of felony, and shall suffer death as in cases of felony without benefit of clergy.

C A P. XCIV.

An act for establishing a more easy and expeditious method for the punctual and frequent payment of the wages and pay of certain officers belonging to his Majesty's navy.—[June 22, 1795.]

Preamble.

Officers, masters, and surgeons, on half pay when appointed to ships, may receive their arrears of half pay.

WHEREAS it would tend greatly to the comfort and accommodation of certain officers in his Majesty's navy if a more easy and expeditious mode was established for the payment of their wages or pay; 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 passing of this act, it shall and may be lawful to and for every commissioned officer, master, and surgeon, in the naval service of his Majesty, his heirs and successors, being on half pay, and who shall be appointed to command or serve on board any ship or vessel of his Majesty, his heirs and successors, after receiving his commission or warrant of appointment, to apply to the commissioners of his Majesty's navy for an order from them upon the treasurer of the navy to pay such officer the arrears of half pay that may be due to him at the time, providing no imprest stands against him; and the said commissioners of the navy, or any three of them, shall, upon such application being made to them, and being satisfied that such officer has been appointed as aforesaid, and that no imprest stands against him, or that such imprest is cleared and satisfied, make out, or cause to be made out, an order upon the treasurer of the navy for the arrears of half pay due to such officer, and upon such order being presented, together with the usual affidavit and other documents in such cases required, by the person in whose favour the said order is drawn, or by his lawful attorney or assigns, to the treasurer of the navy, he shall immediately, if satisfied of the identity of the person presenting the same, or of the authority of the instruments upon which the same shall be claimed, pay, or cause to be paid, at the pay office of the navy, the sum in such order contained.

Officers on appointments to ships may apply for three months pay in advance, &c.

II. And be it enacted, That any commissioned officer in the naval service of his Majesty, his heirs and successors, having no imprest standing out against him, a certificate of which he shall obtain from the commissioners of the navy, may apply, if the ship or vessel to which he shall have been so appointed as aforesaid shall be in the river *Thames*, to the said commissioners of the navy, or to the resident commissioner, if such ship or vessel shall be at any of the out ports where a commissioner resides, for an order upon the treasurer of the navy, to pay him the amount of three

three months personal wages or pay in advance; and it shall and may be lawful to and for the said commissioners of the navy, or any three of them, or for the said resident commissioner of the navy, if satisfied of the grounds of such application, to grant such order upon the treasurer of the navy, for three months personal wages or pay as aforesaid; and upon such order being presented to the treasurer of the navy at his office in London, or to his clerks at any of the out ports, the same shall be immediately paid to the person in whose favour it shall have been so made out as aforesaid: provided always, that if such officer appointed as aforesaid shall again be put upon half pay, from what cause soever, and before the end or expiration of three months after his being so appointed, and having received payment as aforesaid, of three months personal wages or pay in advance, the same shall be retained as an imprest against his growing half pay for the amount of the sum that may have been so advanced as aforesaid, or for such part thereof for which he shall not have served upon full pay.

III. And be it enacted by the authority aforesaid, That it shall and may be lawful to and for every commissioned officer, master, and surgeon, in the naval service of his Majesty, his heirs and successors, who shall be upon actual service, and be entitled to the full pay of such service, at the end and expiration of every three months, or of every six months, or of every twelve months, or of any longer period, as to such commissioned officer, master, and surgeon, shall appear proper, to draw, or cause to be drawn, a bill, or set of bills, of the same tenor and date, in duplicate or triplicate, as the case may require, upon the commissioners of his Majesty's navy, for the net amount of the personal wages or pay which shall appear to be due to him; which bill, or set of bills, shall state the rate or description, and name, of the ship or vessel in which such officer shall belong, and his station on board of the same, and also the full amount of the personal wages or pay which shall be due to him and the period for which such wages or pay shall have accrued or become due, together with the amount of the usual deductions and abatements, and other deductions which shall appear upon the ship's muster books, to which the same shall be liable, and the net residue of the personal wages or pay to be drawn for; and which bill, or set of bills, being numbered and dated, shall be of the form and tenor directed in a schedule herein contained, or to the like effect: provided always, that such commissioned officer, master, or surgeon, shall not be permitted, under any authority by this act given, to draw such bills upon the commissioners of his Majesty's navy for the first three months after he shall have received the three months advance thereby authorized to be paid to him upon his entering on board his ship.

Officers, masters, and surgeons, on actual service, may draw bill for their pay after certain periods.

IV. And be it enacted by the authority aforesaid, That if any commissioned officer, master, or surgeon, shall purchase dead men's cloaths, or otherwise incur any debt, which shall or may be

Officers, &c. when they draw for pay to deduct their debts from their bills.

be chargeable against his wages or pay, such debts or such charges shall not be put or stand as a deduction to be made from his servants pay, or from any pay which may be allowed him as a compensation for servants pay, but shall be put and stand as a deduction, and shall be deducted from his own personal wages or pay, whenever he shall draw as aforesaid upon the commissioners of his Majesty's navy.

Captains to subscribe the bills of lieutenants, &c.

V. And be it enacted, That if the officer drawing for his personal wages or pay as aforesaid, shall be a lieutenant, master, or surgeon, the captain or commander of the ship or vessel to which such lieutenant, master, or surgeon, shall belong, shall, at the bottom of such bill, or set of bills, subscribe his name, and also the word 'approved,' in token of his knowledge of such lieutenant, master, or surgeon, being justly entitled to draw for such net amount of personal wages or pay.

Officers, &c. on removal from ships, may draw for their pay, if three months are due.

VI. And be it enacted by the authority aforesaid, That when and so often as any commissioned officer, master, or surgeon, as aforesaid, shall be removed from any ship or vessel, to any other ship or vessel in the service of his Majesty, his heirs and successors, it shall and may be lawful to and for such officer to draw, or cause to be drawn, a bill, or set of bills, as aforesaid, upon the commissioners of his Majesty's navy, for the personal wages or pay that shall be due to him for the time he shall have served in the said ship or vessel from which he shall be so removed, up to the day of his entering on board the ship or vessel to which he shall be so removed, if such time shall amount to the space of three months or more; which bill, or set of bills, shall contain the same specifications as herein-before directed in cases of officers drawing bills, and continuing in their ships; and if such officer be a lieutenant, master, or surgeon, the captain or commander of the ship or vessel to which such officer shall belong, shall, at the bottom of such bill, or set of bills, subscribe his name, and the word 'approved,' in token of his knowledge of such lieutenant, master, or surgeon, being justly entitled to draw for such net amount of his personal wages or pay.

Captains sent to sick quarters, may draw for their pay at the expiration of six weeks.

VII. And be it enacted by the authority aforesaid, That when and so often as any captain or commander shall be sent to sick quarters, and shall remain in such quarters for a longer space than six weeks, it shall and may be in the power of such captain or commander to draw, or cause to be drawn, a bill, or set of bills, as aforesaid, as the case may be, upon the commissioners of his Majesty's navy, for the net amount of the personal wages or pay that shall be due to him to the day of the expiration of six weeks from and after his having been sent to sick quarters as aforesaid; which bill, or set of bills, shall contain the same specifications as are herein-before in other cases directed.

When lieutenants, &c. are sent to sick quarters, captains to make

VIII. And be it enacted, That if a lieutenant, master, or surgeon be sent to sick quarters, the captain or commander of the ship or vessel to which he shall belong shall make out, or cause to be made out, an extract from the books of the same, specifying the

the name and rate or description of such ship or vessel from which such lieutenant, master, or surgeon, shall be so sent to sick quarters, with his station on board, and the amount of the personal wages or pay due to him at the time, and also the deductions to which the same are liable, and the date of his leaving the said ship or vessel; which extract the said captain or commander shall sign and certify, and the same, being written or printed, shall be of the form and tenor following, or to the like effect:

out an extract from ship's books in the following form,

' 1st rate, [*Britannia*, lieutenant *Thomas Bowling*] sent to sick quarters July 1, 1794.

' Full pay from <i>May 1</i> , to <i>July 1</i> , 1794	—	£.
' Amount of deductions per ship's books	—	£.
		<hr/>
	Net pay	£.
		<hr/>

' Certified by
' *A. B.* captain of the
' [*Britannia.*]

And the said extract, being so made out, signed, and certified, shall be delivered to such lieutenant, master, or surgeon, sent to sick quarters as aforesaid, to be delivered to the officer.

IX. And, if such lieutenant, master, or surgeon, shall remain in sick quarters for a longer time than six weeks, be it enacted, That the physician or surgeon having superintendance of the sick quarters to which the said lieutenant, master, or surgeon, shall have been so discharged as aforesaid, shall, on the back of such extract from the ship's books, make out, or cause to be made out, at the end of the said six weeks from and after the time that such lieutenant, master, or surgeon, shall have been so discharged from his ship, a certificate which shall specify the time that he shall have been under the care of such physician or surgeon at sick quarters; which certificate, being written or printed, dated and signed, shall be of the form and tenor following, or to the like effect:

If the officer remain in sick quarters more than six weeks, the physician or surgeon to indorse on the extract a certificate in the following form.

[*Haslar*], April 12, 1795.

' These are to certify, that (lieutenant *Thomas Bowling*) of his Majesty's ship the [*Britannia*] was received into this hospital on the _____ day of _____, and not being cured, still remains under my care.

' *C. D.* { Physician } of
' { Surgeon }

X. And be it enacted, That such lieutenant, master, or surgeon, having obtained such certificate on the back of the extract herein-before directed, it shall and may be lawful to and for him, at the end of the said period of six weeks, to draw, or cause to be drawn, for his pay, his bills, and such other charges, which he may be being sub-

scribed as
herein men-
tioned.

Anno regni tricesimo quinto GEORGI III. c. 94. [1795.
be drawn, a bill, or set of bills, as aforesaid, upon the commis-
sioners of his Majesty's navy, for the net personal wages or pay
due to him for the time he belonged to the ship or vessel from
which he was discharged to sick quarters, to the day of the ex-
piration of six weeks from and after his having been sent to sick
quarters as aforesaid; which bill, or set of bills, shall be dated
from sick quarters, and shall contain the same specifications here-
in-before directed in cases of officers drawing bills, and continu-
ing in their ships; and the captain or commander of the ship or
vessel to which such lieutenant, master, or surgeon, last belonged,
if such ship or vessel shall still remain upon the same station, shall,
at the bottom of the said bill, or set of bills, as the case may be,
subscribe his name, and also the word 'approved,' in token of his
knowledge of such officer being justly entitled to draw for such
net amount of personal wages or pay; but if such ship or vessel
shall have left the said station, it shall and may be lawful to and
for any captain or commander of any ship or vessel in his Ma-
jesty's navy to subscribe his name, and the word 'approved' as
aforesaid, at the bottom of the said bill, or set of bills, in token
of his having examined the extract from the ship's books, and
certificate of the physician or surgeon, herein-before directed to
be made out, and of his belief that such officer is justly intitled to
draw for such net amount of his personal wages or pay.

Captains re-
moved to an-
other ship,
before three
months pay
are due, may
draw bills at
the expiration
of three
months from
last payment.

XI. And be it enacted by the authority aforesaid, That when
any captain or commander shall leave any ship or vessel in the
service of his Majesty, his heirs and successors, and remove or be
removed to another ship or vessel, ships or vessels, when there
shall be less than three months pay due to such captain or com-
mander, it shall and may be lawful to and for the said captain or
commander, at the end or expiration of the period of time which
will complete the space of three months from the time that he
shall have been last paid, or have drawn for his personal wages
or pay as aforesaid, to draw a bill, or set of bills, upon the com-
missioners of the navy, for the personal wages or pay that shall be
due to him for the period of his service on board of the ship or
vessel from which he had been first removed, as well as for the
period which he shall have served on board the ship or vessel,
ships or vessels, into which he shall have been so removed as
aforesaid; which bill, or set of bills, shall distinguish the periods
of time that such captain or commander shall have served on
board of each of the aforesaid ships or vessels, and shall con-
tain the same specifications as are herein-before in other cases
directed.

When lieu-
tenants, &c.
are so remov-
ed, captains to
make out an
extract, as in
case of being
sent to sick
quarters, and

XII. And be it further enacted, That when any lieutenant,
master, or surgeon, shall be removed from any ship or vessel in
the service of his Majesty, his heirs and successors, to another
ship or vessel, ships or vessels, when less personal wages or pay
shall be due to him than for the space of three months, the cap-
tain or commander of the ship or vessel from which he shall be
so removed as aforesaid, shall make out, or cause to be made out,

an extract from the books of such ship or vessel, which shall contain similar specifications with the extracts herein-before directed to be made out with respect to lieutenants, masters, or surgeons, when sent to sick quarters; and it shall and may be lawful to and for such lieutenant, master, or surgeon, at the end and expiration of the period of time which shall complete the space of three months from the time that he shall have been last paid, or shall have drawn for his personal wages or pay as aforesaid, to draw, or cause to be drawn, a bill, or set of bills, as aforesaid, upon the commissioners of the navy, for the personal wages or pay that shall be due to him, as well for the period of his service on board the ship or vessel from which he had been first removed, as for the period which he shall have served on board the ship or vessel, ships or vessels, to which he shall have been so removed; which bill, or set of bills, shall specify the period of time that such lieutenant, master, or surgeon, shall have served on board of each of the aforesaid ships or vessels, and shall contain the same specifications as are herein-before in other cases directed; and the captain or commander of the ship or vessel to which such officer shall have been last removed, shall subscribe his name, and the word 'approved,' to such bill, or set of bills, in token of his having examined the extract or extracts herein-before directed, to be made out, and otherwise approving such lieutenant's, master's, or surgeon's, having drawn such bill, or set of bills, as aforesaid.

at the end of three months from each payment, the officer may draw for his pay.

XIII. And be it enacted by the authority aforesaid, That if any commissioned officer, master, and surgeon, shall knowingly and wittingly, with an intent to injure and defraud the publick, draw, in manner as is herein-before specified, for his personal wages or pay, when personal wages or pay to the amount of the sum so drawn for shall not be due and owing to him, every such commissioned officer, master, and surgeon, knowingly and wittingly drawing for his personal wages or pay without being justly entitled so to do by having so much personal wages or pay due to him, shall forfeit all his compensation pay, and shall moreover be cashiered, and be rendered ever after incapable of holding an office, civil or military, under his Majesty, his heirs and successors.

Penalty for drawing for pay not due.

XIV. And be it enacted, That all such bills as are herein-before described and directed to be drawn by commissioned officers, masters, and surgeons, upon the commissioners of his Majesty's navy, shall be drawn payable ten days after sight, and shall be negotiable by indorsement, in the same manner as bills of exchange are negotiable and transferrable by indorsement or indorsements thereon.

Bills to be drawn at 10 days sight, and negotiable as bills of exchange.

XV. And be it also enacted, That as soon as such bills, or any of the parts thereof, shall be presented to the said commissioners of the navy, together with the extracts from ships books, and certificates made by physicians or surgeons of sick quarters, in every case where such extracts and certificates are herein-before required and directed to be made, they, or any three of

Bills to be examined at the navy office, and assigned for payment.

them, shall examine, or cause the said bills, and the said extract and certificates, in cases where they are granted, to be examined and if they shall see no just cause why the said bills should not be assigned for the payment, shall note upon them the date when they were presented, and shall assign them upon the treasurer of the navy for payment; and for that purpose shall make out, or cause to be made out, at the bottom of such bills, an assignment, and shall address the same to the treasurer of the navy, and they shall also number and date the same, and they, or any three of them, shall sign such assignment; and the said bills and assignment, being written or printed, shall be of the form and tenor following, or to the like effect:

Bills and assignment to be in the following form.

‘ 1st rate, [*Britannia*, lieutenant *Thomas Bowling*,] entered
July 1, 1794.

‘ Full pay from *October 1*, to *December 31*, 1794 - - -
‘ Amount of deductions - - - - -

‘ Net pay - - - - - £.

‘ [*Barbadoes*], *April 12*, 1795.

‘ Gentlemen,

‘ Ten days after sight (my 2d and 3d bill of this tenor and date not being paid), please to pay to *John Bull*, or order, the sum of _____ being the net personal pay due to me as [lieutenant] of his Majesty’s ship [*Britannia*] between *October 1* and *December 31*, 1794, for value received.

‘ *Thomas Bowling*.

‘ Approved,

‘ *E. F.* Captain of his Majesty’s ship [*Britannia*].

‘ To the commissioners of his Majesty’s navy,
‘ *London*.

‘ ASSIGNMENT.

‘ Navy office, *May 30*, 1795.

‘ N^o 1.

‘ To be paid by the treasurer of his Majesty’s navy out of [£.20,000] received *March 29*, 1795, under the head of wages to pay officers.

‘ *G. H.*
‘ *I. K.*
‘ *L. M.* } Commissioners of the navy.

By virtue of the act of 35th of *George the Third*.

N. B. The forging of this bill, or procuring any other person to forge the same, in order to receive any part of the wages or pay of any commissioned officer,

‘ officer, master, or surgeon, in the royal navy, is
 ‘ made felony without benefit of clergy, by the act of
 ‘ 35th of George the Third.’

XVI. And be it enacted by the authority aforesaid, That when any flag officer shall be entitled to draw a bill or bills under the authority of this act as aforesaid, upon the commissioners of his Majesty’s navy, for his personal wages or pay, he may, and he is hereby allowed to include the allowance of table money which may be due to him at that time.

Flag officers may include table money in their bills.

XVII. And, for more effectually and correctly carrying into execution the purposes of this act, be it enacted by the authority aforesaid, That, from and immediately after the passing of this act, two ledgers shall be opened, and an account current kept with every commissioned officer, master, and surgeon, who shall so receive monies in advance as herein-before directed, to be paid to him upon his entering to command or serve on board of any ship or vessel in the service of his Majesty, his heirs and successors, or draw for his personal wages or pay, as herein-before specified, one copy whereof to be kept in the office of the commissioners of the navy, and the other in the office of the treasurer of the navy; in which ledgers the sums paid upon the several orders and bills herein-before directed to be made and drawn, and payments otherwise made in manner before mentioned, shall be carefully entered and charged against him; which entries and charges shall remain at his debit until he shall regularly pass his accounts for the ship or vessel, ships or vessels, in which he may have served agreeably to the present existing regulations, forms, and manner, in which the accounts of officers are required to be passed; and when the same are so passed as aforesaid, the commissioners of the navy, or any three of them, shall make out, or cause to be made out, three certificates, being triplicates of each other, which shall be in the tenor and form now practised and distinguished by the name of *General Certificates*; and one triplicate of such certificates shall be delivered or transmitted to such officer, or to his agent; another triplicate shall be lodged in the office of the commissioners of the navy, where such account current as aforesaid shall be kept; and the third triplicate shall be transmitted to the office of the treasurer of the navy.

Accounts current to be kept for monies received in advance,

and when accounts are passed, triplicate certificates to be made out, &c.

XVIII. And be it enacted by the authority aforesaid, That such general certificates shall specify and ascertain the net amount of personal wages or pay which shall appear to be due to the officer to whom or to whose agent it shall be delivered or transmitted as aforesaid, and the commissioners of the navy, or any three of them, shall direct such amount to be carried to the credit of such officer’s account current before described in the ledger, which shall be kept in the office of the treasurer of the navy as before directed, as well as in the ledger which shall be kept in their own office.

Certificates to specify amount due to the officer, which shall be carried to his credit.

XIX. And be it enacted by the authority aforesaid, That the treasurer of his Majesty’s navy shall immediately pay, or cause to be paid, any bill or bills assigned to him by the

Treasurer of the navy to pay bills assigned.

be paid, out of the monies which he may have in his hands to pay officers, all such bills as are herein-before described, which shall have been drawn by commissioned officers, masters, and surgeons, in the service of his Majesty, upon the commissioners of the navy, and which shall have been duly assigned for payment by them upon him.

Officers half pay, pensions, &c. on application to the treasurer of the navy, may be received from the receiver general of the land tax, &c.

XX. And be it further enacted by the authority aforesaid, That from and after the passing of this act, if any commissioned or warrant naval officer, who shall be entitled to receive half pay, or if any widow of any commissioned or warrant officer of the navy, or other person entitled to receive half yearly or annually any pension on the ordinary estimate of the navy, or if any widow, parent, or child, of any naval officer, seaman, or marine, who shall have been slain in fight with the enemy, and shall be entitled to his Majesty's most gracious bounty, payable by the treasurer of the navy, shall be desirous to receive and be paid his half pay, or his or her pension, or his, her, or their bounty, from any receiver general of the land tax for any county, riding, or city, collector of the customs at any port, collector of the excise for any collection, or clerk of the cheque at any dock yard in *Great Britain*, near to the place of his, her, or their residence; it shall and may be in the power of such commissioned or warrant naval officer on half pay, widow, or other person or persons aforesaid, to apply at the time or times of issuing such half pay or pension, (of which due notice shall be given by the commissioners of his Majesty's navy in the *London Gazette*), or at such time or times when any such person or persons as aforesaid shall be entitled to receive such bounty, by letter to the treasurer of the navy at his office in *London*, to have such half pay, pension, or bounty, respectively payable to him, her, or them, paid by such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, as he, she, or they, shall specify; and such commissioned or warrant naval officer on half pay, and such widow, or other person or persons receiving any half pay, pension, or bounty, as aforesaid, shall, along with such letter of application, transmit to the treasurer of the navy, the usual affidavit to be made by him, her, and them, or by others in the like circumstances with the other vouchers and documents which have usually been required to be produced, or as at present are presented and practised in similar cases when any naval half pay, pension, or bounty, for relations slain in fight with the enemy is paid, and such commissioned or warrant naval officer, widow, or other person or persons, shall repeat such application, and shall transmit such affidavit, documents, and vouchers, each and every time that he or she shall be so desirous to have such half pay or pension, paid to him or her in manner before mentioned.

Treasurer to make out lists of applications, and forward them to the commissioners of the navy.

XXI. And be it enacted by the authority aforesaid, That if the said treasurer of the navy, after having received such letter of application, and having examined, or having caused to be examined, such affidavit, documents, and vouchers, and finding the same to be right, he shall cause a list to be made out of all such

persons who shall have so applied to him, which he shall forward to the commissioners of the navy, and shall specify and describe their respective claims.

XXII. And be it further enacted, That such commissioners shall cause such list to be examined, and shall require such treasurer to produce the affidavits, certificates, documents, or vouchers, or any of them, which they may judge necessary, and shall direct him to take such other steps or shall themselves use whatever means they may judge proper to ascertain the justness of such claims, and being satisfied therewith, they shall give information to the treasurer of the navy of the respective allowance or sum or sums to which such commissioned or warrant naval officer, widow, or other person or persons, shall each and respectively be entitled to receive; and they shall direct the treasurer of the navy to make out, or cause to be made out, two remittance bills for that part of the half pay, pension, or bounty, as aforesaid, then due and payable to such commissioned or warrant naval officer, widow, or other person or persons, which said two remittance bills shall be duplicates of each other, and shall be joined together by oblique lines, flourishes, or devices, and shall be made payable to such commissioned or warrant naval officer, widow, or other person or persons by the receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, in terms of his or her request, signified as aforesaid, to whom the said remittance bills shall be addressed; and the said remittance bills, being numbered and dated, shall be signed by a commissioner of the navy, and shall be attested by a person or persons to be appointed by the treasurer of the navy to collect and arrange the aforesaid affidavits, certificates, and vouchers, to prepare such remittance bills, to keep the imprest ledger herein-before directed to be kept in the office of the treasurer of the navy, containing the accounts current with the officers who may draw for their personal wages or pay, and who shall otherwise officiate for the treasurer of the navy, under his direction, in carrying the whole of the business herein-before directed, as far as relates to his office, into effect; and such remittance bills, being written or printed, shall be according to the tenor and form following, or to the like effect:

Commissioners to cause lists to be examined, &c. and two remittance bills, to be made out for sums due.

' No 1.

day of

Form of remittance bills.

' Sir,

' Pay to *N. O.* of on $\left. \begin{array}{c} \text{his} \\ \text{her} \\ \text{their} \end{array} \right\}$ producing and delivering

' the duplicate hereof, the sum of being for the $\left. \begin{array}{c} \text{half pay} \\ \text{pension} \\ \text{bounty} \end{array} \right\}$

' payable to the said *N. O.* as a $\left\{ \begin{array}{l} \text{lieutenant of his Majesty's navy on half} \\ \text{pay, widow of a lieutenant in his Ma-} \\ \text{jefty's navy, or as the case may be.} \end{array} \right\}$

' on the day of last, if the same

' be demanded within six calendar months from the date hereof, ' otherwise

‘ otherwise you are to return this bill to the treasurer of the navy
 ‘ at the pay office of the navy.

‘ P. ^{Q.} Commissioner of the navy.

‘ (Attested) R. S. Treasurer’s clerk.

‘ To the receiver general of the land tax
 ‘ for the county of
 ‘ The collector of the customs at the port
 ‘ of
 ‘ The collector of the excise at
 ‘ The clerk of the cheque at

‘ By virtue of the act 35th George the Third.’

‘ N. B. The forging of this remittance bill, or procuring
 ‘ any other person to forge the same, in order to re-
 ‘ ceive any part of the monies hereby payable, is made
 ‘ felony without benefit of clergy, by the act 35th
 ‘ George the Third.’

One remittance bill to be transmitted to the person to whom payable, and the duplicate to the person to whom addressed; and on production of the bill by the person to whom made payable, within six months from the date, the same to be paid without fee, and repaid by the treasurer of the navy;

And as soon as the said bills are so made out, signed, and attested, the person to be appointed by the treasurer of the navy shall cut, or cause them to be cut, asunder through the oblique lines, flourishes, or devices, and shall cause one duplicate to be transmitted to the person named therein, to whom the money shall be made payable, and the other duplicate to be transmitted to the receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom the same shall be addressed, and if the duplicate of such bills shall be produced by the person to whom the same shall be made payable to such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom the same shall be addressed, within six calendar months from the date thereof, he shall carefully examine the same with the duplicate already transmitted to him as aforesaid; and being satisfied of the authenticity thereof, and of the identity of the person producing the same to him, he shall immediately pay the same to such commissioned or warrant naval officer, widow, or other person or persons named therein, to whom the money shall be payable, without fee or reward, or deduction, on any pretence whatever, taking a receipt for such payment on the back of the bill; which bill, and the duplicate thereof, being transmitted by the person who shall pay the same to the commissioners of the navy, shall be immediately assigned for payment by any three of them, and shall be immediately repaid by the treasurer of the navy to such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, or his order; but in case the duplicate of such bill shall not be so produced and payment thereof demanded within six calendar months from the date thereof, then the said receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, shall return the duplicate

but if not produced within that period, the duplicate to be returned to the treasurer of the navy, &c.

duplicate thereof in his hands to the treasurer of the navy at the pay office of the navy, *London*, who shall cause the same to be cancelled, and thereupon the sum contained in such bill shall become payable to the person or persons in whose favour the same was drawn, or to his, her, or their lawful representatives, in cases where he, she, or they, shall be dead, in the same manner as if such bill had never been issued.

XXIII. Provided always, and be it further enacted, That if any receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, to whom the duplicate of the bill herein-before directed to be made out and addressed to him as aforesaid, shall be tendered for payment, shall not have in his hands publick monies sufficient to answer the same, and shall for that reason refuse or delay the immediate payment thereof, such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, shall immediately indorse on the said duplicate the date of its being so tendered to him, and the cause of his refusal or delay to pay the same, and shall appoint thereon, for the payment of such bill, some future day within the space of one month at the farthest from the date of its having been first tendered to him as aforesaid; and such duplicate, with the indorsement thereon, shall immediately be delivered back to the person presenting the same; and if upon complaint made to the respective commissioners appointed, or to be appointed, to manage the said several duties of the land tax, customs, or excise, or to the commissioners of the navy, if the person complained of be a clerk of the cheque, it shall appear that such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, hath unnecessarily and wilfully refused or delayed the payment of such bill, or directly or indirectly, by himself, or any person under him, received or taken any fee, reward, gratuity, discount, or deduction whatsoever, on account of the payment of the same, it shall and may be lawful to and for any three or more of the said commissioners to convict and fine the person so offending under their respective direction, in any sum not exceeding fifty pounds, according to the nature and degree of the offence; and such fine shall be levied and recovered in such and the same manner, to all intents and purposes, as any conviction may be made, and any penalty or fine levied and recovered, for any offence against any law by which any duty of customs or excise is imposed or laid; and the said fine, when recovered, shall be paid to the informer or informers.

If persons to whom duplicates are addressed have not money in hand, they shall appoint a day for payment within a month, &c.

Penalty for wilfully delaying payment, or for taking fees.

XXIV. And be it enacted by the authority aforesaid, That if such commissioned or warrant naval officer, widow, or other person or persons, to whom the remittance bill before mentioned is made payable, shall be prevented and disabled by bodily infirmity from appearing in person before the said receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, and such bodily infirmity being properly and satisfactorily certified by the minister and a churchwarden or

Bills to be paid to the order of persons unable to attend from bodily infirmity.

Anno regni tricesimo quinto GEORGI II. c. 94. [1795.]
 elder of the parish where, he, she, or they reside, or by the physician surgeon, or apothecary, attending him, her, or them, then, and in such case the sum contained in the said bill shall be paid to the order in writing of such commissioned or warrant naval officer, widow, or other person or persons, upon producing or giving up to such receiver general of the land tax, collector of the customs, collector of the excise, or clerk of the cheque, such certificate of bodily infirmity as aforesaid, together with the duplicate of the said bill, and the proper receipt on the back of the same, signed by the person or persons in whose favour the bill shall have been drawn payable, and witnessed by the person who shall receive the money.

When an act shall be passed in Ireland for payment of certificates issued by the commissioners of the navy, addressed to the commissioners of the revenue in Ireland, the treasurer to transmit a list of applicants to the commissioners of the navy.

XXV. And be it enacted by the authority aforesaid, That as soon as an act shall be passed by the legislature of the kingdom of *Ireland*, making provision for payment in that country of any certificate issued by the commissioners of his Majesty's navy, in favour of any commissioned or warrant naval officer entitled to naval half pay, widow, or others, entitled to pensions payable out of the ordinary estimate of the navy, or bounty payable to the relations of naval officers, seamen, and mariners, slain in fight with the enemy, and addressed to the commissioners of the revenue in *Ireland*, it shall and may be lawful to and in the power of such naval officer, widow, or other person or persons, to apply at the time or times of issuing such naval half pay or pension, of which due notice shall be given by the commissioners of the navy, in the *London Gazette*, or, when such relations shall be entitled to receive such bounty, by letter to the treasurer of the navy, at the pay office in *London*, and shall desire to receive a certificate to entitle them to receive the half pay, pension, or bounty respectively due to him, her, or them, paid by any collector or officer of the revenue in *Ireland*, that he, she, or they, shall specify; transmitting at the same time, to the treasurer of the navy, the usual affidavit, certificates, documents, and vouchers, in manner herein-before directed, in cases of naval officers, widows, and others, claiming similar payments to be made in *Great Britain*; and if the said treasurer of the navy, after having received such letter of application, and having examined or caused to be examined such affidavit, certificate, documents, and vouchers, shall find the same to be right, he shall cause a list to be made out of all such persons who shall have so applied to him, which he shall forward to the commissioners of the navy, and shall specify and describe their respective claims.

Commissioners to cause lists to be examined, &c. and two remittance bills to be made out in the following form.

XXVI. And be it further enacted, That such commissioners shall cause such list to be examined, and shall require such treasurer to produce the affidavits, certificates, documents, and vouchers, or any of them, which they may judge necessary, and shall direct him to take such other steps, or shall themselves use such means, as they may judge proper, to ascertain the justness of such claims, and being satisfied therewith they shall give information to the treasurer of the navy of the respective allowance, or other sum or sums which such commissioned or warrant naval officer,

widow,

widow, or other person or persons, shall each and respectively be entitled to receive, and they shall direct the treasurer to make out two remittance certificates, which shall be addressed to the commissioners of the revenue in *Ireland*, which certificate shall be duplicates of each other, and joined together with oblique lines, flourishes, or devices, and shall be numbered and dated and signed by a commissioner of the navy, and attested by the person to be appointed by the treasurer of the navy; and such certificate shall specify and describe the name and place of abode of such commissioned or warrant naval officer, widow, or other person or persons, as the case may be, who shall be entitled to receive payment of the sum so specified by the commissioners of the navy to be due to them respectively; and such remittance certificates, being written or printed, shall be of the tenor and form following, or to the like effect:

‘ No _____ day of _____ Form of re-
 ‘ These are to certify, that *T. U.* { a lieutenant of his Majesty’s navy, on half } mittance bill.
 ‘ is entitled to the sum of _____ sterling,
 ‘ being on account of the { Half pay } due to the said *T. U.* on the
 ‘ _____ day of _____ last, who has desired that the
 ‘ same may be paid by the { Collector of } at
 ‘ if the same shall not be demanded within nine calendar months
 ‘ from the date hereof, this certificate to be returned to the
 ‘ commissioners of the navy at their office in *London*.

(Attested) *V. W.* Commissioner of the navy.
 ‘ *S. Y.* Treasurer’s clerk.’

‘ To the commissioners of
 the revenue in *Ireland*.’

‘ By virtue of the act thirty-fifth of *George* the Third.’

‘ *N. B.* The forging of this remittance certificate, or pro-
 ‘ curing any other person to forge the same, in order
 ‘ to receive any part of the monies to be made payable
 ‘ by any means thereof, is made felony, without be-
 ‘ nefit of clergy, by the act thirty-fifth of *George* the
 ‘ Third.’

And as soon as the said certificates shall be so made out, signed, and attested as aforesaid, the said person, to be appointed by the treasurer of the navy, shall cut or cause them to be cut asunder through the oblique lines, flourishes, or devices, and shall transmit, or cause to be transmitted forthwith, one duplicate to the person or persons nominated and specified in such certificate to be the commissioned, warrant naval officer, widow, or other person or persons, to whom such half pay, pension, or bounty, shall be due; and the other duplicate to the commissioners of the revenue in *Ireland*.

One remittance bill to be transmitted to the person to whom the money is due, and the other to the commissioners of the revenue in *Ireland*.

Money paid in Ireland on certificates, to be repaid to the commissioners of the revenue by the treasurer of the navy.

XXVII. And be it further enacted by the authority aforesaid, That as soon as an act shall be passed by the legislature of Ireland, making provision for payment in that country of certificates issued, as aforesaid, by the commissioners of his Majesty's navy, in favour of any commissioned or warrant naval officer, widow, or other person or persons as aforesaid, and addressed to the commissioners of the revenue in Ireland, and the sum or sums specified in such certificate or certificates shall have been actually paid by, or by the direction of, the commissioners of the revenue in Ireland to the persons who shall be specified to be entitled to receive the same, such sum or sums shall be immediately repaid by the treasurer of the navy, who is hereby directed and required to pay the same to the said commissioners of the revenue in Ireland, or to their order, upon the certificate upon which the acknowledgment of the receipt of such money shall be indorsed, together with the duplicate thereof, being produced to the treasurer of the navy; but in case the duplicates of such certificates issued by the commissioners of the navy, or any of them, addressed to the commissioners of the revenue in Ireland, shall not be presented and delivered by the person or persons who shall be entitled to receive the amount of the same, to the collector or revenue officer to whom

If payment of certificates be not demanded in nine months, they shall be cancelled on being returned.

it shall have been addressed in Ireland, and the payment thereof be demanded within nine calendar months from the date thereof, then, upon such certificates being returned by the commissioners of the revenue in Ireland, to the commissioners of the navy, they shall cause such certificates to be immediately cancelled, and from and after the cancelling thereof the sum or sums contained in such certificate or certificates shall accrue and belong to the person or persons in whose favour the same was made out, or to his, her, or their attorney or attorneys, or to his, her, or their lawful representatives, in case he, she, or they, shall be dead, in the same manner as if such certificate had never been made out and issued.

No deduction to be made on payment of bills, &c. on penalty of 20l.

XXVIII. And be it enacted by the authority aforesaid, That all and every sum or sums of money, to be paid in consequence of any of the said bills herein-before directed to be drawn, or orders and certificates herein-before directed to be issued, shall be fully and completely paid to the person in whose favour they shall so respectively be drawn or made payable, without any deduction or abatement, under any pretence whatsoever, although part thereof may be in fractions of the smallest denomination; and every person detaining or withholding any part thereof under pretence of former privilege or usage of office, or upon or under any pretence whatsoever, shall, for every such offence, forfeit and pay the sum of twenty pounds, to be recovered in the same way and manner as any penalty or forfeiture in the collection of the duties of excise and customs is directed to be levied and recovered, and shall be paid to the person suing and prosecuting for the same.

Packets for carrying this act into execution

XXIX. And be it enacted by the authority aforesaid; That all letters or packets sent by the person to be appointed by the treasurer

furer of the navy, to officiate under his direction, in carrying this act into execution and effect in manner and form as herein is directed, shall, from and after the passing of this act, be sent free from the duty of postage; and all letters or packets relating to the execution of this act, that shall be forwarded by such person as aforesaid, shall be under covers, with the words 'pursuant to act of parliament thirty-fifth of George the Third,' printed upon the same; and the said person to be appointed as aforesaid, shall write his name under the words so printed, and he is hereby strictly prohibited and discharged from enclosing or sending under such covers, any writing, paper, or parcel whatsoever, excepting such as shall relate to the execution of this act; and if he shall send or convey under the covers aforesaid, any writing, paper or parcel, other than those relating to the execution of this act, he shall for every such offence forfeit and pay the sum of one hundred pounds, and such fine shall be levied and recovered in such and the same manner, to all intents and purposes, as any conviction may be made, and any penalty or fine levied or recovered, for any offence against any law by which any duty of customs or excise is imposed or laid; and the said fine, when recovered, shall be paid to the informer or informers against such offender or offenders.

XXX. And be it further enacted, That all and every such order and orders, bill and bills, remittance bill and remittance bills, certificate and certificates, herein-before directed to be drawn and made out, and which shall be paid by the treasurer of the navy in any manner as aforesaid, shall be deemed and taken as good and sufficient vouchers to the treasurer of the navy for so much money as shall have been so directed to be paid on such order or orders, bill or bills, certificate or certificates, respectively, and as shall have been so paid by him thereon, and shall be allowed as such in passing his accounts.

XXXI. And be it enacted by the authority aforesaid, That no order, bill, remittance bill, or certificate, that shall be made or drawn under the authority of the powers by this act given, shall be subject or liable to, or charged or chargeable with any stamp duty, to which bills of exchange are by law subject and liable, or any stamp duty whatsoever; nor shall any person or persons receiving payment of the sum or sums of money drawn for, mentioned, or specified, in such orders, bills, or certificates, be bound or obliged to give a stamp receipt for the same, but a receipt or acknowledgement of payment, indorsed on such order, bill, or certificate, shall be held, deemed, and taken, as a sufficient release and discharge for the same, in all cases and courts whatsoever.

XXXII. And be it enacted by the authority aforesaid, That, from and after the passing of this act, no bill or bills of what nature or description soever, drawn pursuant to or in the execution of the powers and authorities given by any former act or acts of parliament by the commissioners of his Majesty's navy, or by the commissioners for victualling his Majesty's navy, or by the commissioners for taking care of sick and wounded seamen, or by the

custom to be
free of postage.

Penalty for
sending any
paper under
cover not re-
lating to this
act.

Orders, &c.
paid by the
treasurer, to
be good
vouchers.

No order, &c.
liable to stamp
duty.

Nobills drawn
by the com-
missioners of
the navy, &c.
on the trea-
surer, liable to
stamp duty.

commissioners for managing the transport service, upon and payable by the treasurer of his Majesty's navy, shall be subject or liable to, or charged or chargeable with, any stamp duty to which bills of exchange are by law subject and liable, or any stamp duty whatsoever; nor shall any person or persons receiving payment of the sum or sums of money drawn for, mentioned, or specified in such bill or bills, be bound or obliged to give a stamp receipt for the same, but a receipt, or acknowledgement of payment, indorsed on such bill or bills, shall be held, deemed, and taken, as a sufficient release and discharge for the same in all cases and courts whatsoever.

Remittance bills, or tickets, pursuant to former acts, directed to the receiver of the land tax for London, &c. may be directed to the treasurer of the navy.

XXXIII. And be it enacted by the authority aforesaid, That in all cases, from and after the passing of this act, where any remittance bill, or ticket for the payment of money, is or shall be drawn or made out pursuant to and in the execution of the powers given by any former act or acts of parliament, and directed for payment to the receiver general of the land tax for the county of the city of *London*, or for the county of *Middlesex*, or any county within the bills of mortality of the city of *London*, the same may be directed for payment to the treasurer of his Majesty's navy, and such bill or ticket may and shall be paid and discharged by the said treasurer of the navy, and shall be allowed to him in the passing of his accounts, in the same way and manner as if such remittance bill, or ticket for the payment of money, had been directed to and paid by such receiver general of the land tax, and afterwards repaid to him by the said treasurer of the navy.

Persons forging, &c. orders, &c. guilty of felony.

XXXIV. And be it further enacted, That, from and after the passing of this act, if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly act and assist in the false making, forging, or counterfeiting, any order, bill, extract, or certificate, herein-before described or mentioned, or shall utter and publish as true, any false, forged, or counterfeited order, bill, extract, or certificate, herein-before described or mentioned, knowing the same to be false, forged, or counterfeited, for the purpose of defrauding the publick, or any commissioned officer, master, or surgeon, of the navy, widow, or other person herein-before mentioned, of any wages or pay, half pay, pension, or bounty, payable to them or any of them respectively, every such person, being lawfully convicted thereof according to due course of law, shall be adjudged guilty of felony, and shall suffer death as a felon without benefit of clergy.

Admiralty to direct the commissioners of the navy to deliver blank bills, &c. and the treasurer to cause an abstract of this act to be printed and

XXXV. And be it further enacted by the authority aforesaid, That the lord high admiral of *Great Britain*, or commissioners for executing the office of lord high admiral of *Great Britain*, shall direct the commissioners of the navy to deliver sufficient quantities of blank bills and certificates herein-before directed to be made, with sufficient instructions relative to the same, to all captains and commanders in the royal navy, and all other persons to whom the same are or shall be necessary; and shall direct the treasurer of the navy to cause to be printed an abstract of the provisions and regula-

ions contained in this act, and to deliver or transmit a competent number of copies thereof to the principal officers and commissioners of the navy, to the commissioners of the customs and commissioners of the excise, in *England and Scotland*, and to the clerks of the cheque in his Majesty's dock yards, who are hereby strictly ordered and enjoined to hang up and affix the same in some conspicuous part of their respective offices, and to publish and promulgate the same as much as may be; and the said lord high admiral of *Great Britain*, or commissioners for executing the office of lord high admiral of *Great Britain*, are further directed to cause a competent number of copies of the said abstract to be delivered to the captain or commander of every ship or vessel in the service of his Majesty, his heirs and successors, for the use of the said ship or vessel.

transmitted to the principal officers of the navy, &c. to be promulgated.

Admiralty to cause abstracts to be delivered to captains.

C A P. XCV.

An act to enable boatswains, gunners, and carpenters, serving in his Majesty's navy, to allot part of their wages or pay for the maintenance of their wives and families.— [June 22, 1795.]

WHEREAS an act was made in the present session of parliament, intituled, An act to enable petty officers in the navy, and seamen, non-commissioned officers of marines, and marines, serving in his Majesty's navy, to allot part of their pay for the maintenance of their wives and families: *and whereas it is reasonable that the provisions in the said act contained be extended to boatswains, gunners, and carpenters, in the royal navy:* 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 passing of this act, it shall and may be lawful to and for every boatswain, gunner, and carpenter, serving, or who shall hereafter serve, on board of any ship or vessel of his Majesty, his heirs and successors, to allot one fifth of his monthly wages or pay for the maintenance of his wife, child or children, or mother; and every such boatswain, gunner, carpenter, and the wife, child or children, or mother, of every of them, to whom such allotment shall be made, shall be, and is hereby entitled to the benefit of all the powers, authorities, and provisions, in every article, matter, and thing, in the aforesaid act specified, and subject to and under the several penalties and forfeitures therein contained, as fully and effectually, to all intents and purposes, as any petty officer, seaman, or landman, non-commissioned officer of marines, or marine, in the royal navy, or the wife, child or children, or mother, of any of them, is or are entitled to the benefit of the same, and as if the several powers, authorities, provisions, penalties, and forfeitures, in the aforesaid act contained, were again repeated and re-enacted in the body of this present act.

Preamble.

35 Geo. 3. c. 28. recited,

and extended to boatswains, gunners, and carpenters.

C A P. XCVI.

An act for the relief of persons detained in gaol for want of bail, in certain cases relating to the publick revenue.—[June 22, 1795.]

Preamble.
26 Geo. 3. c.
77.

WHEREAS by an act, passed in the twenty-sixth year of his present Majesty's reign, intituled, An act to limit a time for the repayment of the duties on male servants and carriages, by the commissioners of excise; and also on horses, waggons, wains, and carts, by the commissioners of stamps; and for the amendment of several laws relating to the duties under the management of the commissioners of excise; it is enacted, That whenever any person or persons shall be charged with assaulting or obstructing any officer or officers of the customs or excise in the due execution of his or their office or offices, or any person or persons acting in his or their aid or assistance, or with rescuing, or attempting to rescue, by force, any uncustomed or prohibited goods, after seizure thereof by such officer or officers, or with any offence against any law respecting quarantine, and the same shall be made appear to any judge of his Majesty's court of king's bench, by affidavit or by certificate of an indictment or information being filed against such person or persons in the said court, for such offence, it shall be lawful for such judge to issue his warrant, under his hand and seal, and thereby to cause such person or persons to be apprehended and brought before him, or some other judge of the said court, or before some one of his Majesty's justices of the peace, in order to his, her, or their, being bound to the King's majesty, with two sufficient sureties, in such sum as, in the said warrant shall be expressed, with condition to appear in the said court at the time mentioned in such warrant, and to answer to all and singular indictments or informations for any the offences aforesaid; and in case such person or persons shall neglect or refuse to become bound as aforesaid, it shall be lawful for such judge or justice of the peace respectively to commit such person or persons to the common gaol of the county, city, or place, where the offence shall have been committed, or where he, she, or they, shall have been apprehended, until he, she, or they, shall have become bound as aforesaid, or shall be discharged by order of the said court of king's bench in term time, or by one of the judges of the said court in vacation: and whereas no indictment or information for any of the offences mentioned in the said recited act can be brought to trial until the defendant or defendants shall have appeared and pleaded thereto; and persons apprehended and committed to gaol, by virtue of the said act, cannot be brought into the said court to plead in person to such indictments or informations without a considerable expence, and may, through poverty or ignorance, omit to sue out writs of Habeas Corpus to bring themselves into the said court for that purpose, or to cause appearances and pleas to be entered for them, according to the course of the said court, and are therefore liable to be detained in gaol, without trial, to their great loss and grievance, and in delay of justice: and whereas it is reasonable that, in case such defendants shall be found not guilty of the charges against them, they should be immediately released from their imprisonment: 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 par-
 lament assembled, and by the authority of the same, That, where
 any person or persons, by virtue of the said recited act, hath or
 have been committed, and is or are now detained, or shall here-
 after be committed and detained, in any gaol for want of bail, it
 shall be lawful for the prosecutor of such indictment or infor-
 mation to cause a copy thereof to be delivered to such per-
 son or persons, or to the gaoler, keeper, or turnkey, of the gaol
 wherein such person or persons is, are, or shall be so detained, with
 notice thereon indorsed, that unless such person or persons shall,
 within such space of time as shall be for that purpose limited and
 fixed by the said court of king's bench, cause an appearance, and
 a plea or demurrer, to be entered in the said court to such
 indictment or information, an appearance and the plea of not
 guilty will be entered thereto in the name or names of such per-
 son or persons respectively; and in case he, she, or they, shall
 thereupon, for the said space of time so to be limited and fixed
 as aforesaid, neglect to cause an appearance, and also a plea or
 demurrer, to be entered in the said court to such indictment or
 information, it shall be lawful for the prosecutor of such indict-
 ment or information, upon an affidavit being made and filed in
 the said court of a delivery of a copy of such indictment or infor-
 mation, with such notice indorsed thereon, as aforesaid, to such
 person or persons, or to such gaoler, keeper, or turnkey, as the
 judge may be, which affidavit may be made before any judge or
 commissioner of the said court, authorised to take affidavits in
 the said court, to cause an appearance, and the plea of not guilty,
 to be entered in the said court to such indictment or information
 of such person or persons respectively, and such proceedings shall
 be had thereupon as if the defendant or defendants, in such
 indictment or information, had appeared and pleaded not guilty,
 according to the usual course of the said court; and that, if upon
 the trial of such indictment or information, the defendant or
 defendants, so committed and detained as aforesaid, shall be
 acquitted of all the offences therein charged upon him, her, or
 them, it shall be lawful for the judge before whom such trial shall
 be had, although he may not be one of the judges of the said court
 of king's bench, to order that such defendant or defendants shall
 forthwith be discharged out of custody, as to his, her, or their
 commitment, by virtue of the said recited act; and such defend-
 ant or defendants shall be thereupon discharged accordingly; and
 nothing in the said recited act to the contrary notwithstanding.

C A P. XCVII.

*Act to declare that hides and skins tanned by a new method shall be
 deemed tanned hides and skins within the meaning of the acts relat-
 ing to the duties of excise on hides and skins tanned in Great Britain.*

[June 22, 1795.]

Preamble.

9 Ann. c. II.

34 Geo. 3. c. 63.

Hides and skins tanned by any method whatever, to be deemed within the meaning of the acts relating to the duties on hides and skins.

WHEREAS by an act made in the ninth year of the reign of her late majesty Queen Anne, for laying certain duties upon hides and skins tanned, tawed, or dressed; for better avoiding all doubts and controversies concerning the several kinds of hides and skins, and pieces of hides and skins, chargeable by that act, it was declared and enacted, that by tanned hides or skins, or by tanned pieces of hides or skins, were meant only such as were tanned in wooze made of the bark of trees or shomack, or whereof the principal ingredients should be such bark or shomack: and whereas, by an act, made in the thirty-fourth year of the reign of his present Majesty, intitled, An act for allowing the exercise of an invention of a new method of tanning hides and skins, the tanning of hides and skins by a method and with the materials or things described or ascertained in a certain instrument, in writing, mentioned in the said act, is authorised and permitted, and it is therefore expedient to declare and enact, that hides and skins tanned by such method, or by any other method or process, or with any materials or ingredients whatsoever, shall be deemed and taken to be such hides and skins as are herein-after mentioned: 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, from and after the passing of this act, all hides and skins, and pieces of hides and skins, which shall be tanned by the said method, and with the materials or things described or ascertained in the said instrument mentioned in the said last recited act, or by any other method or process, or with any materials or ingredients whatever, shall be deemed and taken to be tanned hides and skins, or tanned pieces of hides and skins, within the meaning of the said act made in the ninth year of the reign aforesaid, and of the several other acts of parliament in force immediately before the passing of this act, relating to the duties on hides and skins tanned in Great Britain; any thing in any act now in force contained to the contrary in any wise notwithstanding.

C A P. XCVIII.

An act for allowing further time for the payment of the drawback on China ware, imported by the East India company before the first day of April one thousand seven hundred and ninety-five.—[June 22, 1795.]

Preamble.

WHEREAS there are great quantities of China ware remaining in this kingdom, imported from China by the united company of merchants of England trading to the East Indies, before the first day of April one thousand seven hundred and ninety-five, the proprietors whereof, on account of circumstances of a temporary nature during the present war, will not be able to export the same within the term of three years from the importation thereof, being the time limited by law to entitle the proprietors to a drawback of part of the duties thereon; and it is reasonable that further time should be granted for

Organized
thrown silk of
Italy may be
imported from
any place in
amity with his
Majesty in any
vessels, for a
certain time.

Act not to
extend to silk
coarser than
Third Bolo-
nia, nor Tram,
nor thrown
silk of Turkey,
&c. which shall
be forfeited.

All such silk to
be brought to
the custom
house at Lon-
don, on penal-
ty of for-
feiture.

13 Car. 2.
c. 16.

authority of the same, That it shall and may be lawful to and for any person or persons to import or bring into this kingdom from any port or place in amity with his Majesty, in any vessel whatsoever, until the expiration of twenty days after the commencement of the next session of parliament, organized thrown silk of the growth or production of *Italy*; any thing contained in the said recited acts, or any other act, to the contrary thereof notwithstanding.

II. Provided always, That this act, nor any thing herein contained, shall extend to give liberty to import any *Italian* thrown silk, that shall be coarser than a sort thereof known and distinguished by the name of *Third Bologna*; nor any sorts commonly called *Tram*, of the growth of *Italy*; nor any thrown silk of the growth or production of *Turky*, *Perse*, *India*, or *China*, under the penalty of forfeiting all such silks as shall be brought over and imported contrary to the true intent, and meaning, of this act; one moiety whereof to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons who shall seize, inform, or sue for the same, to be recovered in such manner and form as the same forfeited may be recovered by any law relating to his Majesty's revenue of customs.

III. And for the better and more effectual execution of this act to prevent the importation of any sort of thrown silk, not organized be it further enacted and declared, That all such organized thrown silk as is allowed to be imported by this act, where landed, shall be brought to his Majesty's custom house at London to the intent that no other sort of thrown silk may be imported than that allowed by this act, under the penalty of forfeiting such thrown silk as shall be imported contrary to the true intent, and meaning, of this act; one moiety whereof to be to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons who shall seize, inform, or sue for the same, to be recovered in such manner and form as the same forfeited may be recovered by any law relating to his Majesty's revenue of customs; any thing herein contained to the contrary hereof in anywise notwithstanding.

IV. And whereas, by an act of parliament, made in the tenth year of the reign of King Charles the Second, intituled, An act for encouraging and increasing of shipping and navigation, amongst other things, enacted, That no sort of flax shall be imported into England, Ireland, Wales, or town of Berwick upon Tweed in any ship or ships, vessel or vessels whatsoever, but such as do belong without fraud to the people thereof, or some of them, as the owners or proprietors thereof, and whereof the master and three fourths of the mariners at least are English, except only such foreign vessels as are of the built of that country or place of which the goods are the growth, production, or manufacture respectively, such port where the said goods can only be, or most usually are shipped for transportation, and whereof the master and three fourths of the mariners at least are of the said country or place, under

nality and forfeiture of the ship and goods: and whereas it is expedient to permit, for a limited time, the importation of flax and flax seed into this kingdom in foreign neutral ships and vessels, although such ships or vessels are not of the built of the country or place of which flax or flax seed is the growth, production, or manufacture, or of the port where such flax or flax seed can only be, or most usually hath been, first shipped for transportation: be it therefore enacted by the authority aforesaid, That, from and after the passing of this act, and until twenty days after the commencement of the next session of parliament, it shall and may be lawful for any person or persons to import into this kingdom of Great Britain, any sort of flax or flax seed, in any ship or vessel belonging to any kingdom or state in amity with his Majesty, his heirs or successors, navigated by foreign seamen, from any port or place whatsoever, upon the same terms and conditions, and subject to the same rules, regulations, and restrictions, in any respects, as such flax and flax seed would, by any law in force, have been subject and liable to if the same had been imported in foreign ships or vessels of the built of the country or place of which such flax or flax seed was the growth, production, or manufacture; any thing in the before-recited act, or any other act or acts of parliament, to the contrary notwithstanding.

Flax or flax seed may be imported in any vessel belonging to states in amity with his Majesty, for a certain time.

C A P. CI.

An act to prevent the removal of poor persons, until they shall become actually chargeable.—[June 22, 1795.]

WHEREAS by an act, passed 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; reciting, That whereas, by reason of some defects in the law, poor people are not restrained from going from one parish to another, and therefore do endeavour to settle themselves in those parishes where there is the best stock, the largest commons or wastes to build cottages, and the most woods for them to burn and destroy; and when they have consumed it then to another parish, and at last become rogues and vagabonds, to the great discouragement of parishes to provide stocks where it is liable to be devoured by strangers; for remedy whereof it is thereby, amongst other things enacted, That it shall and may be lawful, upon complaint made by the churchwardens or overseers of the poor of any parish, to any justice of the peace, within forty days after any such person or persons coming so to settle as aforesaid, in any tenement under the yearly value of ten pounds, for any two justices of the peace, whereof one to be of the quorum, of the division where any person or persons that are likely to be chargeable to the parish shall come to inhabit, by their warrant, to remove and convey such person or persons to such parish where he or they were last legally settled, either as a native, householder, sojourner, apprentice, or servant, for the space of forty days at the least, unless he or they give sufficient security for the discharge of the said parish, to be allowed by the said justices: and whereas many industrious poor persons, chargeable to the parish, township, or place, where they

Preamble. 13 and 14 Car. 2. c. 12. recited.

live merely from want of work there, would in any other place, where sufficient employment is to be had, maintain themselves and families without being burthenfome to any parish, township or place; and such poor persons are for the most part compelled to live in their own parishes, townships, or places, and are not permitted to inhabit elsewhere, under pretence that they are likely to become chargeable to the parish, township, or place, into which they go for the purpose of getting employment, although the labour of such poor persons might, in many instances, be very beneficial to such parish, township, or place: and whereas the remedy intended to be applied thereto, by the granting of certificates, in pursuance of the act passed in the eighth and ninth years of the reign of King William the Third, intituled, An act for supplying some defects in the laws for the relief of the poor of this kingdom, hath been found very ineffectual; and it is necessary that other provisions should be made relating thereto: 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 passing of this act, so much of the said in part recited act of the thirteenth and fourteenth years of King Charles the Second, as enables the justices to remove any person or persons that are likely to be chargeable to the parish, township, or place, into which they shall come to inhabit, shall be, and the same is hereby repealed; and that from thenceforth no poor person shall be removed, by virtue of any order of removal, from the parish or place where such poor person shall be inhabiting, to the place of his or her last legal settlement, until such person shall have become actually chargeable to the parish, township, or place, in which such person shall then inhabit, in which case two justices of the peace are hereby empowered to remove the person or persons, in the same manner, and subject to the same appeal, and with the same powers, as might have been done before the passing of this act with respect to persons likely to become chargeable.

II. *And whereas poor persons are often removed or passed to the place of their settlement during the time of their sickness, to the great danger of their lives; for remedy thereof, be it further enacted by the authority aforesaid, That in case any poor person shall from henceforth be brought before any justice or justices of the peace, for the purpose of being removed from the place where he or she is inhabiting or sojourning, by virtue of any order of removal, or of being passed by virtue of any vagrant pass, and it shall appear to the said justice or justices that such poor person is unable to travel, by reason of sickness or other infirmity, or that it would be dangerous for him or her so to do, the justice or justices making such order of removal, or granting such vagrant pass, are hereby required and authorised to suspend the execution of the same until they are satisfied that it may safely be executed, without danger to any person who is the subject thereof; which suspension of, and subsequent permission to execute the same, shall be respectively indorsed on the said order of removal or va-*

So much of recited act as enables justices to remove persons likely to be chargeable to parishes, repealed; and no persons to be removed till they become chargeable.

Justices may suspend the removal of sick persons:

ant pass, and signed by such justice or justices: and no act
 one by any such poor person continuing to reside in any parish,
 township, or place, under the suspension of any such order, shall
 be effectual, either in the whole or in part, for the purpose of giv-
 ing him or her a settlement in the same; and the charges proved
 upon oath to have been incurred by such suspension of any order
 removal may, by the said justices, be directed to be paid by
 the churchwardens and overseers of the parish or place to which
 such poor person is ordered to be removed, in case any removal
 shall take place, or in case of the death of such poor person be-
 fore the execution of such order; and if the churchwardens or
 overseers of the parish, township, or place, to which the order of
 removal shall be made, or any or either of them, shall, upon the
 removal or death of such poor person ordered to be removed,
 refuse or neglect to pay the said charges within three days after
 demand thereof, and shall not within the same time give notice of
 appeal as is herein-after mentioned, it shall and may be lawful
 for one justice of the peace, by warrant under his hand and seal,
 to cause the money mentioned in such order to be levied by dis-
 sales and sale of the goods and chattels of the person or persons
 refusing or neglecting payment of the same, and also such costs
 attending the same, not exceeding forty shillings, as such justice
 shall direct; and if the parish, township, or place, to which the
 removal of such poor person is made, or was ordered to be made,
 before the death of such person as aforesaid, be without the ju-
 risdiction of the justice of the peace issuing the warrant, then such
 warrant shall be transmitted to any justice of the peace having
 jurisdiction within such parish, township, or place as aforesaid,
 who upon receipt thereof is hereby authorised and required to
 endorse the same for execution: provided nevertheless, that if the
 sum so ordered to be paid on account of such costs and charges
 exceed the sum of twenty pounds, the party or parties aggrieved
 by such order may appeal to the next general quarter sessions
 against the same, as they may do against an order for the removal
 of poor persons by any law now in being; and if the court of
 quarter sessions shall be of opinion that the sum so awarded be
 more than of right ought to have been directed to be paid, such
 court may and is hereby directed to strike out the sum contained
 in the said order, and insert the sum which in the judgement of
 such court ought to be paid; and in every such case the said
 court of quarter sessions shall direct that the said order so amended
 shall be carried into execution by the said justices by whom the
 order was originally made, or either of them, or in case of the
 death of either of them, by such other justice or justices as the
 said court shall direct: provided, that nothing in this act con-
 tained shall extend to alter or abridge the power of justices of
 the peace to pass or punish vagrants in the manner and under the
 circumstances set forth in an act, passed in the seventeenth year of
 the reign of his late majesty King George the Second, intituled,
An act to amend and make more effectual the laws relating to rogues,
vagrabonds, and other idle and disorderly persons, and to houses of

charges in-
 curred by such
 suspension to
 be paid by the
 officers of the
 parish to
 which they
 are ordered to
 be removed,
 which may be
 levied with
 costs.

If costs exceed
 20l. appeal
 may be made
 to the quarter
 sessions.

This act not
 to alter the
 power of jus-
 tices to pass
 or punish va-
 grants by 17
 Geo. 2. c. 5.
 except as to
 suspension.

correction; (except so far as regards the power of suspending the vagrant pass, in the manner and for the causes before mentioned).

III. And be it further enacted by the authority aforesaid, That no person coming into any parish, township, or place, shall, from and after the passing of this act, be enabled to gain any settlement therein by delivery and publication of any notice in writing.

IV. Provided always, and be it further enacted by the authority aforesaid, That from and after the passing of this act, no person or persons whatsoever, who shall come into any parish, township, or place, shall gain a settlement in such parish, township, or place, by being charged with and paying his, her, or their share, towards the publick taxes or levies of the said parish, township, or place, for and on account, or in respect of any tenement or tenements, not being of the yearly value of ten pounds.

V. Provided also, and be it further enacted, That every person who shall have been convicted of larceny, or any other felony, or who by the laws now in being shall be deemed a rogue, vagabond, idle, or disorderly person, or who shall appear to any two or more justices of the peace of the division wherein such person shall reside, upon the oath of one or more credible witness or witnesses to be a person of evil fame, or a reputed thief, such person not being able to give a satisfactory account of himself or herself, or of his or her way of living, shall be considered as a person actually chargeable within the true intent and meaning of this act, to the parish in which such person shall reside, and shall be liable to be removed to the parish of his or her last legal settlement by the order of the said justices of the peace, whereof one to be of the quorum, of the division where any such person shall reside.

VI. Provided also, and be it hereby enacted by the authority aforesaid, That every unmarried woman with child shall be deemed and taken to be a person actually chargeable, within the true intent and meaning of this act, to the parish, township, or place, in which she shall inhabit, and may be removed as such to the place of her last legal settlement; and in case any order of removal obtained for such purpose shall be suspended for any of the reasons before mentioned, and during such suspension the said woman shall be delivered of any child, which by the laws of this kingdom shall be a bastard, every such bastard child shall be deemed and taken to be settled in the same parish, township, or place, in which was the legal settlement of the mother at the time of her delivery: provided nevertheless, that all act or acts heretofore made touching bastard children, or concerning the mothers or reputed fathers of such children, shall be, and remain in full force and effect after the passing of this act as well in cases where by this act the place of settlement of such bastard children is directed to be the same as that of the mothers of such children,

No person to gain a settlement by delivery and publication of a written notice;

nor by paying taxes for a tenement of less than 10l. yearly value.

Rogues, &c. to be considered as chargeable, and may be removed.

Unmarried women with child to be deemed chargeable.

Bastards to be deemed of the mothers parish.

Former acts touching bastards, &c. to remain in force.

as in cases where the place of settlement of such bastard children remains the same as it did before the passing of this act.

C A P. CII.

An act for the more effectual prevention of the use of defective weights, and of false and unequal balances.—[June 22, 1795.]

WHEREAS by an act, made and passed in the sixteenth year Preamble.

of the reign of King Charles the First, it was, among other things, enacted, That from thenceforth there should be but one weight, according to the standard of the exchequer, throughout all the realm, as well in places privileged as without, any usage or custom to the contrary notwithstanding: and whereas the said recited act, and the several other laws now in force for the due regulation of weights, have been found ineffectual for that purpose; and divers frauds are committed by persons using deficient weights, and false or unequal balances, by which the poor in particular are much injured: and whereas it would tend greatly to prevent such pernicious and fraudulent practices, if the justices of the peace throughout the several counties of England and Wales, at their respective quarter sessions, were empowered to appoint proper persons to examine the weights and balances throughout the said counties, and to punish such persons as should be found offending in the premises: 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 passing of this act, it shall and may be lawful to and for the justices, at every quarter sessions of the peace to be held for any county, riding, liberty, or division, in *England* or *Wales*, and they are hereby required, to appoint one or more person or persons to examine the weights and balances within their respective counties, ridings, liberties, and divisions, such person or persons so to be appointed to be the high constable of a hundred, who shall have the power of examining within his hundred, or the constable and parish officers of a parish, who shall have the like power within his and their parish, or such other fit and proper person or persons as the said justices shall in their discretion think fit, who shall have a power of examining within such district as such justices shall appoint.

Quarter sessions to appoint persons to examine weights and balances.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the person and persons so to be appointed as aforesaid, and they are hereby required, (having first been sworn duly and faithfully to execute the office in him or them reposed, by virtue of such appointment, and of this act, which oath the said justices are hereby authorized and empowered to administer), once in every month at the least, in the day time, to enter into the shop, house, outhouses, and other premises near to such shop or house, and into the stall or standing place of every person or persons who shall sell or retail by weight, any wares, provisions, goods, or chattels whatsoever, and then and there to

Persons so appointed, to visit shops, &c. and seize false weights, &c.

Penalty for
having false
weights, &c.

search for, view, and examine, all weights and balances in such shop, house, outhouses, premises, stall, or standing place, and to seize any weight or weights not being according to the standard in the exchequer, or any false or unequal balance or balances which shall upon such search be found, and forthwith to break and destroy the same; and the person or persons in whose shop, house, outhouses, premises, stall, or standing place, any such weight or weights, balance or balances, shall be found, shall, upon conviction thereof before one of his Majesty's justices of the peace for the county, riding, division, or place where the said offence shall be committed, upon view or confession, or upon the oath of one or more credible witness or witnesses, forfeit and pay such sum of money, not exceeding twenty shillings nor less than five shillings, as the justice before whom such person or persons shall be convicted shall in his discretion order and adjudge, such forfeiture to be levied by warrant under the hand and seal of the said justice, by distress and sale of the goods and chattels of the person or persons so offending, and to be paid to the treasurer of the county, riding, or division, where the said offence shall be committed, to be by him applied towards the expences of carrying this act into execution, and the residue (if any) in aid of the general county rate.

Penalty for
obstructing in-
spectors, or re-
fusing to pro-
duce weights,
&c.

III. And be it further enacted, That if any person shall wilfully obstruct, hinder, resist, or in anywise oppose, any of the persons hereby authorized and empowered to view and examine such weights and balances in the execution of his office, or if any person selling or retailing by weight shall refuse to produce his or her weights and balances in order to be viewed and examined, he or she who shall so offend, shall, for every such offence, on being duly convicted on oath before any one or more justices of the peace, forfeit and pay any sum not exceeding forty shillings, nor less than five shillings, as the justice or justices before whom any such offender shall be convicted shall adjudge; and such forfeiture or penalty shall be levied and applied as herein-before directed.

Quarter ses-
sions to allow
a recompence
to the inspec-
tors out of the
county rate.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the justices at their said quarter sessions to allow to such person or persons, who shall be appointed to examine weights and balances under this act, a reasonable recompence or satisfaction for their trouble in the execution of the said office, such recompence or satisfaction to be paid to such person or persons out of the general county rate.

Persons pu-
nished under
this act not to
suffer by any
other.

V. Provided always, and be it further enacted, That any person or persons convicted of an offence under this act, and who shall suffer for the same under this act, shall not be otherwise punished for such offence by virtue of any other law or statute of this realm.

Act not to
lessen the au-
thority of per-
sons appointed
at court leets.

VI. Provided also, and be it further enacted, That this act, or any thing herein contained, shall not extend, or be construed to extend, to lessen or prevent the authority which any person or per-

sons,

sons, bodies politick or corporate, or any person appointed at any court leet for any hundred or manor, may have or possess for the examining, regulating, seizing, breaking, or destroying, any weights or balances within their respective jurisdictions, but that he, she, and they, shall and may have and possess the same power and authority therein as if this act had not been made.

VII. *And, for the more effectually carrying this act into execution,* be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said justices, and they are hereby empowered and required, as soon after the passing of this act as may be convenient, to purchase, or cause to be purchased, for the use of their respective counties, ridings, or divisions, out of the general county rate, proper weights, according to the standard in the exchequer; which shall be deposited for the inspection of all persons, either with the respective clerks of the peace, or with some proper person, in such safe and convenient place or places, within their respective counties, ridings, or divisions, as the said justices shall direct; and shall be produced by the person or persons in whose custody the same shall be lodged (upon reasonable notice) at such time and place as any person or persons shall, by writing under their respective hands, require and appoint; the person or persons so requiring the production of the said weights paying the reasonable costs and charges of producing the same.

Justices to cause standard weights to be purchased out of the county rate, which shall be produced to persons paying the costs of production.

VIII. Provided also, and be it further enacted, That no person or persons shall be prosecuted for any offence against this act, unless information thereof, upon oath, shall have been given to some justice of the peace within one month after the offence committed.

No person to be prosecuted unless information be given within a month.

IX. And be it further enacted, That this act shall be deemed and taken to be a publick act; and be judicially taken notice of as such, by all judges, justices, or other persons, without the same being specially pleaded or set forth.

Publick act.

C A P. CIII.

An act to enable his Majesty to grant the inheritance of certain lands or grounds, situate at or near Painshill, in the several parishes of Cobham, Walton, and Wisley, in the county of Surrey, to George Chamberlaine, esq; George Bond, esq; one of his Majesty's serjeants at law, and Sir Samuel Hayes, bart. of the kingdom of Ireland, upon the trusts declared by the will of Benjamin Bond Hopkins, esq; deceased, of and concerning his estate at Painshill aforesaid.—[June 22, 1795.]

C A P. CIV.

An act for enabling the mayor and commonalty and citizens of the city of London, governors of the possessions, revenues, and goods, of the hospitals of Edward King of England the Sixth, of Christ, Bridewell, and St. Thomas the Apostle, and other the governors of Christ's Hospitals, to purchase houses and ground for enlarging Christ's Hospitals in London and at Hertford, and erecting additional buildings thereto, and for other purposes.—[June 22, 1795.]

The governors of Christ's Hospital empowered to purchase houses, &c. in the first schedule to this act for enlarging the hospital in London; and

divers

divers houses in the second schedule at Hertford, for enlarging the hospital there. After such purchase all rights of common and ways over the ground at Hertford to cease. The governors empowered to take in part of Grey Friars in London, and part of a lane at Hertford, and to build thereon, &c. The governors to purchase ground on the other side of the lane at Hertford, to be laid into the same in lieu of what they take from it. The governors to provide a new burial ground in London, and empowered to shut up certain foot paths through the hospital in London. Buildings may be taken down and others erected, &c. The governors of Christ's Hospital and St. Bartholemew's Hospital, empowered to sell to, or exchange with each other. The governors of Christ's Hospital empowered to make exchanges of houses, &c. Purchase money to be paid before the governors proceed to take down houses, &c. Compensation to be made for tithes. Rates and taxes to be paid for houses purchased by the governors as heretofore. The governors empowered to sell surplus ground. Limitation of actions. General issue. Treble costs.

C A P. CV.

An act for improving and supporting the navigation of the river Ivel, otherwise Yeo, from the town of Ivelchester, to Bicknell Bridge, in the parish of Huish Episcopi, in the county of Somerset; and for making a navigable cut from thence into a certain drain called Portlake Rhine, in the parish of Langport, in the same county, and for making the said drain navigable from thence to the river Parrett, below Great Bow Bridge, in the town of Langport.—[June 22, 1795.]

Proprietors incorporated by the name of "The Company of Proprietors of the Navigation from Ivelchester to Langport." For regulating the erecting of weirs, &c. For providing water for cattle. No works to be made between Bicknell Bridge and Great Bow Bridge, or at Great Bow Bridge. Rates. For all coal, culm, coak, cinders, charcoal, timber, iron, and iron stone, two-pence per ton per mile. For all lime, dung, manure, and stone and lime stone for manure, one penny per ton per mile. For other goods, wares, &c. three-pence per ton per mile. Fifty cubic feet of round or forty cubic feet of square oak, ash, elm, or beech timber, and fifty cubic feet of fir, or deal balk, poplars, or birch, not cut into scantlings, and sixty cubic feet of light goods, to be deemed a ton weight. Rates of wharfage two-pence a ton for twenty-four hours, or sixpence a ton for a week. Company may appoint officers. Company to contribute six thousand pounds, at fifty pounds a share, and may borrow two thousand pounds more upon mortgage. Rates may be let for three years. If necessary to rebuild Little Bow Bridge, the same to be kept in repair by Langport corporation, without prejudice to the tolls they are entitled to. Appeal. Limitation of actions. General issue. Treble costs. Manerial rights reserved.

C A P. CVI.

An act for amending and rendering more effectual an act, passed in the twenty-eighth year of the reign of his present Majesty, intituled, An act to explain, amend, and enlarge, the powers of so much of two acts, passed in the eleventh and fifteenth years of the reign of his present Majesty, for improving and completing the navigation of the rivers Thames and Isis, from the city of London to the town of Cricklade, in the county of Wilts, as relates to the navigation of the said rivers, from the boundary of the jurisdiction of the city of London, near Staines, in the county of Middlesex, to the said town of Cricklade; and for extending and enlarging the powers of the said several acts, passed in the eleventh and fifteenth years of the reign of his said present Majesty, so far as the same relate to the improving and completing of the navigation of the said rivers, from the jurisdiction of the city of London, near Staines, in the county of Middlesex, to the town of Cricklade, in the county of Wilts.—[June 22, 1795.]

Power

Power to erect pound locks according to plan. Power of former acts extended to this. No weir to be erected between Boulter's lock and the boundary stone of the city of London, until notice given to the corporation of the said city, and subject to the advice of engineers. No higher tolls to be taken at new than at old locks. Barges, &c. passing by pound locks to pay same tolls as if they had passed through such pounds. Tolls may be taken by moieties on each passage. Limiting the toll to be taken on the fifth or sixth districts. Tolls not to be laid higher at one pound lock than at another. Power to let tolls. Appointment of meeting in each district annually. District meetings to appoint a committee for such district. General meeting to be adjourned from fortnight to fortnight, until committees are appointed. General committee to appoint sub-committees. General committee may survey and report works necessary in each district, and execute works ordered by general meetings. Quarterly general meeting to be held at Windsor, instead of late ordinary one. General meeting to be held on the third Thursday in February in Westminster. Method of recovering damages. Power to make towing paths. Commissioners under old acts to act until the twenty-fifth of December. Appointment of new commissioners. Commissioners to present their accounts to parliament annually. Justices of adjacent counties to the river to have jurisdiction thereon.

C A P. CVII.

An act for dividing, allotting, inclosing, draining, and improving, the commons and waste grounds within the several parishes of Epworth, Haxey, Belton, and Owston, in the isle of Axholme, in the county of Lincoln; and also for making a compensation for the tythes arising from the said commons, and from certain other lands within the said parishes.— [June 22, 1795.]

C A P. CVIII.

An act for amending an act, passed in the thirteenth year of the reign of his present Majesty, intituled, An act for building a bridge across the river Severn, near Redstone, in the county of Worcester, and for making proper avenues and roads to and from the same; and for making satisfaction to the proprietors of a ferry across the said river at Redstone aforesaid; and enabling the trustees for executing the said act to rebuild the said bridge.— [June 22, 1795.]

Old tolls to cease. New tolls. For every coach, chaise, &c. drawn by four horses, two shillings and sixpence, and drawn by two horses, one shilling and sixpence. For every chaise, &c. drawn by one horse, one shilling. For every waggon, cart, &c. drawn by five horses, two shillings; by four horses, one shilling and sixpence; by three horses one shilling; by two horses, nine-pence; and by one horse, sixpence. For every sledge without wheels, nine-pence. For every horse, &c. not drawing, three half-pence. For every horse, &c. carrying double, two-pence. For hogs, ten-pence a score. For sheep and lambs, sixpence a score. For cows, oxen, &c. one penny each. For foot passengers, one penny. For every person riding in a waggon, cart, &c. one penny. For every person with a wheelbarrow, three-pence. Double toll on Sundays. Trustees empowered to borrow ten thousand pounds. Limitation of actions. General issue. Treble costs. Appeal.

C A P. CIX.

An act for repealing so much of an act of parliament, passed in the twenty-ninth year of the reign of his present Majesty, intituled, An act for granting to his Majesty several additional rates and duties upon horses, and carriages with four wheels; and for explaining and amending an act, passed in the twenty-fifth year of

of his present Majesty, as far as relates to certain carriages with two or three wheels, therein mentioned, *as relates to the additional duties upon coaches with four wheels used as stage coaches; and for reducing the duties upon carriages with less than four wheels, mostly used in the affairs of husbandry, or for the purpose of trade.*—[June 26, 1795.]

Preamble.

29 Geo. 3.
c. 49. recited,

WHEREAS by an act, passed in the twenty-ninth year of the reign of his present Majesty, intituled, An act for granting to his Majesty several additional rates and duties upon horses, and carriages with four wheels; and for explaining and amending an act, passed in the twenty-fifth year of his present Majesty, as far as relates to certain carriages with two or three wheels, therein mentioned; *certain additional duties were granted to his Majesty on certain carriages with four wheels, therein mentioned: and whereas it is expedient to exempt stage coaches and diligences with four wheels from the said additional duties:* may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, the said additional duties by the said recited act imposed, so far as the same relate to any coach or diligence with four wheels, which shall be kept and employed as a publick stage coach for the purpose of conveying passengers for hire to and from different places within this kingdom, and which shall be duly entered as such with his Majesty's commissioners for managing the duties on stamped vellum, parchment, or paper, and for which the annual duty of five pounds imposed thereon by an act, passed in the sixteenth year of the reign of his present Majesty, shall be duly paid, shall cease and determine and be no longer paid or payable.

and the duties
thereby im-
posed on stage
coaches re-
pealed.

25 Geo. 3.
c. 47.

II. *And whereas, by an act, made in the twenty-fifth year of the reign of his present Majesty, intituled, An act for transferring the receipt and management of certain duties therein mentioned, from the commissioners of excise, and the commissioners of stamps respectively, to the commissioners for the affairs of taxes; and also for making further provisions in respect to the said duties so transferred; it was enacted, that there should be charged and paid unto and for the use of his Majesty, his heirs and successors, (amongst others), the duties following; that is to say, for and upon every calash, chaise, or chair, with two or three wheels, or by what name soever such carriages then were or thereafter might be called or known, to be drawn by one or more horses that should be kept by or for any person or persons for his or their own use, or to be let out to hire, the yearly sum of three pounds and ten shillings: and whereas, by an act, made in the twenty-ninth year of the reign of his present Majesty, intituled,*

and 29 Geo. 3.
c. 49. recited;

An act for granting to his Majesty several additional rates and duties upon horses, and carriages with four wheels; and for explaining and amending an act, passed in the twenty-fifth year of his present Majesty, as far as relates to certain carriages with

two or three wheels, therein mentioned; it was enacted, that all and every carriage or carriages, with two or three wheels, by whatsoever name or names such carriages then were or thereafter might be called or known, to be drawn by one or more horses, which should be used at any time for the carriage or conveyance of persons, and not generally used in the affairs of husbandry, or for the carriage of goods, wares, or merchandize, from place to place, in the way of trade, should be deemed a carriage and carriages within the meaning of the said act of the twenty-fifth year of his present Majesty, and should be entered and paid for accordingly: and whereas it is expedient that the duty on certain carriages herein-after described, which are used in the affairs of husbandry, or for the purposes of trade, but which occasionally may be used for the conveyance of persons; should be reduced to the annual sum herein after mentioned: be it therefore enacted,

That, from and after the passing of this act, there shall be charged and paid unto and for the use of his Majesty, his heirs and successors, in lieu of the duties imposed by the said recited acts on the carriages herein-after described, the duties following; that is to say, For and upon every carriage with less than four wheels, by what name soever such carriage now is or hereafter shall or may be called or known, to be drawn by one horse, and no more, which shall or may be used in the affairs of husbandry, or for the purpose of carrying goods, wares, or merchandize, from place to place in the way of trade, but which shall or may be used occasionally for the conveyance of persons, and which shall be built and constructed wholly of wood and iron, without any covering other than a tilted covering, or any lining whatever, and without springs, and which shall have the words "A taxed Cart," and also the owner's name and place of abode, there shall be charged and paid the yearly sum of ten shillings; which said rate and duty, on every such carriage with less than four wheels, used in manner aforesaid, shall be paid by the person or persons keeping the same respectively; and the said duty shall be raised, levied, collected, paid, accounted for, and applied, in the same manner, by the same persons respectively, and under the like rules, directions, and provisions, and to the like uses, as the duties on carriages with four, three, or two wheels, are now raised, levied, collected, paid, accounted for, and applied.

III Provided always, and be it further enacted, That no carriage shall be deemed to be within the provisions of this act before mentioned, where the first price or sum originally paid for the same to the maker thereof, or for any subsequent alteration or addition, (repairs excepted), shall have exceeded twelve pounds sterling.

IV. And be it further enacted, That the present duties on carriages with two wheels, of the description herein before mentioned, in respect of all such carriages which shall be assessed by virtue of this act, shall cease and determine.

V. And be it further enacted by the authority aforesaid, That every person to be rated and assessed for such carriage, shall mark or paint, or cause to be marked or painted, on a black ground

and in lieu of the duties thereby imposed, there shall be paid for every carriage with less than four wheels, principally used in husbandry, or carrying goods, and of a certain construction, 10s. per annum:

no carriage of a higher price than 12l. to be within the meaning of this act.

Present duties to cease.

Owners name, &c. to be marked on such carriages.

Carriages to be produced to be examined.

If such carriage be used for the conveyance of persons, and shall have cost more than 1*l.* or not constructed according to this act, &c. it shall be charged with the duty of 3*l.* 10*s.* which the surveyors shall certify to the commissioners.

No carriage with less than four wheels, used wholly for husbandry or carrying goods, shall be liable to duty for persons riding with their loads, or to church, or to elections.

in white letters, or on a white ground in black letters, on the outside of the back pannel or back part of such carriage, or in case such carriage shall be constructed without a back pannel or any back part on which such letters may be marked or painted, then on the side, or on some conspicuous part of such carriage, on the outside thereof, his or her christian and surnames, and the place of his or her real abode, and the words "A taxed Cart" in Roman letters and in words at full length, each of such letters being at least one inch in length, and of a breadth in proportion; and shall, upon demand being made, produce such carriage so marked or painted to the assessor or assessors, surveyor or surveyors, inspector or inspectors, of the said rate or duty, or at any meeting of the commissioners for putting this act in execution, or to any two or more of them, to be examined by them, or any or either of them, respecting all or any of the particulars above mentioned; and if any person or persons shall have or keep any carriage with less than four wheels, and shall at any time use the same for the carriage or conveyance of any person or persons, and such carriage shall in respect of the first price thereof, or for any subsequent addition or alteration, (repairs excepted), have been charged or valued, (the proof of which price shall lie on the owner or owners of such carriage), at any sum exceeding twelve pounds sterling, or shall be built or constructed in any respect contrary to the provisions herein-before mentioned, or shall not be so marked as aforesaid, or if such person or persons shall neglect or refuse, upon demand being made, to produce such carriage so marked to the assessor or assessors, surveyor or surveyors, inspector or inspectors, of the said rate or duty, or to the commissioners as aforesaid for the examination of them, or any or either of them, every such person or persons shall be liable to and shall be charged with the said rate or duty of three pounds and ten shillings, in respect of such carriage, by virtue of the said recited acts; and the said surveyor or surveyors upon notice thereof shall certify the same in writing under his or their hand or hands to any two or more of the commissioners for putting this act in execution, in order to have such carriage charged at the rate of three pounds and ten shillings in the assessment made or to be made for that year; and any two or more of the said commissioners shall thereupon cause the assessment to be rectified or made according to such certificate, and the said rate and duty to be levied and paid accordingly.

VI. Provided always, and be it further enacted, That no person or persons who shall keep any carriage with less than four wheels, which shall be kept truly and without fraud to be used wholly in the affairs of husbandry, or in the carriage of goods in the course of trade, shall in respect thereof be chargeable with the said duty by this act imposed, or with the duties imposed by the herein-before recited act of the twenty-fifth year of his present Majesty's reign, by reason of any person or persons riding thereon or therein when returning from or going to any place, to or from which any load shall have been or shall be to be carried in such car-

carriage in the course of husbandry, or for the purpose of trade, as aforesaid, or for conveying the owners thereof or their families to and from divine service on *Sundays*, or for carrying persons going to or returning from the election of members to serve in parliament, in case such carriage shall not have been used for any other purpose of riding thereon or therein save as aforesaid.

VII. And be it enacted by the authority aforesaid, That the said duty of ten shillings hereby granted on carriages with less than four wheels, shall be moreover subject and liable to the additional duty of ten pounds *per centum* on the gross amount thereof, granted by an act, made in the thirty-first year of his present Majesty's reign, intituled, *An act for granting to his Majesty additional duties on the amount of the duties under the management of the commissioners for the affairs of taxes, therein mentioned*; and that such additional duty of ten pounds *per centum* shall be raised, levied, collected, and paid, in the same manner, and under the same rules and regulations, powers and authorities, ways, means, and methods, as the said additional duty is, by the said act of the thirty-first year of his present Majesty aforesaid, directed to be collected and paid.

Duty hereby granted to be liable to 10 l. per cent. imposed by 31 Geo. 3. c. 5.

VIII. Provided always, and be it enacted, That every horse drawing any cart herein-before described, on which the said duty of ten shillings is hereby imposed, shall not be subject or liable to any duty whatever on account of drawing any such cart.

Horses drawing such carts not liable to duty.

C A P. CX.

An act to amend an act, made in the thirty-second year of the reign of his present Majesty, intituled, An act for regulating the allowance of the drawback, and payment of the bounty, on the exportation of sugar; and for permitting the importation of sugar and coffee into the Bahama and Bermuda islands in foreign ships; and for reducing the bounty on refined sugars exported in any other than British ships.—[June 26, 1795.]

WHEREAS by an act, passed in the thirty-second year of his present Majesty's reign, intituled, *An act for regulating the allowance of the drawback, and payment of the bounty, on the exportation of sugar; and for permitting the importation of sugar and coffee into the Bahama and Bermuda islands in foreign ships, certain restrictions are provided respecting the allowance and payment of drawbacks on the exportation of raw sugar, and of bounties on the exportation of refined sugar, from Great Britain: and whereas it is expedient that, in consequence of the present war with France, provisions should be made respecting the periods at which the average prices of the sugar shall be taken, and also the prices which shall regulate the allowance and payment of the drawbacks and bounties on the exportation of raw and refined sugars: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if on the twenty-third day of August, and the twenty-third day of October, in the year one*

Preamble.
32 Geo. 3.
c. 43, recited.

If the average price of Muscovado sugar shall, at certain

periods, not exceed a certain price, the drawback to be allowed.

thousand seven hundred and ninety-five, and in the same manner on the twenty-third day of *February*, the twenty-third day of *August*, and the twenty-third day of *October*, in each and every year, during the continuance of the present war, the average price of brown or *Muscovado* sugar, taken in the manner directed by the said recited act for the six weeks preceding, shall not exceed sixty-five shillings for an hundred weight, exclusive of the duty of customs paid or payable thereon on the importation thereof into *Great Britain*, and then and in such case the drawback and bounty on the exportation of sugar shall be paid and allowed; any thing in the said recited act to the contrary in anywise notwithstanding.

Bounty on exportation of refined *Muscovado* sugar to be paid for all shipped within the periods mentioned in the recited or this act.

On exportation of refined sugar, except in a *British* ship, 1s. per cwt. less bounty to be paid.

II. And be it further enacted, That the bounty due and payable on the exportation from this kingdom of refined sugar produced from *Muscovado* sugar imported from the *British* plantations in *America*, shall be allowed and paid for all such sugar as shall have been shipped under the authority of the said recited act, or may hereafter be shipped by virtue of this act, within the respective periods mentioned in the said recited act, or this act, although such sugar shall not be, or shall not have been, exported until after the expiration of such respective periods.

III. Provided always, and be it further enacted, That, on the exportation from this kingdom of any refined sugar in any other than a *British* ship or vessel, owned, navigated, and registered, according to law, there shall be paid and allowed one shilling less bounty for each and every hundred weight of such sugar so exported, than if the same had been exported in a *British* ship or vessel, so owned, navigated, and registered; any law, custom, or usage, to the contrary notwithstanding.

C A P. CXI.

An act for more effectually carrying into execution an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act for the encouragement and relief of friendly societies; and for extending so much of the powers thereof as relates to the framing rules and regulations for the better management of the funds of such societies, and the appointment of treasurers to other institutions of a charitable nature.—[June 26, 1795.]

Preamble.

33 Geo. 3. c. 54,
recited.

WHEREAS by an act, passed in the thirty-third year of the reign of his present Majesty, intituled, An act for the encouragement and relief of friendly societies, it was provided, that no society which had been established before the passing of the said act for the purposes therein mentioned, should be within the intent and meaning thereof, unless all the rules, orders, or regulations, under which such society should thereafter be governed, should be exhibited, confirmed, and filed, at the general quarter sessions of the peace, holden for the county, riding, division, or shire, at some time before or immediately next after the feast of Saint Michael one thousand seven hundred and ninety-four: and whereas many such societies may have inad-

verently omitted to take the benefit of the said act: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and content of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall be lawful for any such society to exhibit the rules, orders, and regulations, made for its government, at any general quarter sessions of the peace, or at any adjournment thereof, to be holden in and for the county, riding, division, or shire, where such society hath been established, at any time before or immediately after the *Michaelmas* session in one thousand seven hundred and ninety-six: and that such rules, orders, and regulations, being confirmed in the manner in the said recited act directed, may be filed at such sessions, and shall be valid and as effectual as if the same had been exhibited, confirmed, and filed, within the time in the said recited act limited.

Societies established before passing recited act may exhibit their rules for confirmation at any quarter sessions before or immediately after *Michaelmas* 1796.

II. *And whereas several benevolent and charitable institutions and societies are formed in this kingdom, for the purpose of relieving, by voluntary subscriptions and benefactions, widows, orphans, and families, of the clergy; and others in distressed circumstances: and whereas such institutions have or may have funds, which they may wish to place out on publick securities, under the management of a treasurer: and whereas, in order to give stability to such institutions, it is necessary that their property should be secured under the authority of parliament*: be it therefore enacted, That it shall be lawful for the governors, directors, managers, or members, of any institution, for the purpose of relieving the widows, orphans, and families, of the clergy, and others in distressed circumstances, to frame good and wholesome rules, for the management and distribution of their funds, and the same from time to time to amend and alter, or to make new rules, as occasion shall require, and to procure the same to be presented to the justices of the peace for their confirmation within the time herein-before limited, and to be registered, under and subject to the same conditions, methods, restrictions, and regulations, as the members of societies, to be established by virtue of the said recited act, are directed to make, alter, amend, or renew and register, their rules.

Governors of institutions for relief of widows, &c. may frame rules and present them for confirmation as societies established by virtue of recited act.

III. And be it further enacted, That the governors, directors, managers, or members, of any such institution, whose rules shall be confirmed and registered according to the directions of the said recited act, shall and may appoint a treasurer, who shall give such security as is directed by the said recited act; and that such treasurer so appointed shall be subject to account for the funds belonging to such institution, and the same shall be vested in such treasurer, and such treasurer shall sue and be sued in such manner as is directed by the said recited act; and that all powers, authorities, rules, methods, directions, regulations, provisions, conditions, and restrictions, in the said act contained, so far as the same relate to the appointment of treasurers, or to the taking security from such treasurer, and for protecting, securing, or recovering, the funds vested in such treasurer, shall be extended to all and every the institutions established for the purposes herein-

Institutions whose rules shall be confirmed: may appoint treasurers, &c. and be entitled to the benefit of this act.

before mentioned, by virtue of this act, or any of them; and all such institutions shall have and enjoy, and be entitled unto the benefit of this act, with relation to the several matters before mentioned, as fully and effectually as any society established by virtue of the said recited act can or may have or enjoy the same; and all the powers, authorities, rules, methods, directions, regulations, provisions, conditions, and restrictions, in the said act contained, in relation to the several matters before mentioned, shall be applied and put in execution with respect to the several institutions established by virtue of this act, as fully and effectually as if the same had been particularly repeated and re-enacted in this act.

C A P. CXII.

An act for allowing further time for persons to take out certificates for using or wearing hair powder, in pursuance of an act of this present session of parliament, intituled, An act for granting to his Majesty a duty on certificates issued for using hair powder; and also further time for the admeasurement and registering of boats, barges, and other vessels, in pursuance of another act of the same session, intituled, An act for requiring all boats, barges, and other vessels, of certain descriptions, used on navigable rivers, and on inland navigations, in Great Britain, to be registered.—[June 26, 1795.]

Preamble.

35 Geo. 3. c. 49.

WHEREAS by an act, passed in the present session of parliament, intituled, An act for granting to his Majesty a duty on certificates issued for using hair powder; it was enacted, that, from and after the fifth day of May one thousand seven hundred and ninety-five, or within the space of one calendar month next ensuing, every person liable to the duty by the said act imposed, should make entry of his or her name and place of abode, in the manner and for the purpose in the said act mentioned, under the penalty in the said act contained, in order to obtain a certificate thereof duly stamped, as by the said act is directed: and whereas from the short period of time allowed by the said act for making such entries, many persons using hair powder may, through ignorance, absence, or some unavoidable accident, have omitted or neglected to make such entries, and obtain such certificates as aforesaid, within the time limited by the said act, whereby they are or may become liable to the penalty contained therein: for remedy whereof, 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 time allowed by the said recited act for making such entries, and obtaining such certificates, shall be, and is hereby extended until and upon the twentieth day of July one thousand seven hundred and ninety-five; and that every person liable to the duty by the said recited act imposed, who, on the fifth day of June one thousand seven hundred and ninety-five, shall

Time allowed by recited act for making entries, and obtaining certificates, extended to July 20, 1795.

shall have neglected or omitted to make such entry and obtain such certificate, and who, before the twentieth day of July one thousand seven hundred and ninety-five, shall make such entry, and obtain such certificate, as by the said recited act is required, shall be, and is hereby indemnified, freed, and discharged, from and against all penalties and forfeitures incurred or to be incurred for or by reason of such omission or neglect; and every such entry so to be made shall be of the like force and effect as if the same had been made within the time limited by the said recited act.

II. *And whereas, by the said recited act, the occupier of every dwelling house is required at the end of every year, ending the fifth day of April, to prepare and produce lists in writing of the names of persons resident in such dwelling house liable to the duty by the said recited act imposed, which lists, for the first year after the passing of the said act, are directed to be made for all the persons resident in such dwelling house who shall have used hair powder at any time between the fifth day of May one thousand seven hundred and ninety-five and the fifth day of April one thousand seven hundred and ninety-six, under the penalty in the said recited act mentioned; be it further enacted, That in the first list to be made out in pursuance of the said recited act, after the fifth day of April one thousand seven hundred and ninety-six, by the occupier of any dwelling house, the same shall be required to be made for all the persons resident in such dwelling house who shall have worn hair powder to the knowledge of the said occupiers at any time between the said twentieth day of July one thousand seven hundred and ninety-five, and the fifth day of April one thousand seven hundred and ninety-six; and that no such occupier who shall prepare and produce any such list as is herein-before required shall be subject or liable to any penalty or forfeiture by reason of any omission or neglect to return in such list any person who shall have worn such hair powder at any time before the said twentieth day of July one thousand seven hundred and ninety-five, such person so omitted to be returned having discontinued the use of hair powder, and not having worn the same on or at any time after the said twentieth day of July one thousand seven hundred and ninety-five, to the knowledge of such occupier; any thing in the said recited act contained to the contrary thereof notwithstanding.*

III. *And whereas by an act, made in the present session of parliament, intituled, An act for requiring all boats, barges, and other vessels, of certain descriptions, used on navigable rivers, and on inland navigations, in Great Britain, to be registered, it was enacted, that every lighter, barge, boat, wherry, or other vessel, exceeding the burden of thirteen tons, in the said act described, which, from and after the fifteenth day of June one thousand seven hundred and ninety-five, should be worked, rowed, or navigated, in or upon any river, canal, or other inland water or navigation, in Great Britain, should be registered on or before the said fifteenth day of June one thousand seven hundred and ninety-five, in the manner in the said recited act mentioned; and that a certificate of every such registry should also be obtained within the time in the said act limited, under the penalty*

Occupiers of houses, in first lists of residents who have worn hair powder, to make them out for such as have worn it between July 20. 1795, and April 5, 1796.

Occupiers not liable to penalty for omitting such as have worn powder before July 20.

35 Geo. 3. c. 58, recited,

and the time thereby allowed for registering vessels used on navigable rivers and inland navigation extended to Sept. 1, 1795, &c.

and forfeiture therein mentioned: and whereas many owners of such lighters, barges, boats, wherries, or other vessels, may not have had, before the expiration of the time in the said recited act limited, an opportunity of registering the said vessels, or obtaining such certificate, or involuntarily may have omitted or neglected so to do; be it therefore enacted by the authority aforesaid, That the time allowed for registering any lighter, barge, boat, wherry, or other vessel, required to be registered by the said recited act, shall be, and is hereby extended until and upon the first day of *September* one thousand seven hundred and ninety-five, and until the day on which such lighter, barge, boat, wherry, or other vessel, shall be first worked, rowed, or navigated, in or upon such river, canal, or other inland water, or navigation, after the said first day of *September* one thousand seven hundred and ninety-five; and that every person who shall cause to be registered any such lighter, barge, boat, wherry, or other vessel, and shall demand a certificate thereof in the manner directed by the said recited act, and shall cause the same vessel to be painted as to all the particulars and in the manner prescribed by the said recited act, at any time before or on the said first day of *September* one thousand seven hundred and ninety-five, or at any time before the day on which such lighter, barge, boat, wherry, or other vessel, shall be first worked, rowed, or navigated, in or upon such river, canal, or other inland waters or navigation, after the said first day of *September* one thousand seven hundred and ninety-five, shall be, and is hereby indemnified, freed, and discharged, from and against all penalties and forfeitures incurred, or to be incurred, against the form of the said recited act, for or by reason of not registering, or involuntarily omitting or neglecting to register, such lighter, barge, boat, wherry, or other vessel, within the time limited by the said recited act; and every such registry so to be made within the respective times hereby allowed, shall be as effectual, to all intents and purposes, as if the same had been made within the time when the same ought by the said recited act to have been made.

C A P. CXIII.

An act for the more effectual prevention of selling ale and other liquors by persons not duly licensed.—[June 26, 1795.]

Preamble.
5 Geo. 3. c. 46,
in part recited.

WHEREAS, by an act, made in the fifth year of the reign of his present Majesty, intituled, An act for altering the stamp duties upon admissions into corporations or companies; and for further securing and improving the stamp duties in *Great Britain*; after reciting that, by the laws then in force in that part of *Great Britain* called *England*, and *dominion of Wales*, and *town of Berwick-upon-Tweed*, persons selling ale or beer, or other exciseable liquors, by retail, without licence, were liable and subject by different laws to different penalties and punishments, which had occasioned much confusion, and an ill and improper use had been made thereof in many instances; for the prevention whereof it was enacted, that, from and after

on the fifth day of July one thousand seven hundred and sixty-five,
 any person lawfully convicted of selling ale or beer, or other exciseable
 liquors, by retail after that day, in that part of Great Britain called
 England, the dominion of Wales, or town of Berwick-upon-
 Tweed, without being duly licensed so to do, should, for every such
 offence, forfeit and undergo the several penalties and punishments
 therein-after mentioned and provided in that behalf, instead and in
 lieu of the several pecuniary and corporal punishments, which they
 were then liable or subject to by any law then in force; that is to say,
 for the first offence the sum of forty shillings, and also the costs and
 expences of convicting such offender; and in case such sum, together
 with the charges and expences of convicting such offender, should not
 be paid within the space of fourteen days next after such conviction,
 then the offender should suffer imprisonment for the space of one
 month, unless he or they should sooner pay such penalty, and the costs,
 charges, and expences, of such conviction, and executing the same;
 for the second offence the sum of four pounds, and also the costs
 and expences of convicting such offender; and in case such sum, toge-
 ther with the charges and expences of convicting such offender the second
 time should not be paid within the space of one week next after such
 conviction, then the offender should suffer imprisonment for the space of
 three months, unless he or they should sooner pay such penalty of four
 pounds, and the costs, charges, and expences, of such second convic-
 tion and executing the same; and for the third offence the sum of six
 pounds, and also the costs and charges of convicting such offender;
 in case such sum of six pounds, together with the charges and ex-
 pences of convicting such offender the third time should not be paid
 within the space of three days next after such third conviction, that
 then the offender should suffer imprisonment for the space of three
 months, unless he or they should sooner pay such penalty of six pounds, and
 the costs, charges, and expences of such third conviction, and executing
 the same, and the like penalty and punishment for every other offence
 after the third offence, and conviction thereof, as for the said third
 offence; all which said costs and expences should be assessed, settled,
 and ascertained, by the justice or justices of the peace before whom such
 offenders should respectively be convicted; any law, statute, or custom,
 or contrary thereof in any wise notwithstanding; all which penal-
 ties and forfeitures should go and be paid, the one moiety thereof to his
 Majesty, his heirs and successors, and the other moiety thereof, and
 the costs, charges, and expences, to be assessed or ascertained as
 said, to the prosecutor or prosecutors of every such offender or
 offenders: and whereas, by reason of many evasions still made use of,
 of defects in the powers of the laws now in force, it is difficult to
 prevent offenders against them: 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
 the present parliament assembled, and by the authority of the
 same, That so much of the said act, as is above recited, shall be
 repealed; and that, from and after the twentieth
 day of September one thousand seven hundred and ninety-five, if
 any person shall sell ale or beer, or any other exciseable liquors,

Recited part
 of 5 Geo. 3. c.
 46, repealed.
 From Sept. 20,
 1795, persons
 selling, or per-

mitting to be sold in their houses, exciseable liquors by retail without licence, liable to penalty.

by retail, or shall permit or suffer any ale or beer, or any other exciseable liquors, to be sold by retail, in his, her, or their house, outhouse, or yard, garden, orchard, or other place, in that part of *Great Britain* called *England*, the dominion of *Wales*, and town of *Berwick upon Tweed*, without being duly licensed so to do, and shall thereof be duly convicted, every such person so offending shall, for every such offence, forfeit and pay the sum of twenty pounds, and also the costs and expences attending the conviction, to be levied and recovered as herein is directed; and on and after a second conviction for the like offence, shall also be rendered incapable of being thereafter licensed to keep an alehouse, or to sell ale or beer, or other exciseable liquors, by retail.

Justices may determine complaints.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any one or more justice or justices of the peace for the time being, of the county, riding, division, or place, where such offence shall be committed, to hear and determine the same in a summary way; which said justice and justices is and are hereby respectively authorized and required, upon information exhibited or complaint made to or before him or them in that behalf, to summon the party or parties accused, and also any person or persons as a witness or witnesses, on either side, and upon appearance, or contempt by not appearing, of the party or parties accused, to proceed to hear the matter in a summary way, and also to examine any witness or witnesses on oath, and to give judgement therein; and upon proof of the offence, either by confession of the party or parties, or upon the oath of one or more credible witness or witnesses, to convict the party or parties so accused or complained against of the offence laid to his, her, or their charge; and in case the party or parties so convicted shall not, at the time and place of conviction, if present, (or if absent), within the space of three days after notice, either personally served upon the party or parties, or left for him, her, or them, at the place where the offence shall have been committed, according to the directions of this act, pay the penalty or penalties for which he, she, or they, shall stand convicted, together with the costs and expences attending the same, which said costs and expences shall be ascertained and fixed by the justice or justices convicting the offender or offenders; that then, and in every such case, it shall be lawful for such justice or justices, and he and they is and are hereby required to issue his or their warrant or warrants of distress, empowering the person or persons to whom the same shall be directed, to make distress of the goods and chattels of such offender or offenders, wheresoever they shall or may be found, within the jurisdiction of the justice or justices convicting such offender or offenders, and also any goods and chattels found, or being in the house, outhouse, cellar, vault, storehouse, or other place, in which such offence shall have been committed, or which shall be found or be in any house, outhouse, cellar, vault, or other storehouse, belonging to or occupied therewith, or which shall be found or be in any house, outhouse, cellar,

If penalties be not paid, they may be levied by distress.

er, vault, storehouse, or other place, which shall have been
red at the excise office for keeping or laying any beer or ale,
r or perry therein, by or in the name or names of such offen-
r offenders; and on the goods and chattels so distrained the
er or officers executing such warrant or warrants as afore-
shall proceed to levy the sum or sums expressed in such war-
r warrants, in manner directed in and by an act, made in
wenty-seventh year of the reign of his late majesty King
ge the Second, intituled, *An act for the more easy and effectual
eding upon distresses to be made by warrants of justices of the
e*, and all the powers and provisions of the said act; and also
n act, made in the thirty-third year of the reign of his present
esty, intituled, *An act to authorise justices of the peace to impose
upon constables, overseers, and other peace and parish officers, for
d of duty; and on masters of apprentices for ill usage of such
apprentices; and also to make provision for the execution of war-
of distress granted by magistrates*; as far as the same relate to
xecution of warrants of distress, shall be extended, applied,
put in execution, in relation to warrants of distress to be
ted by virtue of this act, as fully and amply as if the same
ers and provisions had been severally repeated and re-enacted
is act.

Officers to
execute war-
rants agreea-
bly to 27 Geo.
2. c. 20;

the provisions
of which, and
of 33 Geo. 3.
c. 55, as to
execution of
warrants, to
extend to this
act.

l: Provided always, and be it further enacted, That at the
est of the owner or owners of the goods so distrained, the
may be sold at any time within the four days allowed by the
act of the twenty-seventh year of his late Majesty.

Distress may
be sold within
four days.

r. And be it further enacted, That there shall be paid and
red to the officer or officers executing such warrant or war-
of distress, for the safe keeping of the goods and chattels so
ined, for each day such goods and chattels shall be in his or
custody, such sum not exceeding five shillings *per diem*, and
ny person or persons acting therein in the aid and assistance
ch officer or officers, such sum not exceeding two shillings
per diem for each such person, as the convicting justice or justices
allow and direct to be paid, due proof being first made on
to the satisfaction of such justice or justices, that sufficient
existed for calling in the aid and assistance of such person or
ons.

Allowance to
officers.

. And be it further enacted, That one moiety of the penalty
ried shall be paid to the informer, and the other moiety there-
the use of the poor of the parish, township, or place, in
h the offence shall have been committed in such manner as
ustice or justices as aforesaid shall direct and appoint; and
e person or persons authorised to execute such warrant or
rants, or any or either of them, shall make a return thereto
no sufficient distress can be found whereon to levy the pe-
y and costs and charges as aforesaid, then it shall and may be
ul for any justice or justices of any county, riding, division,
lace, within whose jurisdiction the party or parties, against
se goods and chattels such warrant of distress shall have been
d, shall at any time be found, upon producing to such justice

Application of
penalty.

If sufficient
distress cannot
be found, the
justice may
commit the
offender.

or justices such warrant, and return thereof, (and if such justice or justices shall be of any other county, riding, division, or place, then, upon oath made of the hand-writing of the justice or justices granting such warrant of distress, and of the truth of such return), to commit such offender or offenders to the common gaol, or other prison within the limits of his or their jurisdiction for any term not exceeding six calendar months, nor less than three calendar months, unless the said penalty or penalties, with the costs, charges, and expences, of all proceedings attending the conviction and warrant of distress, shall be sooner paid and satisfied.

VI. *And whereas many persons do presume to carry on and exercise the trade of alehouse-keeper and victualler, and retailer of beer and ale, without licence, and to make entry of houses, outhouses, cellars, vaults, or storehouses, for laying or keeping such beer or ale, by assumed or feigned names, and such beer and ale is frequently retailed in houses, outhouses, or other places detached from their place of residence, whereby the purposes of the law have been, and still continue to be, evaded.*

What shall be deemed legal notice to persons summoned to answer informations for selling liquors by retail without licence.

be it further enacted, That in case any summons shall be issued by any justice or justices of the peace for any person or persons to appear and answer to any information or complaint for selling by retail any beer, ale, or other exciseable liquors, without licence, the directing such summons to such person by the name in which such person shall have entered any house, outhouse, cellar, vault, or storehouse, for laying or keeping of beer or ale, or in the names by which such person or persons is or are, or has or have been, usually known, whether the same be the real and proper, or the assumed or feigned, names of such person or persons; and the leaving such summons at the house, outhouses, cellar, vault, or other storehouse or place in which such offence is stated in any information to have been committed, and affixing a copy thereof on the door, or other conspicuous part on the outside thereof, (such service being proved on oath of the person or persons who shall have so served such summons, and so affixed such copy), shall be deemed, and is hereby declared to be, as legal and effectual a notice or summons, to all intents and purposes, as if the same was personally given or delivered to or unto the hands of the party or parties to whom the same shall be directed; and as if the same was directed to the party or parties by his, her, or their proper and real name or names.

Retailers to make previous entry of all places used for laying beer, &c.

VII. And be it further enacted, That every alehouse keeper, victualler, or retailer of beer or ale, who shall take or receive into or have in his, her, or their custody, possession, or power, any beer or ale to sell or dispose thereof by retail, shall, at least three days before he, she, or they, shall begin so to sell or dispose of any such ale or beer, make a true and particular entry in writing at the office of excise, next to the place where such ale or beer shall be intended to be sold and disposed of, of all and every house, outhouse, cellar, vault, room, storehouse, or other place used, or to be used, for laying or keeping any such beer or ale, or for selling the same; and which said entry shall set forth the true name or names of the person or persons so making such entry, and shall

express whether the person making the same be an alehouse-keeper, victualler, or retailer; and such person or persons shall be deemed to be the occupier or occupiers, proprietor or proprietors, of all and every house, outhouse, cellar, vault, room, shop, or other place, so entered, for laying or keeping of ale or beer, or for selling the same, so long as such entry shall remain in force, or such ale or beer shall be or remain in the possession, or power, of the person or persons making such entry; and if any person or persons shall, contrary to the provisions of this act, make use of any house, outhouse, cellar, shop, room, storehouse, or other place, for the laying, keeping, or selling of beer or ale, to be sold or disposed of by retail, without having made such entry as aforesaid, he, she, or they, shall respectively forfeit, for every default or neglect, the sum of fifty pounds, to be sued for and recovered, levied, mitigated, and distributed, in such manner as is directed by any law now in force, with regard to penalties and forfeitures on offences against the laws relating to the excise; and all storehouses, cellars, rooms, shops, or other places used by any such innkeeper, victualler, or other person, for the purpose of laying or keeping any beer or ale, or wine in cask, without being so entered, shall be deemed and taken to be private and concealed storehouses, cellars, or places, in the meaning of all, each, and every act and acts of parliament now in force in relation to private and concealed storehouses, cellars, or places, for the keeping or laying exciseable liquors.

III. And be it further enacted, That all beer, ale, cyder, wine, and other exciseable liquors, together with all other goods and chattels found in every and any house, outhouse, cellar, vault, shop, or other place where any such offence as aforesaid shall have been committed, or in any house, outhouse, cellar, shop, storehouse, or other place belonging thereto, or occupied therewith, or which shall have been entered as aforesaid at the excise office, for laying or keeping therein any beer or ale, cyder, or wine, by or in the name or names of the person or persons named, by whom or by what title or conveyance soever the same may be claimed, shall be liable to such warrant or warrants directed to distress to satisfy all penalties, costs, and charges, incurred by any person or persons for any offence or offences committed in or upon the same premises, or any part thereof as aforesaid; and it shall be lawful to levy the penalties, and costs, and charges, and use such proceedings in respect of the same, as it is lawful to do in case the offender or offenders had been truly and really the owner or owners, or proprietor or proprietors, of the same.

X. And be it further enacted by the authority aforesaid, That every person who shall make any entry at any office of excise of any house, outhouse, cellar, vault, storehouse, or other place, for laying or keeping of any beer or ale, or for selling the same therein, as an alehouse-keeper, victualler, or retailer, shall be deemed a seller by retail of such liquor to all intents and purposes; and that it shall and may be lawful for any justice of the

Penalty of 50l. for not making entry.

Places not entered, to be deemed concealed places.

Beer, &c. and goods and chattels found where any offence is committed, &c. to be liable to distress.

Persons making entry to be deemed retailers.

Justices may summon excise officers to produce entries and stock books, and may examine them on oath;

and may summon retailers to produce licences; and for not producing them, may adjudge the defaulters guilty.

peace from time to time to summon before him, or before any other justice or justices, any entry keeper, gauger, or other excise officer, having the custody of entries made by innkeepers, victuallers, and retailers of beer or ale, within his division, who shall, when required, produce before such justice or justices, and every entry or entries made at the office of excise by any person or persons within the division of such officer, and also the stock books or other accounts of survey of such persons respectively; and such justice or justices shall and may examine on oath such officer or officers respecting any such entry or entries of any houses, outhouses, cellars, vaults, storehouses, or other places, for keeping beer or ale, or respecting any stock of any person or persons making such entries; and if it shall appear that any person hath made entry or entries at the office of excise of any house, outhouse, cellar, vault, storehouse, or other place, for laying or keeping any beer or ale therein, or for selling the same as an alehouse-keeper, victualler, or retailer, or if it shall appear that any such person is surveyed as an alehouse-keeper, victualler, or retailer, and has not received or is not entitled to receive the abatement of duty allowed to common brewers, then and in such case it shall and may be lawful for such justice or justices to summon before him or them such person or persons, to produce to such justice or justices his, her, or their, licence or licences to sell beer and ale, and if such person or persons shall not, at the return of such summons, appear before such justice or justices, or appearing shall not produce to such justice or justices a licence or licences duly obtained and in force, it shall be lawful for such justice or justices, (proof being made of due service of such summons according to this act, in case the party or parties shall not appear), to adjudge the party or parties guilty of selling beer or ale by retail without licence, and the party or parties so adjudged shall be liable to the penalties herein imposed on persons retailing beer or ale without licence.

Penalty of rel. on witnesses not attending summonses, to be levied by distress, and if sufficient cannot be found, the party may be committed.

X. And be it further enacted, That if any person shall be summoned to appear as a witness, to give evidence before any justice or justices of the peace touching the matters aforesaid, either on the part of the prosecutor, or of the person or persons accused, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, without a reasonable excuse for such his or her neglect or refusal, (to be allowed by such justice or justices of the peace), or appearing shall refuse to be examined on oath, and give evidence to such justice or justices of the peace before whom the prosecution shall be depending, then, that every such person shall forfeit for every such offence the sum of ten pounds, to be levied by warrant of distress; and if no sufficient distress can be found, then the said justice or justices before whom and in whose contempt the offence was committed, shall and may commit such offender to the common gaol or other prison within his or their jurisdiction for any term not exceeding the space of six calendar months, unless the penalty shall be sooner paid; and such penalty shall be applied to the use of the poor of the

the parish, township, or place, in which such offence shall have been committed, in such manner as the justice or justices so convicting shall direct and appoint.

Application of
Penalty.

XI. And be it further enacted, That if any person or persons whatsoever, after service of any summons to appear and answer to any charge of selling ale or beer, or other exciseable liquors, without licence, shall convey away any goods or chattels hereinbefore made liable to any warrant of distress, from the house, outhouse, cellar, vault, storehouse, or other place wherein such offence shall have been committed, or from any house, outhouse, cellar, vault, storehouse, or other place belonging thereto, or occupied therewith, or from any house, outhouse, cellar, vault, or other storehouse, or place, which shall have been entered at the office of excise, by or in the name or names of the person or persons convicted for keeping or laying of beer or ale, or for selling the same; it shall and may be lawful for the officer to whom such warrant is directed, or other person or persons lawfully empowered or acting in his aid or assistance, within thirty days after such conveying away, to seize the same wherever they may be found, and dispose of them in such manner as if they had been distrained on the premises: provided always, that if any of the goods or chattels so removed shall be carried into any county, shire, city, liberty, or place, out of the jurisdiction of the magistrate or magistrates originally issuing such warrant of distress, it shall be lawful for any justice of the peace of any county, riding, city, liberty, or place, into which such goods or chattels shall be so removed or conveyed, and he is hereby required on oath on oath of the hand writing of such justice or justices originally signing such warrant, to indorse his name on the back thereof, which shall be sufficient authority to any person or persons bringing such warrant, and to all other persons to whom such warrant was originally directed, to execute such warrant of distress, and to proceed in such manner as if such goods had been found and seized within the jurisdiction of the justice or justices who signed the original warrant.

Goods liable
to seizure,
may be dis-
trained
wherever
found.

Justices may
indorse war-
rants for seiz-
ing goods re-
moved into
their jurisdic-
tions.

XII. And be it further enacted, That if any person shall think himself or herself aggrieved by the judgement of any justice or justices of the peace by or before whom he or she shall have been convicted of the offences aforesaid, any and every such person may appeal (and the said justice or justices are required to make known to such person at the time of such conviction his or her right to appeal) from and against such conviction to the next general quarter sessions of the peace to be holden for such county, riding, city, division, liberty, or place, unless such sessions shall be holden within six days next after such conviction shall be made, and in such case to the next subsequent sessions to be holden as aforesaid, and not afterwards, such person at the time of such conviction giving to such justice or justices notice in writing of his or her intention to appeal, and also giving security, to the satisfaction of such justice or justices, for the payment of the penalty, costs, and expences, aforesaid, in case such judgement shall be confirmed

Appeal may
be made to the
quarter ses-
sions within a
certain time,
and on certain
conditions.

Sessions finally to determine appeals, and may adjudge costs.

confirmed on such appeal, and also further entering into a recognizance at the time of such notice, with sufficient sureties conditioned to try the appeal, and to abide the judgement, and pay such costs as shall be awarded by the justices assembled at such sessions; and the justices so assembled shall thereupon proceed to hear and determine the matter of every such appeal, and their judgement thereon shall be final and conclusive to all intents and purposes whatsoever; and in case the justices of the peace so assembled at such sessions shall find and adjudge any such appeal to be frivolous or vexatious, it shall and may be lawful to and for them to give and adjudge to the party or parties grieved by such appeal, his, her, or their, reasonable costs and charges occasioned thereby, not exceeding in the whole the sum of five pounds on any one appeal.

Convictions in the form set forth by 26 Geo. 2. c. 31. to be good.

XIII. *And, in order to prevent frivolous and vexatious appeals,* be it further enacted by the authority aforesaid, That a conviction in the form or to the effect expressed and set forth in an act, made in the twenty-sixth year of the reign of his late majesty King George the Second, intituled, *An act for regulating the manner of licensing alehouses in that part of Great Britain called England, and for the more easy convicting persons selling ale and other liquors without licence, mutatis mutandis,* as the case shall happen to be, shall be good and effectual to all intents and purposes whatsoever, without stating the case, or the facts or evidence, in any more particular manner.

Justices may mitigate penalties.

XIV. And be it further enacted, That if it shall be proved to the satisfaction of the justice or justices before whom any person shall be convicted of any offence against this act, that such person hath not been before convicted of any offence against this act, it shall be lawful for such justice or justices to mitigate and lessen the penalty hereby imposed, in case of such first offence, but not otherwise, so as that the penalty so mitigated and lessened shall not be less than ten pounds.

Inhabitants may be witnesses.

XV. Provided always, and be it enacted, That any inhabitant of any parish, township, or place, in which any offence shall be committed contrary to this act, shall be deemed a competent witness, notwithstanding his or her being an inhabitant of such parish, township, or place.

Penalties to be determined in six months.

XVI. Provided always, and it is enacted, That all penalties within this act shall be sued for and determined within six months after the offences shall be committed.

Act not to prohibit selling ale or beer at fairs.

XVII. Provided also, and be it enacted, That nothing in this act contained shall extend, or be construed to extend, to prohibit any person or persons from selling of any ale or beer in booths or other places, at the time and place of holding any lawful and accustomed fair, in like manner as such person or persons was or were authorized to do before the passing of this act, by virtue of any law or statute in that behalf.

C A P. CXIV.

An act for better securing the duties on glass.—[June 26, 1795.]

WHEREAS *the regulations by law established for securing the* Preamble.

duties imposed for or in respect of the materials or metal made use of in the making of glass, made in Great Britain, have been found insufficient to answer the good purposes thereby intended; and it is therefore expedient to make further regulations for the better collection of the said duties; 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 fifth day of July one thousand seven hundred and ninety-five, all and every maker and makers of glass, before he, she, or they, shall begin to make any glass, or to mix or prepare any materials for the making of glass, shall, in pursuance of this act, make true and particular entry in writing of all workhouses, furnaces, pots, pot chambers, annealing arches, warehouses, rooms, and other places, by him, her, or them, respectively intended to be made use of for the making or keeping of glass, or for the making or keeping of any pot or pots for the making of glass, or for the keeping of materials mixed and prepared for the making of glass, at the office of excise, within the compass or limits whereof such respective workhouses, furnaces, pots, pot chambers, annealing arches, warehouses, rooms, and other places respectively, shall be situate, on pain of forfeiting the sum of two hundred pounds for every workhouse, furnace, pot, pot chamber, annealing arch, warehouse, room, or other place, which he, she, or they, shall make use of for the making or keeping of glass, or for the making or keeping of any pot or pots for the making of glass, or for the keeping of any materials mixed or prepared for the making of glass, without having made such entry thereof as aforesaid.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all and every the officers of excise, at all times, by day or by night, upon his or their request, to enter into all and every the workhouses, furnaces, pot chambers, annealing arches, warehouses, rooms, and other places whatsoever, entered or made use of by any maker or makers of glass, for the making, preparing, or keeping, any materials for the making of glass, or for the making or keeping of glass, or for the making or keeping of any pot or pots for the making of glass, and at any such time or times, and from time to time, to inspect, examine, weigh, gage, or otherwise, take account of the metal and materials there mixed and prepared for the making of glass, as well before such metal and materials shall be put into the pot or pots, as after the same shall be put into the pot or pots, and of all glass there made or manufactured, or making or manufacturing;

Makers of glass, before beginning to make it, or to mix materials, to make entry of workhouses, furnaces, &c. on penalty of 200l.

Officers of excise may, at all times, enter into workhouses, &c. to gage materials, &c. and mark pots.

Penalty of 500l. for counterfeiting marks, and 200l. for defacing them.

Four hours previous notice to be given of intention to heat any annealing arch, on penalty of 20l.

No pot to be filled with metal till gaged by the officer, on penalty of 50l.

No fire to be stirred, &c. in any furnace or annealing arch, to obstruct the officer, on penalty of 100l.

ing; and also to examine, gage, or otherwise take an account of, the capacity or content of each and every pot there found for the making of glass; and to mark and number every such pot, in such manner as he or they shall think fit; and if any person or persons whatsoever shall counterfeit or alter, or cause or procure to be counterfeited or altered, any such mark on any pot for the making of glass, or shall connive at any such mark being so counterfeited or altered, the person or persons so offending shall for each and every such offence severally forfeit and lose the sum of five hundred pounds; and if any person or persons shall wilfully deface or obliterate any such mark, or cause or procure any such mark to be defaced or obliterated, or shall connive at any such mark being so defaced or obliterated, the person or persons so offending shall for each and every such offence severally forfeit and lose the sum of two hundred pounds.

III. And be it further enacted by the authority aforesaid, That all and every maker and makers of glass shall, by the space of four hours next before the beginning to light, kindle, or prepare, any fire to heat his, her, or their annealing arch, into which any pot or pots for the making of glass shall have been placed or set, give to the officer or officers of excise under whose survey he, she, or they, shall then be, a notice in writing of his, her, or their, intention so to do, specifying therein the particular pot or pots so placed or set in such annealing arch, with the true numbers marked by the officer or officers of excise on such pot or pots, on pain of forfeiting the sum of twenty pounds for every neglect or refusal to give such notice as aforesaid.

IV. And be it further enacted by the authority aforesaid, That no maker or makers of glass shall, after any pot for the making of glass shall have been placed or set in the furnace, begin to fill or charge any such pot with metal, or preparation for the making of glass, until the proper officer or officers of excise shall have previously examined and gaged such pot after the same shall have been placed or set in the furnace as aforesaid; and if any maker of glass shall, after any pot for the making of glass shall have been placed or set in the furnace, begin to fill or charge any such pot with metal, or preparation for making of glass, before the proper officer or officers of excise shall have examined and gaged such pot, after the same shall have been so placed or set in the furnace as aforesaid, all and every such maker and makers of glass so offending shall, for each and every such offence, forfeit and lose the sum of fifty pounds.

V. And, that the officers of excise may be enabled, without personal danger or inconvenience, to ascertain whether, after notice given, and a gage taken by the officer, and without fresh notice in writing, any metal, material, or preparation has been put into any pot used for the making of glass; be it further enacted by the authority aforesaid, That no maker or makers of glass shall, during the space of one quarter of an hour after any officer or officers of excise shall have entered the glass house of any such maker or makers of glass, and shall have forbidden the same, stir or break up the fire, or add fresh coals or fuel thereto, in any furnace or annealing arch belonging

belonging to such glass house, or wilfully raise any smoke, or other noisome or offensive vapour, whereby the officer may be hindered or obstructed in gaging or examining any pot or pots placed or set in any furnace or annealing arch, or in the examining the metal or materials in any such pot or pots in the furnace for the making of glass, or in gaging or ascertaining the quantity of any such metal or materials, or in examining or counting the vessels, utensils, or wares, in any annealing arch; and if any maker or makers of glass shall, contrary to the directions herein-before in that behalf contained, stir up or break up the fire, or add fresh coals or fuel thereto, in any furnace or annealing arch as aforesaid, or wilfully raise any such smoke, or other noisome or offensive vapour, all and every such maker and makers of glass shall, for each and every such offence, forfeit the sum of one hundred pounds.

VI. *And whereas doubts have arisen whether the officers of excise are authorized by law to unstop any pot containing metal or preparation for the making of glass; now, to obviate all such doubts, be it declared and enacted by the authority aforesaid, That all and every the officer and officers of excise shall and may at all times unstop or take down any stopper from any pot or pots containing any metal or preparation for the making of glass, for the purpose of inspecting, examining, gaging, or taking account of the materials, metal, or other preparations, in such pot or pots for the making of glass.*

Officers may unstop pots to gage materials.

VII. *And whereas it is expedient to ascertain and charge the duty for and in respect of the materials or metal, or other preparations made use of in Great Britain in the making of common glass bottles, and other vessels or utensils of common bottle metal, upon such makers of glass as shall be desirous thereof, by and according to the weight of the bottles, or other vessels or utensils of common bottle metal, in lieu of ascertaining the weight of such materials or metal, or other preparations, by or according to the gage thereof taken in the pots: be it therefore enacted by the authority aforesaid, That in case any maker or makers of common glass bottles, or other vessels or utensils, shall be desirous of making common bottles, or other vessels or utensils of common bottle metal only, in any distinct and separate glass house and building, and to be charged with and pay the duty for or in respect of the materials or metal, or other preparations made use of in the making of such common bottles, or other vessels or utensils of common bottle metal, and shall deliver in to the surveyor or supervisor of excise of the division or district within which his, her, or their glass house shall be situate, a declaration in writing of his, her, or their being desirous to be charged with and pay the said duty, according to the weight of the bottles, or other vessels or utensils of common bottle metal, and specifying the particular glass house and building in which such maker or makers shall be desirous of making the same, then and in such case it shall not be lawful to or for any officer or officers of excise to make any charge of duty from any gage or gages taken by such officer or officers in any pot or pots*

If makers, desirous of making common glass bottles, &c. in distinct houses, give a declaration thereof, and of their desire to pay the duty according to the weight of the bottles, the officer not to charge it on the materials in the pot.

Declarations to remain in force for six months at least.

Makers delivering such declarations, to make their annealing arches of a certain form, and to number them, on penalty of 100l.

Makers delivering such declaration, to fix iron gratings to the mouth of annealing arches, to be approved of by the officer, &c.

Annealing arches to be locked by the

of the materials or metal, or other preparations made use of by such maker or makers in such glass house or building for the making of common glass bottles, or other vessels or utensils of common bottle metal, any thing in any act or acts of parliament contained to the contrary in anywise notwithstanding: provided always nevertheless, that every such declaration, so delivered as aforesaid, shall be and remain in full force for six months at the least, to be computed and reckoned from the time of the delivery thereof, and from thenceforth until the same shall be revoked or withdrawn, by a note or memorandum in writing, delivered by such maker or makers of glass, to the surveyor or supervisor of excise of the division or district within which his, her, or their glass house shall be situate.

VIII. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as aforesaid, shall, and he, she, and they, is and are hereby required to erect, build, make, and construct, every annealing arch or oven by him, her, or them, intended to be made use of in such glass house or building as aforesaid, for the annealing of common glass bottles, or of other vessels or utensils of common bottle metal, in a rectangular form, with the sides and ends thereof perpendicular and parallel to each other respectively, and the bottom thereof level, and with only one mouth or entrance into the same, and shall number the same progressively with a durable mark; and if any such maker or makers shall erect, build, make, or construct, any annealing arch or oven contrary to the directions of this act, or shall neglect or refuse to number and mark the same according to the directions of this act, or shall make use of any annealing arch or oven not constructed in the manner before directed, all and every such maker or makers so offending shall for every such offence forfeit and lose the sum of one hundred pounds.

IX. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as aforesaid, shall, at his, her, and their own expence, find, provide, and affix, a good and sufficient iron grating to the mouth or entrance of every annealing arch and oven by him, her, or them, intended to be made use of for the annealing of common glass bottles, or of other vessels or utensils of common bottle metal, such iron grating to be approved of in writing by and under the hand of the respective surveyors or supervisors of excise of the division or district within which such annealing arch or oven shall be situate, and proper locks and keys, and all other necessary fastenings for securing and sealing every such annealing arch and oven, and the mouth or entrance, and iron grating thereof, shall be provided by the respective surveyors and supervisors of excise of such division or district, at the expence of such maker or makers; and each and every such annealing arch or oven, and the mouth or entrance, and iron grating thereof, shall be

be securely locked, fastened, and sealed, by the officer or officers of excise under whose survey such maker or makers respectively shall from time to time, be at all times, except when such maker or makers shall be actually at work in putting, placing, or depositing, therein common glass bottles, or other vessels or utensils of common bottle metal, for the purpose of annealing the same therein, or when such annealing arch or oven shall be opened by the proper officer or officers of excise in that behalf, in pursuance of such previous notice as is herein-after directed and prescribed for opening the same, for the purpose of lighting fire in or heating the same for annealing common glass bottles, or other vessels or utensils of common bottle metal, or for the purpose of drawing or taking any such common glass bottles, or such other vessels or utensils as aforesaid, from or out of such annealing arch or oven, or for the purpose of necessarily repairing the same; and if any such maker or makers shall neglect or refuse, at his, her, and their own expence, to find or provide such good and sufficient iron grating, or to affix the same in the manner herein directed, before such annealing arch or oven shall be made use of as aforesaid, or to pay for any lock, key, or other necessary fastening which shall be provided by any surveyor or supervisor of excise, according to the directions of this act, or if any person or persons shall obstruct or hinder any officer or officers of excise, or any person or persons by him or them employed in that behalf, in the fixing or placing any such fastening, in such manner as the said officer or officers shall direct or think expedient to answer the purposes by this act in that behalf intended, or in the locking, sealing, or securing, any such annealing arch or oven, or the mouth or entrance, or iron grating thereof, or any such fastening as aforesaid, or by any means, art, device, or contrivance whatsoever, shall open any such lock or annealing arch or oven, or the mouth, entrance, or iron grating thereof, after the same shall have been locked, sealed, fastened, or secured as aforesaid, before the same shall have been unlocked and opened by the officer of excise, or shall wilfully break or damage any such lock, seal or fastening, every such maker or makers, or other person or persons so offending, shall for each and every such offence, forfeit and lose the sum of two hundred pounds: provided always nevertheless, that no such annealing arch or oven shall be, remain, or continue, unlocked or open, for any purpose or on any pretence whatever (except for the necessary repairing thereof when empty) for any greater or longer space of time than twenty-four hours, to be computed and reckoned from the time when the same shall have been opened by the proper officer of excise; and that it shall and may be lawful to and for any officer or officers of excise, under whose survey such maker or makers shall then be, at the end and expiration of such twenty-four hours, securely to lock, fasten, and seal, such annealing arch or oven, and the mouth, entrance, and iron grating thereof; any thing herein contained to the contrary in anywise notwithstanding.

officer, except at certain times.

Penalty of 200l. for neglecting to furnish or fix iron gratings, or for obstructing officers in placing fastenings, &c.

No annealing arch to remain open more than 24 hours except for repairs.

Makers of common glass bottles to alter

X. And be it further enacted by the authority aforesaid, That

locks, &c. when required by the surveyors or supervisors of excise, on penalty of 100l.

where any locks, keys or fastenings, shall be provided in pursuance of this act, all and every maker and makers of common glass bottles, and other vessels or utensils of common bottle metal, to whom such locks, keys, and fastenings, respectively shall then belong, shall at his, her, or their own expence from time to time, and at all times, when required so to do by the respective surveyors or supervisors of excise of the division or district in which his, her, or their, glass house shall be situate, immediately set about the altering, repairing, and amending, and shall also, within a reasonable time then next following, alter, repair, and amend, the same respectively, according to such requisition; and if any such maker or makers of common glass bottles, or of other vessels or utensils of common bottle metal, to whom any such locks, keys, and fastenings, or any or either of them, shall belong, shall neglect or refuse immediately to set about the altering, repairing, or amending the same, or to repair, amend, or alter the same, when thereunto required according to the directions of this act, he, she, or they shall, for each and every such neglect or refusal, forfeit and lose the sum of one hundred pounds.

Makers delivering declaration, to give 12 hours notice of intention to heat annealing arches.

Officers to attend to unlock them.

If fires be not lighted within an hour, the officers to lock up the arch,

and fresh notice to be given.

Bottles, when blown, to be removed into the annealing arch, and placed as the officers shall approve; and bottles of different mak-

XI. And be it further enacted by the authority aforesaid, That when any maker or makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as aforesaid, shall be desirous to light, kindle, or prepare, any fire to heat his, her, or their annealing arch or oven, into which any common glass bottles, or other vessels or utensils of common bottle metal, are intended to be put or deposited, for the purpose of annealing the same, such maker or makers shall give to the officer of excise, under whose survey he, she, or they, shall then be, twelve hours notice in writing of his, her, or their intention, and upon such notice being given such officer shall attend at the time mentioned in such notice, and shall unlock and open such annealing arch or oven, and the mouth or entrance, and iron grating thereof; and if any such maker or makers shall neglect or refuse to light, kindle, or prepare, such fire, within one hour after such annealing arch or oven, and the mouth or entrance, and iron grating thereof, shall be opened by such officer, then such notice shall be void, and such officer shall again, immediately after the expiration of such one hour, lock up, fasten and seal, such annealing arch and oven, and the mouth or entrance, and the iron grating thereof, in manner aforesaid; and such maker and makers shall give the like and a fresh notice in writing to such officer, before such annealing arch or oven, or the mouth or entrance, or iron grating thereof, shall be again opened.

XII. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as aforesaid, shall, when and so soon as the same shall be severally and respectively blown or made, remove all and singular the common bottles, and other vessels and utensils of common bottle metal, by him, her, or them so blown or made, directly into such annealing arch or arches, or oven or

ovens, and shall there place and deposit the same in such manner and form as the officer or officers of excise, under whose survey such maker or makers shall then be, shall approve, and so that the same may the most easily and securely be viewed, inspected, and examined, and the numbers and kinds thereof respectively ascertained in each and every such annealing arch or oven; and no such maker or makers shall at one and the same time put, place, have, or keep, in any such annealing arch or oven any common bottles, or other vessels or utensils of common bottle metal, of different makings, or fillings or chargings of the pots, nor shall any such maker or makers put, place, or keep, any other sort or species of glass or glass wares whatever, or any phials, in any such annealing arch or oven entered or made use of for the annealing of common bottles, or other vessels or utensils of common bottle metal; and if any such maker or makers shall neglect or refuse to remove, when and so soon as the same shall be blown or made, any such common bottles, or other vessels or utensils respectively of common bottle metal, by him, her, or them made, directly into such annealing arch or arches, or oven or ovens, or to place or deposit any such common bottles, or other vessels or utensils, in manner and form as aforesaid, or if any such maker or makers shall at one and the same time, put, place, or keep in any such annealing arch or oven, any common bottles, or other vessels or utensils of common bottle metal, of different makings, or fillings or chargings of the pots, or put, place, have, or keep, any other sort or species of glass or glass wares whatever, or any phials, in any annealing arch or oven entered or made use of for the annealing of common glass bottles, or other vessels or utensils of common bottle metal, every such maker or makers so offending shall for each and every such offence forfeit and lose the sum of fifty pounds.

XIII. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as aforesaid, and having begun to work any common bottle metal from or out of any pot or pots, shall, without any unnecessary delay or interruption, continue to work such common bottle metal out of all and every the pots then charged in such glass house or building, and shall proceed therein until the whole of the metal by him, her, or them intended to be manufactured shall be worked out of all such pots, and shall finish such working out thereof within sixteen hours next after such maker or makers shall so have begun to work out the same; and when and so soon as such metal shall have been so worked out as aforesaid, and the common glass bottles or other vessels or utensils of common bottle metal, made or manufactured therefrom, put or deposited in the annealing arch or arches, or oven or ovens, such maker or makers shall, in the presence of the officer of excise under whose survey such maker or makers shall then be, again charge each and every such pot and pots with fresh materials or preparations, (other than cullet or broken glass) not less in quantity

The whole of metal intended to be manufactured into common glass bottles to be worked within 16 hours after beginning to work it from pots; and when the bottles are put in the annealing arch, the pots to be charged again in the presence of the officer, and a declaration of the number of bottles delivered him, on penalty of 100l.

quantity than fifty pounds weight, and shall also deliver to such officer a declaration in writing, specifying the true number of bottles, and whether the same are reputed quart or pint bottles, or bottles of any other and what reputed measure, and the true numbers and kinds of any other vessels or utensils of common bottle metal put or deposited and contained in each and every such annealing arch respectively; and if any such maker or makers shall neglect or refuse to work the metal from or out of such pot or pots within such sixteen hours as aforesaid, or shall neglect or refuse to deliver such declaration in writing as last aforesaid, every such maker or makers so offending shall, for each and every such offence, forfeit and lose the sum of one hundred pounds: provided always nevertheless, that no such maker or makers shall incur or be liable to the said penalty of one hundred pounds for or by reason of his, her, or their not delivering a true declaration as last aforesaid, in any case where the number of bottles, vessels, or utensils respectively, of any particular kind, specified in any declaration so delivered, shall not differ from the number of bottles, vessels, or utensils respectively, so put, deposited, or contained, in any such annealing arch, in any greater proportion than in the proportion of five in the hundred; any thing herein-before contained to the contrary in anywise notwithstanding.

Penalty not incurred if the number declared does not differ from the actual number more than five in the 100.

Beginning to work metal out of any pot, to be deemed beginning to work the whole then charged.

XIV. Provided also, and be it enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or other vessels or utensils of common bottle metal, who shall have begun to work any common bottle metal from or out of any pot in his, her, or their glass house or building, shall be deemed and taken to have begun to work out the common bottle metal from and out of every pot which shall at that time be charged with any materials or metal, or other preparations made use of in the making of common bottles, or of other vessels or utensils of common bottle metal within the same glass house or building.

Scales and weights to be kept for the use of the officers, on penalty of sol.

XV. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as first aforesaid, shall, and he, she, and they, is and are hereby required to keep sufficient and just scales and weights at the place or places where he, she, or they shall make or manufacture glass bottles, or other vessels or utensils of common bottle metal, and shall at his, her, and their own expence, find, provide, and affix, a fit and proper hook or staple in a proper place, to be approved of in writing by and under the hands of the respective surveyors or supervisors of excise of the division or district in which his, her, or their glass house shall be situate, and also permit and suffer any officer or officers of excise to use the same for the purpose of weighing and taking an account of the bottles, and other vessels or utensils of common bottle metal, which shall at any time be in the possession of such maker or makers of glass; and if any such maker or makers shall neglect to keep such scales and weights, or either of them, or shall not, at

his, her, or their own expence, find, provide, and affix, a fit and proper hook or staple in a proper and convenient place, to be approved of in writing by and under the hands of the respective surveyors or supervisors of excise of the division or district in which his, her, or their glass house shall be situate, or shall not permit or suffer any officer or officers of excise to use the same, he, she, or they shall, for each and every such offence, forfeit the sum of fifty pounds; and if any such maker or makers of glass shall, in the weighing of any such common glass bottles, or other vessels or utensils of common bottle metal, make use of, or cause, or procure, or suffer to be made use of, any false, unjust, or insufficient scales or weights, or shall practise any art, device, or contrivance, by which any such officer or officers may be hindered or prevented from taking the just and true weight of any such glass bottles, or other vessels or utensils of common bottle metal, then and in every such case such maker or makers shall, for each and every such offence, forfeit the sum of one hundred pounds with all such false, unjust, or insufficient scales and weights respectively, and the same shall and may be seized by any officer or officers of excise.

Penalty of
100l. for using
false weights,
&c.

XVI. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as first aforesaid, and being desirous to draw or take any glass bottles, or other vessels or utensils of common bottle metal, from or out of any annealing arch or arches or oven or ovens to him, her, or them belonging, shall, by the space of twelve hours next before the beginning to draw or take any such glass bottles, or other vessels or utensils, from or out of any such annealing arch or arches, or oven or ovens, give to the officer of excise under whose survey he, she, or they shall then be, a notice in writing of his, her, or their intention, specifying each particular arch or oven, and the number thereof, from and out of which it is intended to take such common bottles, or other vessels or utensils of common bottle metal, and the particular time and hour at which it is so intended to begin to draw or take the same from or out of such annealing arch or arches, or oven or ovens, and upon such notice being given, such officer shall attend at the time mentioned in such notice, and shall unlock and open such annealing arch and arches, and oven and ovens, for the purpose aforesaid, and such officer shall attend to see such glass bottles, or other vessels or utensils, respectively drawn or taken from and out of such annealing arch and arches, and oven and ovens, and such maker or makers shall immediately on such officer's attendance begin to draw and take, and shall proceed and continue, without any unnecessary delay or interruption, to draw and take, from and out of such annealing arch and arches, or oven or ovens, the whole of the bottles, or other vessels or utensils of common bottle metal, and shall draw and take the whole of such bottles, and other vessels and utensils respectively, from and out of such annealing

12 hours previous notice to be given of intention to take bottles out of the annealing arch:

officer to attend, and the whole to be taken out within 4 hours.

Bottles, when taken out, to be weighed in the presence of the officer.

Penalty of 100l. for delaying to draw, or not clearing out the whole in 4 hours.

If makers neglect to begin drawing bottles out of annealing arches immediately on their being opened, fresh notice to be given.

No notice to be given for drawing out bottles, but between certain hours.

annealing arch and arches and oven and ovens within the space of four hours, to be computed and reckoned from the time of such beginning to draw or take such bottles, or other vessels or utensils, from and out of any such annealing arch or oven as afore said; and such maker or makers shall, immediately on such bottles, and other vessels and utensils respectively, being so drawn or taken from or out of such annealing arch, or oven, proceed to weigh the whole thereof with such scales and weights as afore said, in the presence of such officer, and such weight shall be deemed and taken to be the weight of the materials or metal, or other preparations from which such bottles, or other vessels or utensils respectively, shall have been made; and such maker or makers shall be charged with and pay the duty for or in respect of such materials or metal, or other preparations, according to such weight: and if any such maker or makers of common glass bottles, or of other vessels or utensils of common bottle metal, having given such notice, and begun to draw or take any such common glass bottles, or other vessels or utensils, from or out of his, her, or their annealing arch or arches, or oven or ovens, shall not proceed and continue, without any unnecessary delay or interruption, to draw and take the whole of such common glass bottles, or other vessels or utensils respectively of common bottle metal, from and out of such annealing arch and arches, and oven and ovens, or shall not draw and take the whole of such bottles, or other vessels or utensils respectively, from and out of such annealing arch and arches, and oven and ovens within the space of four hours, to be computed and reckoned as afore said, then and in every such case such maker or makers so offending shall, for each and every such offence, forfeit and lose the sum of one hundred pounds; and if any such maker or makers of common glass bottles, or of other vessels or utensils of common bottle metal, having given any such notice as last afore said, shall neglect or refuse to begin to draw or take such common glass bottles, or other vessels or utensils respectively, from or out of his, her, or their annealing arch or arches, or oven or ovens, immediately after such annealing arch or arches, or oven or ovens, and the mouths or entrances, and iron gratings thereof, shall be opened by such officer, then such notice shall be void, and such officer shall again immediately lock up, fasten, and seal, each and every such annealing arch, or oven, and the mouth or entrance, and iron grating thereof, in manner afore said, and such maker and makers shall give the like and a fresh notice in writing to such officer before any such annealing arch, or oven; or the mouth or entrance, or iron grating thereof, shall be again opened: provided always nevertheless, that no such maker or makers of common glass, or of other vessels or utensils of common bottle metal, shall be at liberty to give any such notice to draw or take any such common bottles, or other vessels or utensils respectively, from or out of any of his, her, or their annealing arches or ovens, except in the day time, and that

between

between the hours of eight in the morning and six in the afternoon; and that every notice given for the drawing or taking any such common bottles, or other vessels or utensils respectively, in or out of any annealing arch or oven at any hour or time, other than in the day time, and that between the hours of eight in the morning and six in the afternoon, shall, and the same is hereby declared to be, null and void, to all intents and purposes whatsoever.

XVII. Provided also, and be it further enacted by the authority aforesaid, That in the weighing as aforesaid of any such common glass bottles, or other vessels or utensils of common bottle metal, the turn of the scale shall be given in favour of the crown; and in lieu thereof there shall be allowed to such maker or makers of such common glass bottles, or other vessels or utensils of common bottle metal, one pound weight upon each and every one hundred pounds of such common glass bottles, or other vessels or utensils of common bottle metal.

In weighing common glass bottles 1 lb. per 100, to be allowed for turn of the scale.

XVIII. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or other vessels or utensils of common bottle metal, having delivered such declaration as first aforesaid, shall, when and so often as he, she, or they, shall be thereunto required by the officer or officers of such excise under whose survey he, she, or they, shall be, with a sufficient number of his, her, or their servants, and assist, to the utmost of his, her, or their power, such officer or officers in weighing and taking an account of all such common glass bottles, and other vessels or utensils of common bottle metal, of such maker or makers, on pain of forfeiting for every neglect or refusal the sum of fifty pounds.

Makers to assist officers in weighing, &c. on penalty of 50l.

XIX. And whereas, by an act made in the seventeenth year of the reign of his present Majesty, amongst other things, for the better collecting the duties upon glass, it was enacted, that in pots used for the making of common bottles, and of other vessels or utensils therein-before mentioned, to be made of common bottle metal, an allowance should be made to the makers thereof, of one fifth part of the metal or other materials contained therein: and whereas it is expedient to repeal said recited allowance: be it therefore enacted by the authority aforesaid, That the said recited allowance shall be, and the same hereby repealed, and no such allowance shall hereafter be made.

The allowance by 17 Geo. 3. c. 39, of 1-5th part of the metal in pots for making common bottles, repealed.

XX. And be it further enacted by the authority aforesaid, That all and every maker or makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as first aforesaid, shall convey away any common glass bottles, or other vessels or utensils of common bottle metal, from any annealing arch or oven before the proper officer of excise shall have weighed the same, or shall neglect or refuse to produce any such common glass bottles, vessels, or utensils, to such officer, or shall not be weighed the same, according to the directions of this act;

Bottles not to be conveyed from annealing arch till weighed, and to be produced for that purpose, on penalty of 100l.

act; and if any such maker or makers shall convey away any common glass bottles, or other vessels or utensils, of common bottle metal, from any annealing arch or oven before the proper officer of excise shall have weighed the same, or shall neglect or refuse to produce any such common glass bottles, vessels, or utensils, to such officer that he may weigh the same, according to the directions of this act, every such maker or makers of glass, shall, for each and every such offence, forfeit and lose the sum of one hundred pounds.

Bottles weighed and not weighed to be kept separate, on penalty of 50l.

XXI. And be it further enacted by the authority aforesaid, That all and every maker and makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as first aforesaid, shall from time to time, and at all times, keep all common glass bottles, and all other vessels or utensils of common bottle metal, in his, her, or their, custody or possession, (and which shall not have been weighed by the officer of excise, according to the directions of this act), separate and apart from all common glass bottles, and other vessels or utensils of common bottle metal, which shall have been weighed, and from all other glass wares whatsoever, upon pain of forfeiting for every such offence the sum of fifty pounds.

Penalty of 500l. for using private annealing arches, or removing bottles not weighed, or concealing them.

XXII. And be it further enacted by the authority aforesaid, That if any maker or makers of common glass bottles, or other vessels or utensils of common bottle metal, having delivered such declaration as first aforesaid, shall, for the annealing of any common glass bottles, or other vessels or utensils of common bottle metal, make use of any private or concealed annealing arch, oven, utensil, or place whatever, other than his, her, or their, known annealing arch or arches entered for that purpose, or if any such maker or makers shall fraudulently remove or convey away any common glass bottles, or other vessels or utensils of common bottle metal, before the same shall have been weighed by the proper officer or officers of excise, or shall fraudulently hide or conceal any common glass bottles, or other vessels or utensils of common bottle metal, each and every such maker and makers so offending shall, for each and every such offence, forfeit and lose the sum of five hundred pounds.

No phials, &c. to be made in any building entered for making common glass bottles, or in any adjoining building, on penalty of 500l.

XXIII. And be it further enacted by the authority aforesaid, That no maker or makers of common glass bottles, or of other vessels or utensils of common bottle metal, having delivered such declaration as first aforesaid, shall make or manufacture, within the same glass house or building, by him, her, or them, entered or used for the making or manufacturing of common glass bottles, or in any glass house or building adjoining thereto, any phials, or any other sort or species of glass or glass wares whatever, except common bottles, and other vessels and utensils of common bottle metal, which vessels and utensils shall be such only as were, immediately before the passing of this act, usually made of common bottle metal; and if any such maker or makers of common glass bottles, or of other vessels or utensils of common bottle metal shall

shall make or manufacture, within the same glass house or building, by him, her, or them entered or used for the making or manufacturing of common glass bottles, or in any glass house or building adjoining thereto, any phials, or any other sort or species of glass or glass wares, except common bottles, or other vessels or utensils of common bottle metal as aforesaid, every such maker or makers respectively shall, for each and every such offence, forfeit and lose the sum of two hundred pounds.

XXIV. And be it further enacted by the authority aforesaid, That if any officer or officers of excise shall have cause to suspect that any common glass bottles or other vessels or utensils of common bottle metal, which have been fraudulently removed or conveyed away before the same shall have been weighed by the proper officer or officers of excise, according to the directions of this act, shall be deposited, lodged, hid, or concealed, in any place or places whatsoever, then and in such case if such place or places shall be within the cities of *London* or *Westminster*, or within the limits of the chief office of excise in *London*, upon oath made by such officer or officers before the commissioners of excise in *England* for the time being, or any two or more of them; or in case such place shall be in any other part of *Great Britain*, upon oath made by such officer or officers before one or more justice or justices of the peace for the county, riding, division, or place, where such officer or officers shall suspect the same to be deposited, lodged, hid, or concealed, (which respective oaths they the said commissioners of excise, or any two or more of them, and justice or justices of the peace respectively, are hereby authorized and empowered to administer), setting forth the ground of his or their suspicion, it shall and may be lawful to and for the said commissioners of excise, or any two or more of them, or the justice or justices of the peace respectively, (as the case may require), before whom such oath shall be made, if they or he shall judge it reasonable, by special warrant or warrants, under his and their respective hands and seals, to authorize and empower such officer or officers by day or by night, but if in the night time in the presence of a constable or other lawful officer of the peace, to enter into all and every such place or places where he or they shall so suspect such common glass bottles or other vessels or utensils of common bottle metal to be deposited, lodged, hid, or concealed, and to seize and carry away all such common glass bottles, or other vessels or utensils of common bottle metal, which he or they shall then and there find so deposited, lodged, hid, or concealed, as forfeited; and if any person or persons whatsoever shall let, obstruct, or hinder, any such officer or officers so authorized or empowered, or any other person or persons acting in his or their aid or assistance, in the execution of such warrant, from entering any such place or places where such officer or officers shall so suspect such common glass bottles, or other vessels or utensils of common bottle metal, to be so deposited, lodged, hid, or concealed, or in seizing or carrying away the same, or in the due execution of any such warrant, the person or persons so offending, shall for each and every such offence severally forfeit the sum of two hundred pounds.

On oath of ground of suspicion that any bottles have been removed before being weighed, officers may by warrant search suspected places, and seize the bottles, &c.

and persons obstructing them to forfeit 200l.

Penalty of 200l. on persons obstructing officers in any part of their duty.

Act not to prevent officers from gaging metal before it is put into pots, or taking samples.

Recovery and application of penalties.

Powers of acts relating to the duties on glass, except hereby altered, to remain in force.

XXV. And be it further enacted by the authority aforesaid, That if any person or persons shall obstruct or hinder any officer or officers of excise in the execution of any of the powers or authorities to him or them given or granted by this or any other act or acts of parliament relating to glass, the person or persons so offending therein shall, for each and every such offence, (other than those for which any penalty is herein-before specially imposed or provided), severally forfeit the sum of two hundred pounds.

XXVI. Provided always nevertheless, That nothing in this act contained, relative to ascertaining and charging the duty on the materials or metal, or other preparations used in the making common bottles, or other vessels or utensils of common bottle metal, by and according to the weight of such common bottles, or other vessels or utensils of common bottle metal, shall extend, or be construed to extend, to make it unlawful to or for any officer or officers of excise from time to time, and at all times, to inspect, examine, gage, or otherwise take account of the metal and materials mixed and prepared for the making of glass in any such glass house or building as aforesaid, as well before such metal or materials shall be put into any pot or pots, as after the same shall be put into any pot or pots, or to take a sample or samples, not exceeding four ounces in the whole, out of each such pot, or any other vessel or utensil containing such preparation for making glass.

XXVII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, by this act imposed, shall be sued for, recovered, levied, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be sued for, recovered, levied or mitigated, 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*, or in the court of exchequer in *Scotland*; 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, her, or them, who shall discover, inform, or sue for the same.

XXVIII. And be it further enacted by the authority aforesaid, That all the powers, authorities, methods, rules, directions, regulations, penalties, forfeitures, provisions, clauses, matters, and things, which, in and by any act or acts of parliament relating to the duties on the materials, or metal or other preparations made use of in *Great Britain* in the making of glass, in force immediately before the passing of this act, are contained, provided, settled, or established, for managing, assessing, raising, levying, collecting, recovering, adjudging, mitigating, ascertaining, enforcing, or securing, the said duties, and for preventing, detecting, and punishing, frauds relating thereto, (except where the same are expressly altered by this act), shall be and remain in full force, to all intents and purposes, and the same powers, authorities, methods, rules, directions, regulations, penalties, forfeitures, provisions, clauses, matters, and things, (except as before excepted), shall continue to be duly observed, practised, applied, used

and put in execution, throughout the whole kingdom of *Great Britain*, as fully and effectually, to all intents and purposes, (except as before excepted), as if the said powers, authorities, rules, directions, regulations, penalties, forfeitures, provisions, clauses, matters, and things, had been expressly inserted and re-enacted in this present act.

XXIX. And be it further enacted by the authority aforesaid, That this act shall commence and take effect, as to all such matters and things therein contained, in respect whereof no special commencement is hereby directed or provided from and immediately after the fifth day of *July* one thousand seven hundred and ninety-five, and shall remain and continue in force, as to all such matters and things therein contained, in respect whereof it is not hereby otherwise directed, for the space of two years to be computed from that day.

Commence-
ment and
continuance
of act.

C A P. CXV.

An act for allowing, for a limited time, the importation of goods from India and China, and other parts within the limits of the exclusive trade of the East India company, in ships not of British-built, nor registered as such; and for the exportation of goods from Great Britain by the same ships, under certain restrictions.
[June 26, 1795.]

WHEREAS the court of directions of the united company of merchants of England trading to the East Indies, with the approbation of the board of commissioners for the affairs of India, have sent instructions to their presidencies in the East Indies to take up such proper ships as they can procure for sending home investments of goods from India and China, and other parts within the limits of the said company's trade, in the place of ships usually sent from this country to India and China for that purpose, which last mentioned ships now are or may be engaged in the publick service: and whereas the ships so to be taken up may not be British-built, or have been registered as such, and may not be navigated as required by the laws now in force: 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, if, during the continuance of the present war, and for eighteen months after the conclusion thereof, any such ship shall arrive in the ports of this kingdom, freighted with goods in the manner, and from any of the places within the limits before-mentioned, it shall and may be lawful, upon representation made by or on behalf of the said company to his Majesty in council, for his Majesty, by and with the advice of his privy council, to authorise the importation and entry of such goods, subject to the like duties and no other, as if they were imported in *British-built* ships, though such goods shall be brought in ships which may not be *British-built*, nor have been registered as *British-built* ships, nor navigated as required by the laws now in force; provided the said ships shall have been

Preamble.

During the present war, and for 18 months after its conclusion, ships arriving from the East Indies on account of the company, may be permitted to enter their goods, though not *British-built*, if built within the

territories belonging to the company, &c. and to export goods to the East Indies.

built within the territories belonging to the said united *East India* company, or in the ports under the immediate protection of the *British* flag in the *East Indies*; and also to permit such ships to export from this kingdom to the *British* settlements in the *East Indies*, or to any of the places within the limits before mentioned, with the licence and consent of the said company, any goods, wares, or merchandizes whatsoever, ordnance and military stores excepted; any law, usage, or custom, to the contrary thereof notwithstanding.

Such ships not liable to forfeiture, nor the persons importing liable to penalty.

II. And be it further enacted by the authority aforesaid, That such ships shall not be liable to forfeiture, nor shall any persons whatever be liable to any penalty or forfeiture on account of any importation of goods, wares, or merchandize, in pursuance of this act, or of any order or orders of his Majesty in council which may be issued in virtue thereof.

C A P. CXVI.

An act to remove doubts arising from the construction of certain acts of this session of parliament respecting the duties of excise therein granted on wash, coffee, cocoa nuts, foreign spirits, wines, and sweets.—[June 26, 1795.]

Preamble.

35 Geo. 3.
c. 11. recited.

WHEREAS by an act, made in this present session of parliament, intituled, An act for granting to his Majesty additional duties of excise on worts, wash, and other liquors, made in England; for extracting spirits for home consumption; and for preventing distillers from making use of wheat or wheat flour in making wash for extracting spirits; it was enacted, that there should be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things therein-after mentioned, over and above all duties already imposed for or in respect thereof by any act or acts of parliament, the further duties of excise therein-after mentioned: and whereas doubts may arise respecting the true construction of the said act: now, to obviate and remove all such doubts, and to declare the true intent and meaning of the said act, it is hereby 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, under and by virtue of the said act, the further duty of one penny, first mentioned in the said act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of fermented wort or wash which was brewed or made in that part of Great Britain called England, for extracting spirits for home consumption, from any malt, corn, grain, or tilts, or any mixture with the same, and was not actually distilled into spirits on or before the twenty-third day of February one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like fermented wort or wash which, since the said twenty-third day of

Additional duties imposed by recited act, to extend as well to wash made and not actually distilled into spirits on or before Feb. 23, 1795, as to wash made since that day.

February one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, brewed or made for the purpose aforesaid; and that the further duty of one penny, secondly mentioned in the said act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of cyder or perry, or any other wash or liquor, which was brewed or made in that part of *Great Britain* called *England*, from any sort or kind of *British* materials, (except such as are before mentioned), or from any mixture therewith, for extracting spirits for home consumption, and was not actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like cyder or perry, or other wash or liquor, which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, brewed or made for the purpose aforesaid; and that the duty of one penny halfpenny, mentioned in the said act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of fermented wort or wash, which was brewed or made in that part of *Great Britain* called *England*, from melasses or sugar, or any mixture therewith, for extracting spirits for home consumption, and was not actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like fermented wort or wash which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, brewed or made for the purpose aforesaid; and that the further duty of two-pence, mentioned in the said act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of wash which was brewed or made in that part of *Great Britain* called *England*, from a foreign refused wine or foreign cyder, or wash prepared from foreign materials, (except melasses and sugar), or any mixture therewith, for extracting spirits for home consumption, and was not actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like wash which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, brewed or made for the purpose aforesaid; and also that the further duty of two shillings and eight-pence three farthings, or so in proportion, mentioned in the said act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every ninety-gallons of wash, which sir *William Bishop*, *Argles Bishop*, and *George Bishop*, or the survivors or survivor of them, did produce at a weight of malt or other corn, including the bran thereof, and not exceeding one hundred and twelve pounds, and which

was not actually distilled into spirits on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like wash which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, so produced for the purpose aforesaid.

35 Geo. 3.
c. 13. recited;

II. *And whereas by another act, made in this present session of parliament, intituled, An act for granting to his Majesty additional duties of excise on tea, coffee, and cocoa nuts, it was enacted, that there should be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things therein-after mentioned, over and above all duties already imposed for or in respect thereof by any act or acts of parliament, the further duties of excise therein-after mentioned: and whereas doubts may also arise respecting the true construction of the said last mentioned act: now, to obviate and remove all such doubts, and to declare the true intent and meaning of the said last mentioned act, it is*

and the additional duties thereby imposed on cocoa nuts and coffee delivered out of warehouses for home consumption, to extend as well to what was imported, and to delivered on or before Feb. 23, 1795, and for which the duties were not then paid, as to cocoa nuts and coffee imported and so delivered since that day.

hereby declared and enacted by the authority aforesaid, That, under and by virtue of the said last mentioned act, the further duty of sixpence halfpenny, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every pound weight avoirdupoise of cocoa nuts of the growth or produce of any *British* colony or plantation in *America*, which was imported into *Great Britain* on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, and which was delivered out of the warehouse in which the same had been lodged under the care and custody of the proper officers for securing the duties payable thereon for home consumption, on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, and so in proportion for any greater or less quantity, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every pound weight of the like cocoa nuts which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*, and afterwards delivered out of any such warehouse for home consumption; and that the said further duty of one shilling and eight-pence, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every pound weight avoirdupoise of cocoa nuts of the growth or produce of any other place, which was imported into *Great Britain* on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, and which was delivered out of the warehouse in which the same had been lodged under the care and custody of the proper officers for securing the duties payable thereon for home consumption, on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, and so in proportion for any greater or less

less quantity, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every pound weight of the like cocoa nuts which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*, and afterwards delivered out of any such warehouse for home consumption; and that the said further duty of six-pence halfpenny, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every pound weight avoirdupoise of coffee which was imported into *Great Britain* on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, and which was delivered out of the warehouse in which the same had been lodged under the care and custody of the proper officers for securing the duties payable thereon for home consumption, on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, and so in proportion for any greater or less quantity, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every pound weight of coffee, which since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*, and afterwards delivered out of any such warehouse for home consumption.

III. *And whereas, by another act, made in this present session of parliament, intituled, An act for granting to his Majesty additional duties of excise on foreign spirits, it was enacted, that there should be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things therein-after mentioned, over and above all duties already imposed for or in respect thereof, by any act or acts of parliament, the further duties of excise therein-after mentioned: and whereas doubts may also arise respecting the true construction of the said last mentioned act: now, to obviate and remove all such doubts, and to declare the true intent and meaning of the said last mentioned act, it is hereby declared and enacted by the authority aforesaid, That, under and by virtue of the said last mentioned act, the further duty of ten-pence, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of single brandy which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like single brandy which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*; and that the further duty of one shilling and eight-pence, mentioned*

35 Geo. 3.
c. 12. recited,

Additional duties of 10d. and 1s. 8d., per gallon on brandy, and 8d., and 1s. 4d. per gallon on spirits of the British colonies, imposed by recited act, to extend, as well to those imported, and for which duty was not

paid, on or before Feb. 23, 1795, as to those imported since that day;

mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of brandy above proof, which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like brandy above proof, which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*, and that the further duty of eight-pence, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of rum, spirits, or *aqua vitæ*, of the produce of the *British* colonies or plantations, which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like rum, spirits, or *aqua vitæ*, which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*; and that the further duty of one shilling and four-pence, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of rum, spirits, or *aqua vitæ* above proof, of the produce of the *British* colonies or plantations, which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like rum, spirits, or *aqua vitæ* above proof, which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*; and that the further duty of eight-pence is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, for and in respect of every gallon of rum or spirits of the produce of the *British* plantations, which, on the said twenty-third day of *February* one thousand seven hundred and ninety-five, was or were in any warehouse in which the same had been put, subject and according to the rules, regulations, restrictions, and provisions, contained and provided in an act, made in the fifteenth year of the reign of his late majesty King *George* the Second, concerning the landing of rum or spirits of the *British* sugar plantations before payment of the duties of excise, and lodging the same in warehouses, and which was or were, from and after the said twenty-third day of *February* one thousand seven hundred and ninety-five, delivered out of any such warehouse for home consumption, (except such rum or spirits as in the said act is or are excepted); and that the further duty of one shilling and four-pence is and was intended to be, and the same shall be deemed and taken to be

and the additional duties of 8d. and 1s. 4d. per gallon respectively imposed on imported spirits in warehouses, to extend to all so warehoused on Feb. 23, 1795, and delivered after that day for home consumption.

be and to have been imposed, for and in respect of every gallon of rum or spirits over proof, of the produce of the *British* plantations, which, on the said twenty-third day of *February* one thousand seven hundred and ninety-five, was in any such warehouse, and which was or were, from and after the said twenty-third day of *February* one thousand seven hundred and ninety-five, delivered out of any such warehouse for home consumption, (except such rum or spirits as in the said act is or are in that behalf excepted); and that the further duty of ten-pence, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of single spirits or *aqua vitæ* (other than such brandy, rum, or spirits, as aforesaid), which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like single spirits or *aqua vitæ*, which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*; and that the further duty of one shilling and eight-pence, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every gallon of spirits or *aqua vitæ* (other than such brandy, rum, or spirits, as aforesaid) above proof, which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every gallon of the like spirits or *aqua vitæ*, which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*.

IV. *And whereas by another act made in this present session of parliament, intituled, An act for granting to his Majesty additional duties of excise on foreign wine and sweets, it was enacted, that there should be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things therein mentioned, over and above all duties already imposed for or in respect thereof, by any act or acts of parliament, the further duties of excise therein-after mentioned: and whereas doubts may also arise respecting the true construction of the said last mentioned act: now, to obviate and remove all such doubts, and to declare the true intent and meaning of the said last mentioned act, it is hereby declared and enacted by the authority aforesaid, That, under and by virtue of the said last mentioned act, the further duty of thirty pounds, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every tun of *French* wine, which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every tun of the like*

Additional duties imposed by recited act, of 8d. respectively, on spirits, other than brandy, &c. to extend as well to those imported, and for which duty was not paid, on or before Feb. 23, 1795, as to those imported since that day.

35 Geo. 3.
c. 10. recited.

Additional duties of 30l. and 20l. per tun respectively imposed by recited act on *French* and other wines, to extend as well to those imported, and

for which duty was not paid, on or before Feb. 23, 1795, as to those imported since that day ;

wine which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*, and so in proportion for any greater or less quantity of any such wine; and that the further duty of twenty pounds, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, as well for and in respect of every tun of *Portugal* and *Madeira* wine, and wine of the produce of *Spain*, or of any of the dominions of the king of *Spain*, and wine of all other sorts which was imported into *Great Britain*, and for which all the duties payable thereon were not paid on or before the said twenty-third day of *February* one thousand seven hundred and ninety-five, as for and in respect of every tun of the like wine which, since the said twenty-third day of *February* one thousand seven hundred and ninety-five, hath been, or after the passing of this act shall be, imported into *Great Britain*, and so in proportion for any greater or less quantity of such wine; and that the further duty of eleven shillings and seven-pence three farthings, and so in proportion for any greater or less quantity, mentioned in the said last mentioned act, is and was intended to be, and the same shall be deemed and taken to be and to have been imposed, for and in respect of every barrel of liquor which was made in *Great Britain* for sale, by infusion, fermentation, or otherwise from fruit or sugar, or from fruit or sugar mixed with any other ingredients or materials whatsoever, commonly called *Sweets*, or called or distinguished by the name of *Made Wines*, after the said twenty-third day of *February* one thousand seven hundred and ninety-five.

and the additional duty on sweets, to be deemed imposed on all made after that day.

Powers of 12 Car. 2. c. 24, &c. to extend to this act.

V. And be it further enacted, 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 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 now in force relating to his Majesty's revenue of excise, are provided and established for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining, the duties thereby granted, or any of them, shall be practised, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying, the excise duties by this act imposed, and for preventing, detecting, and punishing, frauds relating thereto, as fully and effectually, to all intents and purposes, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this present act.

C A P. CXVII.

An act for allowing the importation of rape seed, and other seeds used for extracting oil, from any country whatever, whenever the prices of middling British rape seed shall be above a certain limit.—[June 26, 1795.]

WHEREAS by an act, passed in the fifteenth year of his present Majesty's reign, intituled, An act for encouraging the manufactures of rape oil, and other vegetable oils, in this kingdom, by reducing the duties on rape seed, and other seeds producing oil, imported from *Ireland*; and for allowing the free importation of rape cakes for manure, from *Ireland*, to this kingdom; and by another act, passed in the twenty-seventh year of his present Majesty's reign, intituled, An act for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and for applying the said duties, together with the other duties composing the publick revenue; for permitting the importation of certain goods, wares, and merchandize, the produce or manufacture of the *European* dominions of the *French* king, into this kingdom; and for applying certain unclaimed monies, remaining in the exchequer for the payment of annuities on lives, to the reduction of the national debt; and by another act, passed in the thirtieth year of his present Majesty's reign, intituled, An act for laying a duty on the importation from any of the provinces in *North America*, of rape seed, and all other seeds used for extracting oil, and for allowing the importation from the said provinces of rape cakes, or cakes made of rape seed, used for manure, duty free; rape seed, and all other seeds commonly made use of for the purpose of extracting oil therefrom, being the growth of *Ireland*, or of his Majesty's colonies, plantations, or provinces, in *North America*, are allowed to be imported from thence, on payment of the duty of one shilling per last, whenever the prices of middling British rape seed shall be at or above the price of seventeen pounds ten shillings per last, under certain conditions, regulations, and restrictions; and also rape cakes, or cakes made of rape seed, and commonly used for the purpose of manure, being the growth of *Ireland*, or of the said colonies, plantations, and provinces, in *North America*, duty free: and whereas it is expedient to permit the importation of rape seed, and all other seeds commonly made use of for the purpose of extracting oil therefrom, from any country whatsoever, in like manner, and under the same conditions, rules, regulations, and restrictions, as such seeds are allowed to be imported from *Ireland*, or the said colonies, plantations, and provinces, in *North America*, whenever the prices of middling British rape seed shall be above a certain limit: 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 passing of this act, it shall and may be lawful

Preamble.

15 Geo. 3.

c. 34.

27 Geo. 3.

c. 13, and

30 Geo. 3.

c. 41. recited.

Rape and all other seeds used for extracting oil

therefrom, may be imported in British-built ships, from any country, on the duty of 1s. per last, when the price of middling British rape seed is 20l. per last.

Continuance of act.

for any person or persons whatever, to import into *Great Britain*, in a *British*-built ship owned and navigated according to law, from any country whatever, rape seed, and all other seeds commonly made use of for the purpose of extracting oil therefrom, on payment of the duty of one shilling *per last*, whenever the price of middling *British* rape seed shall be at or above the price of twenty pounds *per last*, and under the same conditions, rules, and restrictions, penalties and forfeitures, as such seeds are now allowed to be imported from *Ireland*, or from his Majesty's colonies, plantations, or provinces in *North America*.

II. And be it further enacted, That this act shall continue in force for one year, and from thence to the end of the then next session of parliament.

C A P. CXVIII.

An act for charging warehouse rent on wines, in certain cases, secured in his Majesty's warehouses; for equalizing the duties on wines imported to India and China: and for providing warehouses for coffee and cocoa nuts imported into this kingdom— [June 26, 1795.]

Preamble.

WHEREAS it is expedient that warehouse rent should be paid for foreign wine, in certain cases, and that the same should be disposed of in manner herein-after directed: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of *July* one thousand seven hundred and ninety-five, when the proprietor or proprietors, importer or importers, or consignee or consignees, shall neglect or refuse to make due entry of any foreign wine, or to pay the duties, or to land such wine within the twenty days prescribed by an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, *An act for repealing certain duties now payable on wines imported, and for granting new duties in lieu thereof, to be collected under the management of the commissioners of excise*; and such wine, together with the casks, bottles, and packages, containing the same, shall, in pursuance of the said act, be carried or conveyed to any of his Majesty's warehouses for security of the duties due or payable in respect of such wine, the proprietor or proprietors, importer or importers, or consignee or consignees, of such wine, over and besides the duties for or in respect of such wine, shall, before the same shall be delivered to him, her, or them, from or out of such warehouse or warehouses, first pay into the hands of the proper warehouse keeper of customs or excise, warehouse rent for such wine, at and after the rate of sixpence *per week* for each and every cask or other package of such wine, from the day on which such wine shall have been unladen or taken from on board the ship or vessel in which the same shall have been imported, until the

If foreign wine is not entered, or the duties paid, or if it is not landed within 20 days after entry should have been made, and it should be conveyed to the King's warehouse agreeable to 26 Geo. 3. c. 59. warehouse rent shall be paid, with expences.

the day on which such wine shall be cleared and taken out of such warehouse or warehouses, together with the costs, charges, and expences, attending the conveying of such wine, casks, and packages to such warehouse or warehouses, or otherwise relating to such wine, casks, and packages; and if the proprietor or proprietors, importer or importers, or consignee or consignees, of such wine, shall, for the space of three months from the time of such wine having been so carried or conveyed to such warehouse or warehouses, omit, neglect, or refuse, to pay and satisfy all the duties due and payable for or in respect of such wine, together with such warehouse rent, costs, charges, and expences, it shall and may be lawful to and for the respective commissioners of customs and excise in *England* and *Scotland*, or the major part of them respectively for the time being, after the expiration of such three months, to cause all such wine, casks, and packages to be publicly sold to the best bidder, at such places as the said respective commissioners shall think proper, for and towards satisfying such duties, warehouse rent, costs, charges, and expences; and if the money arising from such sale shall be equal to, or more than sufficient to pay and satisfy all the said duties, together with such warehouse rent, costs, charges, and expences, the respective receivers general of the customs in *England* and *Scotland* for the time being (in case the said respective commissioners of the customs, or the major part of them respectively, shall cause such wine to be sold) shall pay over to the said respective commissioners of excise so much of the proceeds of such sale as will be sufficient to satisfy the excise duties by law imposed for or in respect of such wine; and the said respective commissioners of excise (in case they, or the major part of them respectively, shall cause such wine to be sold) shall pay over to the said respective receivers general of the customs so much of the proceeds of such sale as will be sufficient to satisfy the custom duties by law imposed for or in respect of such wine, and the overplus (if any be) shall be paid to the importer or importers, proprietor or proprietors, or consignee or consignees, of such wine, or other person or persons authorised to receive the same; and if, upon such wine being put up or offered to sale, no person or persons shall offer or bid for the same as much or more money than the said duties taken together would amount to, together with such warehouse rent, cost, charges, and expences, as aforesaid, then, and in such case, it shall and may be lawful to and for such commissioners respectively to cause the same to be publicly sold, as they the said respective commissioners shall think best, either for exportation immediately from such warehouse or warehouses, or in order to be distilled into brandy, or to be made into vinegar, under the inspection of the proper officer or officers of excise, at the entered distillery or vinegar works of some licensed distiller or vinegar maker, taking sufficient security by bond, to the use of his Majesty, his heirs or successors, to the satisfaction of the major part of such commissioners respectively, that such wine be not made use of for any purpose whatsoever, other than that for

If the duties, &c. are not paid in three months, the wine may be sold for payment, by the commissioners of the customs or excise;

and when put up to sale, if sufficient to pay the duties, &c. shall not be offered, the same may be publicly sold for exportation or distillation, &c.

Division of
the produce.

which the same shall be so sold; and the said respective commissioners shall, out of the money arising from such sale as last mentioned, discharge and pay, in the first place, all such warehouse rent, costs, charges, and expences as aforesaid, and shall divide the residue (if any be) into five equal parts; and the said respective commissioners of the customs (in case they, or the major part of them, shall cause such wine to be so sold) shall pay over three of such five parts to the said respective commissioners of excise, towards satisfying the excise duties for or in respect of such wine; and the said respective commissioners of excise (in case they, or the major of them respectively, shall cause such wine to be so sold) shall pay over two of such five parts to the said respective receivers general of the customs, towards satisfying the custom duties for or in respect of such wine.

Wine so sold
for exportation,
if shipped
before bond
be given,
forfeited.

II. And be it further enacted by the authority aforesaid, That if any such wine, which shall be so sold for exportation, shall be laden on board any ship or vessel in any of the ports of this kingdom, before such bond shall be given, the wine so laden, together with the casks and other packages containing the same, shall be forfeited, and shall and may be seized by any officer or officers of the customs or excise.

Manner in
which bond
shall be dis-
charged.

III. And be it further enacted by the authority aforesaid, That such respective securities by bond, herein-before directed to be given, shall be discharged in manner herein-after mentioned; (that is to say), for such of the said wines as shall be sold for exportation, and to be landed in *Ireland*, the condition of the bond shall be, to bring in a certificate in discharge thereof, within six months from the date of the bond; and within twelve months for such of the said wines as shall be sold for, and to be landed in any other foreign port or place in *Europe*; and within eighteen months for such of the said wines as shall be sold for, and to be landed in any of his Majesty's plantations in *America* or *Africa*, or any of the united states of *America*; and within twenty-four months for such of the said wines as shall be sold for, and to be landed in any port or place at or beyond the *Cape of Good Hope*; which said certificate for such wines as aforesaid as shall be landed in any port or place where any officer or officers of his Majesty's customs shall be resident, shall be signed by the proper officer or officers of his Majesty's customs there, importing that such wine was there landed, and testifying the landing thereof; and if no officer of his Majesty's customs shall be resident in such port or place where such wine shall be landed, such certificate shall be signed by the *British* consul, or other person acting as such there, purporting that such wine was there landed, and testifying the landing thereof; and if no officer of his Majesty's customs, or *British* consul, or other person acting as such, shall be resident in such port or place where such wine shall be landed, such certificate shall be under the common seal of the chief magistrate in such port or place, or under the hands and seals of two known *British* merchants then being at such port or place, that such wine was there landed, or such bond or

bonds shall be discharged upon proof, in either of the said cases, that such wine was taken by enemies, or perished in the seas, or by fire, the examination and proof thereof being left to the judgement of the said respective commissioners, or the major part of them respectively for the time being; and such bond hereinbefore directed to be given for such wine as shall be so sold to be distilled into brandy, or made into vinegar, shall be discharged on the production of a certificate from the proper officers or officer of excise, that such wine has been so made use of, within three months after the same shall have been delivered out of such warehouse.

IV. And be it further enacted by the authority aforesaid, That the receipts of the said respective commissioners of excise shall be a sufficient discharge to the said respective receivers general of the customs for such money as they shall so pay to the said respective commissioners of excise, and the receipts of the said respective receivers general of the customs shall be a sufficient discharge to the said respective commissioners of excise for such monies as they shall so pay to the said respective receivers general; and such receipts shall severally be allowed by the proper officer or officers in passing the accounts of the said respective commissioners of excise and receivers general of the customs.

Receipts of the commissioners of excise and customs respectively to be sufficient discharges.

V. And be it further enacted by the authority aforesaid, That if any person or persons shall forge or counterfeit, or cause or procure to be forged or counterfeited any certificate by this act required for the discharge of any bond or bonds given, entered into, or executed, for or in respect of any such wine, or shall produce to any collector or other chief officer of the customs, or to any collector or other officer of excise, or make use of any forged, counterfeited, false or untrue certificate, as and for any certificate by this act required for the discharge of any such bond or bonds, knowing the same to be so forged or counterfeited, or if any officer or officers of the customs or excise shall connive at any such certificate being so forged or counterfeited, or at any such forged, counterfeited, false, or untrue certificate being so produced or made use of, all and every the person and persons so offending shall, for each and every such offence, severally forfeit the sum of two hundred pounds.

Persons forging, &c. certificates for discharge of bonds, or officers conniving at them, to forfeit 200l.

VI. And be it further enacted, That if, after the shipping of any such wine, the same wine, or any part thereof, shall be unshipped, unladen, or laid on land, or put into any other ship, vessel, or boat, within this kingdom, (shipwreck or other unavoidable accident excepted), 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 such wine which shall be so unshipped, unladen, or laid on land, or put into any other ship, vessel, or boat, within Great Britain, (shipwreck or other unavoidable accident excepted), with treble the value thereof, shall be forfeited, and such wine shall and may be seized by any officer or officers of the customs or excise.

Wine if unladen in the kingdom, after it is shipped, to be forfeited with treble the value.

For foreign wine exported to China, the same drawback to be allowed as for wine sent to the East Indies, on conditions of recited act.

VII. *And whereas the drawback of the duties of excise now allowed for or in respect of foreign wine exported to China is less than such drawback allowed for or in respect of such foreign wines exported to the British settlements in the East Indies, and it is expedient to equalize the said drawbacks, be it therefore enacted, That there shall be paid and allowed, for or in respect of all foreign wines which shall, from and after the fifth day of July one thousand seven hundred and ninety-five, be exported from Great Britain as merchandize to China, the same drawback of the duties of excise as are now by law allowed for or in respect of foreign wine exported from Great Britain as merchandize to any British settlement in the East Indies: provided always nevertheless, that no drawback granted by this act shall be paid or allowed, nor any certificate or debenture for the same be given or made out, save and except upon the same terms and conditions, and under, subject, and according to the rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, contained, provided, settled, or established, in and by the said act made in the twenty-sixth year of the reign of his present Majesty; and the said rules, regulations, restrictions, provisions, fines, penalties and forfeitures shall be, and the same respectively are hereby directed to be used, applied, practised, and put in execution on the exportation of wine, for the purpose of obtaining the drawback by this act granted, as fully and effectually, to all intents and purposes, as if the said rules, regulations, restrictions, provisions, fines, penalties, and forfeitures, had been expressly repeated and re-enacted in this act.*

Commissioners of excise in Great Britain, to provide warehouses for lodging coffee and cocoa nuts.

VIII. *And whereas the laws now in force for securing the duties upon coffee and cocoa nuts have been found insufficient to answer the good purposes thereby intended; and for the better securing the said duties, and for the accommodation of the importers of coffee and cocoa nuts, it is expedient to provide and enact the several rules, regulations, and provisions herein-after prescribed; be it therefore enacted by the authority aforesaid, That the commissioners of excise in England for the time being, and the commissioners of excise in Scotland for the time being, shall, with all convenient speed, and they respectively are hereby authorized and required, out of any of the duties or revenues of excise under their management, to provide, from time to time, at or near to the several and respective ports in England and Scotland respectively, such warehouse and warehouses as they respectively shall deem requisite and necessary for depositing, lodging, and securing therein all such coffee and cocoa nuts respectively as shall be imported at such respective ports.*

Commissioners of customs and excise, to appoint officers to attend warehouses.

IX. *And be it further enacted by the authority aforesaid, That the commissioners of the customs in England for the time being, or any four or more of them, and the commissioners of the customs in Scotland for the time being, or any three or more of them, shall, and they respectively are hereby authorized and required to appoint one or more officer or officers of the customs in England and Scotland respectively to attend all and every such warehouse or warehouses so to be provided, according to the directions of this act, in England and Scotland respectively; and the*

the commissioners of excise in *England* and *Scotland* respectively, or the major part of them respectively for the time being, shall, and they respectively are hereby in like manner authorised and required to appoint one or more officer or officers of excise to attend all and every such warehouse or warehouses so to be provided according to the directions of this act, in *England* and *Scotland* respectively.

X. And be it further enacted by the authority aforesaid, That the proper officer or officers of excise on board every ship or vessel in which coffee or cocoa nuts shall be imported, shall mark or cause to be marked every cask, bag, or other package of coffee or cocoa nuts respectively, with a progressive number and a distinguishing landing mark; and no cask, bag, or other package of coffee or cocoa nuts respectively shall be unshipped or delivered from or out of such ship or vessel before the same shall have been so marked, on pain of forfeiture thereof, to be seized by any officer or officers of the customs or excise; and when the same shall have been so marked, the importers, proprietors, or consignees of such coffee and cocoa nuts respectively shall forthwith (provided the same shall have been duly entered) in the presence of the proper officer or officers of the customs and excise, unship or cause to be unshipped all such coffee and cocoa nuts respectively, and shall carry and convey the same, or cause the same to be carried and conveyed to and deposited in some or one of the respective warehouse or warehouses so to be provided, as directed by this act, at or near to the port at which such coffee or cocoa nuts shall be imported; and the proper officer or officers of the customs and excise shall attend such coffee and cocoa nuts respectively from the time of the unshipping thereof until the same shall be so deposited, lodged, and secured, in such warehouse or warehouses.

Officers of excise to mark casks of coffee or cocoa nuts on board ships importing them, and if unshipped before, they may be seized:

when marked, importers, in presence of the officer, to unship and convey them to a warehouse.

XI. And be it further enacted by the authority aforesaid, That the importers, proprietors, or consignees respectively of such coffee and cocoa nuts respectively, shall, at his, her, and their own expence, within fourteen days next after such coffee and cocoa nuts respectively shall have been so lodged and deposited in such warehouse or warehouses as aforesaid, and in the presence of the proper officer or officers of the customs and excise, take or cause to be taken all such coffee and cocoa nuts respectively from and out of the casks, bags, and other packages respectively containing the same, and shall forthwith bring such coffee and cocoa nuts respectively, and also the casks, bags, or other packages, or cause the same to be brought to, and put into the proper scales to be weighed, in such manner as the proper officer or officers of the customs and excise shall direct, so that the tare of the cask, bag, or other package, and the net weight of the coffee may be ascertained, at which time, but at no other or subsequent time, the importer or importers, proprietor or proprietors, or consignee or consignees, of such coffee and cocoa respectively, shall or may be permitted and suffered, in the presence of such officers respectively, to separate the damaged or unmerchantable coffee and cocoa

Within 14 days after being warehoused, the coffee and cocoa to be taken out of the casks by the importer and weighed, at which time the damaged parts may be separated, &c.

Officers to take an account of the tare of casks, and weight of coffee and cocoa, &c.

Importers to take the coffee and cocoa from the scales :

officer to mark the casks, &c.

Importers to remove casks as the officer shall direct.

Importers not complying with the directions of this act, to forfeit 50*l*. ;

nuts respectively from the undamaged and merchantable part thereof, and also to re-pack his, her, or their, coffee and cocoa nuts respectively, into the same or such other casks, bags, or packages, as he, she, or they, shall think fit, each such other cask, bag, or other package, containing one hundred and twelve pounds weight net of coffee or cocoa nuts respectively at the least; and the proper officer or officers of the customs and excise shall forthwith take an account of the tare of each and every cask, bag, or other package, and of the net weight of the coffee and cocoa nuts respectively contained therein; and such importers, proprietors, or consignees respectively, shall also, at his, her, or their own expence, when and so soon as such coffee or cocoa nuts shall have been so weighed and taken an account of, take the same, or cause the same to be taken from and out of the scales in which the same shall have been so weighed, and thereupon the proper officer or officers of the customs and excise shall jointly mark, or cause to be marked, on the outside of each and every such cask, bag, or other package, in plain and legible letters or characters, the tare of the cask, bag, or other package, and the net weight of such coffee or cocoa nuts respectively contained therein, and whether the same be coffee or cocoa nuts of the growth and produce of any *British* colony or plantation in *America*, or of the united states of *America*, or of any other country or place, and shall also set, stamp, or affix, on the outside of such cask, bag, or other package, proper landing marks and numbers, which said respective marks and numbers shall be entered and inserted, by the proper officers of the customs and excise respectively, together with the tare of each cask, bag, or other package, and the net weight of the coffee or cocoa nuts respectively contained therein, in their respective books, to be by them kept for that purpose; and when and so soon as such entries shall have been so made as aforesaid, the importers, proprietors, or consignees respectively, shall remove each and every such cask, bag, or other package respectively, or cause the same to be removed to, and properly stowed away in such convenient part or parts of such warehouse or warehouses, and in such manner as the proper officer or officers of the customs and excise shall in that behalf direct; and if any such importer or importers, proprietor or proprietors, or consignee or consignees of coffee or cocoa nuts, having unshipped or cause to be unshipped any coffee or cocoa nuts, shall omit, neglect, or refuse, contrary to the true intent and meaning of this act, to carry and convey the same, or cause the same to be carried and conveyed to, and deposited in some or one of the warehouses as aforesaid, or shall neglect or refuse to take or cause to be taken from or out of the cask, bag, or other package containing the same, any such coffee or cocoa nuts, which shall be deposited, lodged, or secured, in any warehouse or warehouses as aforesaid, or shall neglect or refuse to bring any such coffee or cocoa nuts, or cause the same to be brought to, or put into the proper scales to be weighed as aforesaid, or shall neglect or refuse to take any such coffee or cocoa nuts, which shall have been weighed and taken an account of, as

directed

directed by this act, or cause the same to be taken from or out of the scales in which the same shall have been so weighed, or shall omit, neglect, or refuse, contrary to the true intent and meaning of this act, to remove, or cause to be removed, any such cask, bag, or other package of coffee or cocoa nuts respectively, and properly stow the same away, or cause or procure the same to be stowed away in such convenient part or parts of such warehouse or warehouses, and in such manner as such proper officer or officers of the customs and excise shall in that behalf direct, all and every such importer or importers, proprietor or proprietors, or consignee or consignees, so offending, shall, for each and every such offence, forfeit and lose the sum of fifty pounds: provided always nevertheless, that no such importer, proprietor, or consignee, shall incur or be liable to the said penalty of fifty pounds, unless he, she, or they, shall neglect or refuse to take or cause such coffee or cocoa nuts respectively to be taken from or out of the cask, bag, or other package containing the same, or to bring or cause the same to be brought to, or put into the proper scales to be weighed, or to remove and stow away the same, according to the true intent and meaning of this act, for the space of three days after he, she, or they shall have received notice so to do from the proper officer of customs or excise.

but not liable to the penalty unless they neglect for three days after notice from the officer, to take the coffee out of casks, &c.

XII. And be it further enacted by the authority aforesaid, That at any time after any such coffee or cocoa nuts respectively shall have been so weighed and taken an account of as directed by this act, the several importers, proprietors, or consignees thereof respectively, shall be permitted, in the presence of the proper officer or officers of the customs and excise respectively, belonging to such warehouse, in which such coffee or cocoa nuts shall have been so weighed and taken an account of, as directed by this act, to take out of each cask, bag, or other package, so weighed and taken an account of, a sample or samples of such coffee or cocoa nuts, not exceeding four ounces in weight: provided always nevertheless, that not more than three such samples shall be taken out of any such cask, bag, or other package whatever; and that in case the importers, proprietors, or consignees, shall be desirous of taking a second or third sample, they shall return the sample or samples which shall have been previously taken, or in lieu thereof a quantity of good coffee or cocoa nuts respectively, equal in weight to such previous sample.

After coffee and cocoa have been weighed samples may be taken.

XIII. And be it further enacted by the authority aforesaid, That the several and respective duties of excise imposed by an act, made in the twenty-seventh year of his present Majesty's reign, among other things, for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and also the additional duties, by another act of this present session of parliament, intituled, *An act for granting to his Majesty additional duties of excise on tea, coffee, and cocoa nuts*, imposed on coffee and cocoa nuts respectively imported into Great Britain, and delivered out of the warehouse in which the same shall have been lodged, under the care and custody of the proper officers, for

Duties imposed by 27 Geo. 3. c. 13. and 35 Geo. 3. c. 13. to extend to coffee and cocoa delivered for home consumption out of warehouses provided under this act.

for securing the duties payable thereon, for home consumption, shall extend, and be deemed and construed to extend, to all coffee and cocoa nuts respectively, which shall be delivered for home consumption out of any warehouse or warehouses which shall be provided under the authority or in pursuance of this act, and the said several and respective duties shall be paid and payable by such persons, at such times, and in such manner, as is herein-after directed.

Regulations
for taking
coffee and co-
coa out of
warehouses.

XIV. And be it further enacted by the authority aforesaid, That when any importer or importers, proprietor or proprietors, or consignee or consignees, of any coffee or cocoa nuts deposited, lodged, or secured, in any such warehouse or warehouses as aforesaid, shall intend to clear or take, from or out of any such warehouse or warehouses, any coffee or cocoa nuts, either for home consumption or exportation, he, she, or they, shall give to the proper officers of the customs and excise respectively such notice in writing as is herein-after mentioned, and as the case may require, of his, her, or their intention so to do; which notice, if the same be for taking out of coffee or cocoa nuts for home consumption, shall be given at least one hour, and if such notice be for taking out of coffee or cocoa nuts for exportation, the same shall be given at least twelve hours before any such coffee or cocoa nuts shall be taken out for exportation; and every such notice shall specify the particular casks, bags, or other packages, of coffee and cocoa nuts respectively so intended to be taken out, and also the landing marks and numbers, which were set, stamped, or affixed, upon each and every such cask, bag, or other package of coffee and cocoa nuts respectively, according to the directions of this act, and shall also, at the time specified in such notice, or within one hour after, at his, her, or their own expence, bring all such coffee and cocoa nuts respectively specified in such notice, from the parts or places of such warehouse or warehouses in which the same shall be deposited and stowed away, and shall put or cause the same to be put into the proper scales to be weighed in such warehouse or warehouses, and the proper officer or officers of the customs and excise shall forthwith, within such warehouse or warehouses, weigh or cause to be weighed, and taken an account of, each and every such cask, bag, or other package, of coffee and cocoa nuts respectively; and all and every such importer or importers, proprietor or proprietors, or consignee or consignees, shall thereupon forthwith pay down, in ready money, into the hands of the proper collectors of customs and excise respectively, the several duties of customs and excise imposed for or in respect of such coffee and cocoa nuts respectively as shall be intended to be taken out of such warehouse or warehouses for home consumption, according to the net weight of such coffee or cocoa nuts respectively, deducting only such allowance as is herein-after directed to be made in the weighing

Allowance for thereof.

turn of the
scale in weigh-
ing coffee and
cocoa.

XV. And be it further enacted by the authority aforesaid, That the proper officer or officers of the customs and excise shall,

all, in the weighing and taking an account of coffee and cocoa nuts respectively, in such warehouse or warehouses so to be provided as aforesaid, give the turn of the scale in favour of the owner, and in lieu thereof shall allow the importers, proprietors, or consignee thereof one pound weight avoirdupois upon each hundred every one hundred pounds weight of such coffee, and two pounds weight avoirdupois upon each and every one hundred pounds weight of such cocoa nuts respectively so weighed and taken an account of; and which said respective allowances shall be in lieu of all other allowances, and in full compensation for all loss, or damage whatever, any thing in any former act or statute of parliament contained to the contrary in any wise notwithstanding.

XVI. And be it further enacted by the authority aforesaid, that all and every importer or importers, proprietor or proprietors, or consignee or consignees, shall, before any such coffee or cocoa nuts shall be delivered out of any such warehouse or warehouses for home consumption, produce to the proper officer or officers of the customs and excise a certificate, granted by and under the hand of the collector and other chief officers of the customs, testifying the payment of the custom duties for or in respect of such coffee or cocoa nuts, and shall also in like manner produce a certificate, granted by and under the hand of the collector of excise, testifying the payment of the excise duties intended for or in respect of such coffee or cocoa nuts respectively, thereupon such coffee and cocoa nuts respectively shall be delivered out of the said warehouse or warehouses, with a permit for the removal thereof, granted by the proper officer of excise, and countersigned by the proper officer of the customs: provided always nevertheless, that no such coffee or cocoa nuts respectively shall be delivered out of any such warehouse for home consumption or exportation in any less quantity than in the intire cask, or other package, in which the same was imported, or received when first weighed and taken account of, in such warehouse or warehouses as aforesaid, nor in any less quantity than one hundred and twelve pounds weight net of coffee or cocoa nuts respectively at the least.

XVII. And be it further enacted by the authority aforesaid, that all coffee and cocoa nuts respectively, which is or are now under seizure, or which shall or may be seized after the commencement of this act, by any officer or officers of the customs and excise, under or by virtue of this or any other act or acts of parliament in force at the commencement of this act, or which hereafter afterwards be made, shall, after the seizure thereof respectively be carried to, and deposited, lodged, and secured in such warehouse or places as the commissioners of the customs and excise respectively shall appoint for that purpose.

XVIII. And be it further enacted by the authority aforesaid, that all such coffee or cocoa nuts as shall be intended for exportation to parts beyond the seas shall be delivered out of such warehouse or warehouses unto the importers, proprietors, or consignees

Coffee and cocoa may be delivered from warehouses for home consumption, on production of certificates of payment of duties.

No warehoused coffee or cocoa to be delivered but in the intire cask, and not less than 112lb.

Coffee and cocoa seized shall be lodged as the commissioners of customs and excise shall appoint.

Coffee and cocoa to be delivered for exportation on

security for
its not being
re-landed in
Great Britain:

how security
shall be dis-
charged.

Warehouse
rent to be
paid before
delivery of
coffee or
cocoa.

If coffee or co-
cocoa be not du-
ly entered, or
landed within
the prescribed
time, officers
of the customs
or excise may
warehouse it,
and the im-
porter to pay
the costs and
warehouse
rent; and if
not cleared
within a
month it may
be sold.

signees thereof, upon sufficient security to be first given to his Majesty, his heirs and successors, (which security the commissioners of the customs in *England* and *Scotland* respectively for the time being, or the proper officer or officers of the customs, are hereby required and empowered to take), that the same, and every part thereof, shall be exported, and not re-landed in *Great Britain*; which said securities shall be discharged without fee or reward, upon a certificate returned or produced to the commissioners of the customs in *England* and *Scotland* respectively, or such officer or officers as aforesaid, 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 *British* merchants then being at such place or places, that such coffee or cocoa nuts were there landed, or upon proof by credible persons that such coffee or cocoa nuts were taken by enemies, or perished in the seas, the examination and proof thereof being left to the judgement of the said commissioners of the customs for the time being.

XIX. And be it further enacted by the authority aforesaid, That all and every the importer or importers, proprietor or proprietors, consignee or consignees, shall, before any coffee or cocoa nuts respectively shall be cleared or delivered from or out of any such warehouse or warehouses, either for home consumption or for exportation, first pay into the hands of the proper officer of excise warehouse rent for such coffee or cocoa nuts respectively, at and after the rate of one shilling *per week* for each and every ton weight of such coffee or cocoa nuts respectively, and in proportion for any greater or less quantity, for the time that such coffee or cocoa nuts respectively shall be or remain in any such warehouse or warehouses.

XX. And be it further enacted by the authority aforesaid, That when the importer or importers, proprietor or proprietors, or consignee or consignees, shall neglect or refuse to make due entry of any coffee or cocoa nuts, or to land the same within the thirty days prescribed by an act made in the fifth year of his present Majesty's reign, among other things, for the better securing and further improvement of the revenues of customs, excise, inland, and salt duties, it shall and may be lawful to and for any officer or officers of customs or excise, and such officer or officers is and are hereby authorized and required to carry out and convey all such coffee or cocoa nuts respectively to, and lodge and secure the same in some or one of the warehouse or warehouses to be provided in pursuance of this act, and the importer or importers, proprietor or proprietors, or consignee or consignees of such coffee or cocoa nuts respectively, shall, over and besides the subsidies and other duties for or in respect of such coffee or cocoa nuts respectively, before the same shall be delivered to him, her, or them, from or out of such warehouse or warehouses, first pay into the hands of the proper officers of excise, warehouse rent for such coffee or cocoa nuts, at and after the rate of one shilling *per ton per week*, to be reckoned from the day of ware-

housing such coffee or cocoa nuts respectively, together with the costs, charges, and expences attending the conveying such coffee or cocoa nuts to such warehouse or warehouses, or otherwise relating to such coffee or cocoa nuts respectively; and if the importer or importers, proprietor or proprietors, or consignee or consignees of any such coffee or cocoa nuts shall, for the space of one month from the time of such coffee or cocoa nuts having been so carried to such warehouse or warehouses by such officer or officers as aforesaid, omit, neglect, or refuse to clear and take such coffee or cocoa nuts respectively out of such warehouse or warehouses, and to pay and satisfy all the subsidies and duties for or in respect of such coffee or cocoa nuts, together with such warehouse rent, costs, charges, and expences, it shall and may be lawful to and for the respective commissioners of customs or excise in *England* and *Scotland* respectively for the time being, as the case may require, after the expiration of such one month, to cause all such coffee and cocoa nuts respectively, together with the casks, bags, and other packages respectively containing the same, to be publickly sold to the best bidder, at such places as the said respective commissioners, as the case may require, shall think proper, for and towards satisfying the subsidies and other duties of customs and excise for or in respect of such coffee and cocoa nuts respectively, together with such warehouse rent, and all reasonable costs, charges, and expences of the removal, keeping, and sale, of such coffee and cocoa nuts respectively; and if the money arising from such sale thereof shall be equal to, or more than sufficient to pay and satisfy all the said duties, together with such warehouse rent, costs, charges, and expences as aforesaid, the respective receivers general of the customs in *England* and *Scotland* respectively for the time being, (in case the said respective commissioners of the customs respectively shall cause such coffee or cocoa nuts respectively to be sold), shall pay over to the said respective commissioners of excise so much of the proceeds of such sale as will be sufficient to satisfy such excise duties for or in respect of such coffee or cocoa nuts respectively; and the said respective commissioners of excise (in case they respectively shall cause such coffee or cocoa nuts respectively to be sold) shall pay over to the said respective receivers general of the customs, so much of the proceeds of such sale as will be sufficient to satisfy the subsidies and other duties of customs, for or in respect of such coffee and cocoa nuts respectively, and the overplus, if any be, shall be paid to the importer or importers, proprietor or proprietors, or consignee or consignees of such coffee and cocoa nuts respectively, or other person or persons authorised to receive the same; and in case upon such coffee or cocoa nuts being put up or offered to sale, no person or persons shall offer or bid for the same as much or more money than the said subsidies and duties taken together would amount to, together with such warehouse rent, costs, charges, and expences, as aforesaid, then and in such case it shall and may be lawful to and for such com-

Disposal of the produce.

If sufficient to pay the duties and charges, be not offered, the coffee or cocoa may be burnt.

missioners of the customs or excise respectively to cause such coffee or cocoa nuts respectively to be burnt and destroyed.

If coffee or cocoa be not taken out of warehouses, within three years it may be sold for payment of duties, &c.

XXI. And be it further enacted by the authority aforesaid, That if the importer or importers, proprietor or proprietors, or consignee or consignees, of any coffee or cocoa nuts, which shall be deposited, lodged, or secured in any warehouse or warehouses provided according to the directions or in pursuance of any act or acts of parliament in force immediately before the commencement of this act, or which shall be duly conveyed to and lodged and deposited in any warehouse or warehouses by the importers, proprietors, or consignees thereof, under and according to the directions and in pursuance of this act, shall neglect, omit, or refuse, to clear or take any such coffee or cocoa nuts from or out of such warehouse or warehouses, in which the same shall be deposited, lodged, or secured, as herein-before directed, within three years, to be computed from the day on which the same was deposited or lodged in such warehouse or warehouses by the importer or importers, proprietor or proprietors, or consignee or consignees, of such coffee or cocoa nuts respectively, according to the directions of this act, it shall and may be lawful to and for the respective commissioners of the customs and excise in *England* and *Scotland* respectively for the time being, after the expiration of such three years, to cause all such coffee and cocoa nuts respectively, together with the casks, bags, and other packages, respectively containing the same, to be publickly sold to the best bidder, at such places as the said respective commissioners (as the case may require,) shall think proper, for and towards satisfying the custom duties, and also the excise duties, by law imposed for or in respect of such coffee and cocoa nuts respectively, upon the same being delivered for home consumption out of the warehouse or warehouses in which the same shall have been so deposited, lodged, and secured, together with such warehouse rent, and all reasonable costs, charges, and expences, of the removal, keeping, and sale, of such coffee and cocoa nuts respectively; and if the money arising from such sale thereof shall be equal to, or more than sufficient to pay and satisfy all the said duties, together with warehouse rent, costs, charges, and expences, as aforesaid, the respective receivers general of the customs in *England* and *Scotland* for the time being (in case the said respective commissioners of the customs respectively shall cause such coffee or cocoa nuts respectively to be sold) shall pay over to the said respective commissioners of excise so much of such excess or surplus as will be sufficient to satisfy the excise duties by law imposed for or in respect of such coffee and cocoa nuts respectively; and the said respective commissioners of excise (in case they respectively shall cause such coffee or cocoa nuts respectively to be sold) shall pay over to the said respective receivers general of the customs so much of such excess or surplus as will be sufficient to satisfy the custom duties by law imposed for or in respect of such coffee and cocoa nuts respectively, and the over-

Disposal of the produce.

... if any be, after payment of such duties, warehouse rent, duties, charges, and expences, shall be paid to the importer or importers, proprietor or proprietors, or consignee or consignees, of such coffee and cocoa nuts respectively, or other person or persons authorized to receive the same; and in case, upon such coffee or cocoa nuts being put up or offered to sale, no person or persons shall offer or bid for the same as much or more money than the said duties taken together would amount to, together with such warehouse rent, costs, charges, and expences, as aforesaid, then and in such case it shall and may be lawful to and for the commissioners respectively to cause such coffee or cocoa nuts respectively to be burnt and destroyed: provided always nevertheless, that no coffee or cocoa nuts shall be sold by the said commissioners of customs or excise, in pursuance of this act, until after the expiration of nine months next after the commencement of this act.

If sufficient to pay the duties and charges be not offered, the coffee or cocoa may be burnt.

Time when coffee or cocoa may be sold under this act.

XXII. And be it further enacted by the authority aforesaid, that if any person or persons whatsoever shall assault, resist, oppose, molest, obstruct, or hinder, any officer or officers of the customs or excise in the due execution of this or any other act or acts of parliament in force at the commencement of this act, or thereafter to be made, relating to coffee or cocoa nuts, or of any of the powers or authorities by any such act or acts of parliament granted to any such officer or officers, or shall by force or violence, after any such officer or officers shall have seized any coffee or cocoa nuts forfeited by any such act or acts of parliament, rescue or cause to be rescued any such coffee or cocoa nuts, or shall attempt or endeavour so to do, all and every such person or persons so offending shall, for each and every such offence, for which no penalty is particularly provided by this act, forfeit and lose the sum of one hundred pounds.

Penalty for obstructing officers, or rescuing coffee, &c.

XXIII. And be it further enacted by the authority aforesaid, that all fines, penalties, and forfeitures, created or imposed by any act, and which shall be sued for or prosecuted under or by virtue of the order or permission of the commissioners of the customs in *England* and *Scotland* respectively, or by any officer or officers of the customs, shall and may be sued for, prosecuted, recovered, and disposed of, in such manner, and by such ways, means, and methods, as any fines or penalties incurred, or any goods or chattels forfeited for any offence against the laws of customs, may lawfully be sued for, prosecuted, recovered, and disposed of, and the officer or officers of the customs concerned in any such prosecution shall be entitled to and receive such share of the produce arising from the seizures as they are now by law entitled to upon prosecutions of seizures for unlawful importation, and such share of the produce arising from any pecuniary penalty or composition paid for any offence against this act, as they are now by any law or regulation entitled to upon prosecutions for pecuniary penalties.

Recovery and application of penalties sued for by officers of customs.

XXIV. And be it further enacted by the authority aforesaid, that all fines, penalties, and forfeitures, imposed by this, or any other

Recovery and application of

penalties sued for by officers of the excise.

other act or acts of parliament in force at the commencement of this act, relating to coffee or cocoa nuts, and which shall be prosecuted or sued for by order of the commissioners of excise in *England* and *Scotland* respectively, or by any officer or officers of excise, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, penalty, or forfeiture, may be sued for, recovered, levied, or mitigated, 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*, or in the court of exchequer in *Scotland* respectively, 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, her, or them, who shall inform, discover, or sue, for the same.

5 Geo. 2.
c. 24. and
23 Geo. 3.
c. 79, &c.
to remain in
force, except
hereby alter-
ed.

XXV. And be it further enacted by the authority aforesaid, That all the powers, authorities, rules, directions, regulations, penalties, forfeitures, provisions, clauses, matters, and things, which, in or by an act made in the fifth year of the reign of his late majesty King *George* the Second, intituled, *An act for encouraging the growth of coffee in his Majesty's plantations in America*, or in an act made in the twenty-third year of his present Majesty's reign, intituled, *An act for the further encouraging the growth of coffee and cocoa nuts in his Majesty's islands and plantations in America*, or in and by any act or acts of parliament therein respectively mentioned or referred unto, or in or by any other act or acts of parliament relating to coffee and cocoa nuts respectively, or either of them, in force immediately before the commencement of this act, are contained, provided, settled, or established, for managing, assessing, raising, levying, collecting, recovering, adjudging, mitigating, ascertaining, enforcing, or securing, the duties by law imposed for or in respect of coffee and cocoa nuts respectively, or either of them, and for preventing, detecting, and punishing, frauds relating thereto, (except where the same respectively are repugnant to, or are expressly altered by this act, shall be and remain in full force, to all intents and purposes, and the same powers, authorities, methods, rules, directions, regulations, penalties, forfeitures, provisions, clauses, matters, and things, (except as before excepted), shall continue to be duly observed, practised, applied, used, and put in execution throughout the whole kingdom of *Great Britain*, as fully and effectually, to all intents and purposes, as if the said powers, authorities, methods, rules, directions, regulations, penalties, forfeitures, provisions, clauses, matters, and things, had been expressly inserted and re-enacted in this present act.

Commencement of act where none is provided.

XXVI. And be it further enacted by the authority aforesaid, That this act shall commence and take effect, as to all such matters and things therein contained, in respect whereof no special commencement is hereby directed or provided, from and immediately after such warehouse or warehouses shall be pronounced in pursuance of this act, in or near the port of *London*.

C A P. CXIX.

An act to prohibit, for a limited time, the making of low wines or spirits from wheat, barley, malt, or any other sort of grain, or from any meal, flour, or bran; and for permitting home-made spirits, deposited in the warehouses for exportation, to be taken out for home consumption, on payment of duty.—[June 26, 1795.]

WHEREAS it is expedient that the distillation of low wines Preamble.

or spirits, and the making or preparing of wort or wash for the distillation of low wines or spirits, from wheat, barley, malt, and all other sorts of grain, and from meal, flour, or bran, should be prohibited for a limited time; 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 tenth day of *July* one thousand seven hundred and ninety-five, until and upon the first day of *February* one thousand seven hundred and ninety-six, in that part of *Great Britain* called *England*; and from and after the seventeenth day of *July* one thousand seven hundred and ninety-five, until and upon the first day of *February* one thousand seven hundred and ninety-six, in that part of *Great Britain* called *Scotland*; no low wines or spirits shall be brewed, made, prepared, extracted, or distilled, from any wheat, barley, malt, or tilts, or any other sort of corn or grain, or from any meal, flour, or bran, or any mixture with the same.

No spirits to be distilled from corn or grain in *Great Britain* for a certain period:

II. And be it further enacted by the authority aforesaid, That if, during the time before limited, any distiller or distillers, maker or makers of low wines or spirits, or any other person or persons whatsoever, shall brew, make, prepare, extract, or distil, or cause or procure to be brewed, made, prepared, extracted, or distilled, any low wines or spirits from any wheat, barley, malt, or other corn or grain, or from any meal, flour, or bran, or any mixture with the same, or shall use or mix, or cause or procure to be used or mixed, any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, in any wort or wash, in order for the brewing, making, preparing, extracting, or distilling, any low wines or spirits, or shall put or lay, or cause or procure to be put or laid, in any tun, wash-batch, cask, copper, still, or other vessel or utensil, any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, or any mixture with the same, for the purpose of preparing any wort or wash, or for brewing, making, preparing, extracting, or distilling any low wines or spirits, whether such tun, wash-batch, cask, copper, still, or other vessel or utensil, shall or shall not have been or be duly entered at the excise office, that then, and in each and every of the said cases, such distiller or distillers, maker or makers, of low wines or spirits, or other person or persons acting contrary to the directions of this act, and the person or persons in whose custody or possession any such tun, wash-batch, cask, copper, still, or other vessel

penalty of 500*l.* with the corn, &c. for so distilling.

or utensil, which shall be made use of contrary to the intention of this act, shall be found, shall severally and respectively, for every such offence, forfeit and pay the sum of five hundred pounds; and all such wheat, barley, malt, and other corn or grain, and such meal, flour, and bran, or other mixture with the same, and such wort and wash, low wines and spirits, shall be forfeited, and shall and may be seized by any officer or officers of excise.

Penalty not to extend to distilling from wash openly brewed before certain days.

III. Provided always nevertheless, and be it further enacted, That nothing in this act contained shall extend, or be deemed or construed to extend, to subject any entered distiller to the said penalty of five hundred pounds, for or by reason of his extracting or distilling any low wines or spirits from any wash openly brewed in his entered distillery, on or before the fifth day of *July* one thousand seven hundred and ninety-five in that part of *Great Britain* called *England*, or on or before the twelfth day of *July* one thousand seven hundred and ninety-five in that part of *Great Britain* called *Scotland*; any thing in this act contained to the contrary in any wise notwithstanding.

Wheat, &c. found in any stillhouse, &c. after certain days, forfeited, and 200l.

IV. And be it further enacted by the authority aforesaid, That if any wheat, wheat meal, or wheat flour, shall, within the time herein-before limited, be found in any workhouse, stillhouse, storehouse, warehouse, or any other place wherein low wines or spirits, or wort or wash, shall be preparing, or shall be brewed, made, extracted, distilled, or prepared, or where any low wines or spirits, or wort or wash, shall have been brewed, made, extracted, distilled, or prepared, after the tenth day of *July* one thousand seven hundred and ninety-five, in that part of *Great Britain* called *England*, and after the seventeenth day of *July* one thousand seven hundred and ninety-five, in that part of *Great Britain* called *Scotland*, all such wheat, wheat meal, and flour, shall be forfeited, and shall and may be seized by any officer or officers of excise, and the person or persons in whose possession such workhouse, stillhouse, storehouse, warehouse, or place, shall be, shall, for every such offence, respectively also forfeit and pay the sum of two hundred pounds.

During the limited period the commissioners of excise and justices of peace in *England* may authorize persons, with officers of excise, to enter stillhouses, &c. to inspect materials and utensils.

V. And be it further enacted by the authority aforesaid, That during the time herein-before limited, it shall be lawful for any person or persons, who shall be authorized for that purpose by the commissioners of excise for the time being, or any two or more of them, within the limits of the chief office of excise in *London*, or by one or more justice or justices of the peace in any other part of *Great Britain*, at any time or times with any officer of excise to enter into any workhouse, stillhouse, storehouse, warehouse, or any other place whatsoever, wherein any low wines or spirits, or wort or wash, shall be or are suspected to be preparing, or to be brewed, made, or extracted, distilled, or prepared, or wherein low wines or wort, or wash, shall have been made, brewed, extracted, distilled, or prepared, after the said tenth day of *July* one thousand seven hundred and ninety-five, and seventeenth day of *July* one thousand seven hundred and ninety-five respectively, and shall have free admittance into the same, and

may inspect all the materials, vessels, and utensils, therein contained, (giving thereby as little interruption as may be to the business, which shall be carrying on); and in case any such officer of excise shall have reason to suspect that any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, is mixed in any wort or wash, or in any other material or preparation for brewing, making, extracting, or distilling, low wines or spirits, it shall be lawful for such officer at any time or times during the said term, upon payment of two shillings and sixpence, to take a sample not exceeding two quarts of any such wort or wash, material or preparation, which shall be found in any such house or other place aforesaid; and in case any distiller or distillers, maker or makers, of low wines or spirits, or the owner or occupier of any such house or place, or any workman or servant to any such distiller or distillers, maker or makers, or owner or occupier belonging, shall refuse to admit such person or persons as shall be so authorised, or any officer or officers of excise into any such house or place, or shall obstruct or hinder any such officer or person or persons in making such inspection as aforesaid, or shall not allow any such officer to take such sample after the said sum of two shillings and sixpence shall be paid or tendered for the same, every such distiller or maker, owner or occupier, shall, for every such offence, respectively forfeit and pay the sum of two hundred pounds; and it shall be lawful for any such officer of excise or other person or persons authorised as aforesaid, having a warrant for that purpose from any two or more of the commissioners of excise, or any justice or justices respectively as aforesaid, to seize, take, and carry away, all such wheat, barley, malt, and other corn or grain, and all such meal, flour, and bran, as shall be found in any such house or other place, together with all the vessels, sacks, bags, and other things, in which the said commodities shall be contained.

If officer suspect corn to be mixed in wort he may take a sample:

penalty of 200l. for obstructing inspection, or not allowing a sample to be taken.

Corn found may be seized.

Distillers having in the limited period more than 5 quarters of wheat, &c. in any place, (except still-house), to forfeit the surplus and 10l. per quarter;

VI. And be it further enacted by the authority aforesaid, That if any distiller or maker of low wines or spirits for sale or exportation, shall, after the tenth day of *July* one thousand seven hundred and ninety-five, until and upon the first day of *February* one thousand seven hundred and ninety-six, in that part of *Great Britain* called *England*; and from and after the seventeenth day of *July* one thousand seven hundred and ninety-five, until and upon the first day of *February* one thousand seven hundred and ninety-six, in that part of *Great Britain* called *Scotland*, be possessed of, or have in his, her, or their custody or possession, or in the custody or possession of any person or persons in trust or for the use or benefit of such distiller or maker of low wines or spirits, more than five quarters of wheat, wheat meal, or wheat flour, at any one time, in any one or more place or places, (not being a place or places for preparing, brewing, making, extracting, distilling, or keeping wort or wash, low wines or spirits), every such distiller or distillers, maker or makers, of low wines and spirits, shall, for every such offence, respectively forfeit all such wheat, wheat meal, and flour, exceeding the said quantity of five quarters, and also the sum of

Penalty not to extend to distillers being growers of wheat, or millers, in certain cases.

ten pounds for every quarter so forfeited : provided always, that this act shall not extend to inflict the said last mentioned penalty and forfeiture upon any distiller or maker of low wines or spirits, who shall be the actual grower of wheat, and shall be possessed of any quantity of such wheat grown by him or her, in the straw, or after the same is threshed out or separated from the straw, provided that such wheat shall not be kept in his or her possession, or in the possession of any other person or persons in trust for him or her for a greater space of time than twenty days after the same shall be threshed or separated from the straw, and so as such wheat be not kept in any place used for brewing, making, extracting, or distilling low wines or spirits, or for preparing or keeping wort or wash : provided also, that this act shall not extend to inflict the said last mentioned penalty and forfeiture upon any distiller or maker of low wines or spirits who practises the trade of a miller, and who was possessed of and worked any mill or mills for the grinding of wheat on or before the tenth day of *July* one thousand seven hundred and ninety-five, for or upon account of any quantity of wheat which shall, during the time herein-before limited, be found not wetted or steeped in any such mill or mills ; any thing herein contained to the contrary notwithstanding.

On oath of ground of suspicion that more than five quarters of wheat, &c. is kept in any storehouse, &c. officers and other persons may be authorized to search for, and may seize the surplus ; and the persons in whose custody found, to forfeit 10l. per quarter.

VII. And be it further enacted by the authority aforesaid, That in case any officer or officers of the excise, or any other person or persons, shall at any time or times have cause to suspect that any wheat, wheat meal, or wheat flour, exceeding the quantity of five quarters, shall be laid or kept in any such storehouse, warehouse, granary, or other place or places as aforesaid, belonging to any distiller, or maker of low wines or spirits, contrary to the true intent and meaning of this act, then, and in every such case, upon oath made by such officer or officers, or other person or persons before the commissioners of excise for the time being respectively, or any two or more of them, or before one or more justice or justices of the peace residing near the place where such officer or officers, or other person or persons, shall suspect the same to be laid and kept, setting forth the ground of their suspicion, it shall and may be lawful to and for the said commissioners, or justice or justices of the peace respectively, before whom such officer or officers, or other person or persons, shall make oath as aforesaid, (if he or they shall judge it reasonable), by special warrant under his or their respective seals, to authorize and empower such officer or officers, or other person or persons authorized as aforesaid, by day or by night, (but if in the night, then in the presence of a constable, or other lawful officer of the peace), to enter into all and every storehouse, warehouse, granary, or other place or places where he or they shall so suspect that any wheat, wheat meal, or wheat flour, exceeding the quantity of five quarters as aforesaid, shall be laid or kept, belonging to any such distiller or distillers, maker or makers, of low wines or spirits, and to seize, take and carry away, all such wheat, wheat meal, and flour, as he or they shall so find, (over

(over and above the said quantity of five quarters), together with all the vessels, sacks, bags, or other things wherein the same shall be contained; and such distiller or distillers, maker or makers, of low wines or spirits, or the person or persons in whose custody or possession such wheat, wheat meal, or flour, belonging to such distiller or distillers, maker or makers, shall be found, shall for every such offence, respectively forfeit and pay the said penalty of ten pounds for every quarter, exceeding the said quantity of five quarters; and the said officer or officers, and other person or persons, is or are hereby empowered by such warrant, together with such other person or persons as he or they shall take to his or their assistance, to enter such storehouses, warehouses, granaries, and other place or places, and break open the doors thereof in case they be not forthwith opened on demand.

Doors may be broken open.

VIII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, penalty, or forfeiture, may be sued for, recovered, levied, or mitigated, 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*, or in the court of exchequer in *Scotland* respectively; 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 who shall inform, discover, or sue for the same.

Recovery and application of penalties.

IX. And whereas there may have been contracts made by distillers, with several persons, for spirits, grains, or yeast, to be delivered and received at future times, after the tenth day of July one thousand seven hundred and ninety-five; be it therefore further enacted by the authority aforesaid, That all contracts or bargains made by any distiller or distillers, with any person or persons whatsoever, for any spirits, grains, or yeast, to be delivered at any time during the continuance of this act, shall be and are hereby declared to be suspended.

Contracts for delivery of spirits during the continuance of this act void.

X. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons, for any thing done in pursuance of this act, such action or suit shall be commenced within the space of one calendar month next after the offence shall be committed; and if such action or suit shall be commenced or prosecuted in that part of *Great Britain* called *England*, the defendant or defendants in any such action or suit, may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if judgment shall be given upon any verdict or demurrer against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as

Limitation of actions.

General issue.

Treble costs.

any

This act may be pleaded in Scotland.

any defendant or defendants hath or have in other cases by law; and if such action or suit be commenced or prosecuted in that part of *Great Britain* called *Scotland*, the court before whom such action or suit shall be brought, shall allow the defender to plead this act on his defence, and the pursuer shall not insist on his action; or if judgement shall be given against such pursuer, the defender shall and may recover the full and real expences he may have been put to by any such action or suit.

Commissioners of excise in Scotland to make an allowance of the duties on stills for the time they are prevented working under this act.

XI. *And whereas, by divers laws now in force, certain annual duties are imposed upon stills used for distilling spirits from corn or grain, in proportion to the contents of such stills: and whereas it is reasonable that an allowance should be made for such part of the usual season for distilling, during which they may be prevented from working in consequence of this act:* be it enacted by the authority aforesaid, That it shall and may be lawful for the commissioners of excise in *Scotland*, or any four of them, to make such allowances to the persons taking out such licences respectively, as shall appear to the said commissioners, with the approbation of the lords commissioners of his Majesty's treasury, or any three of them, to be reasonable.

His Majesty may authorise the making of spirits at any time after July 10, 1795.

XII. Provided always, and be it enacted by the authority aforesaid, That in case his Majesty, at any time or times after the tenth day of *July* one thousand seven hundred and ninety-five, shall, in his royal discretion, judge it to be most for the benefit and advantage of this kingdom, to permit the making of low wines and spirits from wheat, barley, malt, or any other sort of grain, or from any meal, flour, or bran, that then it shall and may be lawful to and for his Majesty, by his royal proclamation or proclamations to be issued, by and with the advice of his privy council, or by his Majesty's order in council, to be published in the *London Gazette*, from time to time, to permit and suffer all and every person and persons, natives and foreigners, (but not any particular person or persons), at any time or times after the said tenth day of *July* one thousand seven hundred and ninety-five, to make low wines and spirits from wheat, barley, malt, or any other sort of grain, or from any meal, flour, or bran; any thing herein contained to the contrary notwithstanding.

Spirits from corn, deposited in warehouses for exportation before June 20, 1795, may be taken out for home consumption on payment of duty.

XIII. And be it further enacted by the authority aforesaid, That if any distiller or distillers, who shall have deposited any spirits drawn or made in *Great Britain* from corn, before the twentieth day of *June* one thousand seven hundred and ninety-five, for exportation to parts beyond the seas, according to the rules, regulations, and provisions, of an act made in the second year of his present Majesty's reign, among other things, for better regulating and encouraging the exportation of *British-made* spirits in any such warehouse as is mentioned in the said act, shall be desirous of using any such spirits for home consumption, and shall signify such his, her, or their desire to the commissioners of excise in *England* and *Scotland* respectively for the time being, the said respective commissioners respectively shall direct the quantity of spirits so desired to be taken out of such warehouse, and

delivered

delivered to such distiller or distillers, he, she, or they having first duly paid to the proper officer or officers of excise a duty of excise at and after the rate of forty pounds eighteen shillings and two-pence farthing for each ton of such spirits of the strength they were taken into such warehouse, (that is to say), One in six under hydrometer proof, any acts of parliament to the contrary thereof in anywise notwithstanding; and the said duty shall be applied in like manner as the said duties by law imposed for or in respect of fermented wort or wash, brewed or made in that part of *Great Britain* called *England*, from malt, corn, grain, or tilts, for extracting spirits for home consumption, and for or in respect of stills used or employed in that part of *Great Britain* called *Scotland*, for making of low wines or spirits, from corn, grain, malt, tilts, cyder, or perry, or other wash or liquor, made or brewed from *British* materials, are now directed to be applied.

C A P. CXX.

An act for granting to his Majesty a certain sum of money out of the consolidated fund; for the service of the year one thousand seven hundred and ninety-five; and for further appropriating the supplies granted in this session of parliament.—[June 26, 1795.]

2,895,000l. may be issued out of the consolidated fund; which may be raised by loans or exchequer bills on the credit of the said fund. Money lent on security of this act not to be rated to any tax. Tallies of loan to be struck, &c. Orders for repayment to be registered and paid in course. No fee to be taken for registering. &c. on penalty of treble value and costs, and also loss of place. Not to be deemed undue preference which orders of the same date, brought the same day, are entered first, so they are all entered; nor if subsequent orders are paid before prior ones not brought for payment, if money be reserved to discharge them. Orders assignable. Treasury may order the sum hereby granted to be raised by exchequer bills in the manner prescribed by the malt act of the present session; the provisions of which act (except such as charge the bills on the malt duties, and limit the rate of interest) to extend to this. Bills and interest, &c. to be discharged out of the consolidated fund. Bank may advance money on the credit of this act. Monies raised by the malt duties, land tax, loans, 2,000,000l. Further loans, 1,500,000l. Annuities; lottery; and 2,895,000l. out of the consolidated fund, to be applied (with the residue of the sale of French prizes) to the uses hereafter expressed. 6,315,523l. 3s. 9d. for naval services for 1795. 34,155l. 18. 9d. for land service of the ordnance not provided for in 1793. 25,357l. 14s. 5d. for sea service of the ordnance not provided for in 1793. 1,045,305l. 19s. 8d. for land service of the ordnance not provided for in 1794. 39,387l. 0s. 3d. for sea service of the ordnance not provided for in 1794. 1,176,804l. 17s. 9d. for land service of the ordnance in 1795. 200,000l. to the king of Sardinia. 11,474,358l. 17s. 8d. 3q. granted for land forces in 1795. 2,777,534l. 19s. 1d. for 119,380 effective men, officers, &c. in Great Britain, &c. 691,307l. 15s. 7d. for forces in the plantations, Gibraltar, Corlica, and New South Wales. 40,096l. 9s. 9d. for difference between British and Irish pay of regiments in the West Indies. 8,323l. 17s. 10d. 2q. for regiments in East India. 385,000l. for recruiting contingencies, &c. 480,000l. for levy money, &c. for augmentations to the land forces. 115,820l. 0s. 3d. for general, staff and hospital officers. 79,978l. 4s. 4d. for supernumerary officers. 110,820l. 18s. 3d. to the paymaster general, secretary at war, &c. 128,864l. 3s. 9d. for reduced officers of land forces and marines. 135l. 16s. 3d. for reduced officers, &c. of the horse guards. 1,000l. for officers late in the service of the States General. 52,500l. for reduced officers of the British American forces; and 7,500l. for allow-

ances to them. 10,387l. 13s. 3d. for widows pensions. 930,047l. 11s. 3d. for militia and fencibles; and 210,000l. for their contingencies, &c. 107,137l. 11s. 6d. for militia cloathing. 280,048l. 8s. 3d. for fencible cavalry. 80,000l. for bread allowance, &c. to fencible cavalry. 495,651l. for 18,000 Hanoverians. 333,253l. for troops of the landgrave of Hesse Cassel. 76,076l. for troops of the landgrave of Hesse Darmstadt. 92,244l. for troops of the duke of Brunswick. 427,269l. 11s. 6d. for French emigrant regiments. 23,806l. 11s. 5d. for augmentations to the militia in 1794. 246,877l. 15s. for corps transferred from the Irish to the British establishment in 1794. 149,856l. 15s. 1d. for Chelsea Hospital. 68,850l. 11s. 6d. 19. for extraordinaries of Hessians employed in America. 3,063,911l. 12s. 4d. for extraordinaries of land forces in 1794. 27,500l. for preparation for the marriage of the Prince of Wales. 25,000l. for completing Carlton House. 2,000,000l. for discharging exchequer bills made out under 34 Geo. 3. c. 28. 1,500,000l. for discharging further exchequer bills, made out under 34 Geo. 3. c. 19. 2,500,000l. for discharging exchequer bills made out under 34 Geo. 3. c. 62. 47,649l. 11s. 5d. issued pursuant to addresses of the house of commons. 7,175l. for the civil establishment of Upper Canada, from Jan. 1, to Dec. 31, 1795. 4,415l. for the like at Nova Scotia, from Jan. 1, to Dec. 31, 1795. 4,550l. for the like of New Brunswick in America, from June 24, 1795, to June 24, 1796. 1,900l. for the like at the island of Saint John in America, from Jan. 1, to Dec. 31, 1795. 1,800l. for the like of the island of Cape Breton in America, from June 24, 1795, to June 24, 1796. 1,231l. 10s. for the like of the island of Newfoundland, from April 1, 1795, to April 1, 1796. 4,050l. for the like of the Bahama Islands, from Jan. 1, to Dec. 31, 1795. 580l. for the salary of the chief justice of the Bermuda, or Somers Islands, from June 24, 1795, to June 24, 1796. 600l. for the salary of the chief justice of the island of Dominica, from Jan. 1, to Dec. 31, 1795. 5,541l. for the civil establishment of New South Wales, from Oct. 10, 1794, to Oct. 10, 1795. 20,000l. for forts in Africa. 4,069l. 2s. to James Wilks, esq. for forming an establishment in Africa. 4,500l. for roads and bridges in the Highlands of Scotland. 5,682l. 2s. 4d. for extraordinary expences of the mint to July 27, 1794. 1,386l. 2s. 6d. for the like, to Dec. 31, 1794. 204,549l. 6s. 1d. for part of orders made out pursuant to 28 Geo. 3. c. 40. respecting the American loyalists. 55,091l. 19s. 6d. for the like pursuant to 30 Geo. 3. c. 34. 4,794l. 6s. 6d. for expences of the trial of Warren Hastings, esq. 6,958l. 8s. 4d. for provisions, &c. sent to New South Wales. 11,463l. 13s. 8d. to Duncan Campbell, esq. for convicts on the river Thames. 15,440l. 5s. 11d. 29. to James Bradley, esq. for convicts in Langston and Portsmouth harbours. 24,500l. for American sufferers. 1,059l. 14s. for French proprietors of the island of Saint Domingo. 98,410l. for the suffering clergy and laity of France. 37,500l. for the like and former officers of the marine, &c. 24,335l. 12s. for his Majesty's service abroad, from Jan. 5, 1794, to Jan. 5, 1795. 463l. 16s. 1d. for fees on escheats, &c. in Nova Scotia, 1,089l. 6s. 2d. for expences occasioned by the alien act. 869l. 19s. for the index to the lords' journals. 2,823l. 10s. 5d. for designs of penitentiary houses, &c. 3,000l. to the board of agriculture. 200,000l. towards the reduction of the national debt. 41,688l. 14s. 6d. 39. to the representatives of Richard Oswald, esq. 525l. 16s. 8d. advanced by Mr. Marsh towards the lottery, 1794. 1,500l. for the Veterinary College. 848,915l. 4s. 2d. 39. to complete the sum granted out of the consolidated fund for 1794. 744,037l. 11s. 1d. for deficiency of grants in 1794. Supplies to be applied for the purposes before mentioned only. Rules to be observed in the application of the sum granted for half-pay. By 34 Geo. 3. c. 49. 146,843l. 10s. 10d. was appropriated to be paid to reduced officers for 1794. The overplus of which sum may be disposed of to officers maimed, &c. as his Majesty shall direct.

C A P. CXXI.

An act to explain and amend an act, made in the twentieth year of the reign of his present Majesty, intituled, An act to amend an act, made in the last session of parliament, intituled, 'An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy;' and for making further provisions for those purposes; and also an act, made in the twenty-first year of the reign of his present Majesty, intituled, An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy; and for the better encouragement of seamen for his Majesty's navy.—[June 26, 1795.]

WHEREAS by an act of parliament, passed in the nineteenth year of the reign of his present Majesty, intituled, An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy, the flag officers, commanders, and other officers, seamen, marines, and soldiers, on board every ship and vessel of war in his Majesty's pay, are entitled to the sole interest and property of and in all and every ship, vessel, goods, and merchandizes, which they had taken since the twenty-ninth day of July one thousand seven hundred and seventy-eight, or should thereafter take during the continuance of hostilities against France, (being first adjudged lawful prize), to be divided in such proportions and manner as in his Majesty's proclamation therein mentioned was directed, or as his Majesty, his heirs and successors, should direct, by proclamation or proclamations thereafter to be issued, and divers provisions, directions, and regulations, were thereby enacted for the better carrying the purposes of the said act into execution: and whereas in and by another act, made and passed in the twentieth year of his present Majesty's reign, intituled, An act to amend an act, made in the last session of parliament, intituled, 'An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy;' and for making further provisions for those purposes; and in and by another act, made and passed in the twenty-first year of his present Majesty's reign, intituled, An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy, certain provisions were made for the distribution and payment of prize and bounty money, to arise from Spanish and Dutch ships and vessels to be captured by such ships and vessels as should be commissioned by letters of marque, but no sufficient provisions or regulations were contained in the two last mentioned acts respecting such Spanish and Dutch ships and vessels as should be captured by his Majesty's ships and vessels of war, in like manner as hath been usually done in other cases of the like kind in former acts of parliament: 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 all the provisions and regulations in the said two last mentioned acts shall be deemed and taken to extend to all such Spanish and Dutch

Preamble.

19 Geo. 3.

c. 67.

20 Geo. 3.

c. 23, and

21 Geo. 3.

c. 15, recited.

Provisions of the two last recited acts to extend to Spanish and Dutch

prizes made during the hostilities therein mentioned.

Dutch prizes as were made by any of his Majesty's ships and vessels of war, during the hostilities mentioned in the said two last mentioned acts respectively, as fully, amply, and effectually, to all intents and purposes whatsoever, as if such provisions and regulations had been therein and thereby expressly applied to such *Spanish* and *Dutch* prizes so captured by any of his Majesty's ships and vessels of war as aforesaid, and that no lapse of time shall incur or be pleadable in bar of the demands which may hereafter be made by the commissioners and governors of the royal hospital for seamen at *Greenwich*, in the county of *Kent*, under and by virtue of the said acts as hereby amended, but from the passing of this act of parliament.

Oath of having paid monies claimed by the governors of *Greenwich* hospital, previous to passing this act, to be proof.

II. Provided always, and be it further enacted, That in case any demand shall be made by the said commissioners and governors against any persons or person for or in respect of any money which shall be claimed by the said commissioners and governors as vested in them by virtue of this act, and any question shall arise whether any sums or sum of money demanded in such suit have or has been paid previous to the passing of this act to any persons or person entitled or claiming to be entitled to receive the same, it shall be lawful for the persons or person, against whom any such demand shall be made, to discharge themselves, himself, or herself, thereof, by their, his, or her oath, declaring that such sums or sum of money had been so paid to the knowledge or belief of such persons or person without producing other proof of actual payment thereof.

Agents for prize money under recited acts having paid over monies before *May 1, 1795*, not liable to demands of *Greenwich* hospital.

III. Provided also, and be it further enacted, That if any person appointed an agent for any prize money under the said recited acts respectively, or the representatives of any such person, shall appear to have fairly and *bona fide* paid over, before the first day of *May* one thousand seven hundred and ninety-five, any money in his, her, or their hands, arising from such prize money, to any other persons or person duly appointed to be agents or agent, jointly or severally, for the same prize money, such persons or person who shall have so paid over such money, his, her, or their, executors or administrators, shall not by virtue of this act be made liable to any demands of the said commissioners and governors in respect of any money so paid over as aforesaid.

Where injury would arise from demands not having been sooner made, it may be given in evidence.

IV. Provided also, and be it further enacted, That if any injury would arise to any persons or person against whom any demand shall be made by virtue of this act, if such demand should be enforced in the whole or in part by reason of the length of time elapsed since the passing of the said recited acts, which injury might not have arisen if such demands had been sooner made, it shall be lawful for such persons or person to give in evidence in any suit any matters tending to shew such injury, and so much only shall be recovered against such persons or person as in justice and equity, under all the circumstances of the case, ought to be recovered.

Demands may be compromised, or referred to arbitration.

V. Provided also, and be it further enacted, That if any persons or person against whom any demand shall be made by virtue

of this act shall be desirous of compromising the same with the said commissioners and governors, or of referring the consideration thereof to arbitration, it shall be lawful for the said commissioners and governors to compromise the same, in such manner as they shall deem reasonable, all circumstances considered, or to refer the consideration thereof to arbitration, and to authorise the arbitrator or arbitrators to be named for that purpose, to make such allowances as may be reasonable in respect of the length of time which has elapsed since the passing of the said recited acts, and all circumstances attending the affairs of the several persons against whom or against whose representatives such demands may be made.

C A P. CXXII.

An act to enable his Majesty, under certain regulations, to erect independent burghs of barony in that part of Great Britain called Scotland; and for removing certain difficulties as to the granting of leases in towns and villages on the fishing coasts of that kingdom.—[June 26, 1795.]

C A P. CXXIII.

An act for the more easy and expeditious recovery of small debts, and determining small causes, arising out of personal contract or obligation, in that part of Great Britain called Scotland.—[June 26, 1795.]

C A P. CXXIV.

An act to enable woolcombers to exercise trades in any town or place in Great Britain.—[June 26, 1795.]

WHEREAS *the combing of wool forms a distinct and considerable branch of the woollen manufacture, in which branch great numbers of industrious persons have been educated and employed; and whereas from the great improvement of machinery the employment hitherto afforded to such persons and their families is likely to be much diminished: and whereas many of them would willingly employ themselves in other branches of the woollen manufacture, or in such trades as they are, or may become, 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 bye-laws and customs of those places, or of the statute, made in the fifth year of Queen Elizabeth, prohibiting the use of certain trades to any person who hath not served as an apprentice to such trade for the space of seven years; 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* Preamble.

Such persons who have served an apprenticeship to the art, mystery, or trade, of a woolcomber, or who are, by law, entitled to use and exercise the same, and also the wives and children of woolcombers, may set up and exercise such trade, or any other trade or business which they are apt and able for, in any

Woolcombers, and their families, may set up trade in any place;

nor shall they be removeable until they become chargeable.

Persons sued, proving their apprenticeship, &c. to be found not guilty.

Double costs.

Judges, &c. to notice this act.

Justices may summon woolcombers to make oath of their legal settlement.

Copy of affidavit to be given, which shall be evidence, &c.

town or place within this kingdom, without any let, suit, or molestation, of any person or persons whatsoever, for or by reason of the using of such trade; nor shall such woolcombers, or their wives or children, during the time they shall exercise such trades, be removeable from such respective place or places to his, her, or their, last legal place of settlement, by virtue of any law now in being relative to the settlement of the poor, until such person or persons shall become actually chargeable to such parish or place; and if any such woolcomber, or the wife or child of any such woolcomber, shall be sued, impleaded, or indicted, in any court whatsoever within this kingdom, for using or exercising any such trades as aforesaid, then the said woolcomber, or the wife or child of any such woolcomber, making it appear to the same court where they are so sued, impleaded, or indicted, that they have served a legal apprenticeship to the said trade of a woolcomber, as aforesaid, or that he, she, or they, is or are the wife or wives, child or children, of such woolcomber or woolcombers who shall have so served a legal apprenticeship as aforesaid, shall, upon the general issue pleaded, be found not guilty, in any plaint, bill, information, or indictment, exhibited against them; and such persons who, notwithstanding this act, shall prosecute the said suit by bill, plaint, information, or indictment, and shall have a verdict pass against him, or become nonsuit therein, or discontinue their said suit, such person or persons shall pay unto such woolcomber, or the wife or child of such woolcomber respectively, double costs of suit; to be recovered as any other costs at common law may be recovered; and all judges and juries before whom any such suit, information, or indictment, shall be brought, and all other persons whatsoever, are to take notice of this present act, and shall conform themselves thereto; any statute, law, ordinance, custom, or provision, to the contrary in anywise notwithstanding.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any two or more justices of the peace for the county, town, or place, where any such woolcomber, or his wife or child, shall set up and exercise any trade as aforesaid, to cause him or her to be summoned before them in the town or place where he or she shall set up and exercise such trade as aforesaid, in order to make oath of the place of his or her last legal settlement, (which oath the said justices are hereby empowered to administer), and such woolcomber, or his wife or child, is hereby directed to obey such summons, and to make oath accordingly; and such justices are hereby required to give an attested copy of such affidavit so made before them to the person making the same, in order that he or she may produce it when required; which attested copy shall, at any time, be admitted as evidence as to such last legal settlement, before any of his Majesty's justices of the peace at any general or quarter sessions of the peace: provided always, that in case any such woolcomber, or his wife or child, shall again be summoned to make oath as aforesaid, then, on such attested copy of the oath by him or her

formerly taken being produced by him or her, or by any other person on his behalf, such woolcomber, or his wife or child, shall not be obliged to take any other or further oath with regard to his or her legal settlement, but shall leave a copy of such attested copy of his or her examination, if required.

III. Provided always, That this act shall not in anywise be prejudicial to the privileges of the universities of *Cambridge* and *Oxford*, or either of them; or extend to give liberty to any person to set up the trade of a vintner, or to sell any wine or other liquors within the said universities without licence first had and obtained from the vice chancellor of the same respectively.

Act not to prejudice the universities.

C A P. CXXV.

act for preventing the accumulation of debts by any future heir apparent of the crown, and for regulating the mode of expenditure from the time when a separate establishment shall be made for such future heir apparent.—[June 26, 1795.]

VHEREAS it is expedient to establish a regular course of payment of all just demands which may be hereafter made upon future heir apparent of the crown, for any debt to be incurred, that the accumulation of debt may be prevented: may it please our Majesty that it may be enacted; and be it enacted by 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 time that a separate establishment shall be made for any such future heir apparent, the principal officer or officers of such heir apparent shall, within fourteen days after such establishment shall be made, prepare and make out, for the regulation of such heir apparent, a plan of his establishment in distinct departments and classes, and in such order as such officer or officers shall think fit and expedient, together with a plan of salaries and payments of each class, and of each individual therein; and shall also prepare and make out an estimate of the annual expences of each distinct department in such establishment, one copy of which plan and estimate, after being approved of by such heir apparent, shall be forthwith lodged with the commissioners of his Majesty's treasury, and another in the office of the treasurer, or such principal officer or officers for the time being as shall be appointed by such heir apparent, and another with the clerks of the two houses of parliament respectively: that, from and after the first quarterly day for the payment of the revenue so established as aforesaid, all disbursements which shall be made out of such revenues for any of the purposes aforesaid, shall be made by such treasurer or principal officer or officers in the order specified in such plan and estimate, and no other; for which disbursements to be made in the order so specified, such treasurer or principal officer or officers for the time being shall be responsible and liable to answer the damages to the

Preamble.

When a separate establishment shall be made for any future heir apparent, his principal officer to make out a plan of establishment, &c.

All disbursements from the revenues to be made by the treasurer, for which he shall be responsible.

Plan may be altered.

party grieved: provided nevertheless, that if it shall at any time be necessary or expedient to alter the said plan of establishment or estimate of expences as aforesaid, it shall and may be lawful for such principal officer or officers, being directed so to do by such heir apparent, to state such alteration as may be thought necessary to be made therein; and if the same shall be approved of by such heir apparent, such alteration, so made in such plan of establishment or estimate of expences, shall be lodged as is herein-before mentioned; and that upon any encrease being made to the said separate establishment of such heir apparent, the said treasurer or principal officer shall prepare and make out, for the approbation of such heir apparent, a new plan and estimate in manner herein-before directed; and the several clauses and provisions herein contained shall from thenceforth apply to such new plan and estimate.

Treasurer to cause payments to be entered in a book, which his Majesty's treasury are to inspect.

II. And be it further enacted, That such treasurer or principal officer or officers for the time being, shall cause a book or books to be kept, in which all payments for any of the purposes aforesaid shall be duly entered in the order and course of payment, with the day, month, and year, of paying the same; and it shall be lawful for the commissioners of his Majesty's treasury for the time being, from time to time, (and they are hereby required so to do once at least in every year), to demand an inspection of such book or books, or any copy or copies of the same, or any part thereof, and the said treasurer, or principal officer or officers, is and are hereby required to pay obedience to the orders of the said commissioners for that purpose.

Treasurer to cause account of expences to be made out quarterly, which he is to examine and sign.

III. And be it further enacted, That such treasurer or principal officer or officers for the time being, shall, within fourteen days after the expiration of every quarter of a year, cause to be prepared and made out a just and exact account of all the expences incurred within the preceding quarter of a year, and every such account shall contain and set forth the several sums paid, and the several demands made, and then outstanding, on account of the expences of each department within the said quarter; and the said treasurer or principal officer or officers shall, and he or they is and are hereby required to examine and audit the said accounts, with the vouchers relative to the same, and to sign his or their approbation of the same, or of such part or parts thereof as he or they shall approve: provided that the amount thereof shall not be disproportionate to or exceed the respective plans and estimates as herein-before is directed.

Treasurer, by warrant, may pay the sums specified in quarterly accounts.

IV. And be it further enacted, That, upon the settlement of such quarterly account as aforesaid, it shall be lawful for the said treasurer or principal officer or officers being thereunto authorized by warrant or warrants under the privy seal of such heir apparent, to pay, in the order and course settled as aforesaid, the sums of money specified in such accounts, as the quarterly expence incurred as aforesaid, to the respective persons to whom such heir apparent shall be debited in such account, and the

id treasurer or principal officer or officers shall pay the same accordingly.

V. And be it further enacted, That if any deficiency shall arise in the revenues of such heir apparent at the end of any quarter of a year, so as to create an arrear in the payment of any claims made against such heir apparent, and allowed as aforesaid, such arrears shall be carried to the account of the next quarter, and (except in the case where any arrears of a preceding quarter shall likewise be carried to the same account) shall be placed therein first in order of payment, and shall be paid first in order, out of the first monies payable on account of the next succeeding quarter: provided always, that no arrear of any of the salaries or allowances made or to be made by such heir apparent, to any officer or officers whose duty it may be to carry this act into execution, or who may be concerned in the execution of the same, shall be carried on beyond the term of one quarter after the quarter in which the same shall have become due; and that no arrears of any sort shall, on any account, or under any pretence, be carried on for more than two quarters of a year after the quarter when the same shall accrue due; and that if it shall happen that any arrears shall have been carried on for two quarters of a year, the same shall be discharged and paid out of the sum then and payable in the quarter to which such arrear shall be carried, in preference to the arrear of the preceding quarter, and in preference to all demands that shall accrue in the quarter to which such arrear shall be so carried; and it shall not be lawful for any officer or officers of such heir apparent to audit, allow, or settle, any account for the quarter to which such arrears of two quarters shall be carried, or to issue any sum or sums of money for the payment or satisfaction of the claims of the quarter to which such arrear shall be carried, until the said arrears shall be fully paid and satisfied: provided also, that in case at the end of any quarter there shall be carried to the account of the same quarter arrears of two quarters preceding, the arrears of the quarter immediately preceding shall be placed second in the order of payment, and shall be paid second in order next and immediately after the payment of the arrears of the quarter next but one preceding.

How arrears at the end of quarters shall be discharged.

VI. And be it further enacted, That if at the end of any quarter of a year any surplus shall remain of the said revenue, after paying and satisfying all debts and demands accrued during the quarter, and all arrears of former quarters in each department, such surplus shall and may be paid over to the privy purse of such heir apparent.

Surplus at the end of quarters to be paid the heir apparent.

VII. And be it further enacted, That every creditor of such heir apparent, whose demand shall accrue after the first quarterly day for the payment of the said revenue, shall deliver into the hands of the treasurer, or principal officer or officers of such heir apparent for the time being, a particular in writing, containing the nature and amount of such demand, and signed by him or her within ten days after the expiration of the quarter of a year in which such demand shall accrue, which

Demands which shall accrue after the first quarterly day of payment, to be delivered within 10 days after the expiration of the

quarter in which they accrued.

No demand to be included in account but what has accrued within the quarter preceding the audit, nor any paid.

Demands not delivered in limited time, to be barred, and securities for such debts void.

Officer neglecting to insert demands in quarterly accounts, liable to payment of them.

No action to be brought against heir apparent for any debt which shall accrue after the first quarterly day of payment.

For demands delivered in time limited, creditors may sue within three months after delivery.

which such demand shall accrue, in order that the same may be included in the preceding quarterly account, to be audited as aforesaid; and it shall not be lawful for such treasurer, or principal officer or officers, to include in any such account, to be audited as aforesaid, or to allow any debt or demand of what nature or kind soever, which shall not have wholly accrued within the quarter of a year preceding such audit, other than the arrears of such preceding quarters as aforesaid, or which shall not be presented to such proper officer within the time herein before limited, and according to the directions of this act; nor shall such treasurer or principal officer or officers, under any pretence or colour of authority whatever, issue, or cause to be issued, any sum of money for the purpose of paying, satisfying, or discharging, any debt or demand, or any part thereof, which shall not have accrued and be claimed as aforesaid; and if any person or persons, who shall have, or claim to have, any debt or demand against such heir apparent, on any account whatever, shall not, after the first quarterly day for the payment of such revenue, deliver a particular in writing of the said debt or demand, to such proper officer within ten days after the expiration of the quarter of a year in which such debt or demand was incurred, every such debt or demand shall be barred both at law and in equity: and all bonds, bills, notes, or other securities for money, given or made in consideration of any debt or demand, whereof the particulars, in writing, shall not be delivered according to the directions of this act, shall be null and void to all intents and purposes; and that if any officer of, or person employed by, such heir apparent, to whom the particulars of such debts or demands shall be delivered, according to the directions of this act, shall neglect or refuse to insert the same in his account of the quarterly expences incurred in the manner before directed, every such officer shall be liable to pay the amount thereof in damages to the party grieved.

VIII. And be it further enacted, That no action or suit, either at law or in equity, shall be brought, commenced, or prosecuted, by any creditor against such heir apparent in his own name, as a party for the recovery of any debt or demand whatsoever due, or claimed to be due, from such heir apparent, which shall accrue after the said first quarterly day for the payment of such revenue, nor upon any bond, bill, or note, nor upon any security given for the securing any debt or demand due from such heir apparent, but that all proceedings in any such action or suit shall be null and void to all intents and purposes.

IX. And, in order that due provision may be made for the recovery of the just debts of such heir apparent, be it further enacted, That in all cases where a demand shall be made, or a debt shall be claimed, which demand or debt shall have wholly accrued after the said first quarterly day for the payment of such revenue, and within the quarter preceding such claim or demand, and the particulars thereof shall have been delivered to such proper officer within the time herein-before limited, and the same shall not be paid,

paid, it shall be lawful for the creditor or creditors, at any time within three calendar months after delivery of such particulars, but not afterwards, to sue and prosecute for the recovery of such debt or demand, in which action or suit the treasurer or other principal officer or officers of such heir apparent, to whom the particulars of the demand shall have been delivered, shall be made defendant, and the like proceedings shall be had in such action or suit as if the treasurer or other principal officer or officers for the time being were the real party therein, save and except that notwithstanding the plaintiff may obtain judgement, no execution shall issue against the person of the treasurer or other principal officer or officers for the time being, nor against his or their proper effects, but the judgement shall be a charge upon the funds of such heir apparent which shall be in, or come into, the hands of such treasurer or other principal officer or officers within two quarters after the quarter in which the debt or debts for which such actions shall have been brought, and judgement obtained, shall have accrued; and such funds, whenever the same shall be in the hands of such treasurer, or other principal officer or officers, shall be liable to the payment of the debt or damages, and costs, recovered in such action or suit, in preference to all debts and demands, except such as shall have arisen in consequence of any prior judgement, which shall have been obtained as is herein before directed; and a note or docket of every judgement so obtained as aforesaid shall be entered by the creditor obtaining the said judgement in the office of the treasurer or other principal officer or officers of such heir apparent within ten days after signing the same, in order to entitle him to the benefit of this act.

Treasurer to be made defendant.

Judgement to be a charge upon the heir apparent's funds, &c.

X. And be it further enacted, That if any officer of the establishment of such heir apparent, or other person intrusted with the management of such revenues, shall neglect or refuse to prepare, make up, or transmit, any account or accounts, or to audit and investigate the same, or to pay and apply the monies in his hands for that purpose in the order and course to be settled and established by virtue of this act, or shall divert or misapply the same, or any part thereof, contrary to the directions of this act, or shall wilfully omit to insert in his quarterly account the claim or claims of any creditor or creditors delivered within the time allowed by this act, or shall wilfully prepare, make up, or transmit, any false account, every such officer or other person so offending against this act, in any of the particulars before mentioned, shall be liable to pay damages to the party grieved; and that all penalties and damages incurred by any person or persons by virtue of this act, shall and may be sued for, prosecuted, and recovered, by action of debt, or on the case, in any of his Majesty's courts at *Westminster*, with full costs of suit, in which no essoin, protection, wager of law, or more than one imparlance, shall be allowed.

Officer neglecting to prepare accounts, or to apply monies as settled by this act, or misapplying monies, &c liable to damages, which may be sued for in any court at Westminster.

C A P. CXXVI.

An act for widening and improving the entrance into the city of London near Temple Bar; for making a more commodious street, or passage, at Snow Hill; and for raising, on the credit of the orphans fund, a sum of money for those purposes.—[June 26, 1795.]

Preamble.

WHEREAS the entrance into the city of London, at and to the westward of Temple Bar, in the parish of Saint Clement Danes, in the county of Middlesex, being the principal avenue for carriages from Westminster into the said city: and also the street called Snow Hill, in the parish of Saint Sepulchre, in the said city or the liberties thereof, being the principal avenue for carriages into, or through, the said city from the new squares and buildings on the north-west thereof; are too narrow and incommodious for the passing and re-passing, as well of foot passengers as of coaches, carts, and other carriages, to the prejudice and inconvenience of the owners and inhabitants of houses in and near the same, to the great interruption of business, and to the endangering of the lives of many of his Majesty's subjects: and whereas such inconveniences might be removed, if the mayor, aldermen, and commons of the said city, in common council assembled, were enabled to widen and improve the streets or passages at and to the westward of Temple Bar aforesaid, and from the bottom of Holborn Hill to the east end of Snow Hill aforesaid, and for those purposes (if necessary or expedient) to take down, and rebuild in a different position, the parish church of Saint Clement Danes, and also the alms houses at the east end thereof, and the vestry room and court house over the said alms houses, in the county aforesaid, and to purchase such houses, buildings, and ground, as may be necessary for these purposes; but such improvements cannot be effected without the aid and authority of parliament: therefore, upon the petition of the mayor, aldermen, and commons, of the city of London, in common council assembled, 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 mayor, aldermen, and commons, of the city of London, in common council assembled, shall be, and they are hereby empowered to design, lay out, open, and make, a spacious and convenient street, way, or passage, from Temple Bar aforesaid, to the east end, and along the north side, of the parish church of Saint Clement Danes aforesaid, home to the east ends of Wych Street and Holywell Street, by erecting and building, or causing to be erected and built, dwelling houses or other buildings, so as to form a straight line from the north end of Temple Bar aforesaid to the north east corner of Wych Street aforesaid, and by taking down all the houses and buildings (except the said parish church of Saint Clement Danes, but which may nevertheless be taken down and rebuilt as herein-after mentioned), between such straight line and the south side of the Strand, and to leave

Common council empowered to widen the passage at Temple Bar, and to make a commodious street at Snow Hill; and to erect dwelling houses and other buildings upon the ground to be purchased:

ave the ground now covered therewith open, for the purpose of making a large and commodious street or passage for the accommodation of the publick; and also to design, lay out, open, and make a commodious street, way, or passage, from the east end of *Snow Hill* aforesaid to the bottom of *Holborn Hill* aforesaid; and to erect and build, or cause to be erected and built, such dwelling houses, and other buildings, as they shall think proper, upon such part of the ground to be purchased by virtue and under the authority of this act, at or near *Snow Hill* aforesaid, or such part or parts thereof as shall not be necessary for the street, way, or passage, intended to be made there as aforesaid.

II. And be it further enacted, That if the said mayor, aldermen, and commons, in common council assembled, shall think it necessary or expedient, for the purpose of widening and improving the street or passage on the south side of the said parish church of *Saint Clement Danes*, to take down the said parish church and build it in a different position, then, and in such case, the said mayor, aldermen, and commons, in common council assembled, shall be, and they are hereby enabled to take down the said parish church of *Saint Clement Danes*: and in case the said parish church should be taken down by the authority of this act, the said mayor, aldermen, and commons, in common council assembled, are hereby directed and required to erect, or cause to be erected, another church, in a good and workmanlike manner, of the same style, form, and dimensions, as the present parish church is of, with the present materials so far as they are found and good, and with new materials of the like qualities and dimensions to supply the deficiencies; and to build, or cause to be built, under the said new church, the like number of vaults for the burial of the dead, and of as large dimensions at least as the vaults which are under the present parish church, and to place the said new church as near as conveniently can be to the site whereon the said parish church now stands, and to place and fix, in a good and workmanlike manner, galleries and pews in the said new church, of the same form, structure, and dimensions, and of as good materials in every respect, as the galleries and pews which are now placed and fixed in the present parish church; and also to erect, put up, and fix, in the like good and workmanlike manner, in the said new church, the bells, the organ, organ case, and other the fixtures, furniture, and appurtenances, of and belonging to the present parish church, in like situations, manner, and form, as the same are now fixed and placed respectively therein; and also to provide, make, and fix, a sufficient iron railing at a convenient distance from and round the said new church to be built as aforesaid, with a footway of a sufficient width on the outside of the railing next the street or carriage-way: provided always, that if the said parish church shall be taken down under the authority of this act, the said mayor, aldermen, and commons, in common council assembled, shall not be subject or liable to rebuild the portico and steps on the south side of the said church: provided further, that, if the said parish church shall be

also to take down and rebuild the church of *St. Clement Danes*.

Except the portico and steps on the south side thereof.

The church to be rebuilt

in four years after it is begun to be taken down.

taken down as aforesaid, the said mayor, aldermen, and commons, in common council assembled, are hereby directed and required to begin to take down the same within the space of five years from and after the passing of this act, and to complete and finish the new church to be built as aforesaid, so that it may be in a fit and proper condition for the celebration of divine service, within the space of four years, to be computed from the day on which the workmen employed by the said mayor, aldermen, and commons, in common council assembled, shall begin to take down any part of the present parish church.

For preserving the graves, grave stones, and monuments, in Saint Clements church and church yard.

II. And be it further enacted, That, in taking down the said church, and removing the materials thereof, the graves shall be as little disturbed, and as little damage shall be done to the grave stones, monuments, and monumental inscriptions, in and about the said church, as reasonably may be; and that such monuments and monumental inscriptions as shall be necessarily removed on account thereof shall be fixed, at the expence of the said mayor, aldermen, and commons, of the said city of *London*, in the new church or church yard as the same are respectively now placed, and in such part or parts of the said new church or church yard as shall be most fit; and that there shall be inclosed, within a new church yard to be made pursuant to this act, as nearly as may be, the same quantity of ground at least, fit and convenient for the burial of the dead as the old church yard contains: provided always, that, during such time as the said new church yard or vaults shall be rebuilding, altering, or repairing, as aforesaid, it shall and may be lawful to and for the relations and friends of any person or persons whose corpse or corpses shall have been interred or deposited in the present church yard, or in the present church, or vaults under the same, with the consent of the rector and churchwardens of the said parish for the time being, or the major part of them, to remove such corpse or corpses to any other place or places set apart for the burial of the dead; and, if they shall think fit, to bring back the same, and deposit them in the said new church yard, or in the said new church, or in the vaults under the same, as soon as the said church yard, church, and vaults, shall have been built as aforesaid, and made fit for the burial of the dead, any law, ecclesiastical canon, or usage, to the contrary thereof notwithstanding; and such corpses as shall not be removed as aforesaid from the vaults under the present church shall, at the expence of the said mayor, aldermen, and commons, in common council assembled, out of the fund to be raised by virtue of this act, and as soon as conveniently may be after the said new vaults shall have been built as aforesaid, and made fit for the burial of the dead, be taken out of the old vaults and placed in the said new vaults, except the bodies in such vaults as shall be finally closed up.

Directing that the church services shall (during the rebuilding of

IV. And be it further enacted, That, during the time of taking down the said church of *Saint Clement Danes*, and until the said new church shall have been built and made fit and opened for the celebration of divine service, it shall and may be lawful for

for the rector of the said parish for the time being, his curate, or some minister duly authorised in that behalf, and they are hereby required, in the morning and evening of every Lord's day commonly called *Sunday*, and in the morning and evening of *Christmas Day* and *Good Friday*, to read in *Lyon's Inn Hall*, or any other hall or place within the said parish that shall be approved of by the lord bishop of *London*, (his consent and the consent of the owners of such hall or place being first obtained), the prayers prescribed in the book of common prayer and publick liturgy of the church of *England*; and, after reading of the prayers as aforesaid, to preach a sermon in the said hall, or other place so to be appointed, in the morning and evening of the several days before mentioned; and also to read prayers in the said hall, or other place, in the morning on every *Wednesday* and *Friday* in the week; and the said mayor, aldermen, and commons, in common council assembled, are hereby required to give notice, in writing, to the said rector and churchwardens for the time being, two calendar months at least before they begin to take down any part of the said parish church; and, before the expiration of the said two calendar months, the said mayor, aldermen, and commons, in common council assembled, are hereby directed and required, out of the fund to be raised by virtue of this act, to prepare, fit up, and put the said hall, or other place, into such a state and condition as is proper and convenient for receiving such of the inhabitants of the said parish as shall repair thereto for the hearing of divine service as is herein-before directed to be performed: and it is hereby declared, that, until the said new church shall be made fit and convenient, and also opened for the celebration of divine service, the said rector for the time being, his curate or some minister duly authorised in that behalf, shall continue, and they are hereby required to continue, to perform divine service as is herein-before directed in the said hall, or other place so to be appointed, according to the form and manner set forth in the said book of common prayer; and, in the said hall or place, from time to time, to publish the banns of marriage, to solemnize marriages, to administer the publick baptism of children, or of persons of riper years, to church women, to read the service for the burial of the dead, and to perform and administer, in the said hall or other place, all and any other duties, services, and offices, prescribed by the said book of common prayer; and it is hereby also declared, that all banns of marriage so published, and all marriages so solemnized, shall be as good and valid, to all intents and purposes whatsoever, as if the same had been published or solemnized in the present church of *Saint Clement Danes*, any law, statute, or usage, to the contrary thereof notwithstanding; and that all fees and perquisites, due and payable for or on account of such publication of the banns of marriage, solemnization of marriages, administering of baptism, churcing of women, burying the dead, or for performing any other office prescribed by the said book of common prayer, shall belong to and be paid to the rector, parish clerk, sexton, and other officers belonging to the

Saint Clements church) be performed in Lyons Inn Hall; and that the hall shall also be used as a vestry room and court house for the duchy of Lancaster.

said parish of *Saint Clement Danes*, in such and the same manner and proportions, to all intents and purposes, as if such banns of marriage, marriages, baptisms, churchings, burials, and any other service or office prescribed by the said book of common prayer, had been published, solemnized, administered, and performed, in the said parish church of *Saint Clement Danes*; and that the compensation to be paid for the use of such hall or other place shall, during and until such time as the said church shall be fit and complete for the performance of divine service, and all other rites and ceremonies, be borne and paid by the said mayor, aldermen, and commons, in common council assembled, out of the said fund to be raised by virtue of this act; and that such hall or other place, so to be approved of as aforesaid, may be also used for the holding of vestries and all other parochial or other purposes directed by any statute or law now in being, as also for holding the courts of the duchy of *Lancaster*; and the same shall be, and is hereby declared to be, within the said duchy, for all and every the purposes that the rooms now used for such purposes are used, and shall have the same force and effect, any law, statute, or usage, to the contrary notwithstanding.

V. *And whereas, for carrying the purposes of this act into execution, it may be necessary to take down, at the east end of Saint Clement's church yard, the vestry rooms and alms houses of and belonging to the said parish of Saint Clement Danes, and which vestry rooms are also used as court rooms by the duchy of Lancaster; and the same, if so taken down, ought to be rebuilt in some other convenient part of the said parish; be it therefore enacted,* That in case the said buildings called and used as the now vestry rooms of the said parish, and alms houses, be pulled down for the purposes aforesaid, that then the said mayor, aldermen, and commons, in common council assembled, shall and will, out of the monies to be received by virtue of this act, upon some part of the ground which shall become vested in them by virtue of this act, or to be provided for the purpose, as shall and may be most fit and convenient, and as near as conveniently may be to the said parish church, erect, build, complete, and finish, a new and sufficient building or buildings, of not less dimensions than the present buildings, to be for ever then after used as vestry rooms and alms houses for the said parish, and for court rooms for the said duchy of *Lancaster*, in such and the like sort and manner as the now vestry rooms and alms houses of the said parish are and have been used; and to be thereafter sustained and kept in repair by the said parish and duchy in like manner as the said vestry rooms and alms houses now are, so that the said mayor, aldermen, and commons, in common council assembled, shall not thereafter be liable or chargeable thereto.

VI. *And be it further enacted,* That any such alterations may be made, in the building the said parish church, vestry, and court rooms, and other publick buildings, as shall be agreed upon by and between the said mayor, aldermen, and commons, in common council assembled, and the inhabitants of the said parish of

For re-building the vestry room and alms houses and duchy of Lancaster court room.

Alterations may be made in the church and other buildings by mutual consent.

Saint Clement Danes, in vestry assembled; provided that the said mayor, aldermen, and commons, be not put to any additional expence in or by such alterations.

VII. And be it further enacted, That if the said buildings shall be erected in any part of the said parish of *Saint Clement Danes* that shall not be within the said duchy of *Lancaster*, such buildings, and the rooms therein to be used as court rooms, shall be, and the same are hereby declared to be, within the said duchy, for all and every the uses and purposes that the rooms now used for such purposes are; and that all acts done therein shall have and be of the same force and effect as if done and transacted within the said duchy; any law, usage, or custom, to the contrary notwithstanding.

Declaring that the court rooms to be built for the duchy of Lancaster shall be deemed to be within the duchy.

VIII. And be it further enacted, That it shall and may be lawful, to and for the said mayor, aldermen, and commons, in common council assembled, and they are hereby authorised and empowered, to raise or lower the ground of such intended streets, ways, or passages, so to be made as aforesaid, or any part thereof, as they shall judge necessary.

New streets may be raised or lowered.

IX. Provided always, and be it further enacted, That in the designing, laying out, opening, and making, such streets, ways, or passages, and in the erecting such dwelling houses and other buildings, the said mayor, aldermen, and commons, in common council assembled, shall and do, out of the monies to be received by virtue of this act, in a substantial and workmanlike manner, fill in all and every the vaults, cellars, and open places, over which it may be necessary to new pave, with good, sound, hard brick rubbish, to be well rammed down every three or four inches thick, to prevent the ground from giving way; and do and shall make a large, handsome, and convenient way or passage on or over the ground to be laid into the streets or passages by virtue hereof; and, out of such monies so to be received, well and effectually pave over all the ground of the said new intended streets, ways, and passages, with the materials of the present pavement as far as they will extend, and with a sufficient quantity of new materials of like quality and dimensions to supply the deficiency; and shall and will, in like manner, out of such monies so to be received, relay and repair all and every part of the streets, ways, and passages, which they shall disturb or alter in carrying the purposes of this act into execution: provided also, that nothing herein contained shall extend, or be construed to extend, to charge the said mayor, aldermen, and commons, in common council assembled, with repairing or making good such pavements or alterations in future; but that, from and after the same shall be so paved, relaid, and repaired as aforesaid, the same shall for ever after be kept in repair by and at the expence of the said parish of *Saint Clement Danes*.

Directing how the pavements shall be laid and made.

X. And whereas there is due to William Seager the sum of seven hundred and fifty pounds, with interest thereon, after the rate of four pounds ten shillings per centum per annum, secured upon, and payable out of, the additional paving rates in *Butcher Row*, and also

that

For securing the payment of 750l. and interest charged upon the paving rates in Butcher Row, &c.

that part of Wych Street which leads from the end of the said Butcher Row to Holywell Street, which ought to be paid off or secured; be it therefore further enacted, That the said mayor, aldermen, and commons, in common council assembled, shall, until the re-building of such dwelling houses, or other buildings, and until the same shall be occupied, be subject and liable to the payment to the said *William Seager* of his said debt of seven hundred and fifty pounds; and shall pay unto the said *William Seager*, his executors, administrators, or assigns, interest at and after the rate of four pounds ten shillings for each one hundred pounds of the said sum of seven hundred and fifty pounds, out of the monies to be raised in pursuance of the authority given to the said mayor, aldermen, and commons, in common council assembled, by this act; and that when such dwelling houses, or other buildings, to be erected in the said parish of *Saint Clement Danes*, shall be so completed in pursuance of this act, and become occupied, the same shall be charged and liable to the debt and interest of the said *William Seager*, and all other paving rates to be made and payable, in such and the like manner as the said places called *The Butcher Row*, and that part of *Wych Street* which leads from the end of the said *Butcher Row* to *Holywell Street*, have at any time heretofore been assessed and paid; and from thenceforth the said mayor, aldermen, and commons, in common council assembled, and the fund to be raised under and by virtue of this act, shall be absolutely discharged from all payments and charges for or on account or in respect of the said debt and interest.

Sewers and drains to be arched over or filled up.

XI. And be it further enacted, That it shall and may be lawful to and for the said mayor, aldermen, and commons, in common council assembled, and they are hereby authorized and empowered, to cause all sewers and drains, which shall lie and be in or near such intended streets, ways, or passages, or either of them, or any part thereof, to be arched over, or filled up, as shall appear necessary for completing the said intended improvements, so as the same shall not in anywise obstruct, injure, or prejudice, any publick sewer or drain whatsoever or any private drain, without making another drain, or sewer in lieu thereof, equally serviceable and convenient to the individual or neighbourhood.

Drains or sewers to be made, &c.

XII. Provided always, That, at the time of filling up any sewer or drain as aforesaid, the said mayor, aldermen, and commons, in common council assembled, shall make, erect, and build, other good and sufficient sewers and drains, of convenient depth and width; and when the same shall be so made and completed, the said respective sewers and drains shall be under the jurisdiction, care, management, and direction, of the commissioners appointed, or to be appointed, under or by virtue of any act or acts of parliament, for the district or districts wherein such sewers or drains respectively shall be situate.

Common council empowered to build on, stop up, or inclose

XIII. And be it further enacted, That it shall and may be lawful to and for the said mayor, aldermen, and commons, in common council assembled, to cause to be built upon, stopped up, or inclosed, any part or parts of the present streets, and any of the present

present courts, alleys, ways, or passages, and any void ground adjoining to the said intended streets, and which now are, or heretofore were, used as ways or passages, and any part or parts thereof which shall appear to the said mayor, aldermen, and commons, in common council assembled, proper to be built upon, stopped up, or inclosed, for the purposes of carrying this act into execution; and to sell and dispose of, or let, the ground and soil thereof to any person or persons, bodies politick, corporate, or collegiate, for such uses as they shall think proper, so as the money arising by such sale or sales, or letting, be applied to the purposes of this act; provided that the ways or passages on the north side of *Butcher Row* be not lessened in width at the south ends thereof.

parts of streets, and also courts, alleys, &c.

XIV. And be it further enacted, That it shall and may be lawful to and for the said mayor, aldermen, and commons, in common council assembled, and they are hereby empowered, to treat and agree with the owners and occupiers thereof, and other persons interested therein, for the purchase of all the houses, buildings, lands, tenements, and hereditaments, not exceeding one hundred feet in depth from the fronts thereof respectively, on the north side of the *Strand*, *Butcher Row*, and the street or way called or known by the name of *The Back of Saint Clement's*, from the south west corner of *Shire Lane*, to the east end of *Wyck Street* aforesaid; and also the three islands of houses and buildings between the same and the south side of the *Strand*, or so many or such part or parts of such houses, buildings, lands, tenements, or hereditaments, as they shall think necessary to be purchased, removed, or pulled down, for effecting the said improvements at, and to the westward of, *Temple Bar* aforesaid; and also to treat and agree with the owners and occupiers thereof, and other persons interested therein, for the purchase of all such houses, buildings, lands, tenements, and hereditaments, as they shall think necessary to be purchased, removed, or pulled down, for effecting the said improvements at or near *Snow Hill*; and, after payment of the sum or sums of money which shall be agreed upon or ascertained for such purchase or purchases, the said mayor, aldermen, and commons, in common council assembled, are hereby authorised to appoint their agents or workmen to pull down such houses and buildings, and remove, sell, or dispose of the materials thereof, and to lay out such lands respectively into such intended streets, ways, or passages, as aforesaid, or otherwise apply and dispose thereof for the purposes of this act.

Common council empowered to purchase houses, land, &c. for the purposes aforesaid.

XV. And be it further enacted, That, if the said mayor, aldermen, and commons, in common council assembled, should think proper to build such new vestry rooms, alms houses, and court rooms, or any or either of them, as before mentioned, at the west end of *Saint Clements church yard* aforesaid, then, and in such case, the said mayor, aldermen, and commons, in common council assembled, shall also be, and they are hereby empowered to treat and agree with the owners and occupiers thereof, and other persons interested therein, for the purchase of all the houses, buildings,

For building the vestry rooms, &c. at the west end of the church yard.

buildings, lands, tenements, and hereditaments, on the west end of the said church yard, between the *Strand* and *Holywell Street* aforesaid, and on the north side of the *Strand* from the south-west corner of the said church yard, and on the south side of *Holywell Street*, from the north-west corner of the said church yard, in the several occupations of miss *Curtis*, master *Hoyes*, master *Stilfox*, master *Lambert*, master *Filts*, miss *Wickens*, and master *Hobson*; or such or so many of the same houses, buildings, lands, tenements, and hereditaments, as they the said mayor, aldermen, and commons, in common council assembled, shall deem necessary or expedient to be purchased; and, after payment of the sum or sums of money which shall be agreed on or ascertained for such purchase or purchases, the said mayor, aldermen, and commons, in common council assembled, are hereby authorised to appoint their agents or workmen to pull down such houses and buildings, and remove, sell, or dispose of, the materials thereof; and, upon the ground so to be purchased, or a sufficient part thereof, to build and finish one or more sufficient building or buildings, for such new vestry rooms, alms houses, and court rooms, or any or either of them, as aforesaid, to be used, sustained, and kept in repair, in such manner as is herein-before mentioned and directed concerning the same; and to build, or cause to be built, upon such part of the same ground which shall be so purchased as shall not be wanted for the purposes last herein-before mentioned, such other houses or buildings as they shall think fit.

No person compellable to sell part of his premises if willing to sell the whole.

XVI. Provided always, and be it further enacted, That if any person or persons, bodies politick, corporate, or collegiate, shall be applied to, by or on behalf of the said mayor, aldermen, and commons, in common council assembled, to treat for, sell, dispose of, or convey, for any of the purposes of this act, any part or parts of any house, building, land, tenement, or hereditament, in the actual occupation of one person, or of several persons jointly, and shall, by notice in writing, to be left at the comptroller's office in the *Guildhall* of the said city, within thirty days next after such application, signify his, her, or their inclination or desire to treat for, sell, dispose of, and convey, the whole of such house, building, land, tenement, or hereditament, some part whereof shall be deemed necessary to be purchased for the purposes of this act; and it shall happen that the said mayor, aldermen, and commons, in common council assembled, shall not think proper, or be willing, to purchase the whole of such house, building, land, tenement, or hereditament, then, and in every such case, nothing in this act contained shall extend, or be construed to extend, to compel the several persons interested therein, to treat for, sell, dispose of, or convey part only, or less than the whole, of such house, building, land, tenement, or hereditament; any thing herein before contained to the contrary thereof in anywise notwithstanding.

Power of purchasing limited.

XVII. Provided always, and be it further enacted, That, if the said mayor, aldermen, and commons, in common council assembled,

abled, shall not, within the space of seven years next after ed to seven
 ng this act, agree for, or cause to be valued as herein-after years.
 tioned, and purchase the houses, buildings, lands, tenements,
 hereditaments, which they are hereby empowered to purchase
 orefaid; then, and from thenceforth, the powers to them
 by granted for such purpose only shall cease, determine, and
 tterly void and of no effect; any thing herein contained to
 contrary notwithstanding.

VIII. And be it further enacted, That it shall and may be Bodies po-
 ul to and for all bodies politick, corporate, or collegiate, litick, &c.
 orations aggregate or sole, trustees and feoffees in trust for trustees, and
 itable or other uses, and all other trustees and feoffees in trust other persons,
 tsoever, guardians and committees for lunaticks and idiots, empowered to
 utors, administrators, and guardians whatsoever, and not sell and con-
 for or on behalf of themselves, their heirs and successors, vey lands,
 also for and on behalf of their *Cestuique* trusts, whether in- &c.
 s or issue unborn, lunaticks, idiots, femes covert, or other
 ons whomsoever; and to and for all femes covert who are
 all be seised in their own right; and to and for all and every
 on and persons whomsoever, who are or shall be seised or
 fted of, or interested in, any houses, buildings, lands, tene-
 ts, or hereditaments, which, by the said mayor, aldermen,
 commons, in common council assembled, shall be thought
 ssary to be purchased for any of the purposes of this act, to
 and convey, assign, or surrender, all or any such houses,
 dings, lands, tenements, or hereditaments, or any of them,
 ny part or parcel thereof, and all their respective interests
 ein, of what nature or kind soever, to the mayor and com-
 alty and citizens of the city of *London*, or any person or
 ons in trust for them; and that all contracts, agreements,
 rains, sales, conveyances, assignments, surrenders, and as-
 nces, which shall be made by such persons as aforesaid, shall
 ood and valid in the law, to all intents and purposes, not
 to convey the estate and interest of the person and persons
 veying, but also to convey all right, estate, interest,
 trust, property, claim, and demand whatsoever, of their
 ral and respective *Cestuique* trusts, whether infants or
 : unborn, lunaticks, idiots, femes covert, or other persons
 msoever, and all claiming, or to claim, by, from, or
 er them, any law, statute, usage, or any other matter or thing
 tsoever, to the contrary thereof, in anywise notwithstanding:
 that all such persons so conveying as aforesaid, or making
 assurances as aforesaid, shall be, and are hereby indemnifi-
 for what they shall do by virtue or in pursuance of this act,
 withstanding any omission, or mistake of matter or form
 tsoever: and, if it shall happen that any bodies politick, When parties
 orporate, or collegiate, or any other person or persons, seised refuse to treat,
 possessed of, or interested in, any such houses, buildings, &c. the court
 ls, tenements, or hereditaments as aforesaid, shall refuse to of mayor and
 t or agree, or by reason of disability cannot agree with the aldermen to
 mayor, aldermen, and commons, in common council assem- issue a pre-
 panned, jury; panning a

bled, or with any person or persons authorised by them, for the sale and conveyance of their respective estates and interests therein, or shall not produce and evince a clear title to the premises they are in possession of, or to the interest they claim therein, to the satisfaction of the said mayor, aldermen, and commons, in common council assembled, or of the person or persons so authorised by them; then and in every such case it shall and may be lawful to and for the court of mayor and aldermen of the said city, to be holden in the outer chamber of the *Guildhall* of the said city according to the custom of the said city, and the said court are hereby empowered and authorised, to issue a warrant or warrants, precept or precepts, directed to the sheriffs of the city of *London*, or to the sheriff of the county of *Middlesex*, or high bailiff of *Westminster*, as the case shall require, who are, and each of them is, hereby authorised, directed, and required, accordingly, to impanel, summon, and return, a competent number of substantial and disinterested persons qualified to serve on juries, not less than forty-eight nor more than seventy-two; and out of such persons so to be impannelled, summoned, and returned, a jury of twelve men shall be drawn, by some person to be by the said court appointed, in such manner as juries for the trial of issues joined in his Majesty's courts at *Westminster* are, by an act made in the third year of the reign of his late majesty King *George* the Second, intituled, *An act for the better regulation of juries*, directed to be drawn; which persons, so to be impannelled, summoned, and returned, as aforesaid, are hereby required to come and appear before the said court of mayor and aldermen, if the premises in dispute lie in the said city of *London*, at such time and place as in such warrant or warrants, precept or precepts, shall be directed and appointed; and if the premises lie in the county of *Middlesex*, to come and appear before the justices of the peace for the said county of *Middlesex*, at some quarter or general sessions of the peace, to be holden in and for the said county, or some adjournment thereof, as in such warrant or warrants, precept or precepts, shall be directed and appointed; and if the premises lie in the liberty of *Westminster*, to come and appear before the justices of the peace for the city and liberty of *Westminster*, at some quarter sessions of the peace to be holden in and for the said city and liberty, or some adjournment thereof, as in such warrant or warrants, precept or precepts, shall be directed and appointed, and to attend the said courts respectively, from day to day, until discharged by the said courts respectively; and all parties concerned shall and may have their lawful challenges against any of the said jurymen, but shall not be at liberty to challenge the array: and the said court of mayor and aldermen, or justices, respectively, are hereby authorised and empowered, by precept or precepts, from time to time, as occasion shall require, to call before them all and every person and persons whomsoever, who shall be thought proper and necessary to be examined as a witness or witnesses, on his, her, or their oath or oaths, touching or concerning the premises; and

who are to be drawn as the act 3 Geo. 2. directs.

Jury may be challenged.

the said court of mayor and aldermen, or justices, respectively, if they think fit, shall and may, on the application of either party, likewise authorise the said jury to view the place or places, or premises, in question, in such manner as they shall direct; and the said court of mayor and aldermen, or justices, respectively, shall have power to adjourn such meeting from day to day, as occasion shall require, and to command such jury, witnesses, and parties, to attend, until all such affairs for which they were summoned shall be concluded; and the said jury upon their oaths (which oaths, as also the oaths of such person or persons as shall be called upon to give evidence, the said court of mayor and aldermen, or justices, respectively, are hereby empowered and required to administer) shall inquire of the value of such houses, buildings, lands, tenements, or hereditaments, and of the proportionable value of the respective estates and interests of every person or persons seised or possessed thereof, or interested therein, or of or in any part thereof; and shall assess and award the sum or sums of money to be paid to such person or persons, party or parties, respectively, for the purchase of such houses, buildings, lands, tenements, or hereditaments, and of such respective estates and interests therein, and also for goodwill, improvements, or any injury or damage whatsoever, that may effect any such person or persons, party or parties, either as leaseholder or tenant at will; and the said court of mayor and aldermen, or justices, respectively, shall and may give judgement for such sum or sums of money so to be assessed; which said verdict or verdicts, and the said judgement and judgements, determination and determinations thereupon, (notice in writing being given to the person or persons interested, or claiming so to be, at least fourteen days before the time of the meeting of the said court of mayor and aldermen, or justices, as aforesaid, respectively, and the jury, by leaving such notice at the dwelling house of such person or persons, or at his, her, or their usual place or places of abode, or with some tenant or occupier of some of the said houses, buildings, lands, tenements, or hereditaments, intended to be valued or assessed), shall be binding and conclusive to all intents and purposes whatsoever, as well against the King's majesty, his heirs and successors, as against all bodies politick, corporate, and collegiate, and all and every person and persons claiming any estate, right, title, trust, use, or interest, in, to, or out of, such houses, buildings, lands, tenements, or hereditaments, and premises, in possession, reversion, remainder, or expectancy, as well infants and issue unborn, lunatics, idiots, and femes covert, and persons under any other legal incapacity or disability, as all other *Cestuique* trusts, his, her, and their heirs, successors, executors, and administrators, and against all other persons whomsoever; and the said verdicts, judgements, and determinations, and all other proceedings of the said court of mayor and aldermen, and justices respectively, and juries, so to be made, given, and pronounced, as aforesaid, shall be fairly written on parchment, and signed by the town clerk

Jury to assess the value on oath.

Verdict of the jury, &c. to be final.

Previous notice to be given to parties interested:

Expences of
juries pro-
vided for.

clerk of the said city, or the clerk of the peace of the said county, or the high bailiff of *Westminster*, for the time being, as the case shall be: and in case it shall so happen, that the sum or sums of money, so to be assessed and awarded, in consequence of such refusal to treat and agree as aforesaid, as the value of such houses, buildings, lands, tenements, or hereditaments, or as such proportional value as aforesaid, and as the recompence and satisfaction to be made for the injury or damage sustained, as before mentioned respectively, shall not exceed the sum or sums of money, which the said mayor, aldermen, and commons, in common council assembled, or any person or persons authorized by them, shall have previously offered to pay, as and for such value, recompence, and satisfaction, then, and in every such case, all the reasonable costs, charges, and expences, of causing and procuring such value and recompence, to be assessed and awarded by a jury as aforesaid, and of so assessing and awarding the same, shall be borne and paid by the bodies politick, corporate, or collegiate, or other person or persons so seized or possessed of, or interested in, such houses, buildings, lands, tenements, or hereditaments, and so refusing to treat and agree as before mentioned respectively; and the said mayor, aldermen, and commons, in common council assembled, are hereby authorized and empowered to deduct and retain the said costs, charges, and expences, out of the sum or sums of money so to be assessed or awarded as aforesaid, or out of any part thereof.

Upon pay-
ment of the
value assessed
the premises
to be conveyed
to the city.

XIX. And be it further enacted, That upon payment of the sum or sums of money so to be awarded and adjudged as aforesaid, after such deduction as aforesaid, to the person or persons to whom the same shall be so awarded, for the purchase of the said houses, buildings, lands, tenements, or hereditaments, or for the purchase of any estate or interest therein, such person or persons shall make and execute, or procure to be made and executed, good, valid, and legal, conveyances, assignments, and assurances, in the law, to the said mayor and commonalty and citizens, or any person or persons in trust for them, of the said houses, buildings, lands, tenements, and hereditaments, or of such estate or interest for which such sum or sums of money shall be so awarded, and shall procure all necessary parties to execute such conveyances, assignments, and assurances, and shall do all acts, matters, and things, necessary and requisite to make and derive a good, clear, and perfect title thereto, to the said mayor and commonalty and citizens; and such conveyances, assignments, and assurances, shall contain all such reasonable and usual covenants as shall, on the part of the said mayor and commonalty and citizens, be required; and in case the person or persons, to whom such sum or sums of money shall be awarded as aforesaid, shall not be able to evince and make out a good and sufficient title to the premises, to the satisfaction of the said mayor, aldermen, and commons, in common council assembled, and to make, or procure to be made, good, valid, and legal conveyances thereof to the said mayor and commonalty and citi-

When a good
title cannot
be made, or
legal convey-
ances execut-
ed;

ns, or any person or persons in trust for them, or shall refuse to do, being thereto required, and such sum or sums so assessed and awarded as aforesaid, after such deduction as aforesaid, being produced and tendered to be paid to him, her, or them, on their making such title, and executing, or procuring to be executed, such conveyances, assignments, or assurances, as aforesaid, or shall refuse to accept or receive the same, being tendered to be paid to him, her, or them; or in case any such person or persons, whom any sum or sums of money as aforesaid shall be so awarded, cannot be found in the said city of *London*, or in the county of *Middlesex*, or in case that, by reason of disputes depending in any court of law or equity, or for defect of evidence, shall not appear to the said mayor, aldermen, and commons, common council assembled, what person or persons is or are entitled to the premises in question; then, and in every such case, it shall and may be lawful to and for the said court of mayor and aldermen to order the said sum or sums so assessed and awarded as the value and purchase money for the said houses, buildings, lands, tenements, and hereditaments, as aforesaid, to be paid into the bank of *England*, in the name, and with the authority, of the accountant general of the high court of chancery, to be placed to his account, to the credit of the parties interested in the said houses, buildings, lands, tenements, or hereditaments, (describing them), subject to the order, controul, and disposition, of the said court of chancery; which said court of chancery, on application of any person or persons making claim to such sum or sums, or any part thereof, by motion or petition, shall be, and is hereby empowered, in a summary way of proceeding, or otherwise as to the same court shall seem meet, to order distribution thereof, according to the respective estate or estates, title, interest, of the person or persons making claim thereunto, and to make such other order in the premises as to the said court shall seem just and reasonable; and the cashier or cashiers of the bank of *England*, who shall receive such sum and sums, is and is hereby required to give a receipt or receipts for such sum or sums, mentioning and specifying for what and for whose use the same is or are received, to such persons as shall pay any such sum or sums into the bank as aforesaid.

XX. And be further enacted, That all such verdicts, judgments, sentences, determinations, orders, and other proceedings, of the said court of mayor and aldermen, or justices respectively, in cases of juries, as relate to or concern any of the cases before mentioned, and all receipts, which the said cashier or cashiers of the bank shall give, for any sum or sums of money paid into the bank in consequence of any such verdict and judgement, shall be entered among the records of the said court of mayor and aldermen, or general quarter sessions of the peace for the said county of *Middlesex*, as the case shall happen to be; and the said verdicts, judgements, sentences, decrees, and orders, and other proceedings, shall be deemed and taken to be records to all intents and purposes whatsoever; and the same, or true copies thereof, shall

or the parties are not to be found, &c.

court to order the purchase money to be paid into the bank, &c.;

subject to the order of the court of chancery, on motion or petition.

Verdicts and judgements to be entered among the records.

Immediately
after verdicts
and payments,
&c. premises
to vest in the
city.

be deemed and taken to be good and effectual evidence and proof in any court or courts of law or equity whatsoever; and all persons shall and may have recourse to the same gratis, and to take copies thereof, paying for every copy not exceeding two hundred words sixpence, and so proportionably for any greater number of words: and immediately after such verdicts, judgments, sentences, decrees, orders, and other proceedings, of the said court of mayor and aldermen, or justices, as aforesaid, respectively, and juries, and payment into the bank as aforesaid, and after such receipt or receipts of the said cashier or cashiers shall be given as before mentioned, all the estate, right, title, interest, use, trust, property, claim, and demand, in law and equity, of the person or persons to whose credit such money shall be paid in, to, and out of, the houses, buildings, lands, tenements, hereditaments, and premises, to be purchased as aforesaid, shall vest in the said mayor and commonalty and citizens, and they shall be deemed in law to be in the actual seisin or possession thereof to all intents and purposes whatsoever, as fully and effectually as if every person having any estate in the premises had actually conveyed the same by lease and release, bargain and sale enrolled, feoffment with livery of seisin, fine, common recovery, or any other conveyance or assurance whatsoever; and such payment shall not only bar all right, title, interest, claim, and demand, of the person or persons to whose credit such payment shall have been made, but also shall extend to, and be deemed and construed to bar, the dower and dowers of the wife and wives of such person and persons, and all estates tail, and other estates in possession, reversion, remainder, or expectancy, and the issue and issues of such person and persons, and every person claiming under them, as effectually as fines or common recoveries would do, if levied or suffered by the proper parties in due form of law.

Court of mayor and aldermen on petition, may invest the money in the publick funds.

XXI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said court of mayor and aldermen, after such payment into the bank, and entry of the receipt as aforesaid, and before any application in respect thereof to the said court of chancery, at the petition of any person or persons claiming to be interested in such houses, buildings, lands, tenements, or hereditaments, to place out or invest, or cause to be placed out or invested, such sum or sums of money, or any part thereof, in some of the publick funds, or on government security, at interest, in the name or names of any person or persons authorised and appointed by the said court of mayor and aldermen for that purpose, in trust, to transfer and assign the same to the person or persons to whom the premises shall belong, or their executing proper conveyances thereof; and, in the mean time, in trust, to pay the interest and dividends arising therefrom to the person or persons who was or were in possession of the said premises at the time of the said payment into the bank, such tenant in possession not being a tenant at will; and the said court of mayor and aldermen are hereby empowered to make such order as aforesaid on the bank, for the payment of such sum or sums

sums of money, or any part thereof, as shall be necessary, in order to the same being so invested in publick securities; and the said mayor and commonalty and citizens, or other person or persons, to whom the said premises, for which such money shall have been so paid as aforesaid, shall, by the mayor, aldermen, and commons, of the said city, in common council assembled, be ordered or appointed to be conveyed as before mentioned, shall be quieted in the seisin and possession of the houses, buildings, lands, tenements, and hereditaments, for which such money shall be so paid as aforesaid, and shall not be answerable or accountable in any court of law or equity, for the money so deposited and placed out as aforesaid, any otherwise than according to the true meaning of this act.

XXII. And be it further enacted, That the principal money arising from the sale of any houses, buildings, lands, tenements, or hereditaments, which shall be purchased for the purposes expressed in this act, of any body corporate or collegiate, corporation aggregate or sole, feoffees in trust, guardians, committees, or other trustees, or from any feme covert, exceeding the sum of twenty pounds, shall be paid to such persons as they shall respectively nominate to receive the same in trust, with all convenient speed then afterwards to be re-invested in the purchase of other houses, buildings, lands, tenements, or hereditaments, to be conveyed and settled to and upon, and subject to the like uses, trusts, limitations, remainders, and contingencies, as the houses, buildings, lands, tenements, and hereditaments, which shall be purchased of them respectively, by the said mayor and commonalty, and citizens, as aforesaid, were respectively settled, limited, or assured, at the time of such purchase, or so many thereof, as at the time of making such conveyances and settlements shall be existing and capable of taking effect; and any such body, corporation, or other person, as aforesaid, shall or may be at liberty to add any money, not exceeding one hundred pounds; and the money arising from such sale as aforesaid to be re-invested as aforesaid.

Purchase money of premises held in trust to be invested in other purchases to the same uses.

XXIII. And be it further enacted, That the conveyance of any such estate or interest of any feme covert, to the said mayor and commonalty and citizens, or any person or persons in trust for them, by indenture or indentures of bargain and sale, sealed and delivered by such feme covert, in the presence of, and attested by, two credible witnesses, and duly acknowledged, and to be inrolled in the court of hustings of the city of London, in case the premises in question lie within such city or the liberties thereof, and if in the county of Middlesex, then to be inrolled in the high court of chancery within six calendar months after the making thereof, shall as effectually and absolutely convey the estate and interest of such feme covert in the premises, as any fine or fines, recovery or recoveries, would or could do, if levied or suffered thereof in due form of law; and further, that all bargains and sales whatsoever, to be made of any such houses, buildings, lands, tenements, and hereditaments, as shall be purchased

Bargains and sales to have the force of fines and recoveries.

by the said mayor and commonalty and citizens by virtue of and for the purpose of this act, and inrolled as aforesaid, shall have the like force, effect, and operation, in law, to all intents and purposes, as any fine or fines, recovery or recoveries whatsoever, would have had, if levied or suffered by the bargainer or bargainers, or any person or persons seised of any estate in the premises in trust, for such bargainer or bargainers, in any legal manner or form whatsoever.

Persons having any right, &c. to enter their claims within a limited time, or be barred.

XXIV. And be it further enacted, That all and every person and persons whomsoever, having or claiming any right, title, interest, use, property, claim, or demand whatsoever, whether in possession, reversion, remainder, or expectancy, in, to, or out of, any houses, buildings, lands, tenements, or hereditaments, which, by virtue and for the purposes of this act, shall be purchased by, and conveyed or mentioned, or intended to be conveyed, to the said mayor and commonalty and citizens, or any person or persons in trust for them, by any such bargain and sale as aforesaid, shall, within the space of five years, to be computed from the date of the inrolment of such bargain and sale enter a memorial of such their right, title, interest, use, property, claim, and demand, in a book to be for that purpose prepared and kept by the town clerk of the said city of *London*, or the clerk of the peace of the said county of *Middlesex*, for the time being respectively; which book the said town clerk and clerk of the peace respectively are hereby required to prepare and keep accordingly, and for which entry they shall be entitled to such fee, and no other, as the register of the county of *Middlesex* is by law entitled to, for the registry of a memorial containing the same number of words; and all and every person and persons whatsoever, not entering such right, claim, and demand, within such time, and in such manner as aforesaid, or having so entered the same, and not prosecuting such their right, claim, or demand, with effect, within the space of five years, to be computed from the time of such entry, shall be for ever barred of all right, title, use, equity, property, claim, and demand whatsoever, whether in possession, reversion, remainder, or expectancy, in, to, upon, or out of, the said premises, and every part thereof; and the said mayor, and commonalty, and citizens, and those claiming by, from, or under them, shall be quieted in the possession of all such houses, buildings, lands, tenements, hereditaments, and premises; any law, statute, usage, matter, or thing whatsoever, to the contrary notwithstanding.

But may recover the purchase money, &c. from persons receiving the same.

XXV. Provided nevertheless, and be it further enacted, That any person or persons barred of any right, title, estate, interest, claim, or demand, whatsoever, in, to, or out of, the said houses, buildings, lands, tenements, or hereditaments, by virtue of this act, shall be at liberty to bring any action or actions of debt, or for money had and received to his, her, or their use, against any person or persons, or the legal representatives of any person or persons who shall have received all or any part of the purchase money arising from such sale of the said houses, buildings, lands,

tenements, hereditaments, and premises, aforesaid; and that, in every such case, the respective plaintiffs, on proof of such title as would have enabled them to recover such houses, buildings, lands, tenements, or hereditaments, or any part thereof, or any estate or interest in the same, shall recover the said purchase money, or so much thereof as shall be equivalent to their interest in the said premises, together with such interest as shall be equivalent to the mesne profits of the premises which they would have been entitled to recover in case this act had not been made.

XXVI. And be it further enacted, That every tenant at will, or lessee for a year, or any other person or persons in possession of any such houses, buildings, lands, tenements, hereditaments, and premises, or any part thereof, which shall be purchased by virtue of and for the purposes of this act, and who shall have no greater interest in the premises than as tenant at will, or as lessee for a year, or from year to year, shall deliver up the possession of such premises to the said mayor and commonalty and citizens, or to such person or persons as the mayor, aldermen, and commons, of the said city, in common council assembled, shall appoint to take possession of the same, upon having six calendar months notice to quit such possession from the mayor, aldermen, and commons, of the said city, in common council assembled, or the person or persons so authorised by them; and such person or persons in possession shall, at the end of the said six calendar months, or so soon after as he or they shall be required, peaceably and quietly, deliver up the possession of the said premises, to the said mayor and commonalty and citizens, or the person or persons authorised by the said mayor, aldermen, and commons, in common council assembled, to take possession thereof; and that, in case any such person or persons so in possession as aforesaid, shall refuse to give such possession as aforesaid, then it shall and may be lawful to and for the said court of mayor and aldermen to issue their precept or precepts to the sheriffs of the said city of *London*, or the sheriff of the said county of *Middlesex*, as the case shall require, to deliver possession of the premises to such person or persons as shall in such precept or precepts be nominated to receive the same; and the said sheriffs or sheriff are hereby required to deliver such possession accordingly of the said premises, and to levy such costs as shall accrue from the issuing and execution of such precept or precepts on the person or persons so refusing to give possession as aforesaid, by distress and sale of his, her, or their goods.

Tenants at will, &c. to deliver possession on six months notice.

XXVII. And be it further enacted, That all and every person and persons, who shall have any mortgage or mortgages, on such houses, buildings, lands, tenements, and hereditaments, not being in possession thereof by virtue of such mortgage or mortgages, shall, on the tender of the principal money and interest due thereon, together with the amount of six calendar months interest on the said principal money, by the said mayor, aldermen, and commons, in common council assembled, or by such person

Mortgagees, on tender of principal and interest, to convey.

or persons as they shall appoint, immediately convey, assign, and transfer, such mortgage or mortgages, to the said mayor and commonalty and citizens, or to such person or persons as the said mayor, aldermen, and commons, in common council assembled, shall appoint; or, in case such mortgagee or mortgages shall have notice in writing, from the said mayor, aldermen, and commons, in common council assembled, or such person or persons as they shall appoint, that they will pay off and discharge the principal money and interest which shall be due on the said mortgage or mortgages, at the end or expiration of six calendar months, to be computed from the day of giving such notice, that then, at the end of the said six calendar months, on payment of the principal and interest so due, such mortgagee or mortgages shall convey, assign, and transfer, his, her, or their interest in the premises to the said mayor and commonalty, and citizens, or such person or persons as shall be appointed in trust for them; and in case such mortgagee or mortgages shall refuse to convey and assign as aforesaid, on such tender or payment, that then all interest on every such mortgage shall from thenceforth cease and determine.

On refusal,
interest to
cease.

Upon pay-
ment of prin-
cipal and in-
terest into the
bank,

premises to
vest in the
city.

Monies to be
paid or ten-
dered before
any use made
of the pre-
mises.

Court of al-
dermen may
fine sheriffs,
jurors, or wit-
nesses, for not
attending, &c.

XXVIII. And be it further enacted, That upon payment of the principal money and interest due on any mortgage as aforesaid into the bank, at the end of six calendar months from the day of giving such notice as aforesaid, for the use of the mortgagee or mortgagees, the cashier or cashiers of the bank shall give a receipt or receipts for the said money, in like manner as is herein-before directed in cases of other payments into the bank; and thereupon all the estate, right, title, interest, use, trust, property, claim, and demand, of the said mortgagee or mortgagees, and of all and every person or persons in trust for him, her, or them, shall vest in the said mayor and commonalty and citizens, and they shall be deemed to be in the actual possession of the premises comprised in such mortgage or mortgages to all intents and purposes whatsoever.

XXIX. And be it further enacted, That all sums of money, or other consideration, recompence, or satisfaction, to be paid or made pursuant to any such agreement or verdict as aforesaid, or in discharge of any such mortgage, shall be paid or tendered to the party or parties entitled to the same, or paid into the bank of England as aforesaid, before the said mayor, aldermen, and commons, in common council assembled, or any person or persons authorized by them, shall proceed to pull down any house or houses, or other erections or buildings, comprised in or affected by such agreement, verdict, or mortgage, respectively, or to use the ground for any of the purposes of this act.

XXX. And be it further enacted, That the said court of mayor and aldermen, and the said justices respectively, shall have power, from time to time, to impose any reasonable fine, not exceeding the sum of ten pounds, on such sheriffs or sheriff, or high bailiff of Westminster, or their or his deputy or deputies, bailiffs or agents respectively, making default in the premises, and on any of the

persons who shall be summoned and returned on any such jury or juries as shall not appear, or as shall refuse to be sworn on the said jury or juries, or being so sworn, shall not give his or their verdict, and also on any person or persons who shall be summoned to give evidence touching any of the matters aforesaid, and shall not attend, or shall refuse to be sworn, or to affirm, or who shall refuse to give his, her, or their evidence, and on any other person or persons who shall in any other manner wilfully neglect his, her, or their duty, in the premises, contrary to the true intent and meaning of this act, and from time to time to levy such fine or fines by order of the said court of mayor and aldermen, or justices respectively, by distress and sale of the offender's goods, together with the reasonable charges of every such distress and sale, returning the overplus (if any) to the owner or owners; and that a copy of the order of the said court of mayor and aldermen, signed by the town clerk of the said city for the time being, or a copy of the order of the said justices, signed by the clerk of the peace of the said county of *Middlesex* for the time being, shall respectively be sufficient authority to the person or persons therein to be appointed, and to every other person acting or aiding and assisting therein, to make such distress and sale; and all such fines shall be paid to the chamberlain of the said city for the time being, to be applied to the purposes of this act.

XXXI. And be it further enacted, That it shall and may be lawful to and for the said mayor, aldermen, and commons, in common council assembled, to let, sell, or dispose of, or cause to be let, sold, or disposed of, all or any of the houses and buildings to be erected and built as before mentioned, and their appurtenances, (except the said parish church and church yard), and also all or any part or parts of such land or ground so to be purchased as aforesaid, as may not be necessary to be laid into any of the said intended streets, ways, or passages, to such person or persons as shall be willing to contract, agree for, rent, or purchase the same.

Common council empowered to let, sell, &c. any ground not necessary for the purposes of this act,

XXXII. And be it further enacted, That the said mayor, aldermen, and commons, in common council assembled, shall and may use, or cause to be used, such of the materials of the said parish church, or of any part thereof, as shall not be applied in rebuilding the same, and also all or any part of the old materials of houses and other buildings to be taken down, removed, or altered respectively, pursuant to this act, in or about the making and finishing of the aforesaid new buildings and other improvements, or any of them; or the same materials, or any part thereof, shall and may sell, or cause to be sold, as they shall think fit.

and to use or sell old materials;

XXXIII. *And whereas, for the greater regularity or beauty of the said intended streets, ways, or passages, to be made in pursuance of this act, it may be proper to build houses, or parts of houses, on some parts of the present streets, ways, or passages, intended to be altered or stopped up by virtue of this act;* be it therefore further enacted,

and to grant licences for building on part of the streets, &c.

That it shall and may be lawful to and for the said mayor, aldermen, and commons, in common council assembled, for and in consideration of such sum or sums of money, or yearly rent or rents, as they shall think reasonable, to grant unto the owner or owners of the freehold and inheritance of the house or houses, buildings, lands, tenements, or hereditaments, next adjoining in front to the said ground to be purchased, licence or licences, under the common seal of the mayor and commonalty and citizens of the said city of *London*, to build upon, and inclose so much of the ground and soil, in the front of the said respective house or houses, buildings, lands, tenements, or hereditaments, as they shall judge fit and proper to be built upon for the purposes of this act; and the ground and soil, so built upon in pursuance of such licence or licences, shall for ever, or for or during the time or term to be expressed in such licence or licences, and subject to the conditions therein to be contained, be annexed to the adjoining freehold; any law, usage, or custom to the contrary notwithstanding.

Monies arising by sales or licences to be appropriated to the purposes of the act.

XXXIV. Provided always, and be it further enacted, That all rents, and other sum and sums of money, to arise by the sale or letting of the houses, buildings, lands, tenements, and hereditaments, so to be let or sold, or by sale of such of the materials of the said parish church as shall not be used in rebuilding the same, or by sale of the materials of houses and buildings to be purchased and pulled down, and all monies to arise from such licences as aforesaid, shall be applied, and the same are hereby appropriated, to the purposes of this act, and to no other use, intent, or purpose whatsoever.

XXXV. *And whereas, by pulling down such houses and buildings, and parts of houses and buildings, as may be necessary for the purposes aforesaid, and laying the ground or soil thereof into the said improved streets, ways, or passages, the number of householders and of inhabitants of the said parish of Saint Clement Danes may be diminished, and thereby the income of the rector of the said parish church for the time being may be lessened, unless some provision for indemnifying him shall be made by this act; and the rector and vicar of the parish church of Saint Sepulchre aforesaid may be deprived of his or their remedy for recovering the tithes, or yearly sums of money or customary payments in lieu of tithes, now charged on such houses or buildings in the same parish, as may be necessary to be so pulled down, unless some provision be made by this act for the future payment of the same; be it therefore enacted, That, for indemnifying the rector of the said parish church of Saint Clement Danes, and his successors, against such loss as aforesaid, a perpetual annual sum of fifteen pounds of lawful money of Great Britain, shall be charged upon and issuing out of such ground, in the said parish of Saint Clement Danes, as by the said mayor, aldermen, and commons, in common council assembled, shall be let or sold to be built upon in pursuance of this act, and upon and out of such houses, buildings, and tenements, as shall be built or standing thereon, or the same annual sum of fifteen pounds shall be charged upon and issuing out of*

For securing the tithes, &c. of premises taken down.

such parcel or parcels only of the same ground, houses, buildings, and tenements, and in such shares and proportions, or according to such appointment, among such respective parcels as the said mayor, aldermen, and commons, in common council assembled, shall at the time or times of letting or selling such parcels of ground respectively, think fit and direct; and as the same shall be accordingly charged upon such parcels of ground, houses, buildings, and tenements, respectively, by any deed or deeds, writing or writings, under the common seal of the mayor and commonalty and citizens of the said city of *London*; and the same annual sum so to be apportioned and charged as aforesaid, shall from time to time thereafter be payable to the rector of the same parish church of *Saint Clement Danes*, and his successors for the time being, for ever, in such manner, and the same, or the respective proportions thereof, shall commence from such time or respective times, as are herein-after mentioned, and to be paid clear of all taxes and deductions whatsoever: and, for securing to the rector and vicar of the said parish church of *Saint Sepulchre* the payment of such tithes, or yearly sums of money or customary payments in lieu of tithes, as aforesaid, now charged on such houses and buildings in that parish as shall be pulled down in pursuance of this act: be it also enacted, That the tithes, or yearly sums of money or customary payments in lieu of tithes, charged respectively on such messuages, buildings, or tenements, and such part or parts of messuages, buildings or tenements, in the said parish of *Saint Sepulchre*, as shall be pulled down under the authority of this act, and all arrears and growing payments thereof, or annual sum or annual sums of money, equal to the loss which the rector and vicar of the said parish church of *Saint Sepulchre* may sustain by the execution of this act, shall be charged upon and issuing out of such ground in that parish, as by the said mayor, aldermen, and commons, in common council assembled, shall be let or sold, to be built upon, in pursuance of this act, and upon and out of such houses, buildings, and tenements, as shall be built or standing thereon; or the same tithes, or customary payments or annual sum or sums in lieu of tithes, shall be charged upon, and issuing out of such parts or parcels only of the same ground, houses, buildings, and tenements, and in such shares or proportions, or according to such appointment, among such respective parcels, as the said mayor, aldermen, and commons, in common council assembled, shall, at the time or times of letting or selling such parcels of ground, respectively direct, and as the same shall be accordingly charged upon such parcels of ground, houses, buildings, and tenements, respectively, by any deed or deeds, writing or writings, under the common seal of the mayor and commonalty and citizens of the said city of *London*; and the same annual sum, so to be apportioned and charged as aforesaid, shall from time to time thereafter be payable to the rector and vicar of the same last mentioned parish church, and his and their successors for the time being, for ever, in such manner, and the same or the respective proportions thereof shall

commence from such time or respective times as are herein-after mentioned; all which said annual sums in lieu of tithes, as aforesaid, to the said rector of *Saint Clement*, or tithes to the said rector and vicar of *Saint Sepulchre*, shall be paid and payable, clear of all taxes and deductions, at the four most usual quarterly feasts or days of payment in every year, that is to say, the annunciation of the blessed virgin *Mary*, the nativity of saint *John* the baptist, saint *Michael* the archangel, and the nativity of our blessed Saviour, by equal payments in every year; the first payment thereof respectively to be made on such of the said feast days as shall first and next happen after the pulling down of any such houses, buildings, or tenements, or any part or parts thereof, in the said parishes of *Saint Clement* and *Saint Sepulchre* respectively, for the purposes aforesaid, together with all arrears.

Power of recovery of annual sums in lieu of tithes, &c.

XXXVI. And be it further enacted, That as well the rector of the said parish church of *Saint Clement Danes* and his successors, as the rector and vicar of the said parish church of *Saint Sepulchre*, and his and their successor and successors, shall for ever have and enjoy such and the like powers, authorities, and remedies, for recovering and receiving the said annual sums hereby provided for them respectively, of and from the respective owners or occupiers of the houses, buildings, or tenements, which shall be so charged therewith, or with certain parts or proportions thereof, according to the true meaning of this act, as the rector and vicar of the said parish church of *Saint Sepulchre*, or either of them, now have or hath, for recovering and receiving the tithes, or yearly sums or customary payments in lieu of tithes, charged on, or payable in respect of, houses, buildings, and other hereditaments, in that parish: provided nevertheless, that nothing in this act shall be construed to extend to vary or alter the rights of the said rector of the said parish of *Saint Clement Danes*, or the said rector and vicar of the said parish of *Saint Sepulchre*, within the same parishes respectively, or to subject the inhabitants thereof to any other claims or demands of the said rector, or rector and vicar, than they respectively were heretofore lawfully subjected unto.

Annual sums in lieu of tithes how to be paid.

XXXVII. Provided always, and be it further enacted, That in the mean time, after the said annual sums in lieu of tithes shall respectively commence and become payable, and until the houses, buildings and tenements, to be charged therewith, shall be inhabited or actually occupied respectively, the same annual sums shall be duly paid and discharged from and out of the money to be raised by virtue of this act.

Compensation for loss of taxes and rates.

XXXVIII. And whereas, by reason of pulling down the houses, and making the alterations, in pursuance of this act, there may be deficiencies in the produce of the land tax, and paving, cleansing, lighting, and poors rates, within the said parish of *Saint Clement Danes* and the said parish of *Saint Sepulchre* in the city of London; be it further enacted, That the said mayor, aldermen, and commons, in common council assembled, shall, from and after the passing of this act, for and during the term of ten years, or such other shorter time within which the said several works and improve-

ments shall or may be completed and finished, be subject and liable to make good to the said parish of *Saint Clement Danes*, within the city and liberty of *Westminster*, and to the liberty of the duchy of *Lancaster*, and to the said parish of *Saint Sepulchre*, respectively, all such sum or sums of money, which, during such term, shall be deficient, in respect of the produce of the assessments for land tax, and paving, cleansing, and lighting, and poors rates, within the said several parishes respectively, by reason or means of the alterations arising from carrying this act into execution, within the said respective districts, according to the produce of such several rates and assessments respectively, in such respective districts, from *Lady-day* one thousand seven hundred and ninety-four, to *Lady-day* one thousand seven hundred and ninety-five, and shall pay the same accordingly to the several collectors of the said tax and rates: provided always, that when and so soon as after this act shall be carried into execution, the produce or payments, for and in respect of the several assessments for land tax, and paving, cleansing, and lighting, and poors rates, or any of them, of and for all the new or other houses and buildings, and other tenements and hereditaments, whatsoever, which shall then respectively abut or adjoin upon, or have communication by a private passage with either the north side of the said intended new street, way, or passage, from the north-east corner of *Wyck Street* to *Temple Bar*, or the west end of *Saint Clements* church yard from *Wyck Street* to the *Strand*, or the south side of the *Strand* from *Arundel Street* to *Temple Bar*, or the said intended new street or passage from the bottom of *Holborn Hill* to the east end of *Snow Hill*, and of and for all and singular such houses, buildings, lands, tenements, and hereditaments whatsoever, as shall then be standing upon, or part of the land and other hereditaments in the said parishes of *Saint Clement Danes* and *Saint Sepulchre* respectively, which shall be purchased in execution of this act, shall raise a larger sum of money at the same rate per pound than the sum raised by the assessments from *Lady-day* one thousand seven hundred and ninety-four to *Lady-day* one thousand seven hundred and ninety-five, of and for the several houses, buildings, lands, tenements, and hereditaments, now respectively abutting or adjoining upon, or having communication by a private passage with, *Butcher Row*, the street called *The Back of Saint Clements*, *Saint Clement's* church yard, and the north and south sides of so much of the *Strand* as extends between *Arundel Street* and *Temple Bar*, and of and for all and singular such houses, buildings, lands, tenements, and hereditaments, whatsoever, now situate in the said parishes of *Saint Clement Danes* and *Saint Sepulchre* respectively, as shall be purchased in execution of this act; that then the surplus shall, in the first place, be applied and paid to the said mayor, aldermen, and commons, in common council assembled, towards re-imbursing them what they shall have paid for or in respect of the aforesaid deficiencies in the assessments for land tax, and paving, cleansing, and lighting, and poors rates, respectively; and so, from time to time, when and as often as there shall

shall be any surplus, until the said mayor, aldermen, and commons, in common council assembled, shall be wholly re-imbursed and repaid all monies which they shall have disbursed to make good such deficiencies.

Compensation to rector of St. Clement Danes and other officers of the said church.

XXXIX. And be it further enacted, That, until the said parish church of *Saint Clement Danes* shall be rebuilt, and rendered completely fit for the performance of divine service therein, the said mayor, aldermen, and commons, in common council assembled, shall pay and allow, out of the fund to be raised by virtue of this act, and make recompence to the rector, clerk, sexton, and organist, attending the said church, all such deficiency as they can make appear to the committee, to be appointed by the said mayor, aldermen, and commons, they have sustained in the receipt of pew rent, dues, and fees, yearly and every year, from the time of taking down the said church until the same shall be rebuilt as aforesaid; the computation of such deficiency to be made upon the average for the seven years preceding the taking down the said church.

XL. *And whereas the whole of the north side of the streets, or places, called The Strand, Butcher Row, and The Back of Saint Clement's, from Temple Bar to the east end of Wych Street, lie within that part of the parish of Saint Clement Danes which is within the city of Westminster and the liberties thereof; and whereas the south side of the said street, or place, called The Butcher Row and Back of Saint Clement's to Holywell Street, lie within that part of the said parish of Saint Clement Danes which is within the liberty of the duchy of Lancaster in the Strand, in the county of Middlesex: and whereas it may happen, according to the proposed line of building, that a part of the north side of the new intended street may be built on that part of the said parish of Saint Clement Danes which lies within the said liberty of the duchy of Lancaster; be it therefore enacted, That so many of the houses, or other buildings, as shall, according to such line, be built and front on that part of the said parish of Saint Clement Danes in the liberty of the duchy of Lancaster, as also the back part thereof lying within the said parish of Saint Clement Danes within the liberty of Westminster, shall be deemed to be within the said liberty of the duchy of Lancaster, for all and every the purposes of future assessments or payments to the land tax, or in any manner relating thereto: provided always, that, out of the sum or sums of money so to be assessed for houses or other buildings within the said intended new street, by reason of the fronts of the same being brought within the said liberty of the duchy of Lancaster, the collector of the land tax for the said liberty do and shall, out of the monies to be raised by such assessments yearly, pay, or cause to be paid, to the collector or collectors of the land tax for the said parish of Saint Clement Danes, in the city and liberty of Westminster, such sum or sums of money as the houses or other buildings, now situate on the north side of the said Butcher Row, (which may, by such alteration of the line of building, become the back or part of any such intended house, or other building),*

For apportioning the land tax between the Westminster and duchy liberties.

were subject and liable to pay, and did pay, to the said parish of *Saint Clement Danes*, in the liberty of *Westminster*, for the year one thousand seven hundred and ninety-four, according to a our shilling aid for the land tax, and so in proportion, yearly, according to any other aid or assessment which shall in future be made for land tax.

XLI. And be it further enacted, That, in all cases where the said mayor, aldermen, and commons, in common council assembled, shall erect, build, or cause to be erected or built, any house or building upon the boundary line of the said liberty of the duchy of *Lancaster*, the said mayor, aldermen, and commons, in common council assembled, shall cause to be made, and preserved, marks of the boundary line of the said liberty, and shall certify the said marks, in writing, to the steward of the said liberty, to be inrolled in the court books of the said liberty.

XLII. And be it further enacted, That it shall and may be lawful to and for the said mayor, aldermen, and commons, in common council assembled, from time to time, to appoint one or more committee or committees, to manage and transact all or any of the matters or purposes which they the said mayor, aldermen, and commons, in common council assembled, are hereby authorised and required to do, execute, or perform; which committee or committees, so to be appointed, shall have such or so much of the powers and authorities by this act given to the said mayor, aldermen, and commons, in common council assembled, the said mayor, aldermen, and commons, in common council assembled, shall think fit or proper to delegate to such committee or committees.

XLIII. Provided nevertheless, and be it further enacted, That any person, being a member of any such committee, shall be directly or indirectly interested, or concerned, in any contract which shall be made or entered into by or on behalf of such committee, for or concerning any of the works to be performed or done in pursuance of this act, or for or concerning any materials to be used or employed therein, every such contract shall be void; and the person, who, being a member of such committee, shall be interested or concerned, shall, for every such offence, forfeit and pay the sum of one hundred pounds to any person or persons who shall sue for the same, to be recovered in any of his Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, to be commenced within six calendar months after the offence committed; in which action or suit respectively, no protection, essoin, or wager of law, or more than one defence, shall be allowed.

XLIV. And be it further enacted, That the committee or committees so to be appointed shall and may, and they are hereby authorised and empowered, from time to time, to employ any person or persons, whether free of the said city or not, in or about any of the works, matters, or things, which they shall be to be performed or done by virtue or in pursuance of this act, and to contract for the doing and performance of such

works.

H H

works,

works, matters, and things, or any of them, with any person or persons, in such manner as the said committee or committees shall think fit; and that no person or persons, who shall be so employed or contracted with, in, about, or for, any of the purposes of this act, nor any person or persons to be set to work by or under them, or any of them, shall, for any act done, or to be done, in or about the premises, be subject or liable to any action, indictment, or information, upon the statute made in the fifth year of her late majesty Queen *Elizabeth*, intituled, *An act containing divers orders for artificers, labourers, servants of husbandry, and apprentices*, or be liable to be sued for any breach of the custom of *London*, or for any penalty inflicted by any bye-law of the said city.

Directions for giving notice of contracts.

XLV. Provided always, and be it further enacted, That previous to the making of any such contract, notice shall be given, in some of the daily newspapers, that such committee intend to make such contract; and that all persons willing to engage therein may make proposals to the said committee at a certain time and place in every such notice to be specified; and all contracts, made or to be made in consequence of such notice, shall specify the several works to be done, and the price or prices to be paid for the same, and the time or times when the said works are to be completed, together with the penalties to be incurred in case of the non-performance thereof; and the same shall be signed by the clerk for the time being of such committee, as also by the person or persons contracting to perform such works respectively, and shall be entered in a book or books, to be kept for that purpose by such committee.

Recital of an act 5 and 6 William & Mary, for raising the orphans fund.

XLVI. *And whereas an act was made in the fifth and sixth years of the reign of King William and Queen Mary, intituled, An act for relief of the orphans and other creditors of the city of London, whereby a fund was established for the purposes therein mentioned, which said fund, and the receipts and disbursements thereof, are under the management and direction of the court of mayor and aldermen of the said city of London: and whereas, by several acts, made in the twenty-first and twenty-ninth years of King George the Second, and in the seventh and eighteenth years of his present Majesty, or by some of them, the several provisions for supporting the said fund have been continued and augmented, and further sums of money charged thereon, for defraying the expences of several publick works: and whereas the income of the said fund has for several years past so much increased as to afford a reasonable probability that, if the said mayor, aldermen, and commons, in common council assembled, were enabled to raise the sum of one hundred thousand pounds to be applied for the purposes of this act, upon the credit of the surplusses to arise from the said fund, such surplusses will be sufficient to pay off such further charge as well as the whole of the debt and sums of money already charged thereon, within the time for which the said fund is continued by the act of the seventh year of the reign of his present Majesty, without the future aid of the said annual sum of two thousand*

d pounds, raised upon the personal estates of the several inhabitants of the said city and liberties in pursuance of the said acts: be it therefore further enacted, That the payment of the said annual sum of two thousand pounds, annually raised upon the personal estates of the several inhabitants of the said city of London and the liberties thereof, towards the said fund called The Orphans Fund, and all powers, authorities, and remedies, for recovering and recovering the same, shall, from and after the twenty-fourth day of the one thousand seven hundred and ninety-six, cease and determine; and such annual sum, or any part thereof, shall never be paid or payable; and the residue or surplus only of the said fund shall from thenceforth be deemed and called The Orphans Fund; any thing in the said acts, herein-before mentioned to the contrary in anywise notwithstanding: and that it shall not be lawful to and for the said mayor, aldermen, and commons, in common council assembled, and they are hereby authorized and empowered, at any time or times from and after the passing of this act, to borrow and raise, by annuities or otherwise, the sum of one hundred thousand pounds upon the credit of the said fund, (over and above the several sums of money before charged, and now remaining due thereon), the said monies to be paid into the receipt of the chamber of the said city of London by such instalments, in such proportions, and at such times, as the said mayor, aldermen, and commons, in common council assembled, shall direct; and the persons who shall be directed to advance or contribute any part of the said monies shall, in respect of the sums which they shall so respectively advance, be entitled to annuities, at such rates of interest as the said mayor, aldermen, and commons, in common council assembled, shall think reasonable, to commence from such time or times as shall be agreed upon, to be payable half-yearly, and to continue, until redemption thereof by payments of each respective principal part; and that no part of the monies so to be lent or advanced, nor any of the said annuities so to take place in respect thereof, shall be rated or assessed to any tax or assessment whatsoever.

The annual sum of 2000l. raised on personal estates of the inhabitants of London to cease.

Common council empowered to raise a further sum upon the credit of the orphans fund.

Contributors to be entitled to redeemable annuities.

LXVII. And be it further enacted, That the said mayor, aldermen, and commons, in common council assembled, shall be authorized to give a bond or note, or other security in writing, under the common seal of the said city, to be delivered to every person advancing any part of the said monies, for the payment of such annuities, in respect thereof, until redeemed as is herein-after mentioned; which bonds, notes, or other securities, shall be assignable by indorsement.

Common council to give bonds for such annuities, assignable by indorsement.

LXVIII. And be it further enacted, That the said fund called The Orphans Fund shall be, and the same is hereby charged and made chargeable with the annuities which shall be payable in respect of the said sum of one hundred thousand pounds to be borrowed and raised under or by virtue of this act, subject nevertheless and without prejudice, to the payment of the interest on the several principal debts remaining due to the orphans and other creditors

The orphans fund charged with such annuities.

of the said city; and also the several annuities which are or shall be payable in respect of the several principal sums borrowed and raised upon the credit of the said fund by the several acts of parliament herein-before mentioned or referred to.

Surplusses of the said fund how to be applied.

XLIX. And be it further enacted, That, out of the future surplusses of the said fund, so created, continued, and augmented as aforesaid (after reserving so much money as shall be sufficient to satisfy the interest due, and which shall at any time be due, to the orphans and other creditors of the said city, as also to satisfy the interest due, and which shall at any time be due, on the several other principal sums borrowed and raised by or under the said several acts of parliament herein-before mentioned or referred to), the said annuities, in respect of the said sum of one hundred thousand pounds to be borrowed and raised under and by virtue of this act, shall be paid from time to time as the same shall grow due, before any part of such surplusses shall be otherwise applied, as by the said act of the seventh year of his present Majesty is directed; and that the residue of such surplusses, after such payments as by the said several acts are directed to be made out of the same shall be paid and satisfied, shall, from time to time, by order of the court of mayor and aldermen of the said city of London, (which order the said court are hereby authorised and directed to make), be, by the chamberlain of the said city for the time being, applied towards the redemption of all and singular the annuities to be payable in respect of the said sum of one hundred thousand pounds, in such order as the said court of mayor and aldermen shall think fit.

Upon notice of redemption and tender of the money, annuities to cease;

L. Provided always, and be further enacted, That the said court of mayor and aldermen, shall give, or cause to be given, six calendar months notice of their intention to pay off such annuities, to be granted in respect of the said sum of one hundred thousand pounds to the person or persons to whom the same shall respectively belong; at the end of which six calendar months, upon payment or tender of the respective sums for which such annuities shall have been granted to or for the person or persons then entitled thereto, at the office of the chamberlain of the said city for the time being, in the *Guildhall* of the same city, the annuity and annuities payable to such person or persons respectively, shall cease and determine; nevertheless the monies so tendered shall be paid to such person or persons, upon his, her, or their demand, and giving a discharge for the same.

but the principal to be still payable.

Deficiencies to be paid out of the chamber of London.

LI. Provided always, and be it further enacted, That if the surplusses of the said fund, charged with the annuities which shall be payable in respect of the said sum of one hundred thousand pounds, shall at any time or times hereafter prove insufficient to pay off and discharge the same, then, and in every such case, and so often as the same shall happen, the sum, which shall be wanting to complete the payment and discharge of such annuities, shall be advanced and paid out of the chamber of the said city, and be made good and supplied out of the future surplusses of the said fund.

LII. And be it further enacted, That the said sum of one hundred thousand pounds, so to be raised and borrowed as aforesaid, shall be applied for or towards the purposes of this act; and that part thereof shall be applicable, or applied, to or for any other intent, or purpose whatsoever; and, if any surplus shall remain of the said sum of one hundred thousand pounds over and above what shall be applied to the purposes aforesaid, such surplus shall be applied and appropriated for or towards the increase of the said orphans fund.

The money borrowed to be applied only for the purposes of this act; and if any surplus, to be applied to increase the fund.

LIII. And be it further enacted, That the chamberlain of the city for the time being shall enter in a book, or books, to be kept for that purpose, all securities for monies borrowed, or annuities granted, in pursuance of this act, and all assignments and transfers thereof, expressing in words at length the names, names, additions, places of abode, and other descriptions, of such persons as shall from time to time be entitled to such annuities, and the sums received upon such securities, and the places whereon the said annuities respectively shall be payable; to which book and books all and every person and persons entitled or interested in such annuities, shall at all reasonable times, from day to day, have access, with free liberty to inspect the same, without fee or reward.

Securities to be entered in books.

LIV. And be it further enacted, That, from time to time, there shall also be provided and kept, by the chamberlain of the city for the time being, one or more book or books, in which shall be entered the monies which, by virtue of this act, shall be raised or borrowed upon the credit of the said fund, shall from time to time, as the same shall be received, be entered and set down, and therein also all the monies to be paid and disbursed out of the said fund, and the monies to be received shall from time to time be entered and set down; and such entry shall express the time when, the reasons for which, and the names of the persons to whom, the same shall be so paid.

Chamberlain to keep accounts of receipts and disbursements.

LV. Provided always, and be it further enacted, That it shall be lawful to and for the said mayor, aldermen, and common council, in common council assembled, or such committee or committees as shall or may be appointed as herein-before is directed, they are hereby authorized and empowered respectively, from time to time, to nominate and appoint such and so many clerks and other officers under them, as shall be necessary to be employed for or about the execution of all or any of the purposes of this act; and out of the said monies to be raised by virtue and in pursuance of this act, to make such allowances to the said clerks and officers respectively, for their care and pains in the execution of their respective offices, as they shall think reasonable; and any thing herein-before contained to the contrary thereof notwithstanding.

Common council empowered to appoint officers,

and allow them salaries.

LVI. And be it further enacted, That all and every officer, clerk, or other person or persons whomsoever, concerned in the receipt of the money by this act appropriated to the purposes aforesaid, before he or they shall be permitted

Officers concerned in the receipt of money to give security.

mitted to take upon him or them the execution of any of the said offices, shall be bound with sufficient sureties to the said mayor and commonalty and citizens for the just and faithful execution of such office or employment, in such reasonable sum or sums as by the court of mayor and aldermen of the said city shall be thought fitting, having regard to the trust reposed or to be reposed in such officer or officers.

Penalty on officers mis-applying any of the said monies.

LVII. And be it further enacted, That if any chamberlain of the said city of *London*, or other officer or person aforesaid, shall, after receipt of any of the monies aforesaid, divert or misapply the same, or any part thereof, contrary to the true intent and meaning of this act, then such chamberlain, or other officer or person aforesaid, so diverting or misapplying the said money, shall forfeit treble the sum so misapplied, with full costs of suit; which said forfeitures shall be recovered by any of the creditors of the said city claiming under or by virtue of any of the said acts herein-before mentioned, or by the executors, administrators, or assigns, of any of them, who shall sue for the same, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed.

City answerable in case of any mis-application.

LVIII. And be it further enacted, That if the said sum of one hundred thousand pounds, or any part thereof, shall happen to be misapplied or converted to any other use than as aforesaid, by the said mayor, aldermen, and commons, in common council assembled, by the said mayor and commonalty and citizens of *London*, for the time being, or any of their officers, or any other person or persons, acting under colour of any warrant, power, or authority, by, from, or under them respectively, then, and in such case, the said mayor and commonalty and citizens shall be answerable for the same out of the revenue of the said corporation, in any action to be brought by any of the said creditors, their executors, administrators, or assigns; which said sum and sums so recovered, shall be applied to the same uses as the same sums (if not misapplied) should or might have been, except that the costs of suit shall be deducted and retained thereout in the first place, for the benefit of him, her, or them, so suing.

Disbursements to be included in the chamberlain's annual accounts.

LIX. And be it further enacted, That in the annual account, in and by the said act of the seventh year of his present Majesty, directed to be by the chamberlain of the said city of *London*, for the time being, laid before each house of parliament, as by the last mentioned act is directed, shall be included an account of the disbursements of the said sum of one hundred thousand pounds, or of so much thereof as shall then have been raised and borrowed.

This act not to affect any of the city's present creditors.

LX. Provided also, and be it further enacted, That nothing in this act contained shall extend to lessen or affect the security of any of the present creditors of the said mayor and commonalty and citizens, further or otherwise than is herein expressly directed and enacted.

Improvements to be carried

LXI. Provided always, and be it further enacted, That if the said

said mayor, aldermen, and commons, in common council assembled, shall not, within the space of ten years next after passing this act, carry into effect, do, and complete, the several objects and purposes of this act, within the said parish of *Saint Clement Danes*, which they are authorized to do by virtue of this act within the same parish, that then and in such case this act, and all the powers and authority thereby given shall from thenceforth cease and determine, so far as respects the said parish of *Saint Clement Danes*.

into effect
within ten
years.

LXII. And be it further enacted, That the expences of obtaining and passing this act, shall and may be paid out of the monies to be raised and received under or by virtue of this act.

Expences of
this act how
to be paid.

LXIII. And it is hereby further enacted, That all penalties and forfeitures by this act imposed, (the manner of recovering and levying whereof is not hereby otherwise particularly directed), shall be recovered and levied by distress and sale of the offenders goods and chattels, by warrant under the hand and seal, or hands and seals, of one or more justice or justices of the peace, of the county, city, or place, where the offence shall be committed, or the offender found; which warrant such justice or justices are hereby empowered and required to grant, upon the confession of the party or parties, or upon information of one or more credible witness or witnesses upon oath, (which oath such justice or justices is and are hereby empowered to administer), and such penalties and forfeitures when recovered, after rendering the overplus (if any be) upon demand to the party or parties whose goods and chattels shall be distrained and sold, (the charges of such distress and sale being first deducted), shall be paid to the chamberlain of the said city for the time being, and be applied, one half to the informer, and the other half towards the purposes of this act; and in case sufficient distress shall not be found, then it shall and may be lawful to and for any such justice or justices to commit such offender to the house of correction, without bail or mainprize, for any space of time not exceeding sixty days.

Penalties and
forfeitures
how to be
recovered and
applied.

LXIV. And be it further enacted, That where any distress be made for any sum or sums of money to be levied by virtue of this act, the distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a trespasser or trespassers, on account of any defect, default, or want of form, in any proceeding relating thereto; nor shall the party or parties be deemed a trespasser or trespassers *ab initio*, on account of any irregularity which shall be afterwards done by the party or parties distraining; but the person or persons aggrieved by such irregularity may recover full satisfaction for special damage by action on the case,

Distress not to
be deemed
unlawful for
want of
form.

LXV. And be it further enacted, That no proceedings to be had touching the conviction of any offender or offenders against this act, or any order made, or any other matter or thing to be done or transacted, in or relating to the execution of this act, shall be vacated or quashed for want of form only, or be removed or removeable by *Certiorari*, or any other writ or process whatsoever,

Proceedings
not to be
quashed for
want of
form.

whatsoever, into any of his Majesty's courts of record at *Westminster*, (except as herein-before is mentioned); any law or statute to the contrary notwithstanding.

Act of 24 Geo. 2. for rendering justices of the peace more safe in the execution of their office extended to this act.

LXVI. And be it further enacted, That the statute made in the twenty-fourth year of the reign of his late majesty King *George the Second*, intituled, *An act for the rendering justices of the peace more safe in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants*, so far as the said act relates to rendering justices of the peace more safe in the execution of their office, shall extend, and be construed to extend, to the said mayor, aldermen, and justices, respectively, acting under the authority of this act; and no action or suit shall be commenced against any person or persons for any thing done in pursuance or under colour of this act, until fourteen days notice shall be thereof given in writing to, or after sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, or after six calendar months next after the fact committed, for which such action or actions, suit or suits, shall be so brought; and every such action shall be brought, laid, and tried, in the city or county where the cause of action shall arise and not elsewhere; and that the defendant or defendants in such actions

Limitation of actions.

General issue.

or suits, and every of them, may plead the general issue, and give this act and the special matter in evidence, at any trial or trials which shall be had thereupon, and that the matter or thing, for which such action or actions, suit or suits, shall be so brought, was done in pursuance and by the authority of this act; and if the said matter or thing shall appear to have been so done, or if it shall appear that such action or suit was brought before fourteen days notice given as aforesaid, and that a sufficient satisfaction was made or tendered as aforesaid, or if any such action or suit shall not be commenced within the time before for that purpose limited, or shall be laid in any other county or place than as aforesaid, then the jury or juries shall find for the defendant or defendants therein; and if the plaintiff or plaintiffs, in such action or actions, suit or suits, shall become nonsuited, or suffer a discontinuance thereof, or if judgement shall be given for the defendant or defendants therein, then, and in any of the cases aforesaid, such defendant or defendants shall have treble costs, and shall have such remedy for recovering the same, as any defendant or defendants hath or have for costs in other cases by law.

Treble costs.

Publick act.

LXVII. And be it further enacted, That this act shall be deemed and taken to be a publick act, and all judges, justices, and other persons, are hereby required to take notice thereof as such, without the same being specially pleaded.

C A P. CXXVII.

An act for enabling his Majesty to direct the issue of exchequer bills to a limited amount, for the purposes, and in the manner therein mentioned.—[June 27, 1795.]

Moh

Most gracious Sovereign,

WHEREAS in consideration of the heavy losses which have Preamble.

been sustained in the islands of Grenada and Saint Vincents, in consequence of the late insurrections, it is expedient that your Majesty be enabled to direct exchequer bills, to the amount of one million five hundred thousand pounds, to be issued to commissioners to be by them advanced, under certain regulations and restrictions, for the assistance and accommodation of such persons connected with or trading to the said islands, as shall be desirous of receiving the same, on due security being given for the re-payment of the sums so advanced within a time to be limited; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled; and by the authority of the same, That it shall and may be lawful to and for the King's most excellent majesty, by warrant or warrants under his royal sign manual, to authorise and empower the commissioners of his Majesty's treasury now or for the time being, or any three or more of them, or the lord high treasurer for the time being, to cause or direct any number of exchequer bills to be made out at his Majesty's exchequer, containing different sums of one hundred pounds and fifty pounds, in the same or like manner, form, and order, and according to the same or like rules and directions, (except where other directions for making out the same are contained and particularly expressed in this act), as in and by an act of this present session of parliament, intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and ninety-five*, are enacted and prescribed concerning the exchequer bills to be taken or made in pursuance of the said act.

His Majesty may empower the treasury to direct exchequer bills to be made out agreeable to 35 Geo. 3. c. 1. except as hereby accepted:

II. And be it further enacted, That all and every the clauses, provisoes, powers, privileges, advantages, penalties, forfeitures, and disabilities, contained in the said recited act, relating to the exchequer bills authorised to be made by the same act, (except as herein-after mentioned), shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually, to all intents and purposes, as if the same exchequer bills had been originally authorised by the said recited act, or as if the said several clauses or provisoes had been particularly repeated and re-enacted in the body of this act.

the powers of which act to extend to this.

III. And be it further enacted, That the said bills to be made out in pursuance of this act, shall and may bear an interest, not exceeding the rate of three-pence *per centum per diem*, upon or in respect of the whole of the monies respectively contained therein; and that the whole of such bills shall be made payable on the fifth day of July one thousand seven hundred and ninety-six; and that the principal sums contained in such bills, together with such Bills to bear interest not exceeding 3d. per cent. per diem, and to be payable July 5, 1796.

interest as aforesaid, to be computed from the day of the date of each such bill, until the time by this act appointed for payment thereof, shall be paid off and discharged at the time appointed for the payment thereof.

Bills not to be received for any duty, &c. before the day appointed for their payment, &c.

IV. Provided always, and be it further enacted, That no exchequer bill to be made out by virtue of this act shall, after the same hath been issued at the exchequer, be afterwards at any time, before the day on which such exchequer bill is hereby appointed to be paid, received or taken by, or pass or be current with; any receiver or collector in *Great Britain* of the customs, excise, or any revenue, supply, aid, or tax whatever, due or payable to his Majesty, his heirs or successors, or at the receipt of the exchequer, from any such receiver or collector, or from any other person or persons, bodies politick or corporate, (otherwise or on any other account than for the discharge and cancelling of such exchequer bill in case the same shall be in due course or order of payment), before the said day hereby appointed for payment thereof, nor shall any such receiver or collector exchange, at any time before the said day of payment thereof, for any money of such revenues, aids, taxes, or supplies, in his hands, any exchequer bill which shall have been issued as aforesaid by virtue of this act; nor shall any action be maintained against any such receiver or collector for neglecting or refusing to exchange any such exchequer bill for ready money before the said day of payment thereof; any thing in the said last mentioned act, or this act, contained to the contrary in anywise notwithstanding.

Commissioners appointed.

V. And be it further enacted, That the honourable *Henry Hobart*, the right honourable *Charles Townshend*, sir *William Pulteney* baronet, sir *John Sinclair* baronet, sir *Grey Cooper* baronet, sir *Francis Baring* baronet; *Richard Muilman Trench Croft*, *John William Anderson*, *William Curtis*, *Charles Grant*, *Josias Nutt*, *Robert Hunter*, *Thomas Plomer*, *Gabriel Tucker Steward*, and *Benjamin Savage*, esquires, shall be, and are hereby constituted commissioners for advancing and lending to any person or persons connected with or trading to the said islands of *Grenada* and *Saint Vincent*, or either of them, upon the securities and under the terms and conditions, and subject to the regulations herein mentioned, the exchequer bills to be made out in pursuance of this act, and the said commissioners are hereby respectively required to execute the powers and authorities given to them by this act, without any fee, reward, emolument, or gratuity whatever.

Commissioners to take the following

VI. And be it further enacted, That any two of the said commissioners in this act named, before they enter upon the execution of the same, shall take an oath before the chancellor of the exchequer, or the master of the rolls, for the time being, which they, or either of them, are and is hereby authorized and required to administer, the tenor whereof shall be as followeth; that is to say,

I A. B. do swear that I will faithfully and impartially execute the several powers and trusts vested in me by an act, intituled, [here set forth the title of the act], according to the tenor and purport of the said act.

And every other of the said commissioners in this act named shall likewise take the same oath before the said two commissioners, who are hereby authorised and required to administer the same, after they shall themselves have taken the said oath as aforesaid.

VII. And be it further enacted, That the said commissioners appointed by this act shall have power to meet and sit from time to time in such place or places as they shall find most convenient, with or without adjournment; and they shall and may appoint and employ a secretary, and so many clerks, brokers, messengers, and officers, as they shall think meet, and allow to such secretary, clerks, brokers, messengers, and officers, with the consent and approbation of the commissioners of the treasury for the time being, in writing under their hands, such reasonable salaries as the said commissioners, appointed by this act, shall think meet; and shall and may employ a solicitor, and allow to such solicitor such salary or reward as the said commissioners shall think reasonable for his care and labour; and shall and may give and administer to such solicitor, secretary, clerks, brokers, and officers, respectively, an oath, for their faithful demeanor in all things relating to the due performance of the trusts reposed in them by the said commissioners, and in all other things touching the premises, and from time to time at their discretion, dismiss and discharge such solicitor, secretary, clerks, brokers, messengers, and other officers, and appoint others in their place; and the said solicitor, secretary, clerks, brokers, and other officers, are hereby required faithfully to execute and perform the said trusts in them severally and respectively reposed, without taking any thing for such service, other than such salaries or rewards as the said commissioners shall direct and appoint in manner aforesaid.

Commissioners may meet, appoint officers, allow salaries, administer oaths, &c.

VIII. And be it further enacted, That it shall and may be lawful to and for the said commissioners, or any three or more of them, and they are hereby authorised and empowered to examine upon oath or affirmation, (which oath or affirmation they, or any one or more of them, are and is hereby authorised to administer), all persons who shall be willing to be examined touching all such matters and things as shall be necessary for the execution of the powers vested in the said commissioners by this act, and also to receive any affidavits or depositions in writing, upon oath or affirmation, touching such matters or things as aforesaid, which shall be made before any justice of the peace of any county or shire, or any magistrate of any borough or town corporate in Great Britain or Ireland, where or near to which the person making such affidavit or deposition shall reside, and certified and transmitted

Commissioners may examine upon oath parties willing to be examined, and receive depositions made before magistrates.

transmitted to the said commissioners appointed by this act, under the hand and seal of such justice or magistrate (which oath or affirmation every such justice or magistrate shall be and is hereby authorised and empowered to administer); provided that in every such affidavit or deposition there shall be expressed the addition of the party making such affidavit or deposition, and the particular place of his or her abode.

Treasury to issue money for defraying the charges of executing this act, of which an account shall be laid before parliament.

IX. And be it further enacted, That the lords commissioners of the treasury, or lord high treasurer for the time being, are hereby respectively authorised and required to issue, and cause to be advanced, all such sums of money to such person or persons, in such manner and in such proportions as the said commissioners appointed by this act shall, by writing under their hands, from time to time desire, out of the consolidated fund, to be replaced in the manner herein-after mentioned; which sums, so to be issued and advanced, shall be employed for the payment of allowances, and in defraying all other necessary charges and expences in or about the execution of this act, without other account than before the lords commissioners of his Majesty's treasury; and which money so to be issued shall not be subject to any tax, duty, rate, or assessment whatsoever, imposed by authority of parliament; but that an account of the said charges and expences shall be laid before both houses of parliament within two months after the expiration of the commission, if parliament shall be then sitting, and if parliament shall not be sitting, then within fourteen days after the commencement of the then next session of parliament.

Persons giving false evidence to be subject to the penalties for perjury.

X. And be it further enacted, That if any person or persons, upon examination upon oath or affirmation before the said commissioners respectively, or if any person or persons making any such affidavit or deposition as before mentioned shall wilfully and corruptly give false evidence, or shall, in such affidavit or deposition, wilfully and corruptly swear, affirm, or allege, any matter or thing which shall be false or untrue, every such person or persons so offending, and being thereof duly convicted, shall be, and is and are hereby declared to be, subject and liable to such pains and penalties as, by any law now in being, persons convicted of wilful and corrupt perjury are subject and liable to.

Commissioners to meet to receive, or appoint a person to receive, applications for the loan of exchequer bills, and to certify the amount immediately wanted to the treasury, who shall direct their issue.

XI. And be it further enacted, That on the day next after this act shall have received the royal assent, the said commissioners who shall have taken the said oath as aforesaid, shall meet to receive or to appoint a proper person for receiving all such applications in writing as shall be made to them from any person or persons connected with or trading to the said islands, or either of them, for the loan and advance of money by exchequer bills as aforesaid, and shall also then fix and appoint a day, not later than the fourth day from their first meeting as aforesaid, for taking into their consideration all such applications, and shall meet together for that purpose, and shall proceed with all convenient dispatch to ascertain the amount of the sums in exchequer bills which in their judgement will be immediately requisite to be ad-

vanced under this act in pursuance of applications then delivered, and shall forthwith certify such amount to the lords commissioners of the treasury, or the lord high treasurer for the time being, by one or more certificate or certificates under the hands and seals of the said commissioners; and the said lords commissioners of the treasury, or any three or more of them, or the lord high treasurer for the time being, shall, on receipt of such certificate or certificates, direct the proper officer or officers at the said exchequer to deliver out exchequer bills in the manner and under the regulations herein-after mentioned.

XII. And be it further enacted, That the said commissioners appointed by this act shall, and they are hereby required, before any apportionment of such exchequer bills shall be made, to cause all the applications then delivered to be classed according to the amount of the sums respectively applied for, and the nature of the securities tendered, and the circumstances, situation, and connections, of the parties applying, as far as the same shall appear upon the said applications, and thereupon to draw up and establish such general rules and regulations for their own government in the apportioning and distributing the sums to be advanced and lent in exchequer bills under this act to the several persons applying for the same, as they in their discretion shall deem equitable and just; all which rules and regulations shall, within a convenient time, be entered in a book or books to be prepared and kept by such commissioners for that purpose; and the said commissioners appointed by this act according to the true purport and meaning of such general rules and regulations as aforesaid, shall proceed to take into their consideration all such applications, which shall specify the particulars of the sums required to be advanced as aforesaid, not being in any case less than the sum of two thousand pounds, and which shall tender any security which the said commissioners are authorized by this act to take for the payment of the sums to be advanced, and which shall also specify the nature and amount thereof, and from time to time, on enquiry into the same respectively, shall determine what persons shall in their judgement be entitled to any part of the exchequer bills to be advanced or lent under this act, and to what amount, and shall ascertain the nature and amount of the securities to be required from them for the same respectively.

Commissioners to class applications, and establish regulations for apportioning the sums to be advanced.

XIII. And be it further enacted, That the said commissioners appointed by this act shall deliver to all persons to whom any of the said exchequer bills shall be apportioned as aforesaid by the said commissioners, a certificate or certificates under the hands and seals of two or more of such commissioners, specifying the amount of the sums to be advanced and lent, to be respectively numbered and marked in the course and order in which the same shall be delivered, which certificate or certificates being deposited with the proper officer or officers, shall be a sufficient authority without other warrant to such officer or officers, to deliver such exchequer bills to the like amount and value as shall be described in and by such certificate or certificates of such commissioners;

Commissioners to give certificates of the amount of bills apportioned, which shall be a warrant for their delivery.

and

Bills to bear date when issued.

Commissioners may alter regulations.

Commissioners to appoint days for considering applications from time to time, and the treasury may direct further bills to be issued, &c.

Lists of bills made out to be delivered to the commissioners.

Persons to whom bills are advanced to give bond.

and every such exchequer bill shall bear date on the day on which the same shall be issued, and shall and may be signed by the auditor of the receipt of his Majesty's exchequer, or in his name, by any person duly authorized by the said auditor to sign the same, with the approbation of the lords commissioners of the treasury, in writing under their hands, or of any three or more of them; and the said commissioners appointed by this act shall have power and authority, from time to time, to revise and alter such rules and regulations as aforesaid, as they shall see occasion, but that no such revision or alteration shall be valid unless agreed to at a board of the said commissioners consisting of nine or more of them, convened upon three days notice for that purpose.

XIV. And be it further enacted, That the said commissioners shall fix and appoint proper and convenient days for taking into consideration such applications as shall from time to time be made to them, not being in any case for less than the sum of two thousand pounds as aforesaid, and shall ascertain the amount of such exchequer bills as shall be required to be from time to time issued for the purposes of this act, and by like certificate or certificates as aforesaid, certify the same to the lords commissioners of his Majesty's treasury, or the lord high treasurer for the time being, who shall and may, on the receipt thereof, direct further exchequer bills to be issued to such amount, from time to time, as the exigency of the case shall in their judgement require to be issued, until the whole of the bills to be made out in pursuance of this act shall have been issued for the purposes aforesaid; and the said commissioners by this act appointed shall from time to time proceed to determine to what amount such exchequer bills shall be advanced to the persons respectively applying for the same under this act, and shall grant certificates thereof to the proper officer or officers at the said receipt of the exchequer, in such form, and under the like rules and regulations, as are herein-before mentioned, concerning the exchequer bills to be first issued as aforesaid, and such officers shall from time to time deliver such exchequer bills in the form and in the manner before directed.

XV. And be it further enacted, That such officers by whom such exchequer bills shall be delivered, shall, from time to time, upon the requisition of the said commissioners hereby appointed, deliver to them at their office, complete lists of all the exchequer bills made out by them, specifying therein the respective dates and sums expressed therein, and distinguishing therein the persons to whom, and the numbers of the certificates, by virtue whereof the same were issued respectively.

XVI. And be it further enacted, That all and every person and persons to whom any such sums in exchequer bills shall be advanced or lent, shall previously enter into such bond or obligation, bonds or obligations, in such sum or sums of money respectively, and with such sureties or such further securities as are herein-after mentioned, and as the case may require and the said commissioners shall deem necessary; which bond or obligation, bonds or obligations, and securities, the said commissioners shall,

by

by their discretion, have full power and authority to cause to be taken as herein-after is mentioned; and that every bond or obligation to be taken in pursuance of this act, as well of the principal party as of such sureties respectively, shall be to our sovereign lord the King, in such sum or sums of money as shall be directed by such commissioners by virtue of this act to be paid to our said lord the King, by such form of words as obligations to the King's majesty have been used to be made, and with such conditions to be thereunder written as by such commissioners shall be deemed proper; and that all such obligations to be so made shall be good and effectual in the law, and shall be of the same quality, force, and effect, to all intents and purposes, as any obligation made to our sovereign lord the now King, or his predecessors, or any of them, hath at any time heretofore been or now is adjudged, received, or taken to be; any law, usage, or custom, to the contrary notwithstanding.

XVII. And be it further enacted, That all bonds and obligations which shall be entered into by the person or persons to whom or to whose account any such exchequer bills shall be advanced, shall be made in such sums, not less than double the amount of the principal sums contained in such exchequer bills, as the said commissioners shall in their discretion direct; and that in every such case if the party or parties shall enter into any such bond or obligation, bonds or obligations, without any or sufficient surety or sureties, then such party or parties shall, over and above such bond or obligation, bonds or obligations, deposit, or cause to be deposited, in the custody of the said commissioners, or of such person as they shall appoint, by writing under the hands of the said commissioners, or any two or more of them, any exchequer bills issued under the authority of any act or acts of parliament passed in *Great Britain or Ireland*, or any *India* bonds, bills of exchange, or other negotiable securities for money whatever, or any assignment or assignments of any mortgages, heretable bonds, or other heretable or real securities whatever, which may effect, incumber, or charge, the lands, tenements, or hereditaments, heretages, or other real estates, of any person or persons whatsoever, having lands, tenements, or hereditaments, heretages, or other real estates in *Great Britain or Ireland*, and in which exchequer bills, *India* bonds, bills of exchange, or other negotiable securities for money, mortgages, heretable bonds, or other heretable or real securities, affecting, incumbering, or charging, such lands, tenements, or hereditaments, or such heretages or other real estates in *Great Britain or Ireland*, such party or parties shall have a specifick interest to a certain amount, which shall be proved to the satisfaction of the said commissioners, bearing a proportion not less than is herein-after mentioned, to the value of the principal sums so to be advanced; that is to say, in the proportion of four to three on the value of such deposit, or on the value of the specifick interest which the party or parties depositing the same, or causing the same to be deposited, shall have therein.

How bonds shall be made, and what securities deposited, where there are no sureties.

XVIII. And

Sureties
bound for no
more than
they subscribe
to, but no
bills to be is-
sued unless the
whole sub-
scribed a-
mount to dou-
ble the sum to
be advanced.

**Commission-
ers** may take
additional se-
curity as here-
in specified.

**Negotiable
deposits,** in
default of pay-
ment of loan,
to be sold, and
the monies
may be sued
for in the
name of the
secretary, to
whom assign-
ments of
mortgages,
&c. shall be
made.

XVIII. And be it further enacted, That in all cases where any such bond or obligation shall be entered into, with such surety or sureties as the said commissioners shall in their discretion approve, then each of the sureties in such bond or obligation shall be bound in such sum, and no more, as he shall set and subscribe against his name in such bond or obligation; provided that no exchequer bills shall be issued on the security of such bonds or obligations as last mentioned, unless the amount of all the sums set and subscribed against the names of the several sureties, upon the said bonds or obligations, shall amount in the whole to double the sums contained in such exchequer bills so to be advanced on the credit thereof.

XIX. And be it further enacted, That it shall and may be lawful for the said commissioners, in all cases where they shall see occasion, to accept and take, as a further additional security for any loan of any sum on such exchequer bills as aforesaid, or part of such loan, from any principal or surety in such loan, or other person or persons having any exchequer bills issued under the authority of any act or acts of parliament passed in *Great Britain or Ireland*, or any *India* bonds, bills of exchange, or other negotiable securities for money whatsoever, or from any such principal or surety, or other person or persons having lands, tenements, or hereditaments, heretages, or other real estates, in *Great Britain or Ireland*, any mortgage, heretable bond, or other heretable or real securities whatsoever, which may affect, incumber, or charge the said real estates of such principals or sureties, or other person or persons as aforesaid, and also to accept and take as a like further and additional security from any such principal or surety, or other person or persons possessed of any mortgages, heretable bonds, or other heretable or real securities, affecting, incumbering, or charging, any such real estates in *Great Britain or Ireland*, any assignment or assignments of such mortgages, heretable bonds, or other heretable or real securities, and that every such exchequer bill, *India* bond, bill of exchange, or other negotiable security for money; and every such mortgage, heretable bond, or other heretable or real security, which shall be so accepted by the said commissioners, shall be deposited with the said commissioners, or such person as they shall appoint.

XX. And be it further enacted, That all such exchequer bills, *India* bonds, bills of exchange, or other negotiable securities for money so deposited with the said commissioners, shall, in default of payment of such loan in the manner directed by this act, become and be vested in the said commissioners, and shall and may be sold and disposed of, or the monies due and payable by virtue thereof shall and may be sued for in due course of law, in the name of their secretary for the time being, for the use of the said commissioners under this act; and that every assignment of any such mortgage, heretable bond, and other heretable or real security, which shall be granted, constituted, or made, to the said commissioners, and shall be so deposited by the principal or principals in any such bond or obligation made to his Majesty as aforesaid,

aforesaid, as a security for such loan as aforesaid; and every mortgage, heretable bond, or other heretable or real security, which shall be granted, constituted, made, or deposited, as aforesaid, by any such principal or surety, or other person or persons, as such further and additional security as aforesaid, shall severally and respectively be granted, constituted, and made, to and in the name of the secretary to the said commissioners for the time being, in trust for the said commissioners, in terms of the loan for which the same shall be a security; and the said secretary for the time being shall, under the directions of the said commissioners, have full power and authority to perform, execute, and carry into effect, any acts, matters, and things whatever, which shall be requisite for the further and better assuring and validating any such mortgage, heretable bond, or other heretable or real security or assignment thereof as aforesaid, and for enforcing, prosecuting, and pursuing the same, for the recovery of the sums for which such securities were respectively granted, constituted, and made, in all courts of competent jurisdiction in *Great Britain*, as fully and effectually, to all intents and purposes, as if the same securities respectively were granted, constituted, and made, to the secretary for the time being, as a security for his own proper debt; and that on payment or satisfaction of the principal sums for which such security shall be given, with interest for the same, and all costs incurred in recovering the same, the said secretary for the time being shall, and he is hereby authorised, under the direction of the said commissioners, to execute on behalf of the said commissioners a release, discharge, or renunciation, of the said monies so paid or satisfied, to be prepared at the costs of the party or parties making such payment or satisfaction, according to the forms prescribed by law for releasing, discharging, and renouncing, a mortgage, debt, or incumbrance, upon a real estate; and that such release, discharge, and renunciation, shall be good and valid in law, to all intents and purposes whatever.

Secretary may do all acts for validating mortgages, recovering monies, &c.

XLI. And be it further enacted, That in case any person or persons carrying on trade in a partnership or firm with any other person or persons, shall apply for any exchequer bills to be advanced by virtue of this act on any of the securities herein mentioned, and shall shew, to the satisfaction of the said commissioners, that such exchequer bills are to be advanced to such person or persons for the use of the said partnership, it shall and may be lawful for the person or persons so applying for such advance, to give to the said commissioners, over and above the security required by this act; a promissory note or promissory notes in the partnership firm in such sum or sums of money respectively, not exceeding in the whole the amount of the sum to be advanced to such person or persons, with interest for the same, according to the said act, as the said commissioners shall direct; which promissory notes as aforesaid shall respectively be made payable to the secretary of the said commissioners for the time being, at such times and in such proportions as the advance to be made to the person or persons so applying shall be stipulated to be paid by

Persons applying for exchequer bills for the use of partnerships, may give votes in the partnership firm.

the bond or obligation, bonds or obligations, to be entered into by such person or persons pursuant to this act, which notes shall be respectively made in the form following; that is to say,

Form of partnership notes.

WE promise to pay to the secretary of the commissioners for the issue of exchequer bills advanced to persons connected with or trading to the islands of Grenada and Saint Vincents for the time being, the sum of _____ with interest for the same, at the rate of five pounds per centum by the year, from the date hereof, on the day of _____ now next ensuing.

Notes to be given for each instalment.

Provided that separate and distinct notes shall be made and given by such person or persons as aforesaid, in respect of each instalment, to be paid of the sum advanced pursuant to this act; and it shall be lawful for the secretary to the said commissioners for the time being to sue upon every such note.

Where bills shall have been applied to the use of partnerships, their estates and effects to be liable though other security shall have been taken.

XXII. And be it further enacted, That in case any advance in exchequer bills shall be made to any person or persons concerned in any partnership, upon the application of any person or persons to the said commissioners to make such advance to the use of the said partnership, and such advance, or any part thereof, shall have been actually applied to the use of the said partnership, then the estate and effects of such partnership shall be liable and subject to, and are hereby made chargeable with the payment of the sums advanced and actually applied as aforesaid, with interest for the same, and all costs attending the recovery thereof, as in case of debt found on record to the King's majesty, notwithstanding the said commissioners shall or may have taken securities for the same debt in the name or names of any other person or persons than the persons concerned in such partnership, or in the names or name of any one or more of such partners; and in case it shall be made appear by affidavit to any baron of the respective courts of exchequer in *England* and *Scotland*, that such advance, or such part thereof as aforesaid, was actually applied to the use of the said partnership, and the same being found on record, it shall be lawful for such baron to cause an extent to be issued against the estate and effects of such partnership to the amount of the sum so actually applied, with interest thereupon and costs as aforesaid, in the same manner as if the advance so actually applied was an immediate debt from all the persons concerned in such partnership to the King's majesty.

Commissioners may order securities made to them to be assigned to their secretary.

XXIII. Provided always, and be it further enacted, That it shall and may be lawful for the said commissioners, whensoever they shall see cause, to order and direct, by any order in writing, any security which may be granted, constituted, made, or assigned, to or to the use or behoof of the said commissioners by virtue of this act, to be granted, made, constituted, or assigned, to their secretary for the time being, in his own proper name, without any declaration of use or trust expressed therein, and in such form

form and manner as if such security had been granted, made, constituted, or assigned, to the said secretary as and for his own proper debt, and every such security shall enure to the use and behoof of, and shall be in trust for, the said commissioners, under and by virtue of this act, as fully and effectually as if such uses or trusts had been particularly expressed therein; any thing in this act contained to the contrary notwithstanding.

XXIV. And be it further enacted, That the principal sums contained in the exchequer bills which shall be advanced or lent by the said commissioners under the authority of this act, shall be repaid, without deduction or abatement, together with interest for the same, by instalments as herein-after is mentioned; (that is to say), one third part of the principal sums in such exchequer bills shall be repaid to the cashier or cashiers of the bank of *England* at their office, together with interest for the same, at and after the rate of five pounds *per centum per annum*, on or before the fifth day of *January* one thousand seven hundred and ninety-seven; one other third part thereof, with like interest, on or before the tenth day of *October* one thousand seven hundred and ninety-seven; and the residue thereof, with like interest, on or before the fifth day of *July* one thousand seven hundred and ninety-eight; such interest to be computed on the said principal sum from the time of such loan to the respective times of payment thereof as aforesaid; and if any default shall be made by any person or persons in the payment of any sum or sums of money within the respective times herein-before limited for payment thereof, according to the true intent and meaning of this act, it shall and may be lawful for the said commissioners hereby appointed, or any two or more of them, by any warrant or warrants under their hands and seals, to cause the money due and payable by virtue thereof, the exchequer bills, *India* bonds, bills of exchange, and other personal securities, deposited with the said commissioners, or such security or further security as aforesaid, and also all such mortgages and assignments of mortgages, heritable bonds, or other heritable or real securities, made, constituted, or granted, to or to the use of or deposited with the said commissioners, to be sold and disposed of or be sued for in due course of law, in the name of the secretary of the said commissioners for the time being, for the use of the said commissioners under this act; and further, that in case any such default shall be made, and no other sufficient security shall be deposited or given, or that the same shall be found or shall become insufficient in value to satisfy the whole of the demand from such defaulter or defaulters, it shall also be lawful for the said commissioners, and they are hereby required, without further delay, to issue their warrant or warrants from time to time, to the proper officer or officers of the crown, having the direction or management of proceedings upon obligations to his Majesty, requiring such officer or officers presently to proceed against all or any of the persons who shall have entered into any bond or obligation for the sum advanced, his, her, and their, heirs, executors, and administrators, for the re-

Principal sums advanced, with interest, to be repaid by instalments, and in default the deposits may be disposed of or sued for.

If surety or deposit be insufficient the commissioners may direct the proper officer to proceed against the sureties.

Monies recovered to be paid to the bank.

Commissioners may direct against which of the obligors, suits shall be commenced, &c.

In proceedings against obligors, no writ of Scire Facias requisite, &c.

If payment shall be made of part of loan in consequence of any additional security, it shall entitle the surety to the same remedy as if the payment had been made upon his obligation, &c.

covery of such parts of the sums advanced on such bonds or obligations as shall be then due, together with interest as aforesaid, and such costs and charges attending such proceeding, as shall be by law payable for the same; the amount of which principal sum so to be levied the said commissioners shall cause from time to time to be testified by their note in writing under the hands of any two or more of them, to such officer or officers, and which sum shall be inserted in the writ or process; and the like process shall and may from time to time issue as aforesaid, as occasions shall require; and the sums so recovered, (the costs and charges aforesaid, excepted), shall be paid to the said cashier or cashiers of the bank of *England*, without abatement, deduction, or delay, in satisfaction of such demands; and it shall be in the discretion of the said commissioners to direct against which of the obligors such security such proceedings shall be from to time commenced or prosecuted; and the said commissioners shall have the control and superintendance of such prosecutions, and the same shall not be discontinued, quashed, or abated, upon any pretence whatsoever, without the authority of the said commissioners, testified under the hands and seals of any two or more of them, and prohibited to the barons of his Majesty's court of exchequer at *Westminster*, or to the barons of the court of exchequer in *Scotland*, in the case may require.

XXV. Provided always, and be it further enacted, That in any proceeding shall be directed by the said commissioners as aforesaid, against any of the obligors or obligor named in such obligation, no writ or writs of *Scire Facias* shall be required to be issued; but that, upon the production of the warrant or warrants of the said commissioners as before mentioned, before any of the barons of the said respective courts of exchequer, and in such intended proceeding shall be against any sureties or sureties, then upon proof of notice having been served upon such party or parties, or left at his or their usual place or places of abode respectively ten days at least before such application shall be made to such baron, an extent shall and may issue in the first process, and the *Fiat* of such baron, without any affidavit or other verification or proof of the cause of such proceeding than such warrant or warrants as aforesaid.

XXVI. And be it further enacted, That if any person as first shall give any such additional security as in this act is mentioned over and above such bond or obligation, or other security, for any loan as is hereby required, and if any payment shall be made of any part of such loan, in consequence of such additional security being so given, and in discharge thereof, every such payment shall be deemed and taken to be made under the bond or obligation entered into by such surety, and in discharge, or in part discharge thereof, for the purpose of entitling such surety, his executors or administrators; and such payment shall entitle such surety, his executors and administrators respectively, to the like remedy as the principal debtor or debtors in the said loan, his or their executors, or administrators, for the reimbursement of the

to be paid or satisfied, and from the co-sureties in the said loan for the like contribution, as if such payment or satisfaction had actually been made upon the bond or obligation entered into by such surety; and if any person, not being a party to any bond or obligation entered into by virtue of this act, shall give such further security for any loan as in this act is particularly mentioned, and any payment or satisfaction of such loan, or any part thereof, shall be made in consequence of such further security being so given, and in discharge thereof, every such payment or satisfaction shall entitle the party making the same, his executors or administrators, to the like remedy from the principal debtor or debtors in the said loan, his or their heirs, executors, or administrators, for the reimbursement of the sums so paid or satisfied as if such person had entered into a bond or obligation as surety, and such payment had been made thereupon; and that in every case of such payment upon or in consequence of such additional security, as well the bond or obligation, bonds or obligations, of such principal debtor or debtors, entered into by virtue of this act, as all and every the additional securities which may have been given by such principal debtor or debtors by virtue of this act, shall severally and respectively stand and remain as securities for the purpose of such reimbursement in the manner hereby directed in cases of payment by sureties upon bonds or obligations, and until the whole of the sums so paid or satisfied shall be fully reimbursed; and that such proceedings shall and may be had upon any additional securities given by such principal debtor or debtors, for the recovery of the sums so paid for the benefit of the respective parties making such payments, their executors or administrators, as might lawfully have been had for the recovery of the sums due and payable to the said commissioners, notwithstanding the said loan shall have been fully repaid to the said commissioners.

XXVII. And be it further enacted, That after the due payment of the sums advanced, with interest as aforesaid, at the time and in the manner herein specified, every such bond or obligation entered into in pursuance of this act being fully satisfied, according to the true intent and meaning of this act, shall be forthwith delivered up to be cancelled; and in case any such bond or obligation shall have been prosecuted according to the directions of this act, the said commissioners, or any two or more of them, shall, by their warrant or warrants, direct the proper officer or officers of the said respective courts of exchequer to enter up satisfaction on such bond or obligation, bonds or obligations, so being satisfied as aforesaid, upon the record, or otherwise to deliver up the same to be cancelled as the case may require.

After payment of sums advanced and interest, obligations to be delivered up.

XXVIII. And be it further enacted, That every bond or obligation, with any sureties or surety to be taken according to this act, after payment or recovery thereupon by the said commissioners of the sums advanced or lent, with all interest and costs, in the manner required by this act, shall stand and remain as a further security for the purposes, and in the manner herein-after mentioned; (that is to say), if any surety or sureties upon such bond

After payment of sums advanced by the commissioners, obligations with sureties to remain as further securities or for certain purposes.

or obligation, his, her, or their executors or administrators, shall have paid or satisfied any part of such sums, interest, or costs, then such bond or obligation as against the principal obligor or obligors, his or their heirs, executors, or administrators, shall stand as a security as aforesaid, for the reimbursement to such sureties respectively, their executors or administrators, of the whole of the sums so paid or satisfied, and so from time to time until such reimbursement shall be fully made according to the intent of this act; and if any such sureties or surety, their or his executors or administrators, shall have paid or satisfied a sum which shall bear a greater proportion to the whole of the sums recovered upon such bond or obligation than the sum for which such surety respectively shall have been bound shall bear to the total amount of all the several sums of money for which all the several sureties shall have been bound by such bond or obligation, then such bond or obligation as against each and every of the sureties who shall not have paid or satisfied an equal proportion of the whole sum recovered according to the sum for which he shall have been respectively bound, their and every of their heirs, executors, and administrators, respectively shall stand as a security for the benefit of such sureties or surety, their executors or administrators respectively, who shall have paid or satisfied any such sums as aforesaid, for the purpose of enforcing a contribution among such sureties in an equal proportion to the several sums for which they shall have been respectively bound, and so from time to time until such contribution shall be fully made according to the intent of this act; and that in every such case, upon the application of any sureties or surety to the said commissioners for any of the purposes aforesaid, the said commissioners shall cause the respective claims of such sureties or surety respectively, and the sums to be recovered from such principals or sureties respectively, their and every of their heirs, executors, or administrators, to be adjusted and settled as herein is mentioned, so that the whole sum recovered shall be distributed in equal proportion according to the sums for which each surety respectively shall have been bound in the same bond or obligation, and so from time to time as the case shall require; and thereupon the said commissioners, by warrant or warrants in writing under their hands, shall from time to time direct process to issue for the recovery of such sums as they shall have so adjusted and settled to be respectively recovered from, and paid to, such persons respectively as they shall specify in such warrant or warrants, under and subject to the several regulations and directions in this act contained.

XXIX. And be it further enacted, That such process as aforesaid shall and lawfully may issue on any such bond or obligation as aforesaid, against any such principals or principal, their or his heirs, executors, or administrators, for the benefit of any such sureties or surety, their or his executors or administrators, and against any such sureties or surety, their or his heirs, executors, or administrators, as aforesaid, for the benefit of any co-sureties or co-surety, their or his executors or administrators, notwithstanding

Commissioners may adjust claims of sureties, and direct process for recovery.

Process may issue against principals for the benefit of sureties, and against sureties for the benefit of co-sureties, &c.

ing the whole sum which shall have been advanced to such principals or principal shall have been repaid; and in case any sureties or surety shall become bound by distinct bonds or obligations for the same persons or person, and for or on account of the same advancement, all and every the provisions aforesaid shall be applied in like manner, as well for the benefit of as against such principals or principal, as if all such sureties and principals respectively were named in the same obligation.

XXX. And be it further enacted, That every bond or obligation, or other security entered into or given by any person or persons, either as principal or surety, who shall afterwards become bankrupt within the true intent and meaning of the several statutes made and now in force concerning bankrupts, and against whom a commission of bankrupt shall be awarded and issued out in that part of *Great Britain* called *England*, shall, by reason and force of such bankruptcy, and from the time of such bankruptcy, become and be forfeited, and due and payable as against such bankrupt or bankrupts, and all the estate and effects of such bankrupt or bankrupts which would be liable to satisfy the demands of the creditors seeking relief under such commission of bankrupt, shall be liable and subject to, and are hereby made chargeable with, the payment of the principal and interest due upon such bond or obligation, or other security, and all costs attending the recovery of the same; and that the claims of the said commissioners shall be first paid and satisfied out of the estate and effects of the said bankrupt or bankrupts, and in preference to the claim of any other creditor or creditors; and it shall be lawful for the said commissioners, in the name of their secretary for the time being, to apply, by petition in a summary way, to the proper courts in *England*, having the jurisdiction of the matters of such commission of bankruptcy, to make due order accordingly, which such courts respectively are hereby authorized and required to make.

XXXI. And be it further enacted, That every bond or obligation, or other security, entered into or given by any person or persons, either as principal or surety, who shall afterwards become bankrupt, and against whose estate sequestration shall be awarded in *Scotland*, shall, by reason and force of such bankruptcy, and from the time of the date of the first deliverance on the petition to the court of session for awarding the sequestration, become and be due and payable as against such bankrupt or bankrupts; and that all the estate and effects, real and personal, of such bankrupt or bankrupts, which would be liable to satisfy the demands of the creditors seeking relief under such sequestration, shall be liable and subject to, and are hereby made chargeable with, the payment of the principal and interest due upon such bond or obligation, or other security, and all costs attending the recovery of the same, and that the claims of the said commissioners shall be first paid and satisfied out of the estate and effects of such bankrupt or bankrupts, and in preference to the claim of any other creditor or creditors, nevertheless, without prejudice to preferences duly obtained according to the law of *Scotland*, upon the real estates of

Estates and effects of bankrupts in *England* liable to the claim of the commissioners, in preference to all others.

Estates and effects of bankrupts in *Scotland* liable to creditors seeking relief under sequestration, subject to the claims of the commissioners, &c.

persons who shall become bankrupts; and it shall be lawful for the said commissioners, in the name of their secretary for the time being, to apply, by petition, in a summary way, to the proper courts in *Scotland* having jurisdiction of the matters of such bankruptcy, for making effectual the payment of the claims of the said commissioners accordingly, and which such courts are hereby authorised and required to make.

Commissioners may accept from assignees, &c. security for sums due from bankrupts.

XXXII. Provided always, and be it further enacted, That it shall and may be lawful for the said commissioners appointed by this act to accept from the assignees under any commission of bankrupt issued, or from the factor or factors, trustee or trustees, under any sequestration awarded against any principal debtor or debtors in any such loan, under this act, such security for the payment of the sum due from such bankrupt or bankrupts, out of his or their estate or effects, as the said commissioners shall approve, and that the acceptance of such security by the said commissioners shall operate as a release of the estate of such bankrupt or bankrupts for the benefit of the creditors under the said commission of bankrupt in *England*, or sequestration in *Scotland*, from all claims whatever by the said commissioners, other than and except such part of the said estate as shall be specified in writing between the said commissioners and the said assignees under the said commission of bankruptcy in *England*, or between the said commissioners and the said factor or factors, trustee or trustees, under the said sequestration in *Scotland*, to be reserved by the said commissioners for such security as aforesaid, in case the said commissioners shall require such security.

Commissioners may accept from assignees, &c. of sureties becoming bankrupts, provisional security for payment of sums due, &c.

XXXIII. Provided also, and be it further enacted, That in case such debt shall grow due to the said commissioners from any such bankrupt or bankrupts, as a surety or sureties upon any such loan as aforesaid, it shall and may be lawful for the said commissioners to accept from the assignees under such commission of bankruptcy in *England* or from the factor or factors, trustee or trustees, under such sequestration in *Scotland*, such provisional security for the payment of the sum due from such bankrupt or bankrupts out of his or their estate or effects, as the said commissioners shall approve, such provisional security to be void on the payment or satisfaction of the sum so due by the principal debtor or debtors, or by the acceptance of other surety or sureties in lieu thereof, in the manner herein-after mentioned: provided that such acceptance of such provisional security by the said commissioners, shall operate as a release of the estate of such bankrupt or bankrupts for the benefit of the creditors under the said commission of bankruptcy in *England*, or sequestration in *Scotland*, from all claims whatsoever, by the said commissioners, other than and except such part of the said estate as shall be specified in writing between the said commissioners and the said assignees under the said commission of bankruptcy in *England*, or between the said commissioners, and the said factor or factors, trustee or trustees, under the said sequestration in *Scotland*, to be reserved by them for such provisional security as aforesaid, in case the

the said commissioners shall require such security: provided always, that any such release of the estate or estates of any such bankrupt or bankrupts as aforesaid, whether principals or sureties, upon any such loan as aforesaid, shall not be deemed or taken either in law or equity to discharge any other person or persons, or the estate or effects of any other person or persons, or to affect any other security for the same debt, or in any manner to prevent any contribution amongst sureties, or any demand of sureties against their principals provided for by this act.

XXXIV. And be it further enacted, That if any such surety or sureties, upon any such loan by the said commissioners under this act, shall be declared bankrupt as aforesaid, and the principal debtor or debtors thereon shall not, within fourteen days after notice thereof, and requisition made for that purpose by the said commissioners, produce another surety or sureties, to be approved of by the said commissioners, to become bound, and who shall accordingly become bound in the said sum, by the like surety or sureties, in lieu of the surety or sureties so becoming bankrupt as aforesaid, or pay to the said commissioners one half of the sum for which such surety or sureties were bound by such security or securities, then the security and securities given or entered into by such principal debtor or debtors shall be deemed forfeited as far as to the amount of one half of the sum or sums in which such surety or sureties were bound respectively; and it shall and may be lawful for the said commissioners to cause process to be issued in the manner prescribed by this act against the principal debtor or debtors, his and their heirs, executors, and administrators, for the recovery of one half part of all and every the sum and sums in which such surety or sureties were bound respectively, together with interest and costs, to be directed by the said commissioners in pursuance of this act.

If principal debtors do not in a limited time produce sureties in place of such as become bankrupts, or pay half of the sum for which they were sureties, their securities shall be deemed forfeited to that amount.

XXXV. And be it further enacted, That it shall be lawful for the said commissioners, in the name of their secretary for the time being, to apply, by petition or otherwise, to the proper courts in *England* and *Scotland* respectively, for any commission of bankruptcy or sequestration against the estate or effects of any bankrupt or bankrupts, and to sue out and otherwise pursue the same respectively, in like manner as any other creditor or creditors is or are by law entitled to do in *England* and *Scotland* respectively.

Commissioners may apply for commissions of bankruptcy, &c.

XXXVI. And be it further enacted, That the commissioners named in any commission of bankruptcy which shall, at any time hereafter, be awarded and issued out in *England*, and the court of session, or lord ordinary officiating on the bills for the time, and every officer or other person concerned in the management of the sequestered estate of any bankrupt in *Scotland*, shall admit the proof of any debt, or grounds of debt, under this act, on the oath, affirmation, or affidavit, of any person appointed by the said commissioners to act in the execution of this act; which oath, affirmation, and affidavit, respectively, shall be taken and administered before any of the proper officers having authority by law to ad-

Any person appointed by the commissioners shall be admitted to prove debts, &c.

minister oaths or affirmations, or take affidavits, in cases of bankruptcy, and shall permit such person so authorized by the said commissioners to vote in the choice of an assignee or assignees, factor or factors, trustee or trustees, as the case may require, of such bankrupt's estate and effects, and to do and execute every other act, matter, and thing, relating to such bankruptcy, as fully and effectually as if such person so authorized was the *bona fide* creditor of such bankrupt or bankrupts.

Act not to delay the execution of commissions of bankruptcy, &c. if estates and effects be subject to the claims of the commissioners.

XXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent, hinder, or delay, the execution of any commission of bankruptcy, by the commissioners therein named, according to the laws now in force in that part of *Great Britain* called *England*, or the proceeding to or under sequestration in *Scotland*, provided that every assignment of the estate or effects of such bankrupt or bankrupts under the said commission in *England*, and every act of sequestration of the estate or effects of such bankrupt or bankrupts in *Scotland*, shall be subject to the claims of the said commissioners appointed by this act, and until the same shall be fully paid or secured to be paid.

Deposits vested in the commissioners by a certain description, who may sue and be sued in the name of their secretary.

XXXVIII. And be it further enacted, That all mortgages, heritable bonds, or other heritable or real securities, and all assignments of mortgages, heritable bonds, or other heritable or real securities, and also all exchequer bills, *India* bonds, bills of exchange, and other negotiable securities for money whatsoever, given to or deposited with the said commissioners, under the authority and for the purposes of this act, shall be for such purposes vested in the said commissioners by the name of *The Commissioners for the Issue of Exchequer Bills advanced to Persons consulting with or trading to the Islands of Grenada or Saint Vincents*; and that the said commissioners shall and may sue and be sued in the name of the secretary for the time being, and that no action or suit in law or equity, to be brought or commenced by or against the said commissioners on account of this act, in the name of their secretary for the time being, shall abate or be discontinued by the death or removal of such secretary, or by the act of such secretary, without the consent of the said commissioners, but the secretary to the said commissioners for the time being, shall always be deemed the plaintiff or defendant in such action or suit, as the case may be, and no action or suit shall be brought against the said commissioners collectively or individually, or against their secretary, except in one of the said courts of exchequer, and with the leave of such court first had and obtained, and upon such terms and conditions as the said courts shall direct.

Five commissioners may act.

XXXIX. And be it further enacted, That all acts, matters, and things, which the said commissioners appointed by this act are hereby required or authorized to do or execute, shall and may be done and executed by any five or more of them, unless the same shall be otherwise specially provided by this act.

No obligation, &c. under this act liable to stamp duty.

XL. And be it further enacted, That no obligation to his Majesty taken by the said commissioners from and after the pass-

ing of this act, nor any promissory note to be given to the secretary to the said commissioners under this act, as a security for the loan of money in such exchequer bills as aforesaid, nor any affidavit, deposition, or receipt, taken or to be taken or made under and by virtue of this act, shall be liable to any stamp duty whatsoever.

XLI. And be it further enacted, That the governor and directors of the bank of *England* shall, and they are hereby required to open an account in their books, with the commissioners hereby appointed' under the title of *The Commissioners for the Issue of Exchequer Bills advanced to Persons connected with or trading to the Islands of Grenada or Saint Vincents*, and carry to the credit of such account the several monies by this act directed to be paid to the cashiers of the bank; and whensoever the said commissioners shall have advanced or lent any sum or sums of money in exchequer bills, to be made out in pursuance of this act, to any person or persons, the said commissioners shall, at some time before the fifth day of *July* one thousand seven hundred and ninety-six, deliver to such person or persons, at his or their request, one or more certificate or certificates under their hands, specifying the amount of such exchequer bills, and the respective dates thereof; and the said cashiers of the bank, or one of them; shall, upon the production of such last mentioned certificate or certificates, on or before the respective days appointed for payment of the sums so to be lent and advanced, accept and receive from the person or persons producing the same, such proportion of the amount of the principal sums so lent, together with such interest, to be computed from the time of such loan as aforesaid, and at the foot of such last mentioned certificate or certificates acknowledge the receipt of the said monies, and that whensoever the said commissioners shall by their warrant or order have directed such monies to be raised or levied by sale of any securities, or by any proceedings on any securities taken by virtue of this act in default of such payment as aforesaid, the said commissioners shall deliver to the officer or officers executing the same respectively, a like certificate as aforesaid, and further specifying therein the amount of the monies to be so raised or levied, and the substance of such warrant or order to raise or levy the same; and the said cashiers of the bank, or any one of them, shall, upon the production of such last mentioned certificate, accept and receive from such officer or officers the monies so raised or levied in satisfaction of the payments, whereof default shall be so made as aforesaid, and at the foot of such certificate acknowledge the receipt of the said monies, without fee or reward; and every such receipt shall be afterwards brought into the office of the said commissioners hereby appointed, and by them entered in proper books, to be provided and kept for that purpose; and the said commissioners, or any two or more of them, shall attest the same under their hands, and return the same to the person or persons producing the same at the said office; and every such receipt so attested, and every such entry in any of the said books, shall respectively from thence-

Bank to open an account with the commissioners.

Commissioners to grant certificates of bills advanced.

Bank on production of certificates to acknowledge the receipt of monies.

When money is raised by sale of securities, the commissioners to deliver to the officer a like certificate, on production of which the bank to acknowledge the receipt of the money.

Receipts to be brought to the commissioners to be entered and attested, which shall be a discharge.

forth be an acquittance and discharge for the sums expressed therein, to have been received as against the said commissioners and every of them, their and every of their executors and administrators, as well to the person or persons to whom such receipts shall be given, as to all and every the persons who have entered into any security in respect of the sums mentioned in such certificate, to which such receipt shall be subscribed, their and every of their heirs, executors and administrators respectively.

Money paid to the bank to be paid into the exchequer, to make good the sums issued for discharging the exchequer bills, &c.

XLII. And be it further enacted, That all and every sum and sums of money which shall be paid into the bank of *England*, under or by virtue of this act, shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*, distinctly and apart from all other monies, and that there shall be provided and kept in the office of the auditor of the said receipt of exchequer, book or books, in which all the monies paid into the said receipt by virtue of this act shall be entered separate and apart from all other monies paid into the said receipt upon any other account whatever, and that all the monies so paid into the said receipt by virtue of this act, shall be subject and liable to the uses and purposes herein-after mentioned; (that is to say), In the first place to make good all such sums as shall have been issued out of the publick monies for paying off and discharging all the sums advanced in exchequer bills to be made out by virtue of this act, with such interest as shall be payable thereon; and after payment of the same, in the next place, to make good all such sums as shall have been so issued towards the charges and expences of the said commissioners, in pursuance of the orders of the lords commissioners of his Majesty's treasury, according to the directions of this act.

Treasury to cause an account to be taken of the exchequer bills made out, which, with interest and charges, shall be charged on the consolidated fund.

XLIII. And be it further enacted, That, on or before the fifth day of *July* one thousand seven and ninety-six, the lords commissioners of the treasury, or any three or more of them, or the lord high treasurer for the time being, shall cause a true and perfect account in writing, to be taken and attested by the proper officers of all the exchequer bills to be made out in pursuance of this act, which shall become payable on the said fifth day of *July* one thousand seven hundred and ninety-six, and that all the said exchequer bills, with the interest and charges incident to or attending the same, shall be and are hereby charged and chargeable upon the consolidated fund (except such monies of the said consolidated fund as are appropriated to any particular use or uses by any act or acts of parliament in that behalf); and such monies of the said consolidated fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling, and discharging, such exchequer bills, interest, and charges, until the whole of them shall be paid off, cancelled, and discharged, or money sufficient for that purpose be kept and reserved in the exchequer, to be payable on demand to the respective proprietors thereof.

Bank may advance money on the credit of this act.

XLIV. And be it further enacted, That it shall and may be lawful for the governor and company of the bank of *England* to advance

advance or lend to his Majesty in like manner at the receipt of the exchequer, upon the credit of the loan granted by this act, any sum or sums of money, not exceeding in the whole the sum of one million five hundred thousand pounds; any thing in an act, made in the fifth and sixth years of the reign of King *William* and Queen *Mary*, 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 one million five hundred thousand pounds, towards carrying on the war against France, to the contrary thereof in anywise notwithstanding.*

XLV. And be it further enacted, That the said commissioners herein appointed shall, from time to time, at their discretion, or as often as they shall be thereunto required during their carrying on any proceedings by virtue of this act, and as soon as possible after the determination of such proceedings, without any further requisition, give an account of their proceedings in writing to the lords commissioners of his Majesty's treasury, or the lord high treasurer for the time being.

Commissioners to give an account of their proceedings to the treasury.

XLVI. And be it further enacted, That if any of the said commissioners appointed by this act, shall decline to act in the execution of the powers and trusts hereof, or having begun to act shall decline to act any further therein, or shall depart this life during the continuance of this act, it shall and may be lawful to and for the remaining commissioners, or the major part of them, acting as aforesaid, by any writing under their hands and seals, by and with the consent and approbation of the lords commissioners of his Majesty's treasury, or any three or more of them, or the lord high treasurer for the time being, to constitute and appoint such person or persons to be a commissioner or commissioners for the purposes aforesaid, in the place of the commissioner or commissioners so refusing to act, or declining further to act, or dying as aforesaid, as the said acting commissioners, or the major part of them, with such consent and approbation as aforesaid, shall think fit, and so often as such case shall happen; and the person or persons so constituted and appointed by the said commissioners, with such consent and approbation as aforesaid, having first qualified to act by taking and subscribing the oath herein-before provided and directed, shall be invested with the same powers and authorities as are given or delegated by this act unto the said commissioner or commissioners constituted by this act respectively.

Majority of commissioners may fill up vacancies by death, &c. with consent of the treasury.

XLVII. And be it further enacted, That it shall and may be lawful for all persons, bodies politick or corporate, advancing any of the exchequer bills to be issued by virtue of this act, by way of loan, to any persons who may be willing to accept such exchequer bills, valuing the same at the sum which shall be expressed therein respectively, together with such interest as may have accrued thereon at the time of advancing such loan, to charge and

Persons advancing exchequer bills may charge 5l per cent. interest.

receive interest for such loan at the rate of five pounds *per centum per annum*; any law or usage to the contrary notwithstanding.

Commissioners may receive and send letters free of postage.

XLVIII. And be it further enacted, That the said commissioners shall and may receive and send all their letters and packets free from the duty of postage, provided that such letters and packets as shall be sent to the said commissioners be directed to the commissioners for the issue of exchequer bills at their office; and that all such letters and packets as shall be sent by them be dated from their said office, and shall be signed on the outside of such letters and packets by such person as the said commissioners, with the consent of the lords commissioners of the treasury, or any three or more of them, shall appoint, and under such restrictions and regulations as the said commissioners of the treasury shall think proper and direct.

Limitation of actions.

XLIX. And be it further enacted, That no action or suit shall be commenced against any person or persons for any thing done by virtue of or in pursuance of this act, until fourteen days notice thereof in writing shall have been given to the secretary for the time being of the said commissioners, nor after a sufficient satisfaction or a tender thereof hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and every such action shall be brought in the said respective courts of exchequer, and shall be laid in the county of *Middlesex*, or city of *Edinburgh* respectively, and not elsewhere; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this act, and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if the same shall appear so to be done, or if such action or suit shall be brought after the time herein-before limited for bringing the same, or shall be brought without fourteen days notice thereof, or shall be brought in any other county or place, or after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuited, or suffer discontinuance of his, her, or their action or suit, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any defendant or defendants hath or have for costs of suit in any other cases by law.

General issue.

Treble costs.

Persons counterfeiting certificates. &c. guilty of felony.

L. And be it further enacted, That if any person or persons shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, or knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any certificate or certificates of the said commissioners by this act appointed as aforesaid, or any of them, or any receipt or receipts to be given by the cashier or cashiers of the governor and company of the bank of *England* in pursuance of this act, or shall wilfully deliver to the auditor of the receipt of his Majesty's exchequer for the time being, or to any officer appointed by him, or to the said commissioners

missioners by this act appointed, or any of them, or to any officer or officers appointed by them, or any of them, in the execution of the powers of this act, or shall utter any such forged, counterfeited, or altered certificate or certificates, receipt or receipts, knowing the same to be forged, counterfeited, or altered, with intent to defraud his Majesty, his heirs or successors, or any body or bodies politick or corporate, or any person whomsoever, then and in every such case all and every person or persons so offending, and being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of felony, without benefit of clergy.

LI. And be further enacted, That in all cases where an oath may be administered by this act, it shall be lawful to administer an affirmation in lieu thereof, as the case may require.

Affirmations may be administered.

C A P. CXXVIII.

An act for allowing a further annuity to the subscribers to the sum of eighteen millions, authorised to be raised for the service of the year one thousand seven hundred and ninety-five.—[June 27, 1795.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, have resolved that, in case provision should be made by any act to be passed in this present session of parliament, for guaranteeing the payment of the dividends on a loan for the service of the emperor of *Germany*, to an amount less than six millions sterling, every contributor to the loan of eighteen millions, authorised to be raised by an act of this present session of parliament, intituled, *An act for raising the sum of eighteen millions by way of annuities*, should be entitled on every one hundred pounds so contributed to the said loan of eighteen millions, to a further annuity in the proportion of sixpence *per centum* for every seven hundred and fifty thousand pounds by which such loan should fall short of the sum of six millions sterling; which proportional annuity of sixpence *per centum per annum* should be added to and made one joint stock with the annuities of eight shillings and sixpence, granted by the said act: and whereas by an act, made in this present session of parliament, intituled, *An act for guaranteeing the payment of the dividends on a loan of four millions six hundred thousand pounds, to the emperor of Germany*; such guarantee as is herein-before mentioned hath been made to a sum less than six millions by the sum of one million four hundred thousand pounds: 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 every contributor towards raising the said sum of eighteen millions shall, for every one hundred pounds contributed and paid, be intituled, on the completion of such contribution,

Preamble.

35 Geo. 3. c. 14. and

35 Geo. 3. c. 93, recited.

Every contributor under the first recited act entitled to a further

annuity of 18. per cent. for a certain period from Oct. 10, 1794.

bution, over and above any annuity granted by the said first-recited act, to a further annuity of one shilling, to continue for a certain term of sixty-five years and three months, from the tenth day of *October* one thousand seven hundred and ninety-four, and then to cease, and which annuity of one shilling shall be added to and made one joint stock with the annuities, to which the annuities, after the rate of eight shillings and sixpence *per annum*, granted by the said first-recited act, were thereby added, and shall be charged and chargeable on the same fund, and paid and payable at the same times and in like proportions, and shall be transferrable in like manner, and deemed to be of the same quality, as the said annuities after the rate of eight shillings and sixpence *per annum*, granted by the said recited act; and all powers, rules, methods, regulations, and provisions, and all penalties and forfeitures, in the said first-recited act contained, in relation to the annuities after the rate of eight shillings and sixpence *per annum*, shall be extended and applied in the managing, paying, transferring, and accounting for, and all other matters relating to the said annuity after the rate of one shilling *per annum*, as amply and as fully and effectually to all intents and purposes, as if the said powers, rules, methods, regulations, and provisions, penalties and forfeitures, had been severally and respectively repeated in this act.

C A P. CXXIX.

An act for enabling his Majesty to settle an annuity on his royal highness the prince of Wales, during the joint lives of his Majesty and of his said royal highness; for making provision out of his revenues for the payment of any debts that may be due from his royal highness; for preventing the accumulation of debts in future; and for regulating the mode of expenditure of the said revenues.—[June 27, 1795.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous of enabling your Majesty, as well to make a suitable provision for the establishment of his royal highness the prince of *Wales*, in consequence of his late marriage, as to carry into effect his said royal highness's gracious intentions and desire, signified to us, for making a due arrangement for the liquidation and discharge of any debts that may be now due from his said royal highness, and for preventing the accumulation of debt in future, and for regulating the payment of his royal highness's revenues, do humbly beseech your Majesty that it may be enacted; and be 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 to and for the King's most excellent majesty, by any letters patent under the great seal

His Majesty may grant an annuity of

Great Britain, to give and grant to his said royal highness the prince of *Wales*, or to such other person or persons as his said Majesty shall think fit, to be named in such letters-patent, and their heirs, to the use of, or in trust for, his said royal highness, one annuity of sixty-five thousand pounds of lawful money of *Great Britain*; which annuity of sixty-five thousand pounds shall commence and take effect from the tenth day of October one thousand seven hundred and ninety-four, and continue thenceforth for and during the joint lives of his said present Majesty (whom GOD long preserve!) and of his said royal highness; and shall be paid and payable at the four most usual times of payment in the year, (that is to say), the fifth day of *January*, the fifth day of *April*, the fifth day of *July*, and the tenth day of *October*, in every year, by even and equal portions, the two quarterly payments thereof to be made on the day after the passing of this act: and that the said annuity of sixty-five thousand pounds shall and may, by such letters patent, be directed to be issuing and payable out of the consolidated fund, during the joint lives of his said present Majesty and of his said royal highness, (after paying, or reserving sufficient to pay, all such sums which shall have been directed to be paid out of the same, by any other acts of parliament made previous to the time of passing this act, and with a preference to all other payments which shall be made, at any time or times after the passing of this act, be directed upon, and payable out of the said fund).

And be it further enacted, That the said annuity of sixty-five thousand pounds shall be paid and payable at the receipt of his Majesty's exchequer; and the auditor of the said receipt shall, when he is hereby required, by virtue of such letters patent, to be made forth and pass debentures, from time to time, for paying, according to the directions of this act, the said annuity, as the same shall become due and payable, without any fees or charges to be demanded or taken for paying the same, or any part thereof; and the said debentures, to be made forth and passed as aforesaid, shall be a sufficient authority to the several and respective officers of the receipt of the exchequer, now and for the time being, for the payment of the said annuity, according to the directions of this act, without any further or other warrant to be made for, had, or obtained, in that behalf.

And be it further enacted, That the said annuity of sixty-five thousand pounds, and every part thereof, shall be free and exempt from all taxes, rates, and assessments, and all other charges whatsoever, imposed or to be imposed by authority of parliament, or otherwise.

And be it further enacted, That the speaker of the house of commons for the time being, the chancellor of his Majesty's exchequer for the time being, the master of his Majesty's household for the time being, the accountant general of the high court of chancery for the time being, and the surveyor general of the crown lands for the time being, shall be commissioners for putting this act in execution, with relation to the powers hereby vested in the said commissioners; and all powers and authorities which the said

65,000l. to the prince of Wales, to commence Oct. 10, 1794, out of the consolidated fund.

Annuity payable at the exchequer, and debentures for paying it to be made out, without fee.

Annuity free from taxes.

Commissioners appointed.

Three commissioners may act, and

one to take an oath before a baron of the exchequer.

commissioners are enabled to exercise by this act, shall and may be exercised by any number not less than three of the said commissioners; and any one of the said persons, before he shall enter upon the execution of the same, shall take an oath before one of the barons of the coif of his Majesty's court of exchequer (which they are respectively authorised and required to administer) in the form following; (that is to say),

Form of oath. *I A. B. do swear, That I will act faithfully and impartially, to the best of my judgement, in the execution of an act, intituled, [here set forth the title of the act], according to the true intent and meaning of the said act.*

The other commissioners to take the oath.

And every other of the said commissioners shall likewise take the same oath, before the said commissioner, (who is hereby authorised and required to administer the same), after he shall have taken the said oath as aforesaid, or before any other commissioner who shall have taken the said oath, and who is hereby also empowered to administer the same.

15,000l. to be set apart at the exchequer, and paid quarterly to the commissioners, to discharge the prince's debts.

V. And whereas his royal highness has been graciously pleased to desire, that such part of the income intended to be allotted to him as the wisdom and prudence of parliament shall seem expedient and advisable, may be appropriated to the discharge of his debts, and be paid to the said commissioners, to be by them applied to that purpose; be it therefore further enacted, That on the fifth day of July one thousand seven hundred and ninety-five, and at the end of every quarter of a year after the said fifth day of July one thousand seven hundred and ninety-five, until all the debts now due and owing by his royal highness, as principal debtor, not exceeding the sum of six hundred and fifty thousand pounds, shall be satisfied and discharged, there shall be set apart, at the receipt of the exchequer, the sum of fifteen thousand pounds, making the annual sum of sixty thousand pounds, which shall be issued and paid to the said commissioners, or to such other person or persons as the said commissioners shall, by writing under their hands, or the hands of any three or more of them, appoint to receive the same; and the acquittance or receipt of the said commissioners, signed by any three or more of them, or such person or persons as aforesaid, shall be a sufficient discharge for the payment of the same; and that on the day next after the passing of this act, for and in respect of the two quarters of a year which have elapsed since the tenth day of October one thousand seven hundred and ninety-four, there shall be set apart at the said receipt the sum of thirty thousand pounds, which shall and may be at any time issued to the said commissioners, or to such other person or persons as aforesaid, in like manner, and for the like purposes as is before directed.

30,000l. for two quarters, from Oct. 10, 1794, to be set apart immediately.

VI. And be it further enacted, That on the said fifth day of July one thousand seven hundred and ninety-five, and at the end of every quarter of a year after the said fifth day of July one thousand seven hundred and ninety-five, there shall be set apart at the receipt of the exchequer, during the joint lives of his Majesty and his royal highness, and until the determination of the said com-

On July 5, 1795, and so quarterly, 1,250l. to be set apart at the exchequer to be paid his royal highness.

mission, as is herein-after directed, provided the same shall determine during such joint lives, the sum of one thousand two hundred and fifty pounds, which shall be paid to his royal highness the prince of *Wales*, or to such person as shall be authorized by him to receive the same, whose receipt shall be a sufficient discharge for the payment thereof; and that on the day next after the passing of this act, for and in respect of the two quarters of a year which have elapsed since the tenth day of *October* one thousand seven hundred and ninety-four, there shall be set apart at the said receipt, the sum of two thousand five hundred pounds, which shall be in like manner paid to his royal highness, or to such person as shall be authorized by him to receive the same.

VII. And be it further enacted, That whenever the said debts, now due and owing by his said royal highness, shall be paid or discharged, the said commission, and all the powers and authorities given by the same, shall absolutely cease and determine, to all intents and purposes whatsoever; and from and after the determination of the said commission as aforesaid, the sum of sixteen thousand two hundred and fifty pounds shall be set apart at the receipt of the exchequer, at the end of every quarter, and the same shall be paid to his royal highness the prince of *Wales*, or to such person as shall be authorized by him to receive the same, whose receipt shall be a sufficient discharge for the payment thereof.

VIII. And be it further enacted, That it shall and may be lawful for the said commissioners to demand, from all or any of the officers of his said royal highness, or any other person or persons who are, or shall be, or may have been, concerned in the management of the revenues of his said royal highness, a true and just statement of all and every the debts now due and owing from his said royal highness to any person or persons whatever; and the said officers, or other persons as aforesaid, and each of them, are and is hereby required, within such time as shall be limited for that purpose by the said commissioners, to give in such statement in writing, as far as shall have come to their or his knowledge respectively; and which shall contain the sums due, and to whom owing, and on what account, and whether any and what securities have been given for the same; and if the said commissioners, upon such statement being made, shall see cause for further explanation or investigation of any claim or claims in particular, it shall and may be lawful for the said commissioners to summon before them all or any of the said officers of his said royal highness, or other person or persons as aforesaid, with the books, papers, and accounts, belonging to their respective offices, touching such claim or claims, and also all persons who have, or claim to have debts outstanding against his said royal highness, and shall desire to have any benefit from any of the funds established by this act, and to examine such person or persons, or any of them, upon oath or affirmation, (which oath or affirmation the said commissioners, or any three or more of them, are hereby authorized to administer), touching all such matters and things relating to the said debts, so to be investigated as aforesaid, and

2,500l. for two quarters from Oct. 10, 1794, to be set apart immediately.

When the debts are discharged, the commission to cease; and 16,250l. to be set apart quarterly for the prince.

Commissioners may demand from persons concerned in the management of the prince's revenues, a state of his debts, and examine creditors on oath.

the consideration thereof, as shall be necessary for the execution of the powers vested in the said commissioners by this act; and all such officers and persons are hereby required punctually to attend the said commissioners, at such time and place as they shall appoint, and answer all such lawful questions as shall be put to them concerning the premises.

Creditors dissatisfied with the judgment of the commissioners may sue them.

IX. And be it further enacted, That if any creditor or creditors of his said royal highness, who shall come in and claim before the said commissioners, within the time herein-after limited, shall, after the commissioners have heard and notified to him or them their determination upon such claim, be dissatisfied with the judgement of the said commissioners, it shall be lawful for such creditor or creditors to sue any one or more of the said commissioners in his or their own name or names, as a commissioner or commissioners appointed by virtue of this act, in any of his Majesty's courts of record at *Westminster*, in an action of debt, or on the case, for the recovery of such debt or debts, and to serve such commissioner or commissioners with a copy of the process of such court, and to declare against him or them, as such commissioner or commissioners, upon the original cause of action, in which action or suit costs shall be awarded to either party, as in other cases of trials at law, provided that the copy of such process shall be served within ten days from the notification of their determination; and no writ of error shall be brought, had, or maintained upon the judgement in such action; any law, usage or custom, to the contrary notwithstanding.

Commissioners may institute suits against creditors.

X. And be it further enacted, That it shall be lawful for the said commissioners, in the name or names of any one or more of them, to institute any suit in his Majesty's court of chancery or exchequer against any creditor or creditors of his said royal highness, whose debt shall have accrued before the passing of this act, touching any matters or things relating to such debts.

No action to be discontinued by death of a commissioner, &c.

XI. Provided always, and be it further enacted, That no action or suit brought by virtue of this act shall abate or be discontinued by the death or resignation of the commissioner or commissioners in whose name or names, or by or against whom, the same shall be commenced, or by the act of such commissioner or commissioners, without the consent of the said commissioners, or three or more of them; nor shall any commissioner or commissioners be liable to pay any debt, damages, costs, sum or sums of money, by reason of such action or suit, out of his or their own estate, nor to any process of execution, but shall be reimbursed all charges and expences out of the funds created by virtue of this act.

Commissioners may settle the course of payment of debts, and make out debentures for the same.

XII. And be it further enacted, That the said commissioners shall be authorized and empowered to treat, transact, or agree, with all or any of the persons on whose behalf any debt shall be demanded as due from his royal highness, and to settle, and establish such course and order of payment as to them shall seem fit; and whenever any debt due from his said royal highness as principal debtor to any person or persons, or when the amount of the

the same shall have been proved to the satisfaction of the commissioners, or established in a legal course of proceeding, it shall be lawful for the said commissioners, and they are hereby required, to cause to be made out, under the hands and seals of any three or more of them, one or more security or securities for the payment of the said debt, by way of debenture or debentures, with a defeazance thereon for making void the same on payment, according to such course and order, and at such time or times, and under such conditions as shall be settled and established by the said commissioners for payment of the said debts, together with interest for the same, not exceeding the rate of five pounds *per centum per annum*, until payment; and all such securities, and sums of money due or to grow due for interest thereon, shall be severally charged upon and payable out of the respective funds established by this act for payment of the same, in due course and order, at the appointed times, and in the manner settled and established by the said commissioners; and all such securities shall be assignable and transferrable, from time to time, to any person or persons, by indorsement in writing under the hands of the respective creditors, or their executors, administrators or assigns.

Securities payable out of the funds hereby established, may be assigned.

XIII. *And whereas his royal highness the prince of Wales is anxious still further to increase the fund to be appropriated to the discharge of his debts; and is desirous that the sum of thirteen thousand pounds per annum, out of the rents, issues, and profits, of the duchy of Cornwall, should be applied for that purpose, during such term as his Majesty or his royal highness may continue to be interested in the revenues of the said duchy, or until the debts now due and owing by his said royal highness shall be paid and discharged, (provided the same shall be discharged within the term aforesaid), and that the same be paid to the commissioners herein-before mentioned, in addition to the sum of sixty thousand pounds to be by them applied to the like purposes as is herein enacted, of and concerning the said sum of sixty thousand pounds; be it therefore enacted, That the receiver general, or other proper officer of his royal highness the prince of Wales as duke of Cornwall, to whom the receipt of the revenues of the said duchy is or shall be intrusted, after paying and discharging the salaries of the officers of the said duchy, and the charges and expences attending the management and collection of the same, which shall not exceed the sum to which the said salaries, charges, and expences, have amounted to on an average of the last five years, shall, during such term as his Majesty or his royal highness may continue to be interested in the revenues of the said duchy, or until the debts of his said royal highness shall be discharged, provided the same shall be discharged within such term, from time to time pay, by half-yearly payments, the first half-yearly payment thereof to be made on the fifth day of *January* one thousand seven hundred and ninety-six, to the said commissioners, or to such person or persons to be appointed by them as aforesaid to receive the same, (whose acquittances and receipts respectively shall be a discharge as aforesaid), the yearly sum of*

13,000l. annually out of the revenues of the duchy of Cornwall to be paid to the commissioners, &c. half-yearly.

thirteen thousand pounds out of the said rents, issues, and profits, of the said duchy, provided they amount to such sum; and in the event of the revenues of the said duchy of *Cornwall* not amounting to the said sum, in any one year, then the said receiver general, or other officer having the receipt of the said revenues, shall pay over to the said commissioners such sum as the said revenues shall amount to, after the aforesaid deductions, and the deficiencies shall be made up with interest thereon at the rate of five pounds *per centum per annum*, from any surplus which may arise in any subsequent year, to be by them applied, in the order and course to be appointed as herein mentioned, towards the discharge and satisfaction of the debts now due and owing by his said royal highness to his several creditors, who shall respectively claim and demand, and who shall agree to accept, the securities to be granted by virtue of this act, in discharge and satisfaction of the said debts, on the terms and in the manner in this act specified.

Principal to be paid out of the monies placed in the hands of the commissioners, and interest out of the 60,000l. and 13,000l.

XIV. And be it further enacted, That the whole of the principal sums contained in the securities to be given by the said commissioners shall be charged upon and paid out of the monies from time to time placed in the hands of the said commissioners by virtue of this act; and that the interest to grow due thereon, as the same shall arise, shall be borne and discharged by and out of the said annuity of sixty thousand pounds, to be granted by virtue of this act, and out of the said sum of thirteen thousand pounds, to be paid as aforesaid; and the said monies severally arising as aforesaid shall be and are hereby declared and established to be funds for those respective purposes.

Interest to be paid half-yearly, and surplus of the fund to be applied in discharge of the principal.

XV. And be it further enacted, That at the end of every half year the said commissioners shall pay and satisfy all the interest then due on the said securities to be granted by the said commissioners as aforesaid; and the remainder of the said annual sum of sixty thousand pounds, and of the said sum of thirteen thousand pounds, or such sum as shall be paid to the said commissioners by the receiver general to whom the receipt of the revenues of the duchy of *Cornwall* shall belong, out of the revenues of the said duchy, shall go and be by them applied towards satisfying and discharging the principal debt due on the said securities, and remain unsatisfied, in such manner, and at such times as they shall direct.

On the demise of the crown in the prince's life the 60,000l. to be charged on the hereditary revenue of the crown.

XVI. Provided also, and be it enacted, That in the event of the demise of the crown during the life-time of his royal highness, the said sum of sixty thousand pounds shall from thenceforth, during the life of his royal highness, or until the said debts, or such part of them as shall remain due, shall be discharged, be charged upon, and the same are hereby accordingly charged upon, the hereditary revenues of the crown during the life of his said royal highness, and shall not from thenceforth be paid out of the consolidated fund, but shall be issued and paid out of the said hereditary revenues, in like manner, and for the like purposes, and at such times, and in such proportions, as the same are hereinbefore

fore directed to be issuing and paid out of the consolidated fund.

XVII. Provided also, and be it further enacted, That in the event of the decease of his said royal highness before the payment and discharge of all the debts of his said royal highness, which the said commissioners are authorized to adjust and settle by virtue of this act, and of all interest that may grow due on any securities to be granted by the said commissioners, the said annual sum of sixty thousand pounds shall continue to be set apart out of the said consolidated fund, and shall be issued to the said commissioners quarterly, in even portions; and by them applied to the diminution of the said principal debts, and interest thereupon, until all such debts and interest be finally satisfied and discharged.

If the prince should die before the debts are paid, the 60,000l. to be set apart from the consolidated fund till they are discharged.

XVIII. And be it further enacted, That no claim or demand of any creditor or creditors of his said royal highness shall be received by the said commissioners after the first day of September the thousand seven hundred and ninety-five; nor shall any security, by way of debenture as aforesaid, be granted by the said commissioners, by virtue of this act, to any creditor or creditors of his said royal highness, on account of any debt; nor shall any creditor be entitled to any part or share of the funds hereby established for payment of the said debts of his said royal highness, or of either of them, unless a claim shall be made by such creditor or creditors, and an account in writing of such debt be delivered to the said commissioners, on or before the said first day of September the thousand seven hundred and ninety-five; and unless such creditor or creditors shall submit to be examined touching the said debt or debts as is herein before directed, if the commissioners shall see cause to require him or them so to be: provided always, that the said commissioners shall have power to enlarge the time for delivering in such claims and accounts, if they see reasonable cause for so doing.

No claims to be received after Sept. 1, 1795, nor security granted, unless claims be made before that day, and the creditor submits to be examined,

XIX. And be it further enacted, That if any security shall be granted by the said commissioners, on account of any debt or debts due from his said royal highness, as principal debtor to any creditor or creditors, and shall be accepted by such creditor or creditors, the said debt or debts shall be and is hereby declared to be utterly from thenceforth merged therein, and shall not, on any pretence whatever, be set up against his said royal highness, or against any person or persons who shall or may be joined with him as security for the same; but that his said royal highness, his heirs, executors, and administrators, and every person or persons who shall or may be security for the same, and his and their lands, tenements, goods, and chattels, shall from thenceforth be wholly liberated and discharged therefrom, and from all securities whatsoever which shall have been given or entered into on account of his said royal highness.

Commissioners may enlarge time for delivering in claims.

If security be accepted, the debt to merge therein.

XX. Provided always, and be it further enacted, That before any creditor or creditors shall be entitled to any security by way of debenture, to be granted by the said commissioners by virtue of this act, in satisfaction of any debt or debts, the said creditor or creditors

creditors to declare on oath the nature of former securities, and deliver them

up, unless it appears they cannot be; in which case they shall be held in trust for the prince.

creditors shall be required to declare, on his or her oath or affirmation as aforesaid, before the said commissioners, the nature and kind of the former securities (if any) which, he, she, or they, or any others in trust for him, her, or them, hold for the said debt or debts; and every security, of what nature or kind soever the same shall be, shall and is hereby required to be first delivered up to the said commissioners, to be cancelled, unless it shall appear, to the satisfaction of the said commissioners, that the same cannot be delivered up by such creditor or creditors; and if any such creditor or creditors shall obtain from the said commissioners any security by virtue of this act, on account of any debt or debts, without delivering up all former securities for the same, or any part thereof, every such former security shall, for the purpose of securing such debt or debts to such creditor or creditors, be of no avail, but shall, to the extent of the interest of such creditor or creditors, be held in trust for his royal highness, in such manner as the said commissioners shall direct; and it shall be lawful for the said commissioners to direct the payment of the debt or debts of any creditor or creditors, who shall not deliver up such former security or securities, to be postponed until all other debts of his said royal highness which shall be fully disclosed (and the securities for which shall have been delivered to the said commissioners) shall be paid off and satisfied, or in such other manner as the said commissioners shall deem reasonable and necessary.

The payment of debts, where securities are not given up, may be postponed.

Treasury may order 500l. to be issued annually, for defraying the expences of executing this act, out of the 60,000l.

XXI. And be it further enacted, That the lords commissioners of his Majesty's treasury, or the lord high treasurer for the time being, are hereby directed and authorized to issue and cause to be issued all such sum or sums of money, to such person or persons as the said commissioners shall authorize to receive the same, by any writing under the hands of any three or more of them, not exceeding five hundred pounds in any one year, out of any part of the publick money remaining in the receipt of the exchequer, which said sum shall be deemed and taken to be a part of the said annuity of sixty thousand pounds, and shall be deducted from the amount of the same; which sums so to be issued and advanced shall be employed in defraying all the necessary charges and expences in or about the execution of this act; and which money so to be issued shall not be subject to any tax, duty, rate, or assessment whatsoever, imposed or to be imposed by authority of parliament, or otherwise.

Persons giving false evidence before the commissioners, liable to the penalties for perjury.

XXII. And be it further enacted, That if any person or persons, upon examination upon oath or affirmation before the said commissioners respectively, shall wilfully and corruptly give false evidence, every such person or persons so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such pains and penalties as by any law now in being such persons convicted of wilful and corrupt perjury are subject and liable to.

Commissioners to give an account of their proceedings to the treasury.

XXIII. And be it further enacted, That the said commissioners hereby appointed shall from time to time, at their discretion, or as often as they shall be thereunto required during their carry-

ing on any proceedings by virtue of this act, and as soon as possible after the determination of such proceedings, without any further requisition, give an account of their proceedings, in writing, to the lords commissioners of his Majesty's treasury, or the lord high treasurer for the time being.

XXIV. And be it further enacted, That no action or suit shall be commenced against any person or persons, for any thing done by virtue or in pursuance of this act, until ten days notice thereof, in writing, shall have been given to the said commissioners; nor after a sufficient satisfaction, or a tender thereof, hath been made to the party or parties aggrieved; nor after six calendar months next after the fact committed; and every such action shall be brought in the court of exchequer, and shall be laid in the county of *Middlesex*, and not elsewhere; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this act and the special matter, in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if the same shall appear so to be done, or if such action or suit shall be brought after the time herein-before limited for bringing the same, or shall be brought without ten days notice thereof, or shall be brought in any other county or place, or after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuited, or suffer a discontinuance of his, her, or their action or actions, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same, as any defendant or defendants hath or have for costs of suit in any other cases of law.

Limitation of actions.

General issue.

Treble costs.

XXV. And whereas it is his royal highness's desire that there should be established a regular course of payment of all just demands which may be hereafter made upon his said royal highness, for any debt hereafter to become due, and that the accumulation of debt for the future may be prevented; be it further enacted, That the principal officer or officers of his royal highness shall, within fourteen days after the passing this act, prepare and make out, for the approbation of his royal highness, a plan of the establishment of his said royal highness, in distinct departments and classes, and in such order as he or they shall think fit and expedient, together with a plan of the salaries and payments of each class, and of each individual office therein; and shall also prepare and make out an estimate of the annual expences of each distinct department in his royal highness's said establishment; one copy of which plan and estimate, after being approved of by his royal highness, shall be lodged with the commissioners of his Majesty's treasury, and another in the office of the treasurer, or such principal officer or officers for the time being, as shall be appointed by his royal highness, and another with the clerks of the two houses of parliament respectively: and that, from and after the fifth day of

Principil officer of the prince to make out a plan of the establishment of his royal highness, &c.

From July 5, 1795, disbursements from July

the prince's revenues to be made by the treasurer, for which he shall be responsible.

Plan may be altered.

When the commission shall cease, a new plan of the establishment of the prince to be made out, &c.

Treasurer of the prince to cause payments to be entered in a book, which his Majesty's treasury may inspect.

Treasurer to cause an account to be made out

July one thousand seven hundred and ninety-five, all disbursements which shall be made out of the revenues of his said royal highness, for any of the purposes aforesaid, shall be made by the treasurer or principal officer or officers of his said royal highness, in the order specified in such plan and estimate, and no other; for which disbursements, to be made in the order so specified, the treasurer or principal officer or officers for the time being of his royal highness shall be responsible, and liable to answer the damages to the party grieved: provided nevertheless, that if it shall at any time be necessary or expedient to alter the said plan of establishment, or estimate of expences, as aforesaid, it shall and may be lawful for the principal officer or officers, or other persons concerned in the management of his royal highness's household, being directed so to do by his royal highness, to make such alteration as may be thought necessary to be made therein; and if the same shall be approved of by his royal highness, such alteration so made in the plan of establishment, or estimate of expences, of his said royal highness, shall be lodged as is herein-before mentioned.

XXVI. And be it further enacted, That whenever the debts now due and owing by his royal highness shall be paid and discharged, (provided the same shall be discharged during the joint lives of his Majesty and his royal highness), and the said commission shall cease and determine, and the whole sum of sixty-five thousand pounds become payable to his royal highness, or such person as he shall appoint, as is herein-before enacted, then and in such case the principal officer or officers concerned in the management of his royal highness's household, shall, within two months after the determination of the said commission, form a new plan of the establishment of his royal highness, in distinct departments and classes, with the salaries and payments in each class, and each individual office therein, and an estimate of the annual expences of each department therein, and the same, after being approved by his royal highness, shall be laid before the lords commissioners of his Majesty's treasury, and before both houses of parliament, within ten days after the first day of the next session of parliament, after the determination of the said commission.

XXVII. And be it further enacted, That the treasurer or principal officer or officers of his royal highness for the time being, shall cause a book or books to be kept, in which all payments for any of the purposes aforesaid shall be duly entered, in the order and course of payment, with the day, month, and year, of paying the same; and it shall be lawful for the commissioners of his Majesty's treasury for the time being, from time to time, to demand an inspection of such book or books, or any copy or copies of the same, or any part thereof; and the said treasurer, or principal officer or officers, is hereby required to pay obedience to the orders of the said commissioners for that purpose.

XXVIII. And be it further enacted, That the treasurer, or principal officer or officers, for the time being, of his royal highness, shall, within fourteen days after the expiration of every quarter

quarter of a year, cause to be prepared and made out a just and exact account of all the expences incurred by his royal highness within the preceding quarter of a year; and every such account shall contain and set forth the several sums paid, and the several demands made, and then outstanding, on account of the expences of each department, within the said quarter; and the said treasurer, or principal officer or officers, shall, and he is hereby required to examine and audit the said accounts, with the vouchers relative to the same, and to sign his or their approbation of the same, or of such part or parts thereof as he or they shall approve; provided that the amount thereof shall not be disproportionate to or exceed the plan and estimate as herein-before is directed.

quarterly of expences of the prince, which he shall examine and sign,

XXIX. And be it further enacted, That upon the settlement of such quarterly account as aforesaid, it shall be lawful for the said treasurer, or principal officer or officers, being thereunto authorized by warrant or warrants under the privy seal of his royal highness, to pay, in the order and course settled as aforesaid, the sums of money specified in such accounts, as the quarterly expence incurred as aforesaid, to the respective persons to whom his royal highness shall be debited in such account; and the said treasurer, or principal officer or officers, shall pay the same accordingly.

and by warrant from the prince, may pay the sums specified therein.

XXX. And be it further enacted, That if any deficiency shall arise in the revenues of his royal highness, at the end of any quarter of a year, so as to create an arrear in the payment of any claims made against his royal highness, and allowed as aforesaid, such arrears shall be carried to the account of the next quarter, and (except in the case where any arrears of a preceding quarter shall likewise be carried to the same account) shall be placed therein first in order of payment, and shall be paid first in order out of the first monies payable on account of the next succeeding quarter: provided always, that no arrear of any of the salaries or allowances made, or to be made, by his royal highness to any officer or officers, whose duty it may be to carry this act into execution, or who may be concerned in the execution of the same, shall be carried on beyond the term of one quarter after the quarter in which the same shall have become due; and that no arrears of any sort shall, on any account, or under any pretence, be carried on for more than two quarters of a year after the quarter when the same shall accrue due: and that if it shall happen that any arrears shall have been carried on for two quarters of a year, the same shall be discharged and paid out of the sum due and payable in the quarter to which such arrear shall be carried, in preference to the arrear of the preceding quarter, and in preference to all demands that shall accrue in the quarter to which such arrear shall be so carried; and it shall not be lawful for any officer or officers of his royal highness to audit, allow, or settle, any account for the quarter to which such arrears of two quarters shall be carried, or to issue any sum or sums of money for the payment or satisfaction of the claims of the quarter to which

How arrears at the end of quarters shall be discharged.

which such arrears shall be carried, until the said arrears shall be fully paid and satisfied: provided also, that in case, at the end of any quarter, there shall be carried to the account of the same the arrears of two quarters preceding, the arrears of the quarter immediately preceding shall be placed second in the order of payment, and shall be paid second in order, next and immediately after the payment of the arrears of the quarter next but one preceding.

Surplus at the end of any quarter to be paid the prince.

XXXI. And be it further enacted, That if at the end of any quarter of a year any surplus shall remain of the said revenue of his said royal highness, after paying and satisfying all debts and demands accrued during such quarter, and all arrears of former quarters in each department, such surplus shall and may be paid over to his royal highness's privy purse.

Demands accrued after July 5, 1795, to be delivered in quarterly.

XXXII. And be it further enacted, That every creditor of his royal highness, whose demand shall accrue after the fifth day of

No demand to be included in account, but what has accrued within the quarter preceding the audit, &c.

July one thousand seven hundred and ninety-five, shall deliver into the office of the treasurer, or principal officer or officers of his royal highness for the time being, a particular, in writing, containing the nature and amount of such demand, and signed by him or her, within ten days after the expiration of the quarter of a year in which such demand shall accrue, in order that the same may be included in the preceding quarterly account, to be audited as aforesaid; and it shall not be lawful for the treasurer, or principal officer or officers of his royal highness, to include in any such account to be audited as aforesaid, or to allow, any debt or demand, of what nature or kind soever, which shall not have wholly accrued within the quarter of a year preceding such audit, other than the arrears of such preceding quarters as aforesaid, or which shall not be presented to the proper officer of his royal highness, within the time herein-before limited, and according to the directions of this act; nor shall the treasurer, or principal officer or officers of his royal highness, under any pretence or colour of authority whatever, issue or cause to be issued any sum of money for the purpose of paying, satisfying, or discharging, any debt or demand, or any part thereof, which shall not have accrued, and be claimed, as aforesaid; and if any person or persons who shall have, or claim to have, any debt or demand against his royal highness, on any account whatever, shall not, after the fifth day of *July* one thousand seven hundred and ninety-five, deliver a particular, in writing, of the said debt or demand to the proper officer of his royal highness, within ten days after the expiration of the quarter of a year in which such debt or demand accrued, every such debt or demand shall be barred both at law and in equity; and all bonds, bills, notes, or other securities for money, given or made in consideration of any debt or demand, whereof the particulars, in writing, shall not be delivered according to the directions of this act, shall be null and void, to all intents and purposes; and that if any officer of or person employed by his royal highness, to whom the particulars of such debts or demands shall be delivered, according to the directions of this act, shall neglect or refuse to insert the same in his account of the

Demands not delivered in time limited, to be barred, and securities for such debts void.

Officer neglecting to insert demands in quarterly accounts, liable to payment of them.

the

the quarterly expences incurred, in the manner before directed, every such officer shall be liable to pay the amount thereof in damages to the party grieved.

XXXIII. And be it further enacted, That no action or suit, either at law or in equity, shall be brought, commenced, or prosecuted, by any creditor against his royal highness, in his own name as a party, for the recovery of any debt or demand due from his said royal highness, which shall accrue after the fifth day of July one thousand seven hundred and ninety-five, nor upon any bond, bill, or note, nor upon any security to be given after the passing of this act, for the securing any debt or demand due from his said royal highness; but that all proceedings in any such action or suit shall be null and void, to all intents and purposes.

No action to be brought against the prince for any debt which shall accrue after July 5^o 1795.

XXXIV. Provided always, and be it enacted, That nothing herein contained shall extend to prevent any action or suit against his royal highness the prince of Wales, by any person having any title by way of mortgage not made by his royal highness, or for rent reserved upon any lease or grant of lands, tenements, or hereditaments, not made to or in trust for his royal highness, or any action or suit against his royal highness as duke of Cornwall, in respect of his duchy of Cornwall.

Act not to prevent certain suits against the prince.

XXXV. And, in order that due provision may be made for the recovery of the just debts of his said royal highness, be it further enacted, That in all cases where a demand shall be made, or a debt shall be claimed, which demand or debt shall have wholly accrued after the fifth day of July one thousand seven hundred and ninety-five, within the quarter preceding such claim or demand, and the particulars thereof shall be delivered to the proper officer of his said royal highness, to be appointed for that purpose, within the time herein-before limited, and the same shall not be paid, it shall be lawful for the creditor or creditors, at any time within three calendar months after delivery of such particulars, but not afterwards, to sue and prosecute for the recovery of such debt or demand; in which action or suit the treasurer, or other principal officer or officers of his said royal highness for the time being, to whom the particulars of the demand shall have been delivered, shall be made defendant, and the like proceedings shall be had in such action or suit as if the treasurer, or other principal officer or officers for the time being, were the real party therein; save and except, that notwithstanding the plaintiff may obtain judgement, no execution shall issue against the person of the treasurer, or other principal officer or officers for the time being, nor against his or their proper effects, but the judgement shall be a charge upon the funds of his royal highness, which shall be in or come into the hands of the treasurer, or other principal officer or officers of his said royal highness for the time being, within two quarters after the quarter in which the debt or debts for which such action shall have been brought and judgement obtained shall have accrued; and such funds, whenever the same shall be in the hands of such treasurer, or other principal

Creditors who have delivered in their demand in the time limited, may sue for the same within three months after delivery.

Treasurer to be made defendant.

Judgement to be a charge upon the prince's funds, &c.

principal officer or officers, shall be liable to the payment of the debt or damages, and costs, recovered in such action or suit, in preference to all debts and demands, except such as shall have arisen in consequence of any prior judgement which shall have been obtained, as is herein-before directed, and a note or docquet of every judgement so obtained as aforesaid shall be entered by the creditor obtaining the said judgement in the office of the treasurer, or other principal officer or officers of his royal highness, within ten days after signing the same, in order to entitle him to the benefit of this act.

Officer neglecting to prepare accounts, or to apply monies as settled by this act, or misapplying monies, &c. liable to damages, which may be sued for in any court at Westminster.

XXXVI. And be it further enacted, That if any officer of the establishment of his said royal highness, or other person entrusted with the management of his revenues, shall neglect or refuse to prepare, make up, or transmit, any account or accounts, or to audit and investigate the same, or to pay and apply the monies in his hands for that purpose in the order and course to be settled and established by virtue of this act, or shall divert or misapply the same, or any part thereof, contrary to the directions of this act, or shall wilfully omit to insert in his quarterly account the claim or claims of any creditor or creditors delivered within the time allowed by this act, or shall wilfully prepare, make up, or transmit, any false account, every such officer or other person, so offending against this act, in any of the particulars before mentioned, shall be liable to pay damages to the party grieved; and that all damages incurred by any person or persons by virtue of this act shall and may be sued for, prosecuted, and recovered, by action of debt, or on the case, in any of his Majesty's courts at Westminster, with full costs of suit, in which no essoin, protection, wager of law, or more than one imparlance, shall be allowed.

C A P. CXXX.

An act for the better enabling his Majesty to make provision for a sure and certain jointure for her royal highness the princess of Wales, for the term of her life.—[June 27, 1795.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, being truly sensible how acceptable it will be to your Majesty, that a good, certain, and competent revenue be settled for supporting the honour and dignity of her royal highness the princess, in case she shall survive her royal consort the most excellent prince George Augustus, your Majesty's most dearly beloved son; and considering the happiness which (by the blessing of Almighty God) the subjects of these kingdoms cannot fail to enjoy by a succession of princes derived from her; and well knowing that by an act, made in the first year of the reign of her late Majesty Queen Anne (of blessed memory), for preserving the inheritance

of several revenues of the crown, intituled, *An act for the better support of her Majesty's household, and of the honour and dignity of the crown*, all grants thereof (other than such as are therein expressed) are declared to be void; do most humbly, cheerfully, and unanimously, 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 it shall and may be lawful to and for the King's most excellent majesty, by any letters patent under the great seal of *Great Britain*, to give and grant unto her said royal highness the princess of *Wales*, or to such person or persons as his Majesty shall think fit to be named in such letters patent, and his or their heirs, to the use of or in trust for the said princess, one annuity or yearly sum of fifty thousand pounds of lawful money of *Great Britain*, which annuity or yearly sum of fifty thousand pounds, and every part thereof, shall commence and take effect immediately from and after the decease of his Majesty's said dearly beloved son, and continue from thenceforth for and during the natural life of the said princess, and shall be paid and payable on the fifth day of *January*, the fifth day of *April*, the fifth day of *July*, and the tenth day of *October*, in every year, by even and equal portions; the first payment thereof to be made on such of the said days as shall first and next happen after the decease of his Majesty's said dearly beloved son, in case the said princess shall survive him as aforesaid; and that the said yearly sum of fifty thousand pounds shall be issuing and payable out of, and be charged and chargeable upon, such revenues, rents, and duties, as are herein-after specified; (that is to say), that so long as the revenues of the general letter office or post office, or office of postmaster general, the hereditary duties of excise, and other hereditary or temporary revenues, enumerated and expressed in an act, made in the first year of the reign of his present Majesty, intituled, *An act for the support of his Majesty's household, and of the honour and dignity of the crown of Great Britain*, shall, by virtue of the said act, or any other act or acts of parliament now in force relating thereto, be carried to or made part of the consolidated fund, the said annuity of fifty thousand pounds, and every part thereof, shall be charged and chargeable upon the revenue, or yearly rent or rents, which shall be issuing and payable by virtue of the said acts, or any of them, out of the said consolidated fund, for the support of his Majesty's household, and of the honour and dignity of the crown, to his present Majesty, during his life (which God long preserve); and the commissioners of his Majesty's treasury, or any three or more of them, and the high treasurer and under treasurer of the exchequer for the time being, shall and may, and they are hereby required to cause the said annuity to be issued from time to time, during his present Majesty's life, daily, weekly, or otherwise, for the uses and purposes by this act appointed, out of the revenue or yearly rent or rents

His Majesty may grant to the princess of *Wales*, an annuity of 50.000l. from the decease of the prince, payable quarterly, chargeable on the revenue for the support of his Majesty's household.

1 Anne, c. 1.
1 Geo. 3. c. 1.

issuing and payable to his Majesty during his life, out of the consolidated fund as aforesaid, so as by the said daily, weekly, or other payments, one fourth part of such annuity of fifty thousand pounds be not exceeded in, for, or in respect of each quarter; and so that, upon every of the said quarterly days, the whole then due thereupon be completed, made up, or satisfied, according to the true intent and meaning of this act.

On the demise of his Majesty, the annuity to be chargeable upon the hereditary revenues enumerated in last mentioned act.

II. And be it further enacted, That in the event of the demise of his present Majesty, the said annuity of fifty thousand pounds, and every part thereof, shall then and from thenceforth, during the life of the said princess, in case the said princess shall survive his said royal highness the prince, be charged and chargeable upon the said hereditary duties and revenues enumerated and expressed in the said act of the first year of his present Majesty's reign, and that the same shall be paid and payable by and from the immediate hands of all and every the commissioners, farmers, treasurers, receivers, and collectors, for the time being, of the said revenues respectively, without any fees or charges to be demanded or taken for paying the same, or any part thereof.

Acquittance of the princess, &c. to be a discharge for the annuity, which shall be free from taxes.

III. And be it further enacted, That the acquittance and acquittances of the said princess or her trustees, or of her royal highness's receiver general for the time being, shall be a good and sufficient discharge for the payment of the said annuity of fifty thousand pounds, without any further or other warrant to be sued for, had, or obtained, in that behalf; and that the said annuity or yearly sum of fifty thousand pounds, and every part thereof, shall be free and clear from all taxes, impositions, and other publick charges whatsoever.

The princess may sue the commissioners, &c. of the revenues for the annuity.

IV. And be it further enacted, That if the said commissioners, farmers, treasurers, receivers, and collectors, for the time being, of the said duties and revenues, or any of them, shall refuse or neglect to pay the said respective yearly sums, or any part thereof, to the said princess, her receiver general or trustees, after such time as the said annuity of fifty thousand pounds shall become or be chargeable out of the said duties and revenues, according to the true intent and meaning of this act, that then the said princess, or such trustees as aforesaid, may sue, prosecute, or implead, the said commissioners, farmers, treasurers, receivers, 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 judgements, and sue out executions thereupon, against the said commissioners, 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 annuities, amounting to fifty thousand pounds *per annum*, or any part thereof, as shall be in the hands of the said commissioners, farmers, treasurers, receivers, and collectors respectively, of the said respective duties or revenues, at the time when demand shall be made of the payment of the said yearly sum, or any part thereof.

V. And

V. And be it further enacted by the authority aforesaid, That His Majesty's letters patent contained in his Majesty's letters patent to be made as aforesaid, for the better and more certain payment and assurance of the said yearly sum of fifty thousand pounds *per annum*, shall be, and are hereby enacted to be good and effectual in the law, according to the tenor and purport of the said letters patent, to be expressed, notwithstanding any restriction, or other matter or thing contained in the said act of parliament, made in the first year of her late 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 mis-recital, non-recital, omission, or other defect, in the said letters patent, in anywise notwithstanding.

VI. And be it further enacted and declared by the authority aforesaid, That the said yearly sum of fifty thousand pounds shall be paid to her royal highness, or to her use, or for her benefit, without any fees or charges to be demanded or taken by the officers of the exchequer, or any others, for payment thereof.

VII. And, in order to prevent any doubts which might arise respecting the right of her royal highness the princess of Wales, in the event of her surviving his royal highness the prince of Wales, or to any part of the personal estate of his royal highness, over and above the jointure hereby provided for her royal highness; be it enacted by the authority aforesaid, That the acceptance by her royal highness of the jointure hereín provided shall be, and be deemed to be, a bar to any right or claim to dower, or to any part of the personal estate of his royal highness, in the event of her surviving his royal highness.

VIII. Saving to all and every person and persons, bodies politic or corporate, their heirs, executors, administrators, and assigns, (other than the King's majesty, his heirs and successors, and other than to such person or persons who do or may stand seized or possessed in trust for his Majesty, his heirs and successors), all such right, title, interest, and demand whatsoever, which they, or any of them, have or may have, of, in, to, or out of, the revenues, rents, or duties aforesaid, or any part thereof respectively, 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.

C A P. CXXXI.

An act for repairing the common sewer in New Bridge Street, Black Friars, in the city of London, or making a new sewer instead of the defective part or parts thereof, and for maintaining and cleansing the same.

A N

ALPHABETICAL INDEX

TO THE

FIRST PART OF THE XLth VOLUME

OF THE

STATUTES AT LARGE;

Passed in the thirty-fifth Year of the Reign of King GEORGE III.; in the Year of our Lord one thousand seven hundred and ninety-five, being the fifth Session of the seventeenth Parliament of Great Britain, which began the thirtieth Day of December one thousand seven hundred and ninety-four, and ended by Prorogation on the twenty-seventh Day of June, one thousand seven hundred and ninety-five.

A.

Aberdeen, Scotland.

1. **T**O continue, alter, and enlarge act 13 Geo. 3. c. 29. for deepening, cleansing, &c. the harbour of *Aberdeen*, for erecting new piers and quays, and for regulating ships and vessels trading to the said harbour. Chap. 41.
2. See *Paving*. Chap. 76.
3. See *Water*. Chap. 76.

Addresses of the House of Commons.

47,649l. 1s. 5d. issued pursuant to addresses of the house of commons. Chap. 120.

Africa.

1. 20,000l. for forts there. Chap. 120.
2. 4,069l. 2s. to *James Willis*, esq. for forming an establishment in *Africa*. Same act.

Agriculture.

3,000l. to the board of agriculture. Chap. 120.

Alderney.

Security required by 33 Geo. 3. c. 34. not to reland captured goods in *Great Britain*, &c. extended to *Alderney*. Chap. 31. f. 3.

Ale.

See *Licences*. Chap. 113.

Aliens.

1. To continue an act respecting aliens in this kingdom. Chap. 73.
2. 1,089l. 6s. 2d. for expences occasioned by the alien act. Chap. 120.

American Loyalists.

204,549*l.* 6*s.* 1*d.* for part of orders of *American loyalists.* Chap. 20.

55,091*l.* 17*s.* 6*d.* more for the same. Same act.

American Sufferers.

4,500*l.* for *American sufferers.* p. 120.

Annuities.

Consolidated Annuities. Chap. 28.

Appeal.

See *Bridges.* Chap. 78, 79.
See *Paving.* Chap. 74, 75.

Artillery.

For augmenting the royal corps of artillery. Chap. 83.

Colonels to discharge militia men ordered for the artillery who shall fire it, in order to enlist in the artillery. Same act, f. 1.

Men entering into the artillery under this act intitled to the bounty. Same act, f. 4.

Wholme, Isle of, Lincolnshire.

See *Inclosures.* Chap. 107.

B.

Bail.

HERE persons committed by act 26 Geo. 3. c. 77. are ordered for want of bail, the proper may cause a copy of the indictment to be delivered with notice unless an appearance, &c. be made in a limited time, an appearance and the plea of not guilty will

be entered, and if on trial the defendant shall be acquitted, the judge may order his discharge. Chap. 96.

Bahama Islands.

4,050*l.* for the civil establishment there. Chap. 120.

Ballastage.

See *Lastage and Ballastage.* Chap. 84.

Bedford Level.

See *Draining.* Chap. 77.

Belton, Lincolnshire.

See *Inclosures.* Chap. 107.

Bermuda.

580*l.* salary of the chief justice of *Bermuda or Somers Islands.* Chap. 120.

Bewdley, Worcestershire.

See *Bridges.* Chap. 78.

Bigamy.

Persons convicted in *England and Wales* of bigamy liable to transportation, and returning before the expiration of the term they are transported for, to suffer death. Chap. 67.

Bishop, Sir William.

Sir William Bishop and company may continue to make *Maidstone* Geneva until July 5, 1797. Chap. 89. f. 2.

Botolph, (Saint) Bishopsgate.

See *Poor.* Chap. 61.

Bounties.

See *Linens.* Chap. 38.

Brandy.

Brandy.

See *Excise*. Chap. 12.

Bridges.

1. For building a bridge over the river *Severn* at *Bewdley* in *Worcestershire*. Chap. 78.
2. For amending an act for building a bridge over the river *Thames* at *Henley* in *Oxfordshire*. Chap. 79.
3. For rebuilding a bridge across the river *Severn* near *Redditch* in *Worcestershire*. Chap. 108.

Bridgewater, Duke of.

See *Canals, Navigable*. Chap. 44.

Brunswick, Duke of.

92,242*l.* issued for troops of the duke of *Brunswick*. Chap. 120.

C.

Canals, Navigable.

1. TO authorise proprietors of the *Grand Junction Canal* to vary the course of part of the said canal in the county of *Hertford*, and for amending and altering 33 Geo. 3. c. 80. for making the said canal. Chap. 8.
2. For making a navigable cut from the *Grand Junction Canal* in the precinct of *Norwood* to *Paddington* in *Middlesex*. Chap. 43.
3. To enable *Francis* duke of *Bridgewater* to make a navigable cut from his present navigation in *Worsley*, to *Pennington*, near the town of *Leigh* in *Lancashire*. Chap. 44.
4. For making a navigable canal from *Southampton* to the city of *New Sarum* in *Wiltshire*. Chap. 51.
5. The like from the river *Thames* or *Issis*, at *Abingdon* in *Berkshire*, to

communicate with the *Kennet* and *Avon* canal at *Trowbridge* in *Wiltshire*. Chap. 52.

6. For making a navigable cut from the *Stratford-upon-Avon* canal, in the parish of *Lapworth*, into the *Warwick* and *Birmingham* canal, in the manor of *Kingswood*, in *Warwickshire*. Chap. 72.
7. For making and extending a navigable cut from *Watford* to *Stret Albans* in *Hertfordshire*. Chap. 85.
8. For making and maintaining a navigable canal from and out of the navigation from the *Trent* to the *Mersey* near *Stoke-upon-Trent* in *Staffordshire*, to *Newcastle-under-Lyme*. Chap. 87.

Canada, Upper.

7,175*l.* for the civil establishment there. Chap. 120.

Cape Breton, Island of.

1,800*l.* for the civil establishment of the island of *Cape Breton* in *America*. Chap. 120.

Carlton House.

25,000*l.* for completing *Carlton House*. Chap. 120.

Carts.

Carts with less than four wheels used principally in husbandry or trade, having the words, "A taxed Cart" on them, to pay 20*s.* a year, in lieu of the duties by 25 Geo. 3. c. 47. and 29 Geo. 3. c. 49. and horses drawing such carts not liable to any duty. Chap. 109.

Chelsea Hospital.

149,856*l.* 15*s.* 10*d.* for *Chelsea Hospital*. Chap. 120.

China.

See *Wines*. Chap. 118.

China Ware.

China ware imported by the *East India* company before *April 1, 1795*, exported within five years, intitled drawback. Chap. 98.

Chocolate.

A drawback to be allowed on the portation of chocolate made in *Great Britain*. s. d.

Of cocoa nuts, the produce of any <i>British</i> colony in <i>America</i> , per pound	0	5
Of the produce of any other <i>country</i> , per pound	1	4

Cap. 13. s. 4.

Christ's Hospital, London.

To enable the mayor and commonalty and citizens of *London* and governors of *Christ's Hospitals*, to purchase houses and ground for enlarging *Christ's Hospitals* in *London* and *Hertfordshire*, and erecting additional buildings &c. Chap. 104.

Churches.

For amending former act for building a church at *Hackney, Middlesex*, and for raising a further sum of money to complete the church. Chap. 70.

For building a new church or chapel in *Halifax* in *Yorkshire*. Chap. 71.

Coals.

Coals allowed to be exported from *Newcastle* and *Swansea* to *Ferrey, Guernsey*, and *Alderney*, by 6 Geo. 3. c. 40. not liable to additional duty. Chap. 20. s. 4.
See *Customs*. Chap. 20.
See *Pennygored Works*. Chap. 39.

Cocoa Nuts.

1. See *Chocolate*. Chap. 13.
2. See *Excise*. Same act.
3. See *Coffee and Cocoa Nuts*. Chap. 118.

Coffee and Cocoa Nuts.

1. See *Excise*. Chap. 13.
2. Commissioners of excise in *Great Britain* to provide warehouses for lodging coffee and cocoa nuts, and to appoint officers to attend them. Chap. 118.
3. Officers of excise to mark casks of coffee or cocoa nuts on board ships importing them, and if unshipped before, they may be seized. Same act, s. 10.
4. Within fourteen days after being warehoused the coffee and cocoa to be taken out of the casks by the importer and weighed, at which time the damaged parts may be separated, &c. and importers not complying with the directions of this act to forfeit 50*l*. Same act, s. 11.
5. Duties imposed by 27 Geo. 3. c. 13. and 35 Geo. 3. c. 13. to extend to coffee and cocoa delivered for home consumption out of warehouses provided under this act. Same act, s. 13.
6. Regulations for taking coffee and cocoa out of warehouses, and it may be delivered for home consumption on production of certificates of payment of duties, and no warehoused coffee or cocoa to be delivered but in the intire cask, and not less than 112 pounds, and warehouse rent of 1*s*. a ton to be paid before delivery of coffee or cocoa. Same act, s. 14.
7. If coffee or cocoa be not taken out of warehouses within three years, it may be sold for payment of duties, &c. and 100*l*. penalty for obstructing officers or rescuing coffee, &c. Same act, s. 21.

Commissioners of Land Tax.

For appointing commissioners of land tax. Chap. 17.

Consolidated Annuities.

1. Contributors towards raising eighteen millions, for every one hundred pounds, entitled to the principal sum of one hundred pounds three *per cent.* consolidated annuities, from *Jan. 5, 1795*, the principal sum of thirty-three pounds six shillings and eight-pence four *per cent.* annuities from *Oct. 10, 1794*, and a further annuity of eight shillings and sixpence for sixty-five years and a quarter from *Oct. 10, 1794*. Chap. 14.
2. Every contributor to the loan of eighteen millions under Chap. 14. of this session, intitled to a further annuity of one shilling *per cent.* for sixty-five years and a quarter from *Oct. 10, 1794*. Chap. 128.

Consolidated Fund.

1. 2,895,000*l.* may be issued out of the consolidated fund. Chap. 120.
2. 848,915*l.* 4*s.* 2*d.* 3*q.* to complete the sum granted out of the consolidated fund for 1794. Same act.

Convicts.

1. 11,463*l.* 13*s.* 8*d.* to *Duncan Campbell, esq.* for convicts on the river *Thames*. Chap. 120.
2. 15,440*l.* 5*s.* 11*d.* 2*q.* to *James Bradley, esq.* for convicts in *Langstone* and *Portsmouth* harbours. Same act.

Conway, Henry Seymour.

For vesting for a certain term of years in the right honourable *Henry Seymour Conway*, the sole property of

a kiln or oven by him invented for burning lime, and for the use of distillers and brewers. Chap. 68.

Corn.

1. To prohibit the exportation and permit the importation of corn. Chap. 4.
2. His Majesty in council may prohibit the exportation from *Great Britain* of any wheat, &c. and permit the importation of any foreign corn, &c. duty free, as also the taking out foreign corn from warehouses for home consumption, &c. Same act, s. 1.
3. His Majesty in council may permit the carrying coastwise, &c. corn, &c. for the purposes mentioned in 31 *Geo. 3. c. 30.* and 33 *Geo. 3. c. 65.* Same act, s. 2.
4. Certain articles may be imported into *Great Britain* from any place in *British* vessels, or vessels belonging to places in amity with his Majesty, duty free. Same act, Same act, s. 3.

Costs, Double.

See *West India Islands*. Chap. 57.

Costs, Treble.

See *Bridges*. Chap. 78. See *Eschequer Bills*. Chap. 127. See *Militia*. Chap. 27. See *Navy*. Chap. 5. 9. 19. 34. See *Navy Bills*. Chap. 32. See *Paving*. Chap. 74. 75. See *Post Office*. Chap. 62. See *Saint Mary le Bone*. Chap. 73. See *Stamps*. Chap. 30. See *Temple Bar*. Chap. 126. See *Wales, Prince of*. Chap. 129. See *Whale Fishery*. Chap. 92.

Customs.

Certain duties of customs on the importation of fruit, salled oil, waste silk,

Dis

and timber, and on the exportation of *British* rock salt and coal. Chap. 20.

Cutters.

The provisions in 34 Geo. 3. c. extended to every cutter, lugger, sloop, &c. of any built whatsoever. Chap. 31.

D.

Dartmouth.

SEE *Excise*. Chap. 10.

Derbyshire.

For applying money raised in the county of *Derby* by several acts of parliament respecting the militia. Chap. 16.

Distilleries.

From *OE.* 10, 1795, the following additional duties to be paid in *Ireland*, l. s. d.

For each gallon of the contents of every still for making spirits (save as excepted by 33 Geo. 3. c. 61.) where <i>British</i> materials are used annually,	9 0 0
Where melasses or sugar is used,	15 0 0
Where other foreign materials are used,	18 0 0
And for each gallon of rectifying stills,	9 0 0

Chap. 59.

Distillers.

No distiller to use any wheat or oat flour in making wort for extracting spirits, until the expiration of six weeks after the commencement of the next session of parliament, on penalty of 50*l.* and persons aiding

Exc

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distillers in such use, to forfeit 20*l.* Chap. 11. s. 8.

Domingo, (Saint) Island of.

1,059*l.* 14*s.* for *French* proprietors there. Chap. 120.

Dominica.

600*l.* salary of the chief justice of the island of *Dominica*. Chap. 120.

Draining.

For improving the drainage of the *Middle and South Levels, Bedford Level*, and the low lands near the river *Ouze* in *Norfolk*, draining through the same to sea by the harbour of *King's Lynn*. Chap. 77.

Drawbacks.

See *Chocolate*. Chap. 13.

E.

Epworth, Lincolnshire.

SEE *Inclosures*. Chap. 107.

Exchequer Bills.

1. The treasury empowered to raise 2,000,000*l.* by loans or exchequer bills for the service of the year 1795. Chap. 21.
2. 1,500,000*l.* more for the same year. Chap. 22.
3. His Majesty may raise 2,500,000*l.* by exchequer bills. Chap. 37.
4. 2,000,000*l.* for discharging exchequer bills made out under 34 Geo. 3. c. 28. Chap. 120.
5. 1,500,000*l.* for discharging further exchequer bills made out under 34 Geo. 3. c. 29. Chap. 120.

6. 2,500,000*l.* for discharging exchequer bills made out under 34 Geo. 3. c. 62. Chap. 120.
7. 1,500,000*l.* exchequer bills to be issued for the purposes of this act. Chap. 127.
8. Exchequer bills of 150*l.* each may be issued, and bear an interest of 3*d.* per cent. per day, and payable July 5, 1796. Same act, f. 3.
9. Commissioners appointed to advance and lend exchequer bills to persons connected with the islands of *Grenada* and *Saint Vincents*, and may meet and appoint officers, administer oaths, allow salaries, &c. Same act, f. 5.
10. Treasury to issue money for defraying the charges of executing this act, and an account to be laid before parliament, and persons giving false evidence guilty of perjury. Same act, f. 9.
11. Commissioners to receive applications for the loan of exchequer bills, and to certify the amount wanted to the treasury, who shall direct their issue, and commissioners to class applications and establish regulations for apportioning the sums to be advanced. Same act, f. 11.
12. Commissioners to give certificates of the amount of bills apportioned, which shall be a warrant for their delivery, and bills to bear date when issued, and commissioners may alter regulations and appoint days for considering applications, and the treasury may direct further bills to be issued. Same act, f. 13.
13. Persons to whom bills are advanced to give bond and negotiable deposits, in default of payment of loans to be sold, and the money sued for in the name of the secretary, to whom assignments of mortgages are to be made, and secretary may do all acts for validating mort-

- gages, recovering monies, &c. Chap. 127. f. 16.
14. Persons applying for exchequer bills for the use of partnerships may give notes in the partnership firm, and where bills shall have been applied to the use of partnerships, their estate and effects to be liable, though other security shall have been taken. Same act, f. 21.
15. Commissioners may order securities made to them to be assigned to their secretary, and principal sums advanced with interest to be repaid by instalments, and in default the deposits may be disposed of or sued for. Same act, f. 23.
16. Process may issue against principals for the benefit of sureties, and against sureties for the benefit of co-sureties, and estates of bankrupts in *England* and *Scotland* liable to the claim of commissioners in preference to all others, and commissioners may accept from assignees, &c. security for sums due from bankrupts. Same act, f. 29.
17. Five commissioners may act, and no obligation, &c. under this act liable to stamp duty, and the bank to open an account with the commissioners, and commissioners to grant certificates of bills advanced. Same act, f. 39.
18. Treasury to cause an account to be taken of exchequer bills made out, which with interest and charges shall be charged on the consolidated fund, and persons advancing exchequer bills may charge 5*l.* per cent. interest. Same act, f. 43.
19. Commissioners may receive and send letters free of postage, and persons counterfeiting certificates, &c. guilty of felony, and affirmations may be administered. Same act, f. 48.

Excise.

1. For every tun of *French* wine imported into *Great Britain*, for which all the duties were not paid by *Feb. 23, 1795*, an additional duty of 30*l.* and for all other sorts of wine 20*l.* per tun. Chap. 10.
2. For *French* wine found in stock on the first survey after *Feb. 23, 1795*, 30*l.* per tun, and for other wine, 20*l.* and for every barrel of sweets made in *Great Britain* for sale, 11*s.* 7*d.* 1*q.* Same act.
3. How wine found in stock shall be estimated, and the duties thereon paid, but no duty where the stock does not exceed two hundred and fifty-two gallons. Same act, s. 3.
4. Act 33 Geo. 3. c. 48. allowing a drawback of duties on wines used on board the navy to extend to the port of *Dartmouth*, and a drawback of the duty imposed by this act to be allowed for wine used on board the navy. Same act, s. 5.
5. For wine contracted to be sold, the additional duty may be added to the price, and for prize wine taken out of the warehouse for home consumption, the additional duty to be paid, and a drawback to be allowed on exportation of foreign wines, agreeably to 26 Geo. 3. c. 59. Same act, s. 7.

6. Additional duties of excise from *Feb. 23, 1795. viz.*

s. d.

Wash made in <i>England</i> from grain, for home consumption, per gallon,	0	1
Wash, &c. from other <i>British</i> materials, per do.	0	1
— from melasses or sugar, per do.	0	1½
— from other foreign materials, per do.	0	2
For ninety-six gallons of wash made by <i>Meiss. Bishop</i> from		

s. d.

- | | | |
|--|----|----|
| one hundred and twelve pounds of corn, | 2 | 8½ |
| Chap. 11. | | |
| 7. Wash made in <i>England</i> according to 28 Geo. 3. c. 46. for importation to <i>Scotland</i> , not liable to additional duty. Same act, s. 3. | | |
| 8. Additional duties of excise from <i>Feb. 23, 1795. viz.</i> | | |
| | s. | d. |
| For single brandy imported, per gallon, | 0 | 10 |
| Brandy above proof, per do. | 1 | 8 |
| Rum, &c. of the <i>British</i> colonies, per do. | 0 | 8 |
| Do. above proof, per do. | 1 | 4 |
| Do. warehoused, per do. | 0 | 8 |
| Do. above proof, warehoused, per do. | 1 | 4 |
| Single spirits imported, other than as aforesaid, per do. | 0 | 10 |
| Do. above proof, per do. | 1 | 8 |
| Chap. 12. | | |
| 9. Additional duty on spirits imported from the <i>British</i> colonies may be bonded, &c. as the present duties and prize spirits taken out of warehouses liable to additional duty. Same act, s. 2. | | |
| 10. Duties on spirits of the <i>British</i> colonies to be allowed on ship's stores and persons delivering foreign spirits after <i>Feb. 23, 1795</i> , on contracts made previous thereto, may add to the price a sum equivalent to the duty. Same act, s. 5. | | |
| 11. Additional duties of excise, viz. | | |
| For tea sold by the <i>East India</i> company, 7 <i>l.</i> 10 <i>s.</i> per cent. upon the price. Cocoa nuts of the growth of <i>British</i> colonies in <i>America</i> delivered out of warehouses for home consumption, 6 <i>d.</i> 2 <i>q.</i> per pound, and of the growth of any other place, 1 <i>s.</i> 8 <i>d.</i> per pound, and for coffee | | |

coffee so delivered, 6d. 2q. per pound. Chap. 13.

12. Duty on tea to be deemed an inland duty, and drawn back on exportation, and the duties on tea, cocoa nuts and coffee to be levied, &c. agreeable to acts relating to the excise, and prize tea, coffee and cocoa nuts liable to the additional duty. Same act, s. 2.

13. See *Scotland*. Chap. 31.

14. See *Hides and Skins*. Chap. 97.

15. See *Licences*. Chap. 113.

16. To remove doubts arising from the construction of acts 35 Geo. 3. c. 10, 11, 12, and 13. respecting the duties of excise thereby granted on wash, coffee, cocoa nuts, foreign spirits, wines and sweets. Chap. 116.

Exportation.

See *Corn*. Chap. 4.

F.

Fencible Cavalry.

1. 280,048l. 8s. 3d. for fencible cavalry. Chap. 120.
2. 80,000l. for bread allowance, &c. to them. Same act.

Finsbury Square, Middlesex.

See *Paving*, &c. Chap. 45.

Fishery.

1. See *Mackarel*. Chap. 54.
2. To continue and amend acts 26 Geo. 3. c. 81. and 27 Geo. 3. c. 10. for the more effectual encouragement of the *British* fisheries, and vessels clearing out between *June 1*, and *Nov. 20*, intituled to bounties. Chap. 56.

Flax.

Flax and flax seed may be imported in any vessel belonging to

states in amity with his Majesty, until twenty days after the commencement of next session of parliament. Chap. 100.

France.

1. 98,410l. for the suffering clergy and laity of *France*. Chap. 120.
2. 37,500l. for the same and former officers of the marines, &c. Same act.

Friendly Societies.

See *Societies, Friendly*. Chap. 111.

Fruit.

See *Customs*. Chap. 20.

G.

Gainsburgh, Lincolnshire.

SEE *Inclosures*. Chap. 82.

General Issue.

See *Bridges*. Chap. 78. See *Exchequer Bills*. Chap. 127. See *Militia*. Chap. 27. See *Navy*. Chap. 5. 9. 19. 34. See *Navy Bills*. Chap. 32. See *Paving*. Chap. 74, 75. See *Post Office*. Chap. 62. See *Saint Mary le Bone*. Chap. 73. See *Stamps*. Chap. 30. See *Temple Bar*. Chap. 126. See *Wales, Prince of*. Chap. 129. See *Whale Fishery*. Chap. 92.

Geneva.

See *Bishop, Sir William*. Chap. 89.

Germany, Emperor of.

1. For guaranteeing the payment of the dividends on a loan of 4,600,000l. to the emperor of *Germany*. Chap. 93.
2. Contributors to the loan of act 35 Geo.

Geo. 3. c. 14. may subscribe to the loan to the emperor, and on failure of his paying the interest and annuities, the same to be paid at the bank, and charged upon the consolidated fund, and the bank to provide a book for entering debentures and annuity bonds, and a duplicate to be transmitted to the auditor of the exchequer. Chap. 93. s. 1.

3. Agents of the emperor may pay to the bank the dividends due on the loan, and if the whole dividends be not paid, the cashier to certify the same to the directors of the bank, which shall be transmitted to the treasury, who shall cause the deficiency to be issued from the consolidated fund, &c. Same act, s. 3.

4. Debentures and annuity bonds issued in the name of the emperor may be entered at the bank and transferred, and persons forging debentures, annuity bonds, letters of attorney, &c. guilty of felony. Same act, s. 5.

Glas

For better securing the duties on glass. Chap. 114.

Grand Junction Canal.

See *Canals, Navigable*. Chap. 8. 43.

Grants.

744,057*l.* 11*s.* 1*d.* for deficiency of grants in 1794. Chap. 120.

Grenada, Island of.

See *Exchequer Bills*. Chap. 127.

H.

Hackney, Middlesex.

SEE *Churches*. Chap. 70.

Halifax, Yorksbire.

See *Churches*. Chap. 71.

Hanoverians.

495,655*l.* for eighteen thousand *Hanoverians*. Chap. 120.

Harbours.

See *Aberdeen*. Chap. 41.

Hastings, Warren, Esquire.

4,794*l.* 6*s.* 6*d.* for expences of trial of *Warren Hastings*, esq. Chap. 120.

Hawkers and Pedlars.

Penalty inflicted on hawkers trading without a licence, or not producing it, may be levied by distress of the goods, and restrictions as to selling within two miles of a market town by s. 16, 17, and 18. of act 29 Geo. 3. c. 26. repealed. Chap. 91.

Haxey, Lincolnshire.

See *Inclosures*. Chap. 107.

Haydon, Northumberland.

For taking down the chapel of *Haydon* in the parish of *Warden*, in *Northumberland*, and for building a new chapel, Chap. 47.

Henley upon Thames.

1. For widening some part of the high street and market-place there. Chap. 79.
2. See *Bridges*. Same act.
3. See *Paving*. Same act.

Herrings.

Herrings not intitled to 20*s.* per ton, but to 15*s.* per barrel, afterwards cured to be paid 15*s.* per barrel more, and herrings,

herrings, &c. sprinkled with salt on landing, may be carried coastwise in bulk free of duty. Chap. 56. s. 3.

Hessians.

£8,850l. 12s. 0d. 19 for extraordinaries of *Hessians* employed in *America*. Chap. 120.

Hides and Skins.

Hides and skins tanned by any method whatever to be deemed within the meaning of the acts relating to the duties on hides and skins. Chap. 97.

I.

Importation.

SEE *Corn*. Chap. 4.

Inclosures.

1. For inclosing, dividing, allotting, draining, embanking and improving the open and common fields, meadows, pastures, commons, wastes, and other uninclosed grounds in *Gainsburgh, Lincolnshire*. Chap. 82.
2. For dividing, allotting, inclosing, draining and improving the commons and waste grounds in *Epworth, Haxey, Belton and Owston, in the Isle of Axholme in Lincolnshire*. Chap. 107.

India (East) Company.

1. See *China Ware*. Chap. 98.
2. During the war, and eighteen months after, ships arriving from the *East Indies* on account of the company, may be permitted to enter their goods, though not *British* built, if built within the territories belonging to the company, &c. and to export goods to the *East Indies*. Chap. 115.

Inland Navigation.

See *Rivers, Navigable*. Chap. 58.

Insolvent Debtors.

1. To remedy omissions in insolvent debtors' act of last session. Chap. 88.
2. Gaolers to make out lists of prisoners who on *Feb. 12, 1794*, and at the time of making out were in custody. Same act, s. 1.
3. Warden of the fleet, marshal of the king's bench, and other gaolers and prisoners, and gaolers bringing up prisoners to be discharged, to take an oath. Same act, s. 2.

Insurances.

See *Stamps*. Chap. 63.

Ireland.

1. For making part of certain principal sums, or stock and annuities raised or created by the parliament of *Ireland*, on loans for the use of the government of that kingdom, transferrable, and the dividends payable at the bank of *England*. Chap. 66.
2. When an act shall be passed in *Ireland* for payment of certificates issued by the commissioners of the navy, addressed to the commissioners of the revenue in *Ireland*, the treasurer of the navy to transmit a list of applicants to the commissioners of the navy. Chap. 94. s. 25.

Iss, River.

1. See *Canals, Navigable*. Chap. 52.
2. See *Rivers, Navigable*. Chap. 106.

Itchen, River, Hampshire.

See *Rivers, Navigable*. Chap. 86.

Ivel, River.

e Rivers, Navigable. Chap. 105.

K.

Kennet and Avon Canal.

EE Canals, Navigable. Chap. 52.

Kenfington, Middlesex.

See *Paving*: Chap. 74.

Kingston upon Hull.

For making a new street from white friar gate to the south end of bay street within the town of *Kingston upon Hull*. Chap. 46.

L.

Land Forces.

11,474,358*l.* 17*s.* 8*d.* 3*q.* for land forces in 1795. Chap. 120.

2,777,534*l.* 19*s.* 1*d.* for one hundred and nineteen thousand three hundred and eighty men, officers, &c. in *Great Britain*. Same act.

691,307*l.* 15*s.* 7*d.* for forces in the *Plantations, Gibraltar, Corsica, and New South Wales*. Same act.

40,096*l.* 9*s.* 9*d.* for difference between *British* and *Irish* pay of regiments in the *West Indies*. Same act.

8,323*l.* 17*s.* 10*d.* 2*q.* for regiments in the *East Indies*. Same act.

385,000*l.* for recruiting contingencies, &c. Same act.

480,000*l.* for levy money, &c. for augmentations to the land forces. Same act.

115,820*l.* 0*s.* 3*d.* for general, staff, and hospital officers. Same act.

9. 79,978*l.* 4*s.* 4*d.* for supernumerary officers. Chap. 120.

10. 110,820*l.* 18*s.* 3*d.* to the paymaster general, secretary at war, &c. Same act.

11. 128,864*l.* 3*s.* 9*d.* for reduced officers of land forces and marines. Same act.

12. 135*l.* 16*s.* 3*d.* for reduced officers, &c. of the horse guards. Same act.

13. 1,000*l.* for officers late in the service of the states general. Same act.

14. 52,500*l.* for reduced officers of the *British American* forces. Same act.

15. 7,500*l.* for allowances to them. Same act.

16. 10,387*l.* 13*s.* 3*d.* for widows' pensions. Same act.

17. 427,269*l.* 1*s.* 6*d.* for *French* emigrant regiments. Same act.

18. 246,877*l.* 15*s.* for corps transferred from the *Irish* to the *British* establishment in 1794. Same act.

19. 3,063,968*l.* 12*s.* 4*d.* for extraordinary of land forces in 1794. Same act.

Landgrave of Hesse Cassel.

333,253*l.* for troops to the landgrave of *Hesse Cassel*. Same act.

Landgrave of Hesse Darmstadt.

76,076*l.* for troops to the landgrave of *Hesse Darmstadt*. Same act.

Land Tax.

1. For 1795, to be 4*s.* in the pound. Chap. 2.

2. See *Commissioners of Land Tax*. Chap. 17.

Lastage and Ballastage.

For continuing several acts for regulating lastage and ballastage in the river *Thames*. Chap. 84.

Letters.

Letters.

See *Postage of Letters*. Chap. 53.

Licences.

1. Additional duties for licences for stills in the *Highlands of Scotland*. viz.

£. s. d.

For each gallon used in making spirits from barley, &c. the produce of counties mentioned in 33 Geo. 3. c. 61. annually,	1	0	0
and for each gallon made over the quantity limited by that act, an additional	0	0	8
Stills used in <i>England</i> for making spirits from <i>British</i> materials for exportation to <i>Scotland</i> annually,	9	0	0
Where melasses or sugar are used,	15	0	0
Where other foreign materials are used,	18	0	0
And for each gallon of rectifying stills,	9	0	0
Chap. 59.			

2. From *Sept.* 20, 1795, persons selling ale or other exciseable liquors by retail without licence, to forfeit 20*l.* and after a second conviction, incapable of being licensed again. Chap. 113.

Limitation of Actions.

See *Bridges*. Chap. 78. See *Exchequer Bills*. Chap. 127. See *Militia*. Chap. 27. See *Navy*. Chap. 5. 9. 19. 34. See *Parliament*. Chap. 65. See *Paving*. Chap. 74, 75. See *Saint Mary le Bone*. Chap. 73. See *Temple Bar*. Chap. 126. See *Wales, Prince of*. Chap. 129.

Linens.

29 Geo. 2. c. 15. granting a bounty on certain species of *British* and *Irish* linens exported, continued to *June* 24, 1796. Chap. 38.

Linen Yarns.

To take off the duties on the importation of foreign raw linen yarns made of flax. Chap. 38.

London.

See *Militia*. Chap. 27.

Lords' Journals.

869*l.* 19*s.* for the index to lords' journals. Chap. 120.

Lottery.

1. 758,541*l.* 13*s.* 4*d.* to be raised by a lottery; tickets at 13*l.* 15*s.* 10*d.* each; and 500,000*l.* to be paid in prizes on *July* 1, 1796. Chap. 36.
2. 525*l.* 16*s.* 8*d.* advanced by Mr. *Marsh* towards the lottery, 1794. Chap. 120.

M.

Mackarel.

1. SALT may be imported, or *British* salt used for curing mackarel, cod, &c. for home consumption, as for herrings or pilchards. Chap. 54.
2. For every barrel of mackarel twice packed and cured, and exported (except to the *Mediterranean*) a bounty of 2*s.* 8*d.* and mackarel, &c. may be carried from one port to another for home consumption, and officers for paying bounties to defray the charges of this act. Same act, s. 2.

Maidstons,

Maidstone Geneva.

See *Bishop, Sir William.* Chap. 89.

Malt.

Duties on malt, mum, cyder anderry, continued for the service of the year 1795. Chap. 1.

March, in the Isle of Ely.

For amending 30 Geo. 2. and 32 Geo. 3. relating to the draining and reserving certain fen lands and low grounds within the township or hamlet of *March, in the Isle of Ely.* Chap. 48.

Marines.

Regulated while on shore. Chap. 7.
See *Navy.* Chap. 28.

Masts.

Duties of customs imposed by 27 Geo. 3. c. 13. on importation of masts twelve inches or upwards in diameter, to cease. Chap. 20. f. 5.

Militia.

See *Derbyshire.* Chap. 16.
To alter, amend and render more effectual act 34 Geo. 3. c. 81. relating to the *London* militia. Chap. 27.
Commissioners of lieutenantancy to issue precepts to the aldermen, &c. to cause men to be raised, to whom they may give 10*l.* bounty, and commissioners to appoint a court to receive returns of men who shall be inrolled to serve five years. Same act, f. 3.
Commissioners may issue precepts to the aldermen, &c. to fill up deficiencies, and wards not raising their quota or not filling up vacancies, to pay 10*l.* per man, and a rate to be made to defray the expences of raising men, and

- aldermen, &c. to be the assessors, and appoint collectors. Chap. 27. f. 4.
5. Non-commissioned officers and men to be allowed 1*s.* 9*d.* a week for their lodging. Same act, f. 13.
 6. Militia men subject to 26 Geo. 3. c. 107. and when disembodied liable only to the orders they were before drawn. Same act, f. 15.
 7. Commissioners, when the militia is not embodied, may order the men with officers to be put under the orders of the magistrates of the city for suppression of riots, &c. Same act, f. 18.
 8. Aldermen, &c. to divide the quota of men amongst the parishes, and specify for which each serves, that the parish officers may be referred to for defraying the expences of their families, &c. and the treasurer to pay monies for relief of families of militia men. Same act, f. 20.
 9. Adjutants to have the same allowance as those of the other militia, and serjeants, &c. entitled to the benefit of *Chelsea Hospitals.* Same act, f. 22.
 10. For defraying the charge of pay and cloathing the militia in *England,* for one year from *March 25, 1795.* Chap. 33.
 11. From the disembodiment the militia, subaltern officers to have allowances during peace; lieutenants 2*5*l.** and ensigns 20*l.* a year. Chap. 35.
 12. See *Staffordshire.* Chap. 60.
 13. To apportion the relief by several statutes now in force directed to be given to the families of non-commissioned officers, drummers, fifiers and privates serving in the militia, between the county at large and peculiar districts therein, not contributing to the county rate according to the number of men serving for each in such militia,

litia, and to remove certain difficulties in respect of the relief of families of substitutes, hired men, or volunteers, serving in the militia. Chap. 81.

14. Men may be raised by beat of drum in room of those discharged under this act, for the artillery or navy, and for every man so discharged 10*l.* 10*s.* to be paid to provide others. Chap. 83. *s.* 4.

15. When a colonel is absent from *Great Britain*, his Majesty may invest the senior resident officer with the powers of the colonel, &c. Same act, *s.* 7.

16. His Majesty may direct deputy lieutenants and officers to be displaced. Same act, *s.* 8.

17. Section 89, of 26 Geo. 3. *c.* 107. repealed. Serjeants and corporals may be reduced to serve as privates. Same act, *s.* 9.

18. Acceptance of commissions in the other forces to vacate those in the militia, except the colonel, and militia colonels raising fencible corps to receive only the pay thereof, and not to act in the militia; and county lieutenants may appoint an additional major while the colonel's service is suspended. Same act, *s.* 10.

19. On receipt of certificates of the death, &c. of private men, the deputy lieutenants to cause others to be ballotted for. Same act, *s.* 11.

20. 930,047*l.* 12*s.* 3*d.* for militia and fencibles. Chap. 120.

21. 210,000*l.* for their contingencies, &c. Same act.

Mint.

1. 5,682*l.* 2*s.* 4*d.* for extraordinary expences of the mint. Chap. 120.

2. 1,386*l.* 2*s.* 6*d.* for the same. Same act.

Montröse.

For laying a duty upon ale or beer sold in the town of *Montröse* in *Scotland*, for supplying the said town with fresh water. Chap. 42.

Mutiny.

For punishing mutiny and desertion, and for the better payment of the army and their quarters in 1795. Chap. 6.

N.

National Debt.

200,000*l.* to be issued to the bank of *England* to be placed to the account of the commissioners for the reduction of the national debt. Chap. 23. 120.

Naval Services.

6,315,523*l.* 3*s.* 9*d.* for naval services for 1795. Chap. 120.

Navigable Canals.

See *Canals, Navigable.*

Navigable Rivers.

See *Rivers, Navigable.*

Navigation, Inland.

See *Rivers, Navigable.*

Navy.

1. For raising a certain number of men in the several counties in *England* and *Wales*, for the navy. Chap. 5.

2. Admiralty to appoint officers to regulate the admission of men, &c. Same act, *s.* 2.

3. Justices within twenty-one days

to hold a general session for carrying it into execution, &c. Chap. 5. s. 3.

4. Treasury to cause lists of the number of inhabited houses to be laid before the justices by the surveyors of the duties on houses, &c. and justices to appoint what number of men shall serve for each hundred, &c. and to order constables to give notice of the number and the time for raising them to the parish officers.

5. Justices at general sessions to appoint petty sessions for receiving returns and attesting and inrolling men. Same act, s. 5.

6. Mayor and aldermen of *London* at the general sessions to appoint the number of men to serve for each ward, &c. in proportion to the amount of the duties on houses, &c. Same act, s. 6.

7. Clerks to the commissioners for the duties on houses, &c. in *London*, to prepare lists of the number of houses assessed, and the amount of assessments in each ward, &c. to be laid before the mayor, &c. Same act, s. 7.

8. First petty sessions to fix a time for hearing appeals, &c. Same act, s. 8.

9. General sessions may add together two or more places for raising men, &c. and also extra-parochial or other places where no poor rates shall have been made for three years to places adjoining thereto, and justices at petty sessions to determine differences between inhabitants or parish officers. Same act, s. 9.

10. Fines for default of raising men, or bounties to be proportioned between places added together, according to the number of inhabited houses assessed in each. Same act, s. 10.

11. The charge for raising men in any parish lying in two counties

shall be made in that wherein the church stands. Same act, s. 11.

12. Parish officers to call the principal inhabitants together, to consider of the most effectual means of raising men, and with their consent to agree with volunteers to serve in the navy, and to make rates for the bounties, &c. and parish officers may reimburse themselves money paid to volunteers, and power for collecting poor rates to extend to this act. Same act, s. 13.

13. Justices may direct a third of bounties to be advanced at the request of volunteers on their being brought for examination, and the residue to remain in the hands of the treasurer until they are mustered on board. Same act, s. 14.

14. Volunteers to be brought before the nearest regulating officer, and approved before two justices, who shall certify their entering and certain particulars, and certificates to be delivered to the regulating officer, who shall cause the volunteers to be inrolled. Same act, s. 15.

15. If regulating officer reject a volunteer, the parish officers may appeal to the petty sessions, and justices order to be final, and officer to enter the names, &c. of persons inrolled in a book, and transmit duplicates to the secretary of the admiralty. Same act, s. 16.

16. Parish officers to make returns of volunteers inrolled to the petty sessions, and justices to cause returns to be delivered to the clerk of the peace to be inrolled at the sessions. If returns of the whole number to be raised by any place be not made to the petty sessions in three weeks, the justices may summon the parish officers, and may fine them for neglect, and if fines be not forthwith paid, they may be levied on the parish officer's goods, or raised by a rate on the inhabitants, but if justices

- justices deem the default unavoidable, they may allow further time. Chap. 5. f. 17.
17. Bounty money and fines to be paid to the county treasurer. In case of default persons authorized by his Majesty may produce substitutes, or volunteers may offer themselves to two justices, who shall settle the bounties to be paid, and certify the consent of substitutes, and regulating officer to cause the substitutes to be inrolled, which shall discharge the respective places, &c. and justices to order treasurer to transfer bounties to the use of substitutes, and may order rewards to persons providing them. Residus of fines to be applied by the quarter sessions to provide men for the navy, and if any remain in the treasurer's hands at *Midsummer* session, 1795, an account to be transmitted to the treasury. Same act, f. 19.
18. Certificates or copies to be transmitted with the persons inrolled, and delivered to the commanding officers of the vessels in which they shall be entered, who shall make out tickets for payment of bounty money due as for arrears of wages, which may be paid agreeably to 31 Geo. 2. c. 10. and rules for payment of wages to be used for payment of bounty. Same act, f. 20.
19. Justices may require the attendance of constables and parish officers. Same act, f. 21.
20. Clerk of the peace, within fourteen days after the *Midsummer* sessions, 1795, to transmit to the admiralty copy of returns, &c. on penalty of 500*l.* Same act, f. 22.
21. Persons inrolled shall be liable to serve until three months after the end of the war. Same act, f. 24.
22. Constables, &c. may cause suspected deserters to be apprehended, and if magistrates find them to have been inrolled, they shall commit them, and transmit an account to the admiralty, and justices to order 20*s.* out of the land tax money to the apprehender of a deserter. Same act, f. 26.
23. Men inrolled may be billeted as the marines, and 500*l.* penalty for making false oath or counterfeiting certificate of returns, &c. Same act, f. 29.
24. No person inrolled shall be taken out of the service but for a criminal matter. Same act, f. 32.
25. Justices may settle disputes between masters and hired servants inrolled respecting wages, &c. Same act, f. 34.
26. For procuring a supply of men from the several ports of this kingdom, for the navy. Chap. 9.
27. Embargo on *British* vessels to continue at each port until its quota of men be raised. Same act, f. 1.
28. Every able-bodied seaman approved to be estimated equal to two able-bodied men. Same act, f. 2.
29. Admiralty to appoint regulating officers, who are to establish places of rendezvous, and before inrollment to examine men. Same act, f. 3.
30. Owners or masters of vessels may elect, from amongst themselves and merchants trading to the port, commissioners for raising men, and three commissioners may act, and commissioners may appoint assistants by authority of the admiralty. Same act, f. 5.
31. Commissioners named for *London*, and five may act, and meet at the same time at two places. Same act, f. 9.
32. Commissioners to consider the amount of bounties, and report the same to the admiralty for their approbation. Same act, f. 12.

33. Persons entering to be produced to the regulating officers, and if approved to be brought before the the commissioners, who shall settle the bounty, and commissioners to certify that men have voluntarily entered to the regulating officer, who shall cause them to be inrolled and placed under his command, and on their removal, certificates, or copies to be transmitted with them, and delivered to the commanding officers of the vessels in which they shall be entered. Chap. 9. s. 13.
34. Commissioners may give orders on the principal officers of the customs for a third of bounties and certificates, and copies signed by regulating officers to be transmitted with the persons inrolled, and delivered to commanders of vessels, who shall make out tickets for payment of bounty money due as for arrears of wages, which may be paid agreeably to 31 Geo. 2. c. 10. &c. Same act, s. 14.
35. Admiralty to appoint officers to superintend the admission and entry of men, who shall determine appeals of commissioners against rejection of men by the regulating officers. Same act, s. 17.
36. When the complete number of men has been enrolled for any port, commissioners to certify the same to the superintending officer, who shall transmit the certificate to the admiralty, and commissioners to enter certificates in a book, and give a copy to the principal officer of the customs, and persons after being mustered on board to be intitled to wages from the day of inrolment and to all emoluments as other volunteers. Same act, s. 18.
37. Treasury to issue money to the commissioners for payment of charges about the execution of this act, and an account thereof to be laid before parliament, and majority of commissioners, with approbation of the treasury, to elect successors to commissioners declining to act, or dying. Same act, s. 23.
38. To render more effectual act 35 Geo. 3. c. 5. Chap. 19.
39. Petty sessions may order parish officers to continue in office until they completely execute the said act, and justices may appoint parish officers in place of such as die, remove, or become insolvent, and parish officers authorised to pay bounties out of poor rates, &c. Same act, s. 3.
40. Where rates cannot be collected in due time petty sessions may grant certificates of bounties to the receiver general of land tax, &c. who shall advance the money, &c. and officers appointed by the admiralty, and their assistants may be quartered, and places of rendezvous appointed. Same act, s. 7.
41. Petty officers in the navy and seamen, non-commissioned officers of marines and marines may allot a certain portion of their pay for the maintenance of their families. Chap. 28.
42. Volunteers at the time of entering, declaring to the regulating officer certain particulars, may allot part of their pay, and regulating officer to make out three declarations of allotment of pay, and orders for payment to be signed by the volunteer, and certified by the officer. Same act, s. 2.
43. Captains of ships to cause lists of petty officers, &c. desirous of allotting part of their pay, and to transmit lists and the declarations and orders to the navy board. Same act, s. 3.
44. After twenty eight days from the date persons to whom declarations

- tions and orders shall be addressed to examine into the truth thereof, and pay the sums allotted gratis, &c. and allotments of pay to be paid every four weeks. Chap. 28. f. 5.
45. If a wife to whom part of her husband's pay be allotted, shall die and leave children under fourteen years old, the minister and churchwardens may certify to the navy board the same, and their intention to appoint a person to receive and apply the money for the children, &c. and if the commissioners of the navy are satisfied of the truth of such certificate, they shall cause three certificates and orders to be made out. Same act, f. 6.
46. After twenty-eight days the person appointed to receive allotments of pay for children may apply for the same, producing certain papers, and if found authentick, the money allotted to be paid gratis, and such allotments of pay to be paid every four weeks. Same act, f. 7.
47. On promotion, any seaman, &c. may increase the allotment out of his pay to the amount allowed to his rank, and orders to be irrevocable while the grantor is intitled to pay, or the wife or mother shall live, &c. and wives, &c. to appear personally to receive allotments of pay, unless disabled by bodily infirmity, and if wives die, orders to be void if payment be not demanded within six months after signed by the navy board. Same act, f. 8.
48. For raising a certain number of men in the several counties, stewarts, royal burghs, and towns in *Scotland*, for the navy. Chap. 29.
49. For enabling the magistrates in the several counties in *Great Britain* to raise and levy able-bodied and idle persons to serve in the navy. Chap. 34.
50. After passing this act, the levy of men to be made, and justices, mayors, &c. to put this act in execution, and admiralty to appoint officers to approve or reject men. Same act, f. 1.
51. Clerks of the peace, town clerks, sheriffs depute, &c. to give notice of the first meeting of magistrates, which may be adjourned, and justices, &c. to issue precepts to high constables, &c. to attend at the succeeding sessions, and notice to be given to the admiralty, and justices may appoint a clerk, who shall receive 2s. for every man entered. Same act, f. 4.
52. Justices to levy to serve in the navy, persons who follow no lawful trade, &c. or offenders who shall be deemed idle persons, rogues or vagabonds, also smugglers, embezzlers of navy stores, &c. Same act, f. 5.
53. For providing seafaring men for the navy out of private men serving in the militia. Chap. 83.
54. His Majesty may direct the discharge of private men from the militia to serve in the navy. Same act, f. 2.
55. Men entering into the navy under this act to be entitled to the bounty. Same act, f. 4.
56. For establishing a more easy and expeditious method for the punctual and frequent payment of the wages and pay of officers belonging to the navy. Chap. 94.
57. Officers, masters and surgeons on half pay, when appointed to ships may receive their arrears of half pay, and officers on appointments to ships may apply for three months pay in advance, and officers, masters and surgeons on actual service may draw bills for their pay at the end of three months, and

and captains to subscribe the bills of lieutenants, &c. and officers, &c. on removal from ships may draw for their pay if three months are due. Chap. 94. s. 1.

58. Captains sent to sick quarters may draw for their pay at the expiration of six weeks, and lieutenants, &c. at the end of six weeks may draw for their pay, their bills being subscribed as directed by this act. Same act, s. 7.

59. Captains, &c. removed to another ship before three months pay are due, may draw bills at the expiration of three months from the last payment, and bills to be drawn at ten days sight and negotiable as bills of exchange, and bills to be examined at the navy office and assigned for payment, and flag officers may include table money in their bills. Same act, s. 11.

60. Officers half pay, pensions, &c. on application to the treasurer of the navy may be received from the receiver general of the land tax, &c. Same act, s. 20.

61. Letters or packets sent by the treasurer of the navy for carrying this act into execution to be free of postage, and orders, bills, &c. not liable to stamp duty. Same act, s. 29.

62. Act 35 Geo. 3. c. 28. extended to boatswains, gunners, and carpenters in the navy. Chap. 95.

Navy Bills.

Navy or victualling bills made out before Sept. 30, 1793, with interest to March 10, 1795, carried to the navy office by May 1, to be exchanged for certificates to the bank, entitling the holders to 108*l.* 5 per cent. annuities for 100*l.* Chap. 32.

New Bridge Street, Black Friars.

For repairing the common sewer in *New Bridge Street Black Friars, London*, or making a new sewer instead of the defective parts thereof, and for maintaining and cleansing the same. Chap. 131.

New Brunswick.

4,550*l.* for the civil establishment of *New Brunswick in America*. Chap. 120.

Newfoundland.

1. To continue an act for establishing courts of judicature in the island of *Newfoundland* to June 10, 1796. Chap. 25.
2. 1,232*l.* 10*s.* for the civil establishment of the island of *Newfoundland*. Chap. 120.

New Sarum.

See *Canals, Navigable*. Chap. 51.

New South Wales.

1. 5,241*l.* for the civil establishment there. Chap. 120.
2. 6,958*l.* 8*s.* 4*d.* for provisions sent there. Same act.

Norfolk Island.

To repeal act 34 Geo. 3. c. 45. and to enable his Majesty to establish a court of criminal judicature there. Chap. 18.

Norwood, Middlesex.

See *Canals, Navigable*. Chap. 43.

Nova Scotia.

1. 4,415*l.* for the civil establishment there. Chap. 120.

2. 468*l.* 16*s.* 1*d.* for fees on escheats, &c. in *Nova Scotia*. Chap. 120.

O.

Oil, Sallad.

SEE *Customs*. Chap. 20.

Orders in Council.

1. For rendering effectual his Majesty's orders in council of *Jan.* 16 and 21, 1795, respecting the admission of the effects mentioned in the said orders into the ports of this country to be warehoused, and for indemnifying all persons who have acted in consequence of such orders. Chap. 15.
2. If goods, vessels, &c. be seized, commissioners of the customs may release them on proof of their being brought into the kingdom agreeable to the said orders in council. Same act, s. 1.
3. Suits for acts done under the said orders in council discharged, and if plaintiffs in actions commenced after *Jan.* 16, 1795, become non-suit, &c. defendants to recover double costs, and defendants in actions already commenced may apply to the court to stop proceedings. Same act, s. 2.
4. To make further provisions respecting ships and effects come into this kingdom to take the benefit of his Majesty's orders in council of *Jan.* 16 and 21, 1795, and to provide for the disposal of other ships and effects detained in or brought into the ports of this kingdom, and proprietors of ships or goods brought into the kingdom in consequence of act 35 *Geo.* 3. c. 15. may enter them, and dispose of the goods. Chap. 80.

Ordnance.

1. 34,155*l.* 1*s.* 9*d.* for land service of ordnance in 1793. Chap. 120.
2. 25,357*l.* 14*s.* 5*d.* for sea service of ordnance in 1793. Same act.
3. 1,045,305*l.* 19*s.* 8*d.* for land service of ordnance in 1794. Same act.
4. 39,387*l.* 0*s.* 3*d.* for sea service of ordnance in 1794. Same act.
5. 1,176,804*l.* 17*s.* 9*d.* for land service of ordnance in 1795. Same act.

Orphan's Fund.

See *Temple Bar*. Chap. 126.

Oswald, Richard.

41,688*l.* 14*s.* 6*d.* 3*q.* to the representatives of *Richard Oswald*, esq. Chap. 120.

Ouze, River, Norfolk.

See *Rivers, Navigable*. Chap. 77.

Owston, Lincolnshire.

See *Inclosures*, Chap. 107.

P.

Paddington, Middlesex.

SEE *Canals, Navigable*. Chap. 43.

Painshill, Surrey.

To enable his Majesty to grant the inheritance of lands at *Painshill* in the parish of *Cobham, Walton and Wisley*, in *Surrey*, to the trustees named in the will of *Benjamin Bond Hopkins*, esq. deceased. Chap. 103.

Papists.

For allowing further time for enrolment of deeds and wills made by papists, and for relief of protestant purchasers. Chap. 99.

Parliament.

1. To prevent unnecessary delay in the execution of writs for the election of members to serve in parliament for *Scotland*. Chap. 65.
2. Sheriffs deputies or substitutes, &c. to direct, within six days after receiving the writs, the notices required to be given for elections of members, &c. Same act, s. 1.
3. None but sheriffs deputies, or substitutes, to receive and execute writs for elections. Same act, s. 2.
4. 500*l.* penalty on sheriffs deputies, &c. for neglect of duty, and 1000*l.* on high sheriffs, &c. for interfering in the execution of writs. Same act, s. 3.
5. Writs for the election of members for *Orkney* and *Zeland* to be published at *Kirkwall*, and the twelve parishes in the island of *Pomona*, or the main land of *Orkney* only. Same act, s. 6.

Paving.

1. To explain, amend and render more effectual 31 Geo. 3. c. 90. for paving *Finsbury Square*, in the parish of *Saint Luke*, *Middlesex*. Chap. 45.
2. See *Saint Mary-le-Bone*. Chap. 73.
3. For keeping in repair the footways in the high street of *Kensington* in *Middlesex*, and for lighting and watching, and for removing and preventing encroachments and nuisances there. Chap. 74.
4. For paving the footways and cleansing, lighting, watching and

regulating the streets, lanes, &c. in *Wallingford*, *Berkshire*, and removing and preventing nuisances and encroachments. Chap. 75.

5. For better paving, lighting, cleansing and improving the streets, lanes, &c. of *Aberdeen*, and for removing and preventing obstructions and annoyances there. Chap. 76.
6. For lighting, watching and regulating the footways and removing nuisances at *Henley-upon-Thames*. Chap. 79.

Pedlars.

See *Hawkers and Pedlars*. Chap. 91.

Penitentiary Houses.

2,823*l.* 10*s.* 5*d.* for designs of penitentiary houses, &c. Chap. 120.

Pennington, Lancashire.

See *Canals, Navigable*. Chap. 44.

Pennygored Works.

For allowing a drawback of the duties on coals used in carrying on the *Pennygored Works*, in *Pembrokeshire*. Chap. 39.

Poor.

1. For repealing former act relating to the poor, providing a workhouse, and for employing, maintaining and regulating the poor of *Saint Botolph, Bishopsgate, London*. Chap. 61.
2. See *Saint Mary-le-Bone*. Chap. 73.
3. So much of 13 and 14 Car. 2. c. 12. as enables justices to remove persons likely to be chargeable to parishes, repealed, and no persons to be removed until they become chargeable, and justices may sus-

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pend the removal of sick persons. Chap. 101.

4. Rogues and vagabonds to be considered as chargeable, and may be removed, and unmarried women with child to be deemed chargeable. Same act, s. 5.

Postage of Letters.

1. No letter to or from any member of either house of parliament exceeding one ounce exempt from postage, nor any letter, unless the member directing it be within twenty miles of the post town on the day or day before it is put into the office. Chap. 53.
2. No member to send more than ten, or receive more than fifteen, letters free, daily. Same act, s. 3.
3. Single letters from and to non-commissioned officers, seamen and privates, in navy and army, liable to 1d. postage only. Same act, s. 7.
4. Packets not exceeding one ounce, containing samples or patterns, to be charged as single letters. Same act, s. 9.

Post Office.

To enable the postmaster general to open and return certain letters contained in the mails made up for the *United Provinces* on Jan. 13, 16 and 20, 1795, remaining in the general post office. Chap. 62.

Powder.

See *Stamps*. Chap. 49. 112.

Prizes.

Acts 20 Geo. 3. c. 23. and 21 Geo. 3. c. 15. to extend to *Spanish* and *Dutch* prizes during hostilities. Chap. 121.

Q.

Qualifications.

ACT of qualification for offices, &c. Chap. 50.

R.

Rape Seed.

RAPE seed, and other seeds used for extracting therefrom, may be imported in *British* built ships from any country, on the duty of 1s. per last, when the price of middling *British* rape seed is 20l. a last. Chap. 117.

Receipts.

See *Stamps*. Chap. 55.

Redstone, Worcestershire.

See *Bridges*. Chap. 108.

Rivers, Navigable.

1. After June 15, 1795, boats, barges, and vessels exceeding thirteen tons, used on navigable rivers and inland navigations in *Great Britain* to be registered. Chap. 58.
2. Time enlarged to Sept. 1, 1795. Chap. 112.
3. For altering and improving the navigation of the river *Ouze* from *Eau Brink*, in the parish of *Wiggenball Saint Mary* in *Norfolk*; to the harbour of *King's Lynn*; and for improving and preserving the navigation of several rivers communicating with the *Ouze*. Chap. 77.
4. To explain, amend, and render more effectual, several acts relating to the navigation of the river

luben

Itchen in *Hampshire*, and for improving the navigation thereof, and ascertaining the rates of carriage, riverage and wharfage payable thereon. Chap. 86.

5. For improving and supporting the navigation of the river *Ivel*, otherwise *Yeo*, from *Ivelchester* to *Bicknell Bridge*, in the parish of *Huish Episcopi* in *Somersetshire*, and for making a navigable cut from thence into a drain called *Potlake Rhine* in the parish of *Langport*, and to the river *Parret* below *Great Bow Bridge* in *Langport*. Chap. 105.

6. For amending an act of 28 Geo. 3. and for extending and enlarging the powers of two acts passed in the eleventh and fifteenth of the present King, so far as the same relate to the improving and completing of the navigation of the rivers *Thames* and *Isis*, from the jurisdiction of the city of *London* near *Staines* in *Middlesex* to *Cricklade* in *Wiltshire*. Chap. 106.

Rockingham Forest, Northamptonshire.

To enable his Majesty to grant to the earl of *Upper Ossory* the haye or walk of *Farming Woods* in the forest of *Rockingham* in *Northamptonshire*, and the reversion of certain offices, upon a full consideration to be paid for the same. Chap. 40.

Rum.

See *Excise*. Chap. 12.

S.

Saint Albans, Hertfordshire.

SEE *Canals, Navigable*. Chap. 85.

Saint John, Island of.

1,900*l.* for the civil establishment at the island of *Saint John* in *America*. Chap. 120.

Saint Mary-le-Bone.

For repealing several acts relating to the nightly watch and beadles, and paving, and the poor of the parish of *Saint Mary le-Bone* in *Middlesex*, and for making more effectual provision for those purposes. Chap. 73.

Salt.

See *Mackarel*. Chap. 54.

Salt, Rock.

See *Customs*. Chap. 20.

Sardinia, King of.

200,000*l.* granted to the king of *Sardinia*. Chap. 120.

Scotland.

1. See *Navy*. Chap. 29.
2. See *Stamps*. Chap. 30.
3. Commissioners of excise in *Scotland* may reward their officers as the commissioners of excise in *England* are authorized by 28 Geo. 3. c. 34. Chap. 31. f. 2.
4. See *Distilleries*. Chap. 59.
5. See *Licences*. Chap. 59.
6. See *Parliament*. Chap. 65.
7. For repealing so much of act 24 Geo. 3. c. 5. as relates to the amount of the debt charged upon the lands and estate which became forfeited by the attainder of *Evan Macpherson*, late of *Cluny*. Chap. 69.
8. To make perpetual act 30 Geo. 3. c. 37. to discontinue the payment of the duties in *Scotland* upon low wines and spirits, and upon

worts, wash, and other liquors there used in the distillation of spirits; and for regulating the exportation of *British-made* spirits from *England to Scotland*, and from *Scotland to England*. Chap. 89.

9. 4,500*l.* for roads and bridges in the highlands of *Scotland*. Chap. 120.

10. To enable his Majesty to erect independent burghs of barony in *Scotland*, and for removing difficulties as to granting of leases in towns and villages on the fishing coasts of *Scotland*. Chap. 122.
11. For more easy and expeditious recovery of small debts, and for determining small causes arising out of personal contract or obligation in *Scotland*. Chap. 123.

Sea Insurances.

See *Stamps*. Chap. 63.

Service Abroad.

24,335*l.* 18*s.* for his Majesty's service abroad. Chap. 120.

Silk.

Organzined thrown silk of *Italy* may be imported from any place in amity with his Majesty in any vessels, until twenty days after the commencement of next session of parliament, (but not to extend to silk coarser than third bolonia, nor tram, nor thrown silk of *Turkey*, &c.) and such silk to be brought to the custom-house, *London*. Chap. 100.

Silks and Velvets.

6 Geo. 3. c. 28. so far as relates to prohibiting the importation of foreign wrought silks and velvets continued to *June 14, 1802*. Chap. 38.

Silk, Waste.

Act 27 Geo. 3. c. 13. imposing the duties of customs *ad valorem* on waste silk not enumerated, and drawback to cease. Chap. 20. s. 5.

Skins.

See *Hides and Skins*. Chap. 97.

Slave Trade.

1. For regulating the shipping and carrying slaves in *British* vessels from *Africa*. Chap. 90.
2. From *Aug. 1, 1795*, no vessel clearing out from *Great Britain* to carry slaves from *Africa* in greater numbers than specified in this act, and masters to forfeit 30*l.* for every slave exceeding the limited number. Same act, s. 1.
3. Masters of vessels, before they land any slaves in the *West Indies*, to give in a written declaration to the officer of the customs of the burthen of the vessels, &c. and if they land slaves contrary to this act to forfeit 500*l.* and officers of the customs to take an account of the slaves on board on penalty of 500*l.* Same act, s. 2.
4. No vessel to carry any slaves unless entered for that purpose at clearing out, nor unless the surgeon give bond to keep a journal of the slaves during the voyage, which is to be delivered to the officer of the customs at the first *British* port of arrival, &c. and officers to deliver to the master a copy of his declaration, and to the surgeon a copy of his journal, and transmit duplicates to the commissioners of customs, and masters and surgeons acting contrary hereto to forfeit 100*l.* Same act, s. 4.
5. The upper and lower cabin and the space between decks to be allotted

allotted to the slaves, &c. Chap. 90. f. 8.

If any person take the command of a vessel who is not qualified as by this act directed, he and the owner to forfeit 500*l.* Same act, f. 9.

Former acts recited, and nothing therein to make void insurances made in general terms, as other insurances, and no vessel to be cleared out that has not a surgeon who has passed his examination. Same act, f. 10.

3. If the officer at the port of discharge shall be satisfied there have not died on the voyage more than two slaves in one hundred, he is to give certificate to the master and surgeon, and on production thereof to the commissioners of customs, they are to order the master 100*l.* and the surgeon 50*l.* and like certificates to be given where the mortality has not been more than three in one hundred, which is to entitle the master to 50*l.* and the surgeon to 25*l.* Same act, f. 12.

9. Before any vessel is cleared outwards, the master, officers, and mariners to execute articles of agreement in the forms annexed to this act, on penalty of 50*l.* Same act, f. 13.

10. Master to cause a printed abstract of this act to be hung up in his vessel, on penalty of 20*l.* and this act to continue to Aug. 1, 1796. Same act, f. 18.

Snow Hill, London.

See *Temple Bar.* Chap. 126.

Snuff.

See *Tobacco.* Chap. 31.

Societies, Friendly.

1. Societies established before passing act 33 Geo. 3. c. 54. may exhibit

their rules for confirmation at any quarter sessions before or immediately after *Michaelmas*, 1796. Chap.

11.

2. Governors of institutions for relief of widows, &c. may frame rules and present them for confirmation, and appoint treasurers, &c. and be intitled to the benefit of this act. Same act, f. 2.

Soldiers.

1. Non-commissioned officers and soldiers to allow 10*d.* a day for diet and small beer in quarters in *England*, and for articles which have been furnished gratis in lieu thereof, 2*d.* a day to be allowed: Chap. 64.

2. For horses quartered 10*d.* 2*q.* a day for hay and straw. Same act, f. 3.

3. Regulations with respect to dieting non-commissioned officers and soldiers on their march, and recruiting parties and recruits. Same act, f. 5.

Somers Islands.

See *Bermuda.* Chap. 120.

Southampton.

See *Canals, Navigable.* Chap. 51.

Spirits.

1. Duties imposed by 27 Geo. 3. c. 13. on wash brewed in *England* for extracting spirits for home consumption made perpetual. Chap. 89. f. 3.

2. To prohibit, from July 17, 1795, to Feb. 1, 1796, the making of low wines or spirits from wheat, barley, malt or grain, or from meal, flour or bran, and for permitting home-made spirits deposited in warehouses for exportation to be taken out for home consumption

sumption on payment of duty.
Chap. 119.

Staffordshire.

For applying money raised in the county of *Stafford* by virtue of several acts of parliament respecting the militia. Chap. 60.

Stage Coaches.

The additional duty on stage coaches by 29 Geo. 3. c. 49. to cease. Chap. 109.

Stamps.

1. From July 5, 1795, additional stamp duties, viz.

	£.	s.	d.
Affidavits,	0	0	6
Copies of affidavits,	0	0	6
Depositions of witnesses in <i>Scotland</i> ,	0	0	6
Original writs, <i>subpœna</i> , &c.	0	1	0
Agreements,	0	1	0
Indentures, deeds, &c.	0	1	0
Probates of wills, or letters of administration of 1000 <i>l.</i> or above,	2	10	0
Of 2000 <i>l.</i>	2	10	0
Of 5000 <i>l.</i>	5	0	0
Of 10,000 <i>l.</i> or upwards,	10	0	0

Chap. 30.

2. Exemption in 23 Geo. 3. c. 58. as far as relates to bonds for 100*l.* and under, repealed. Same act, f. 3.

3. Persons wearing hair powder to take out a certificate annually chargeable with a stamp duty of 1*l.* 1*s.* Chap. 49.

4. From July 5, additional stamp duties on receipts, viz.

	s.	d.
Receipts for 100 <i>l.</i> and under 500 <i>l.</i>	0	6
Receipts for 500 <i>l.</i> and upwards	1	0

Receipts in full only,
Chap. 55.

s. d.
2 0

5. From July 5, 1795, a stamp duty on sea insurances of 2*s.* 6*d.* for every 100*l.* insured, and where the premium shall not exceed 10*l.* a duty of 1*s.* 3*d.* for every 100*l.* Chap. 63.

Sugar.

1. If the average price of sugar on Feb. 23, Aug. 23, and Oct. 23, yearly shall not exceed 65*s.* an hundred weight, the drawback and bounty to be allowed. Chap. 110.
2. On exportation of refined sugar not in a *British* ship, 1*s.* per hundred weight less bounty to be paid. Same act, f. 3.

Sweets.

See *Excise*. Chap. 10.

T.

Tallow, &c.

ACT 7 Geo. 3. c. 12. to discontinue the duties on importation of tallow, &c. continued to March 25, 1799. Chap. 38.

Tea.

See *Excise*. Chap. 13.

Temple Bar.

For widening and improving the entrance into *London* near *Temple Bar*, for making a more commodious street or passage at *Snow Hill*, and for raising, on the credit of the orphan's fund, a sum of money for those purposes. Chap. 126.

Thames, River.

See *Canals, Navigable.* Chap.

52.
See *Rivers, Navigable.* Chap.
106.

Timber.

See *Customs.* Chap. 20.

Tobacco.

Licences to manufacture or deal in tobacco or snuff within the limits of the chief office of excise in *Edinburgh* to be granted by the commissioners of excise. Chap. 31. s. 4.

Tools.

Act 26 Geo. 3. c. 89. extending to other tools and utensils, and act 25 Geo. 3. c. 67. made perpetual. Chap. 38.

Treason.

Persons imprisoned for high treason, &c. may be detained until *July*, 1795. Chap. 3.

Trowbridge, Wilts.

See *Canals, Navigable.* Chap. 52.

U.

United Provinces.

1. GOODS belonging to subjects of the *United Provinces* coming from thence, &c. may be landed and warehoused, &c. Chap. 15. s. 4.
2. Inhabitants of the *United Provinces* employed in the herring fishery, &c. or in building vessels, &c. coming to reside in this kingdom, may import fish duty free, export them, be intitled to

bounties, carry on their trades, &c. and such persons, owners of vessels, employed in the said fisheries, bringing them into this kingdom, may, by order from the privy council, have them registered, and be intitled to the privileges of *British*-built vessels. Chap. 56. s. 7.

3. While the owners reside in the kingdom such vessels may import the fish caught, export them, and import in return such articles as *British*-built ships if properly manned, and persons so qualified may purchase estates not exceeding one hundred acres, and may bring into the kingdom ships, &c. duty free. Same act, s. 9.
4. See *Post Office.* Chap. 62.

United States of America.

To continue the laws now in force for regulating the trade between this kingdom and the inhabitants of the united states of *America* until *April* 5, 1796. Chap. 26.

Upper Ossory, Earl of.

See *Rockingham Forest.* Chap. 40.

V.

Velvets.

SEE *Silks and Velvets.* Chap. 38.

Veterinary College.

1,500l. for the *Veterinary College.* Chap. 120.

Viſtualling Bills.

See *Navy Bills.* Chap. 32.

Vincent's, (Saint) Island of.

See *Exchequer Bills.* Chap. 127.

W. *Wales,*

W.

Wales, Prince of.

1. HIS Majesty may grant an annuity of 65,000*l.* to the Prince of *Wales*, to commence Oct. 10, 1794, out of the consolidated fund. Chap. 129.
2. Commissioners appointed to put this act in execution, and 15,000*l.* to be paid quarterly to the commissioners to discharge the prince's debts, and 1,250*l.* to be paid quarterly to the prince, and when the debts are discharged the commissioners to cease, and 16,250*l.* to be set apart quarterly for the prince. Same act, s. 4.
3. Commissioners may demand from persons concerned in the management of the prince's revenues a state of his debts and examine creditors on oath, and creditors dissatisfied with the judgement of the commissioners may sue them, and commissioners may institute suits against creditors. Same act, s. 8.
4. Commissioners may settle the course of payment of debts and make out debentures for the same, and securities payable out of the funds hereby established may be assigned. Same act, s. 12.
5. 13,000*l.* annually out of the revenues of the duchy of *Cornwall* to be paid to the commissioners, &c. half-yearly, and interest on securities to be paid half-yearly. Same act, s. 13.
6. On the demise of the crown in the prince's life the 60,000*l.* to be charged on the hereditary revenue of the crown, and if the prince should die before the debts are paid, the 60,000*l.* to be set apart from the consolidated fund until they are discharged. Same act, s. 16.
7. No claims to be received after Sept. 1, 1795, nor security granted unless claims be made before that day, and the creditors submit to be examined, and commissioners may enlarge the time for delivering in claims, and if security be accepted the debt to merge therein. Same act, s. 18.
8. Treasury may order 500*l.* to be issued annually for defraying the expences of executing this act out of the 60,000*l.* and commissioners to give an account of their proceedings to the treasury. Same act, s. 21.
9. Principal officer of the prince to make out a plan of his establishment, and from July 5, 1795, disbursements from the prince's revenues to be made by the treasury, for which he shall be responsible, but the plan may be altered, and when the commission shall cease a new plan of the establishment of the prince to be made out, &c. Same act, s. 25.
10. Treasurer of the prince of *Wales* to cause payments to be entered in a book, which his Majesty's treasury may inspect, and an account to be made out quarterly of expences of the prince, which shall be examined and signed by the treasurer. Same act, s. 27.
11. No action to be brought against the prince for any debt which shall accrue after July 5, 1795. Same act, s. 33.
12. Creditors who have delivered in their demands in the time limited may sue for the same within three months after delivery, and treasurer to be made defendant, and judgement to be a charge upon the prince's funds, &c. and officers misapplying monies, &c. liable to damages, which may be sued for in any court at *Westminster*. Same act, s. 35.

13. For preventing the accumulation of debts by any future heir apparent of the crown, and for regulating the mode of expenditure from the time when a separate establishment shall be made for such future heir apparent. Chap. 125.

14. 27,500*l.* for preparation for the marriage of the prince of *Wales*. Chap. 120.

Wales, Princess of.

His Majesty may grant to the princess of *Wales* an annuity of 50,000*l.* from the decease of the prince, payable quarterly, chargeable on the revenue for the support of his Majesty's household, and to be in bar of dower. Chap. 130.

Wallingford, Berkshire.

See *Paving*. Chap. 75.

Warden, Northumberland.

See *Hoydon*. Chap. 47.

Wash.

See *Excise*. Chap. 11.

Water.

For better supplying the inhabitants of *Aberdeen* with fresh water. Chap. 76.

Watford, Hertfordshire.

See *Canals, Navigable*. Chap. 85.

Weights and Balances.

The quarter sessions to appoint persons to examine weights and balances, who are to visit shops, &c. and seize false weights, &c. Chap. 102.

West India Islands.

To indemnify governors, lieutenant governors, and persons acting as such, in the *West India* islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms. Chap. 57.

Whale Fishery.

1. For further encouraging and regulating the *Southern* whale fisheries. Chap. 92.
2. Acts 26 Geo. 3. c. 50. and 28 Geo. 3. c. 20. repealed, except as to vessels cleared out before Nov. 1, 1795. Same act, s. 1.
3. Premiums granted for three years to twenty-eight ships fitted for the fishery, and the master and three-fourths of the crew to be *British* subjects, or if cleared from *Great Britain* foreign protestants intending to settle there, &c. Same act, s. 2.
4. No premium to be paid unless there is an apprentice indentured for three years on board for every fifty tons burden, and 50*l.* penalty on masters suffering apprentices to quit their service before expiration of the term, and apprentices to be considered as such for the voyage, though their indentures expire during it. Same act, s. 8.
5. No premium to be allowed unless a log book be regularly kept, and delivered to the collector of the customs at the port of arrival, on oath. Same act, s. 11.
6. Oath to be made that the cargo is the produce of creatures killed by the ship's crew, and persons taking part of the cargo of other vessels for the purpose of obtaining a premium forfeit 500*l.* Same act, s. 13.
7. Commissioners of customs may order payment of the premiums, and

- and no premium to be paid unless claimed in two months. Chap. 92, s. 16.
8. Ships sailing to the east of the *Cape of Good Hope* and westward of *Cape Horn*, or through the *Straights of Magellan*, to take a licence from the *India* company, and ships sailing out of their limits, or having improper merchandize on board, liable to the penalties of trading to the *East Indies* without a licence, and ships touching at *Saint Helena* may be examined, and unlicensed goods seized. Same act, s. 20.
 9. Ships sailing within the limits of the *South Sea* company must have a licence from them, and ships may be furnished with arms and ammunition on licence from the admiralty, but no ship intitled to more than one premium the same season. Same act, s. 26.
 10. If water be mixed with oil, &c. imported, it shall be forfeited, as well as the claim to premium, and the quantity of oil, &c. imported to be ascertained by the officer of the customs and certified to the commissioners. Same act, s. 32.
 11. No harpooner, &c. to be impressed, and whale boats not liable to seizure on account of built, if used only in the fishery. Same act, s. 34.
 12. Forty foreigners, with their families, who have carried on the whale fishery, coming to *Milford* by Dec. 31, 1798, to reside in the kingdom, and bringing not more than 20 vessels, built before Jan. 1, 1795, may be permitted to im-

- port oil, &c. and such ships fitted out from *Milford*, for a whaling voyage, may be registered as *British* ones on the owners taking the oath of allegiance, and such owners to make oath as to their sole property in vessels. Same act, s. 36.
13. Persons granting or using false certificates or counterfeiting them to forfeit 500l. Same act, s. 39.

Wine.

1. See *Excise*. Chap. 10.
2. If foreign wine is not entered or the duties paid, or if it is not landed within twenty days after entry should have been made, and it should be conveyed to the King's warehouse agreeably to 26 Geo. 3. c. 59. 6d. a week rent to be paid for each cask or package. Chap. 118.
3. For foreign wine exported to *China* the same drawback to be allowed as for wine sent to the *East Indies*, on conditions of act 26 Geo. 3. c. 59. Same act, s. 7.

Woolcombers.

To enable woolcombers to exercise trades in any town or place in *Great Britain*. Chap. 124.

Workhouse.

For providing a workhouse for *Saint Botolph, Bishopsgate*. Chap. 61.

Worsley, Lancashire.

See *Canals, Navigable*. Chap. 44.

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